



NORTHAMPTON
BOROUGH COUNCIL

PLANNING AGENDA

Tuesday, 8 April 2014

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

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722

PLANNING COMMITTEE

AGENDA

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

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

Who Can Speak At Planning Committee Meetings?

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

How Do I Arrange To Speak?

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

Methods of Registration:

- By telephone: 01604 837356
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- By email to: democraticservices@northampton.gov.uk (if no acknowledgement is received please telephone)

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions of 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, 8 April 2014

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**
8. **NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
9. **NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
 - (A) **N/2014/0104 - 46 BRIDGE STREET: LISTED BUILDING APPLICATION; INSTALL 4 STEEL BEAMS TO HELP SUPPORT THE FIRST AND SECOND FLOOR JOISTS AND 2 STEEL BEAMS INTO THE LOFT SPACE TO ACT AS A BINDER TO SUPPORT THE 2ND FLOOR CEILING**
 - (B) **N/2014/0105 - 48 BRIDGE STREET: LISTED BUILDING APPLICATION; INSTALL A STEEL ROOF BINDER INTO THE LOFT SPACE TO SUPPORT THE CEILING JOISTS (RETROSPECTIVE APPLICATION)**
 - (C) **N/2014/0199 - 44 BRIDGE STREET: LISTED BUILDING CONSENT; INSTALL 3 BEAMS TO SUPPORT THE 1ST & 2ND FLOOR JOISTS AND INSTALLATION OF 2 BEAMS INTO THE LOFT SPACE TO ACT AS A BINDER TO SUPPORT THE 2ND FLOOR CEILING**
 - (D) **N/2014/0251 - GREYFRIARS BUS STATION: PRIOR NOTIFICATION OF DEMOLITION**
10. **ITEMS FOR DETERMINATION**

- (A) N/2013/1263 - DEVELOPMENT LAND BETWEEN TALAVERA WAY AND BOOTH RISE: ERECTION OF 38 DWELLINGS COMPRISING 12 FLATS AND 26 HOUSES; A RETAIL UNIT WITH ASSOCIATED PARKING & INSTALLATION OF NEW ACCESS ROAD
- (B) N/2014/0171 - 113 ABINGTON AVENUE: CHANGE OF USE FROM DWELLING (C3) TO HOUSE OF MULTIPLE OCCUPATION FOR 5 OCCUPANTS (C4)
- (C) N/2014/0183 - VACANT INDUSTRIAL LAND ST JAMES MILL ROAD: PROPOSED NEW PRODUCTION BUILDING (B2)
- (D) N/2014/0188 - UNIT 2, PRENTICE COURT: SINGLE-STOREY FRONT EXTENSION AND REPOSITIONING OF ATM MACHINE
- (E) N/2014/0227 - 7 HEDGEROW DRIVE: TWO-STOREY AND SINGLE-STOREY SIDE EXTENSION INCLUDING AN ADDITIONAL REAR DORMER AND AMENDMENTS TO EXISTING REAR DORMER

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

SUPPLEMENTARY AGENDA

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 4 March 2014

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

Sue Bridge, Head of Planning; Rita Bovey, Development
Management Team Leader; Tracy Miller, Development Manager;
Simon Tindle, Senior Planning Officer; David Rowen, Principal
Planning Officer; Theresa Boyd, Solicitor; Nathan Birch, Democratic
Services Officer.

1. APOLOGIES

Apologies for absence were received from Councillor Caswell.

2. MINUTES

The minutes of the meeting held on 11th February 2014 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

- **N/2011/0997** Upton Park, Weedon Road
Nicollette Bench, Councillor Alan Bottwood and Tom Venables (Homes and Communities Agency)
- **N/2013/1156** 31 Samwell Way
Councillor Sargeant, Pamela Glennon, Councillor Bottwood, James O’Riordan (Architect) and Colin Beswick (Applicant)
- **N/2014/0042** The Lodge, Wootton Hall Park
Councillor Larratt, Councillor Nunn (Chair - East Hunsbury & Wootton Parish Council), Pete Hodgson, John New and Barney Paul Bonner (Project Architect)

4. DECLARATIONS OF INTEREST/PREDETERMINATION

None

At the Chair's suggestion and in view that there were public speakers present on several items it was **RESOLVED**: That the committee move Items 5 and 6 to the end of the agenda. Item 10, Items for Determination be heard in the order 10(B); 10(A); 10(E); 10(C) and 10(D).

7. OTHER REPORTS

None

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

10. ITEMS FOR DETERMINATION

(B) N/2013/1156 - 31 SAMWELL WAY: SINGLE STOREY FRONT AND SIDE EXTENSION WITH GARAGE CONVERSION

The Development Management Team Leader outlined the report of the Head of Planning, as set out in the agenda. The Committee's attention was also drawn to the circulated addendum. The recommendation was for approval with the conditions set out.

Councillor Sargeant, as a Ward member, addressed the Committee and spoke against the application.

In response to a question from the Committee Councillor Sargeant supplied the following information:

- He believed the issues around traffic did not relate to volume, but vision of vehicles from the property and safety.

Mrs Glennon, resident of the neighbouring property, addressed the Committee and spoke against the application.

In response to a question from the Committee Mrs Glennon supplied the following information.

- The site layout and position of the properties identified in the photographs was confirmed.

Councillor Bottwood, as a Ward member, addressed the Committee and spoke in favour of the application. Councillor Bottwood also declared his membership of Upton Parish Council.

Mr O'Riordan, the applicant's architect, addressed the Committee and spoke in favour of the application.

Mr Beswick, the applicant, addressed the Committee and spoke in favour of the application.

In response to the questions raised by the Committee the Development Management Team Leader advised the Committee that:

- This was a residential area, with adequate parking and low levels of traffic movement overall. As such it was not felt necessary to specifically monitor the traffic flow, but the Highways Authority had been consulted as per the report.

The Committee discussed the report.

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

(A) N/2011/0997 - UPTON PARK, WEEDON ROAD: OUTLINE PLANNING APPLICATION FOR UP TO 1,000 RESIDENTIAL UNITS, PRIMARY SCHOOL, LOCAL CENTRE UP TO 2000MSQ.

The Senior Planning Officer outlined the report of the Head of Planning, as set out in the agenda. The Committee's attention was also drawn to the circulated addendum. The recommendation was for approval in principle with the conditions set out in the report and addendum

Ms Bench, local resident and Chair of the local youth club, addressed the Committee and spoke against the application, specifically the site access and the volume of traffic generated along West Street.

Councillor Bottwood, as a Ward member, addressed the Committee and spoke against the application, specifically the site access and volume of traffic generated along West Street. Councillor Bottwood also declared his membership of Upton Parish Council.

Mr Venables, Homes and Communities Agency (HCA), addressed the Committee and spoke in favour of the application.

In response to questions from the Committee Mr Venables supplied the following information:

- He confirmed consultation would continue before finalising the access via West Street. Officers would be involved and the Committee may have a further opportunity to consider if necessary.
- He confirmed that West Street is currently 6.1m wide and the issues of parking and bus access would be addressed by widening the road and the introduction of parking bays.

In response to the points raised by the speakers the Senior Planning Officer advised the Committee that:

- The access via West Street would be limited by the conditions 14 and 15, until such time as the Planning Authority and Highways Authority were satisfied.
- A S106 contribution to secondary school places had been requested by the Local Education Authority.

In response to the questions raised by the Committee the Senior Planning Officer advised the Committee that:

- When complete the site would have two access points, from both the eastern and western sides of the development.
- The areas subject to a S106 contribution were outlined in the report. The total S106 funds in the case would be approximately £19m.
- The Highway Authority had not requested West Street be made one way.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to the conditions set out in the report and the addendum.

(E) N/2014/0042 - NORTHAMPTON POLICE FEDERATION, THE LODGE, WOOTTON HALL PARK: ERECTION OF A SINGLE AND TWO STOREY REAR EXTENSION FOR USE AS MEETING ROOM AND OFFICE SPACE

The Principal Planning Officer outlined the report of the Head of Planning, as set out in the agenda and the circulated addendum. The Committee's was informed that the car parking spaces marked 12-17 were currently in use by the occupier.

Councillor Larratt, as a Ward member, addressed the Committee and spoke against the application. He welcomed the condition regarding use as set out in the addendum.

Councillor Nunn, as Chair of Wootton & East Hunsbury Parish Council addressed the Committee and spoke against the application. He declared his role as the Assistant Cabinet Member for Regeneration He welcomed the condition regarding use as set out in the addendum.

Mr Hodgson, local resident, addressed the Committee and spoke against the application.

Mr New, local resident and Chair of Wootton Park Residents Association, addressed the Committee and spoke against the application.

Mr Bonner, architect for the applicant, addressed the Committee and spoke in favour of the application. He suggested that the applicant would be happy to condition the reversion of the parking spaces to garden should they vacate the property.

In response to the points raised by the speakers the Principal Planning Officer advised the Committee that:

- The Highways Authority had raised no objections.
- A new footpath would in fact be created.
- Reversion of the parking spaces to garden could be conditioned if they so wished.
- Conditions regarding the amount of use may be unenforceable and possibly ultra vires.

The Committee discussed the report.

Councillor Meredith proposed and Councillor Lane seconded that the recommendation contained within the report be accepted and that a condition regarding the reversion of the car parking spaces to garden should the current use as offices cease be added.

RESOLVED: That the application be **APPROVED**, subject to the conditions set out in the report and addendum, with the addition of a condition regarding reversion of parking space to garden use.

(C) N/2013/1244 - 38 CLOUTSHAM STREET: CHANGE OF USE FROM DWELLING (C3) TO HOUSE OF MULTIPLE OCCUPATION (C4)

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

Councillor Meredith proposed that the application should have been the subject of a site visit and that the matter be deferred. Due to to the lack of a seconder the proposal fell.

The Committee discussed the report.

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

(D) N/2013/1323 - 46 BRIDGE STREET: TO KNOCK THROUGH TO THE ADJOINING BUILDING (44 BRIDGE STREET) BY REMOVING APPROXIMATELY 3.5M OF WALL. LISTED BUILDING APPLICATION

The Principal Planning Officer outlined the report of the Head of Planning, as set out in the agenda. He reminded the Committee that they were no giving the final approval. As this was a Listed Building Consent to a Council owned property the matter would be referred to the Secretary of State.

The Committee discussed the report.

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

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

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

The Development Management Team Leader presented a verbal report that there had been an application (N/2014/0185) for Non-Material Amendment to Planning Approval N/2012/0314 (Provision of a new 21-Stand Bus Interchange) to increase the retail unit floor area from 238m² to 250.1 m². A Non-Material Amendment to Planning Approval had to be dealt with within 28 days and because the site was in Council ownership it required Committee approval.

In response to questions from the Committee the Development Management Team Leader added:

- The application came about because a wall had been sited approximately 1m further out increasing the floor space.
- The application would regularize the planning issue.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED**.

6. LIST OF CURRENT APPEALS AND INQUIRIES

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

The Development Management Team Leader updated that in addition to those decisions listed in the report, applications N/2013/0873 and N/2013/0874, both previously delegated refusals, had been upheld by the Planning Inspectorate.

It was reported that application N/2013/0970 was currently being considered by the Inspectorate and a site visit was due on 18th March 2014. The visit would include the Inspector, Planning Officers and Applicant, with a decision likely in approximately 8 weeks. The full details of all appeal decisions were available online.

RESOLVED: That the report be noted.

The meeting concluded at 7:50 pm

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



List of Appeals and Determinations – 8th April 2014

Written Reps Procedure

Application	Del/PC	Description	Decision
N/2013/0640 APPV2825/A/13/2210083	DEL	Change of use from dental surgery (D1 use class) into 8 no. 1 and 2 bedroom flats (C3 use class) including 2 storey rear extension, installation of balconies, rear window and doors. (revised scheme following approval of N/2013/0142 to replace approved Juliet balconies) at 40-42 Derngate	DISMISSED
N/2013/0925 APP/V2825/A/14/2212087	PC	Change of use from residential care home (use class C2) into 28no. residential flats (use class C3) and provision of on site parking spaces at 88 Churchill Avenue	AWAITED
N/2013/1047 APP/V2825/A/14/2216030	PC	Erection of detached bungalow (revision of previously approved application N/2009/0824) at Building Plot adjacent to 15 Whitehills Crescent	AWAITED
N/2013/1086 APP/V2825/H/14/2211533	DEL	Refusal of proposed hoardings and free standing flagpole signs at 25-29 Gambrel Road	ALLOWED
N/2013/1170 APP/V2825/D/14/2214050	DEL	Part demolition of existing single garage and erection of double garage with pitched roof at 69 Meshaw Crescent	AWAITED
N/2013/1243 APP/V2825/A/14/2204102	PC	Outline application for the development of 3 new houses including parking and new access road from Millway land rear of 7A Millway, Duston	AWAITED

Public Inquiry

		None	
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Hearing

N/2012/1093 APP/V2825/A/14/2214518	PC	Demolition of Bective Works and Jebez House. Erection of a new student accommodation building, incorporating a retail unit and lower ground floor parking and service space, together with new vehicular access and pedestrian access and associated landscaping proposals, plus the alteration and restoration of the circa 1902 part of the Listed Building Enterprise House and its change of use to student community use at Bective Works, Enterprise House and Jebez House, Between Bective Road & Yelvertoft Road	AWAITED
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The Address for Planning Appeals is: Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.	Appeal decisions can be viewed at - www.planningportal.gov.uk
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed	Author and Contact Officer Mrs Rita Bovey, Development Management Team Leader Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0104: Listed building application to Install 4No steel beams to help support the first and second floor, floor joists and 2No steel beams into the loft space to act as a binder to support the 2nd floor ceiling at 46 Bridge Street

WARD: Castle

APPLICANT: Northampton Borough Council

REFERRED BY: Head of Planning
REASON: Council owned property

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to prior referral to the Secretary of State and conditions attached in Paragraph 9 for the following reason:

The works proposed would have no adverse impact on the architectural or historic significance of the listed building. This would therefore be in accordance with the requirements of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks Listed Building Consent to install four steel beams to support the floors at first and second floor level, two at each level, as well as installing two steel beams in the loft to support the second floor ceiling.

3. SITE DESCRIPTION

- 3.1 46 Bridge Street is part of a group of Grade II listed buildings, built in the early 19th Century and falls within the boundary of the All Saints Conservation Area. It consists of a hot food takeaway unit at ground floor level with storage above.

4. PLANNING HISTORY

- 4.1 At the Planning Committee meeting on 4th March 2014, listed building consent application N/2013/1323 was approved in principle, subject to the prior referral to the Secretary of State, to demolish the ground floor wall between this property and its neighbour at no. 44.

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 and the Northampton Central Area Action Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Central Area Action Plan

Policy 1 Promoting Design Excellence

5.4 Supplementary Planning Guidance

All Saints Conservation Area and Management Plan

6. CONSULTATIONS/ REPRESENTATIONS

Representations are summarised as follows:

- 6.1 **English Heritage** - do not wish to offer any comments and recommend that the application be determined in accordance with national and local policy guidance, and on the basis of the Council's expert conservation advice.
- 6.2 **NBC Built Conservation** – no objection; these works are necessary to ensure the continued integrity of the building. The minor visual impact is deemed to be justified considering the benefits for the building.

7. APPRAISAL

- 7.1 It is considered that the works proposed would not have any significant adverse impact upon the architectural or historic fabric of the listed building and would not therefore compromise the significance of the heritage asset. Indeed the works are necessary to ensure the future integrity of the building.
- 7.2 As the works are internal and of a structural nature the exterior of the building would not be affected and neither would there be any impact on the character and appearance of the Conservation Area.

8. CONCLUSION

- 8.1 The proposed works would have no adverse impact on the historic or architectural significance of the listed building. The proposal would be in accordance with the requirements of the National Planning Policy Framework.
- 8.2 As the application site is owned by the Council, according to planning legislation, the application would need to be referred to the Secretary of State for works to a Grade II listed building.

9. CONDITIONS

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

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

2. The works hereby permitted shall be carried out in accordance with the approved plan UARN/60435/501 and the details contained in the submitted report prepared by David Smith Associates dated 17 October 2013.

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

10. BACKGROUND PAPERS

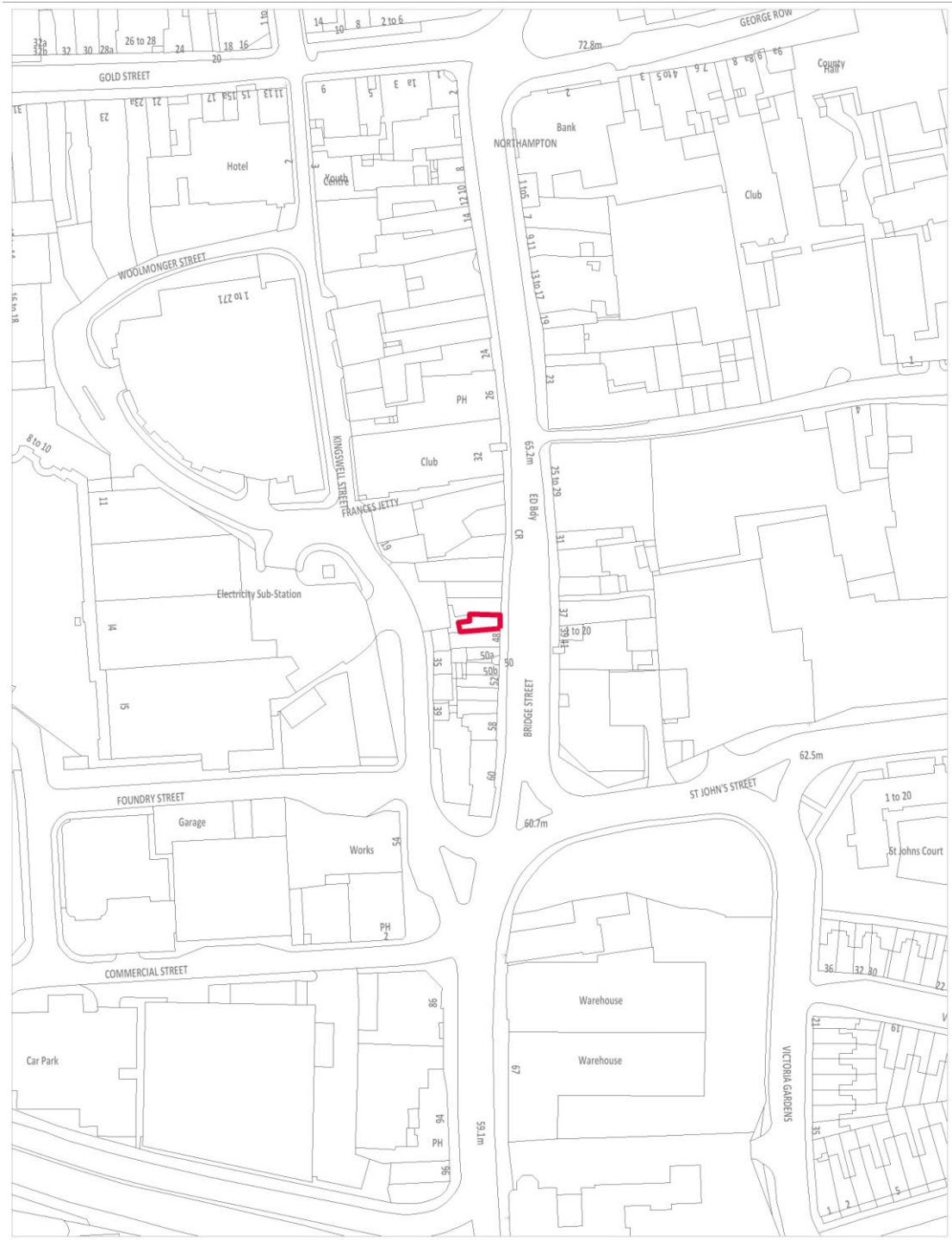
- 10.1 N/2014/0104

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: Planning
 Date: 13th March 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
48 Bridge Street

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PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0105: Listed building application to install a steel roof binder into the loft space to support the ceiling joists - retrospective application at 48 Bridge Street

WARD: Castle

APPLICANT: Northampton Borough Council

REFERRED BY: Head of Planning
REASON: Council owned property

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to prior referral to the Secretary of State and for the following reason:

The works proposed do not have any adverse impact on the architectural or historic significance of the listed building. This is therefore in accordance with the requirements of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks retrospective Listed Building Consent to install two steel beams in the loft to support the second floor ceiling.

3. SITE DESCRIPTION

3.1 48 Bridge Street is part of a group of Grade II listed buildings, built in the early 19th Century and falls within the boundary of the All Saints

Conservation Area. It consists of a retail unit at ground floor level with domestic space above.

4. PLANNING HISTORY

- 4.1 2001 Listed Building Consent granted for internal and external repairs.
- 4.2 1997 Listed Building Consent granted for kitchen extension and internal alterations.

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 and the Northampton Central Area Action Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Central Action Area Plan

Policy 1 Promoting Design Excellence

5.4 Supplementary Planning Guidance

All Saints Conservation Area and Management Plan

6. CONSULTATIONS/ REPRESENTATIONS

Representations are summarised as follows:

- 6.1 **English Heritage** - do not wish to offer any comments and recommend that the application be determined in accordance with national and local policy guidance, and on the basis of the Council's expert conservation advice.
- 6.2 **NBC Built Conservation** – no objection; these works were deemed to be necessary to ensure the continued integrity of the building. They were installed without listed building consent, however this application is regarded as fully regularising the works. These works are indicative of the fact that whilst the beams have an effect on character, the visual impact is not adverse to the significance of the building. The minor visual impact is deemed to be justified considering the benefits for the building.

7. APPRAISAL

- 7.1 It is considered that the works carried out do not have any significant adverse impact upon the architectural or historic fabric of the listed building and do not therefore compromise the significance of the heritage asset. Indeed the works were necessary to ensure the future integrity of the building.
- 7.2 As the works are internal and of a structural nature the exterior of the building has not been affected and neither is there any impact on the character and appearance of the Conservation Area.
- 7.3 Notwithstanding the fact that the works have been carried out without the benefit of listed building consent, Officers have considered the impacts of the works on the character and appearance of the building and have concluded that the integrity of building has not been compromised. Accordingly, it is considered that listed building consent should not be withheld.

8. CONCLUSION

- 8.1 The proposed works have no adverse impact on the historic or architectural significance of the listed building. This would therefore be in accordance with the requirements of the National Planning Policy Framework.
- 8.2 As the application site is owned by the Council, according to planning legislation, the application would need to be referred to the Secretary of State for works to a Grade II listed building.

9. CONDITIONS

- 9.1 As the application is retrospective no conditions are considered to be necessary.

10. BACKGROUND PAPERS

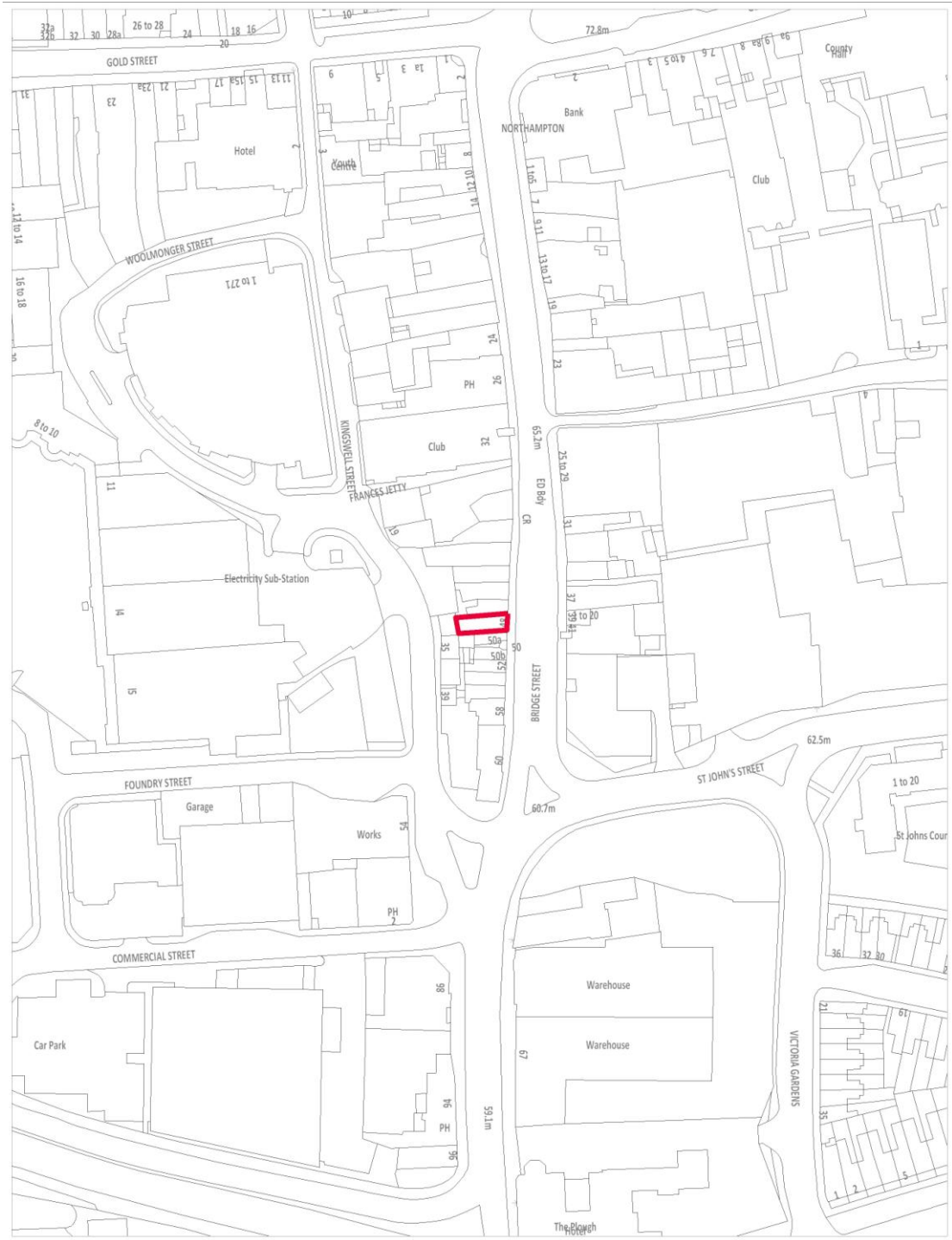
- 10.1 N/2014/0105.

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: Planning
 Date: 26th March 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
48 Bridge Street

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PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0199: Listed Building consent to install 3 no. beams to support the first and second floor, floor joists and installation of 2 no. beams into the loft space to act as a binder to support the 2nd floor ceiling at 44 Bridge Street

WARD: Castle

APPLICANT: Northampton Borough Council

REFERRED BY: Head of Planning
REASON: Council owned property

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to prior referral to the Secretary of State and conditions attached in Paragraph 9 for the following reason:

The works proposed would have no adverse impact on the architectural or historic significance of the listed building. This would therefore be in accordance with the requirements of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks Listed Building Consent to install three steel beams to support the floors at first and second floor level, as well as installing two steel beams in the loft to support the second floor ceiling.

2.2 Two beams would be installed to support the floor of the first floor while one would be required to support the floor of the second floor.

3. SITE DESCRIPTION

- 3.1 44 Bridge Street is part of a group of Grade II listed buildings, built in the early 19th Century and falls within the boundary of the All Saints Conservation Area. It consists of a hot food takeaway unit at ground floor level with storage above.

4. PLANNING HISTORY

- 4.1 At the Planning Committee meeting on 4th March 2014, listed building consent application N/2013/1323 was approved in principle, subject to the prior referral to the Secretary of State, to demolish the ground floor wall between this property and its neighbour at no. 46.

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 and the Northampton Central Action Area Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Central Action Area Plan

Policy 1 Promoting Design Excellence

5.4 Supplementary Planning Guidance

All Saints Conservation Area and Management Plan

6. CONSULTATIONS/ REPRESENTATIONS

Representations are summarised as follows:

- 6.1 **English Heritage** - have not responded at the time of writing. Any comments received will be reported to the Planning Committee via an Addendum.
- 6.2 **NBC Built Conservation** – no objections; these works are necessary to ensure the continued integrity of the building. The minor visual impact is deemed to be justified considering the benefits for the building.

7. APPRAISAL

- 7.1 It is considered that the works proposed would not have any significant adverse impact upon the architectural or historic fabric of the listed building and would not therefore compromise the significance of the heritage asset. Indeed the works are necessary to ensure the future integrity of the building.
- 7.2 As the works are internal and of a structural nature the exterior of the building would not be affected and neither would there be any impact on the character and appearance of the Conservation Area.

8. CONCLUSION

- 8.1 The proposed works would have no adverse impact on the historic or architectural significance of the listed building. This would therefore be in accordance with the requirements of the National Planning Policy Framework.
- 8.2 As the application site is owned by the Council, according to planning legislation, the application would need to be referred to the Secretary of State for works to a Grade II listed building.

9. CONDITIONS

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

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

2. The works hereby permitted shall be carried out in accordance with the details contained in the submitted report prepared by David Smith Associates dated 11 February 2014.

Reason: For the avoidance of doubt and to accord with the terms of the listed building consent application.

10. BACKGROUND PAPERS

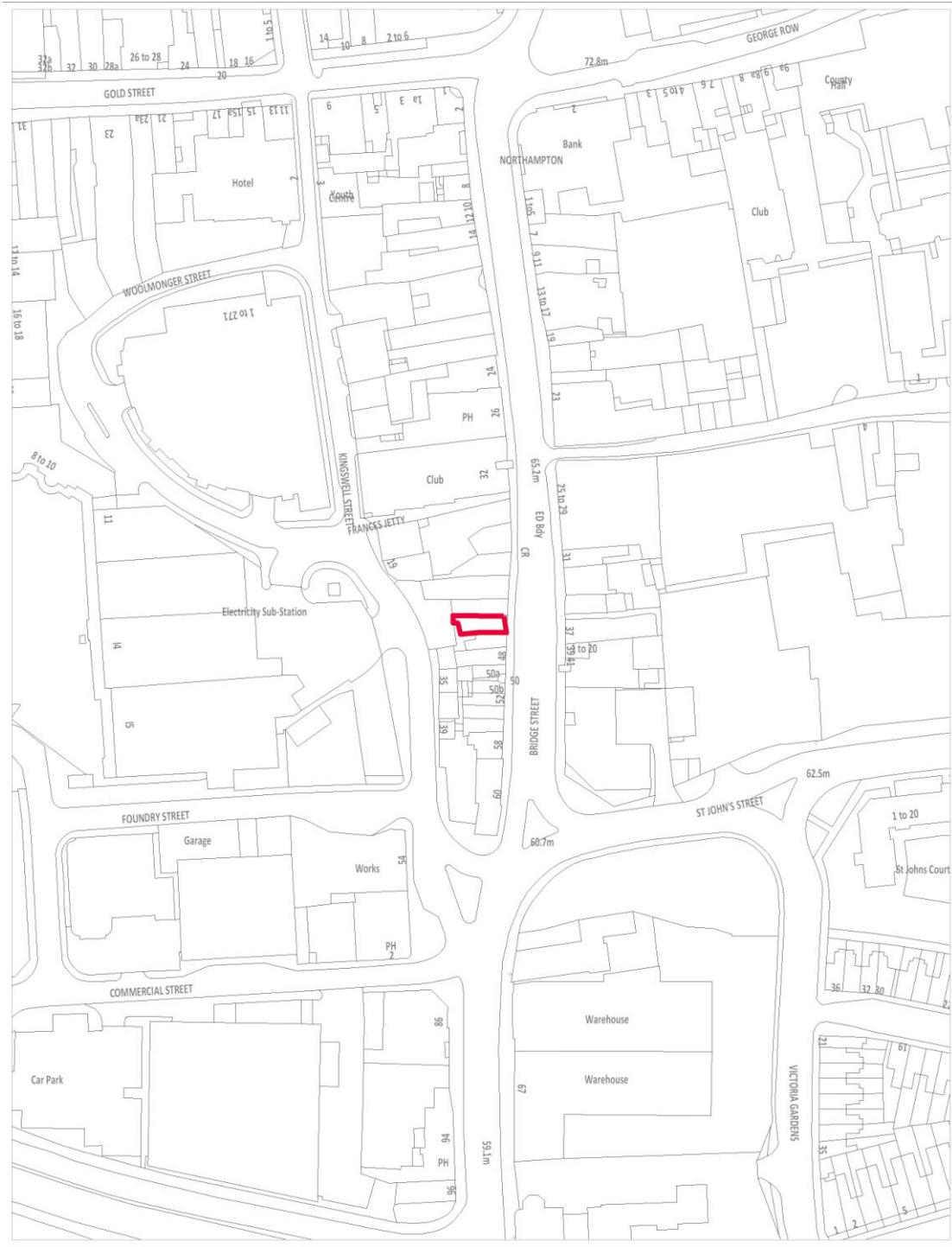
- 10.1 N/2014/0199.

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: Planning
 Date: 13th March 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
44 Bridge Street

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PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0251: Prior notification of demolition of bus station at Greyfriars Bus Station, Greyfriars

WARD: Castle

APPLICANT: Northampton Borough Council

REFERRED BY: Head of Planning
REASON: Council owned property

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 That the Authority's **Prior Approval will not be required** for the method of demolition and proposed restoration of the site for the following reason:

The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the Northampton Central Area Action Plan and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application is made under Part 31 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 1995. This requires a developer, before the demolition of a building commences, to apply to the Local Planning Authority for a determination as to whether the prior approval of the Authority is required for the method of demolition and any proposed restoration of the site.
- 2.2 It is proposed to demolish the building using machinery, the 'long reach' method. The majority of the material arising from the demolition

would be used to fill the void under the building to create a levelled site which could then be redeveloped in the future.

3. SITE DESCRIPTION

- 3.1 The Greyfriars Bus Station is a large 1970's building consisting of a bus station/garage, with car parking and offices above. Below the bus station is a concourse area with some shop units and various underpass links to the surrounding area.
- 3.2 The car parking and offices have been unused for many years while the bus station element has recently become redundant due to the opening of the new Northgate Bus Station.
- 3.3 The site is located between Greyfriars and Lady's Lane on the northern edge of the town centre.

4. PLANNING HISTORY

- 4.1 No history relevant to this case.

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 and the Northampton Central Action Area Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Central Area Action Plan

Policy 7: Bus Interchange: Fishmarket
Policy 17: Grosvenor Centre Redevelopment

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 The consultation period had yet to conclude at the time of preparing this report. Therefore any further responses will be reported to the Committee via the addendum.

7. APPRAISAL

- 7.1 For Prior Notification for demolition, the only consideration is the matters in relation to the means of demolition and the proposed restoration of the site.
- 7.2 The means of demolition using the 'long reach' method involving machinery is considered to be acceptable.
- 7.3 In terms of the loss of the building and the site which is left behind, the CAAP identifies the building for demolition to facilitate the future expansion of the Grosvenor Centre as part of the wider vision for the development and improvement of the town centre.
- 7.4 Consequently the demolition of the building is consistent with the policy framework. In the longer term any development proposals for the site will be considered on their merits as part of the usual planning application process. However in the shorter term the levelling of the site and the restoration works are considered to be acceptable.

8. CONCLUSION

- 8.1 The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the Northampton Central Area Action Plan and the National Planning Policy Framework.

9. CONDITIONS

- 9.1 Schedule 2 Part 31 of The Town and Country Planning (General Permitted Development) Order 1995 stipulates that where prior approval is not required the development shall be carried out "in accordance with the details submitted with the application".

10. BACKGROUND PAPERS

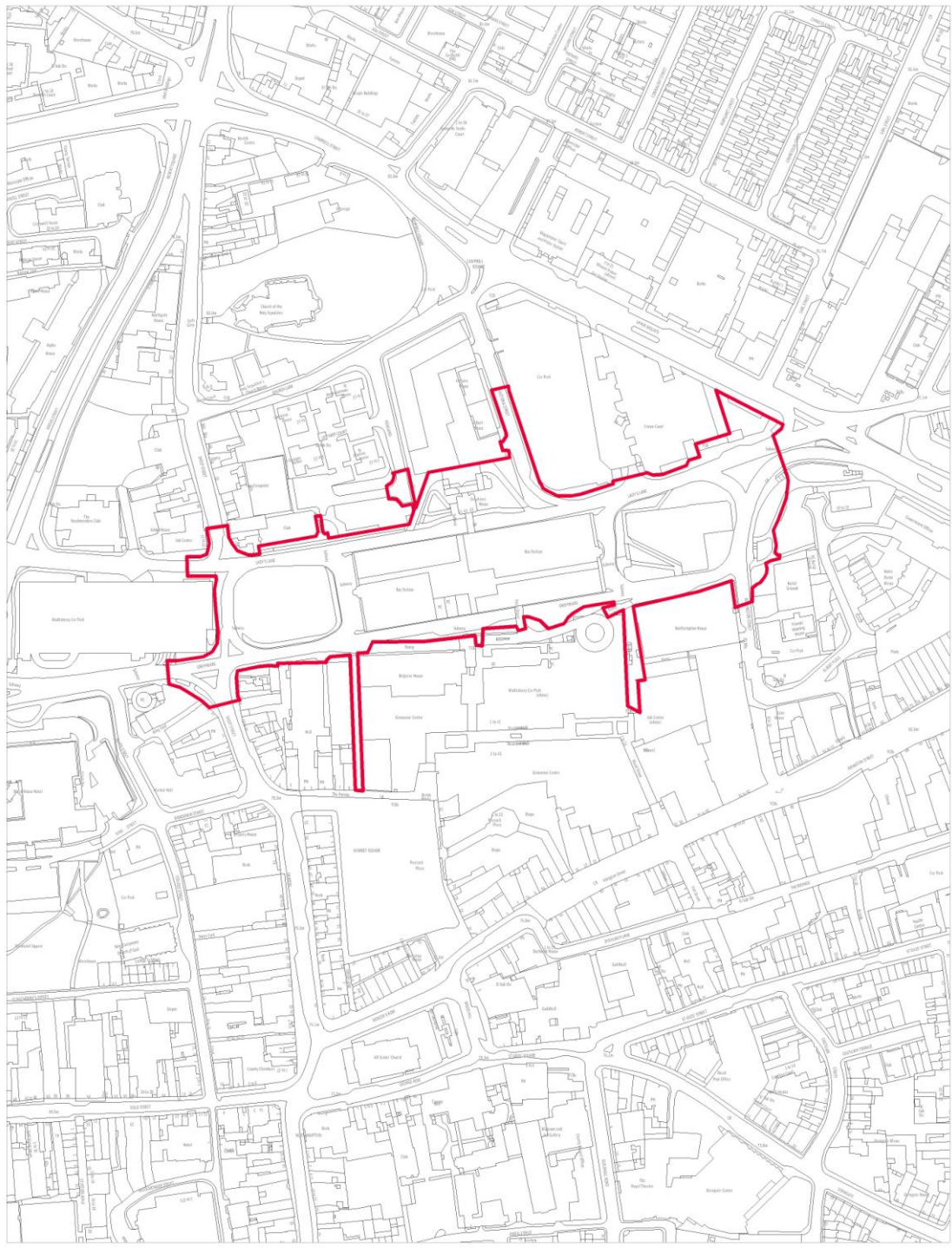
- 10.1 N/2014/0251.

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: **Planning**
Date: **25th March 2014**
Scale: **NTS**
Dept: **Planning**
Project: **Committee**

Title

Greyfriars Bus Station

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Addendum to Agenda Items Tuesday 8th April 2014

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9a

N/2014/0104

Listed building application to install 4 no. steel beams to help support the first and second floor, floor joists and 2 no. steel beams into the loft space to act as a binder to support the 2nd floor ceiling at 46 Bridge Street

None.

9b

N/2014/0105

Listed building application to install a steel roof binder into the loft space to support the ceiling joists - retrospective application at 48 Bridge Street

None.

9c

N/2014/0199

Listed Building application to install 3 no. beams to support the first and second floor, floor joists and installation of 2 no. beams into the loft space to act as a binder to support the 2nd floor ceiling at Pizza Plus, 44 Bridge Street

None.

9d

N/2014/0251

Prior notification of demolition of bus station at Greyfriars Bus Station

None.

10. ITEMS FOR DETERMINATION

10a

N/2013/1263

Erection of 38 no. new dwellings comprising 12 no. flats and 26 no. houses in addition to a retail unit (400 sqm) with associated parking and installation of new access road at development land between Talavera Way and Booth Rise

Planning Policy considerations

In addition to the Policy appraisal included within Section 5 of the Report, the submitted version of the West Northamptonshire Joint Core Strategy is also material to this application. In particular, Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the evidence based Objectively Housing Needs Assessment for West Northamptonshire. The needs of Northampton are to be met through the provision of Sustainable Urban Extensions within the NRDA

boundary and within the existing urban area.

Accordingly, it is considered that due to the sustainable location of this site, combined with its lack of a current use, the acceptable design, layout and scale and the mitigation to be secured via conditions and a legal agreement as set out in the report and below, the development of this site for housing is supported by the Joint Core Strategy.

Highways

Following further discussions with the **Highway Authority**, it is likely that the planned improvements to the highway network would include a review of pedestrian crossings. Accordingly, it is recommended that Part iii of paragraph 1.2 be amended to read:

“A financial payment to fund highway improvements and/or pedestrian crossing provision or improvements within the vicinity of the site.”

Environment Agency comments

Previous objections from the **Environment Agency** have been withdrawn, subject to the imposition of conditions. Accordingly, Section 9 of the report is to be amended to include the following:

Additional Conditions

28. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, should be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- Confirmation that the hierarchy of drainage has been followed. Further percolation testing is required in accordance with BRE Digest 365 9or Ciria 156).
- Full detailed surface water calculations to ensure adequate surface water drainage facilities on site all events up to and including 0.5% (1 in 200 AEP) plus climate change.
- Sustainable Drainage Systems (SuDS) features on site to be in accordance with Table 12.1 of the Northampton Level 2 Strategic Flood Risk Assessment.
- An assessment of overland flood flows.
- Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

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

29. No development shall take place until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme and retained thereafter.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with the National Planning Policy Framework.

10b

N/2014/0171

Change of use from dwelling (Use Class C3) to house of multiple occupation for 5no. occupants (Use Class C4) at 113 Abington Avenue

Item **WITHDRAWN** from agenda.

10c

N/2014/0183

Proposed new 3,372 sqm production building (Use Class B2 - General Industrial) with access and parking at vacant industrial land end of St James Mill Road

Environment Agency Issues

The objection from the Environment Agency has been removed as outlined below and the **recommendation** is therefore altered to **APPROVAL**.

The Environment Agency has no objection following the receipt of additional information in relation to the drainage strategy, clarification of back-up pump details, NBC land ownership in relation to the outfall requirements and confirmation that no connection will be made to the existing 900mm diameter pipe crossing the site and subject to additional conditions regarding flood risk and contamination.

Highway Issues

Following further discussions and clarification on site with the applicant's agent of how the access road is to be used, the Highway Authority has agreed to remove the requirement for a turning head. There is no objection to the application subject to a condition requiring the provision of 'Private Road' signage and 'Give Way' lines at the junction on the corner of St James' Mill Road with the dead end section of road leading to the site entrance and the hard surfacing of the first 10m of the new access road from the highway boundary. Condition 6 has now been amended to reflect the Highway Authority's latest comments.

Fire Safety

Discussions are ongoing between the applicant and Building Control as to a suitable fire safety system which will need to meet Building Regulation requirements or justify any alternative provision.

Plan Conditions

An amended site plan was received on 7/04/14, drawing no. 140088-A0100 rev E, re-locating the electricity sub-station, re-aligning palisade fencing and installing entrance gates. Conditions 10 & 15 (or the relevant conditions as re-numbered) will be amended to refer to this plan.

Amended Conditions:

Condition 3 on the existing agenda relating to contamination is replaced by the more detailed requirements of the Environment Agency as follows:

(3) No development approved by this planning permission shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site have been submitted to and approved, in writing, by the Local Planning Authority:

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

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To ensure that any remediation, if required, is completed to agreed standards to ensure that controlled waters are suitably protected in accordance with the requirements of NPPF.

(6) Within one month of commencement on site a scheme for the provision of 'Private Road' signage and 'Give Way' lines at the junction of St James Mill Road as shown on the attached plan shall be submitted for approval in writing to the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to the occupation of the building.

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

Additional Conditions:

(16) The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (BCAL 5111R001B FRA dated 5 March 2014) and its addendum letter (BCAL dated 25 March 2014) and annotated drawing 5111/FRA/01 "Drainage" received 25 March 2014 and the following mitigation measures detailed within the FRA:

- Finished floor level of the building to be set at a minimum of 60.730mAOD.
- Southern section of the site to be infilled to a maximum of 60.580mAOD.
- Provision of an alternative access route and security gate for the Environment Agency as shown on the proposed site plan within Appendix B of the FRA.
- Future occupants of the site will be advised to sign up to flood warnings direct.
- The access road will be constructed of a permeable material

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

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the requirements of NPPF.

(17) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Confirmation that the hierarchy of drainage has been followed. Percolation testing should be undertaken in accordance with BRE Digest 365 (or CIRIA 156).
- Full detailed surface water calculations to ensure adequate surface water drainage facilities on site all events up to and including 0.5% (1 in 200 AEP) plus climate change.
- If the outfall of the attenuation facility is likely to be submerged in 0.5% (1 in 200 chance) rainfall event then within 24 hours of top water level being attained in a 0.5% (1 in 200) probability flood event the regulation facility must be capable of storing 80% of the additional run-off arising from a 10% (1 in 10) probability flood.
- An assessment of surface water pump failure and impact on overland flood flows.
- Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

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

(18) No impermeable road surface shall be permitted until such time as a scheme for surface water drainage scheme has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall also include:

- Confirmation that the hierarchy of drainage has been followed. Percolation testing should be undertaken in accordance with BRE Digest 365 (or CIRIA 156).
- Full detailed surface water calculations to ensure adequate surface water drainage facilities on site all events up to and including 0.5% (1 in 200 AEP) plus climate change.
- If the outfall of the attenuation facility is likely to be submerged in 0.5% (1 in 200 chance) rainfall event then within 24 hours of top water level being attained in a 0.5% (1 in 200) probability flood event the regulation facility must be capable of storing 80% of the additional run-off arising from a 10% (1 in 10) probability flood.
- An assessment of overland flood flows.
- Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with the requirements of NPPF.

(19) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any

plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason To ensure that controlled waters are suitably protected.

(20) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner so that controlled waters are suitably protected.

(21) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration.

(22) Notwithstanding the submitted details, the first 10m of the new access road from the highway boundary shall be surfaced in a hard bound material.

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

10d

N/2014/0188

Single-storey front extension and repositioning of ATM machine at Unit 2, Prentice Court

None.

10e

N/2014/0227

Two-storey and single-storey side extension including an additional rear dormer and amendments to existing rear dormer and front porch (part retrospective) at 7 Hedgerow Drive

A letter of objection has been received from one of the properties to the rear of the site at **30 Rookery Lane** on overlooking.

In response, given the rear to rear separation in excess of 21 metres meeting Council Privacy standards set down in the SPD on Residential Extensions, it is considered that direct overlooking is unlikely to be a concern. The applicant also wishes for the Committee to note that this was taken into account prior to submission of their planning application.



PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2013/1263: Erection of 38 no. new dwellings comprising 12 no. flats and 26 no. houses in addition to a retail unit (400 sqm) with associated parking and installation of new access road at land between Booth Rise and Talavera Way

WARD: Boothville

APPLICANT: Westleigh Developments Ltd
AGENT: RG+P

REFERRED BY: Head of Planning
REASON: Major development requiring a Section 106 Agreement and affecting land owned by Northampton Borough Council

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to conditions, would represent the satisfactory reuse of the land and contribute to the established housing need in Northampton. The development is of a satisfactory design and layout and would not impinge upon the amenities of surrounding occupiers or highway safety. The development is therefore in accordance with the National Planning Policy Framework and Policies E19, E20, E40 H7 and H32 of the Northampton Local Plan

1.2 The prior completion of a Section 106 Legal Agreement to secure:
i) 35% of the development to be used for affordable housing;

- ii) A financial payment to fund the provision, improvements to connections and/or enhancements to areas of public open space within the vicinity of the site;
- iii) A financial payment to fund highway improvement works within the vicinity of the site;
- iv) A financial payment to fund the provision of two bus shelters and their ongoing maintenance within the vicinity of the site;
- v) A financial payment to fund the provision of primary and secondary school education facilities within the vicinity of the site;
- vi) Construction worker training opportunities; and
- vii) The Council's monitoring fee.

1.3 The prior resolution of the objections from the Environment Agency in respect of drainage.

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

2. THE PROPOSAL

2.1 The applicant seeks full planning permission to erect 38 dwellings. These comprise 16 two bedroom houses, 10 three bedroom houses and 12 one bedroom flats. The houses would be two storeys in height, whilst the flats would have a height of three storeys. The proposal also seeks permission to construct a single storey convenience store with an area of 400 square metres, of which 323.1 square metres would be used for the display and sale of goods. The proposed store includes an ATM on the western elevation and would be serviced from a yard to the east of the building. The development includes the provision of 65 off street car parking spaces, including 17 for use by the retail unit.

2.2 The development would be accessed via a new roadway that would run from the original section of Booth Rise, which is situated to the west of the application site, and would utilise an existing turning area.

3. SITE DESCRIPTION

3.1 The application site is a vacant plot of land situated between Booth Rise and Talavera Way that is not allocated for any particular purpose in the Local Plan. The site features a number of variations in land levels and is currently in a somewhat overgrown state. The site also features a number of trees.

- 3.2 The surrounding area is characterised by the presence of residential accommodation, which broadly comprises older houses and bungalows of traditional appearances that run alongside Booth Rise and Thorpeville in a ribbon pattern and more recent residential developments. The most prominent of these is the Booth Park development, comprising 111 dwellings, which is in the process of being constructed, with some dwellings now being completed and occupied. The surrounding buildings are typically of one or two storeys in height, although there is a three storey block of flats at 69-71 Booth Rise, whilst the Booth Park development also includes some buildings of three storeys.
- 3.3 The site is adjacent to Booth Rise, which serves as one of the main routes into Northampton from Kettering. The site is also adjacent to the Spinney Hill roundabout, which forms a junction between Booth Rise, Thorpeville and Talevera Way, in addition to access to Stone Circle Road.

4. PLANNING HISTORY

- 4.1 None relevant

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies

The National Planning Policy Framework (hereafter referred to as the NPPF) states that planning should proactively support sustainable development to deliver new homes, whilst seeking good quality design, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 of the NPPF requires that new developments should provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

5.3 Northampton Local Plan

E11 – Trees and hedgerows
E19 – Implement development
E20 – New development
E40 – Crime and anti-social behaviour
H7 – Residential development

H17 – Housing for people with disabilities
H32 – Affordable housing

5.3 **Supplementary Planning Guidance**

Developer Contributions
Parking
Planning out Crime

6. **CONSULTATIONS/ REPRESENTATIONS**

Representations are summarised as follows:

- 6.1 **Anglian Water** – Request a condition that would require the submission and agreement of a drainage strategy prior to the commencement of development.
- 6.2 **Arboricultural Officer (NBC)** – No objections, but recommend that in the event that the application is approved, it be subject to a condition requiring the submission of a landscaping scheme and for this to be maintained.
- 6.3 **Archaeological Advisor (NCC)** – The site is located adjacent to an area where an extensive amount of historical information has been identified. No archaeological work has been carried out on this site and therefore a condition is recommended that would require an on site investigation.
- 6.4 **Construction Futures** – Request the securing of training opportunities and funding for construction worker trainees.
- 6.5 **Development Management (NCC)** – Request Section 106 obligations for the provision of primary and secondary education, the fire and rescue service, the library service and for the provision of a fire hydrant.
- 6.6 **Environment Agency** – Objecting to the proposal as further justification and supporting information is required in respect of the chosen drainage method.
- 6.7 **Environmental Health (NBC)** – It is advised that a condition is attached to any approval requiring the remediation of any potential naturally occurring contamination. The applicant has demonstrated that noise levels to future residents of the development can be mitigated. Recommend conditions relating to the control of deliveries to the retail unit and its opening times. A condition mitigating noise emanating from this use is also advised.
- 6.8 **Highways Agency** – No objections.

- 6.9 **Highway Authority (NCC)** – Support the application. It is requested that a condition is attached to any permission requiring the submission of a travel plan. In order to encourage the use of more sustainable means of travel, it is recommended that a Section 106 Agreement be entered into that provide bus shelters to serve the existing bus stops. The proposal is likely to result in the increase in usage of the Round Spinney roundabout, which should be mitigated. This could be achieved through a Section 106 obligation that would fund improvements to the roundabout as part of the Highway Authority’s programme of works. This includes the provision of traffic signals on the approach to the roundabout. Further comments on the transport statement are awaited.
- 6.10 **Housing Strategy (NBC)** - The mix in terms of tenure and sizes is consistent with meeting needs within the Borough. The houses with gardens will address the needs of families, whilst the one bed flats also meet the significant need for these types of properties that exist in the area. The Council should seek 35% of the development for affordable housing, which would be split on a 70% rent/30% intermediate basis.
- 6.11 **National Grid** – The site is in the vicinity of National Grid apparatus. The attention of the developer is drawn to various guidance points.
- 6.12 **Northamptonshire Police Crime Prevention Design Advisor** – No objection as the scheme has been revised to address previous areas of concern.
- 6.13 **Urban Designer (NBC)** – The scheme has been revised to improve the character and appearance of the development. The parking arrangement for Plot 16 is acceptable as this is a more open corner plot. Further details of surface treatments and boundary treatments are required. The fenestration arrangement on the side of the store could be further enhanced.
- 6.14 **Michael Ellis MP** – Objecting as the site is unsuitable for housing due to its proximity to busy roads. The site has formed a buffer between developments. The development would adversely affect the amenity of existing residents.
- 6.15 **County Councillor M. Hallam** – Objecting as the site is not suitable for development and the site has historically formed a buffer between houses and busy roads. The Round Spinney roundabout cannot take any more additional traffic.
- 6.16 **38 letters of objection.** Comments can be summarised as:
- The area is heavily congested by traffic, which would be exacerbated by the proposed development. Traffic surveys have not been carried out as the busiest times.

- The site of the proposed site entrance is often used for car parking by existing residents. Therefore the proposed development would increase parking problems.
- Insufficient car parking has been provided in the development.
- The development would be an out of character form of development. Booth Rise is characterised by 1930s dwellings.
- The development would result in the loss of areas of green space, which are of use to the local community. The loss of areas of planting is also to be regretted.
- New development should be directed towards previously used land.
- The development should be assessed in conjunction with the Booth Park development and the proposed Northampton North Sustainable Urban Extension. There should be a comprehensive approach to traffic management.
- The site is unsuitable for development due to the differing land levels and drainage easements on site.
- There is a lack of local facilities, such as school places.
- There was no public consultation prior to the application being submitted.

7. APPRAISAL

Principle of the development

- 7.1 It is accepted that the site currently serves as a landscaped buffer between Booth Rise and Thorpeville; however, the site does not have any specific allocation in the Northampton Local Plan. As a consequence of this, alternative uses for the site can be considered. Due to the significant distance between Booth Rise and Thorpeville and the presence of other areas of open space within the general vicinity, it is considered that the development would have a neutral impact upon the area's character. Therefore there is no over-riding planning policy objective that would require the retention of this site as open space.
- 7.2 The presence of trees on this site is an important characteristic of the streetscene; however, it is understood that these are generally poor specimens and therefore their removal would not be contrary to the requirements of Local Plan Policy E11. The removal of these trees would be mitigated through the submission of a landscaping scheme that would ensure that those trees capable of retention are maintained and replacement planting takes place.
- 7.3 The applicant has submitted an air quality assessment, which has concluded that the air quality surrounding the application site is sufficient to ensure a satisfactory standard of residential amenity for the future residents of the development.

- 7.4 The advice of the Council's Environmental Health section is that the development be permitted subject to a condition requiring that the recommendations of the applicant's noise mitigation strategy are implemented in order to ensure a satisfactory level of residential amenity. As part of their submission, the applicant has investigated the potential for contamination on the site. As a consequence of this and due to the potential residential use of the site, a number of conditions are recommended that would secure the remediation of naturally occurring contamination.
- 7.5 It is noted that objections have been received from the Environment Agency; however, it is understood that the basis of these objections stems from a need to provide greater justification and supporting information in respect of the proposed drainage methods. The applicant is working to resolve these matters and a further update will be provided at the Committee meeting.
- 7.6 In order to mitigate the impacts of the proposed development, it is recommended that a condition be attached to any approval that would require the submission of a Construction Environment Management Plan. This would include details pertaining to the phasing of the development, hours in which construction works would take place and methods for the suppression of construction noise and dust.
- 7.7 The proposed development would provide 38 dwellings, which would make a contribution to the established need for housing in Northampton.

Design and Layout

- 7.8 The design of the dwellings has been revised during the application process. In particular the palette of materials has been changed to focus on red bricks. The level of rendering has also been reduced and is now predominantly used to add interest and emphasise elements of the building. This design approach is suitable given the traditional form of the surrounding properties.
- 7.9 The houses are of two storeys in height, whilst the flats would have a height of three storeys. It is considered that these heights are suitable given the type of buildings in the surrounding area as described in paragraph 3.2. The siting of the two 3 storey buildings adjacent to Booth Rise is appropriate on account of this providing a suitable feature on the edge of the development, whilst ensuring that it would not lead to a loss of light, outlook or privacy to the occupiers of the surrounding proposed and existing dwellings.
- 7.10 It is recognised that due to the varied topography of the site, it would be necessary to carry out some alterations to the site's levels. In order to ensure that these works do not harm the amenity of existing

residents, a condition is recommended that would ensure that these works are approved by the Council prior to any works commencing.

- 7.11 Each of the houses would have a sufficient separation distance, which ensures that all residents of the development have a suitable level of light, outlook and privacy. In addition all of the proposed dwellings would have a suitably sized rear garden. This is of particular importance due to the presence of family housing in the development. The layout of the section surrounding the flats has been revised so that the cycle storage is sited adjacent to the entrance to the flats. This arrangement is likely to encourage the usage of this facility due to the more attractive location and greater security. This promotes more sustainable means of travel. This is in accordance with the NPPF and Local Plan Policy E40.
- 7.12 The residential development includes 48 car parking spaces. This provides an average provision of approximately 1.3 spaces per dwelling. Whilst this level of parking is less than the maximum level specified in the Parking Supplementary Planning Guidance, the provision is acceptable given that the predominance of the development is given over to the provision of one and two bedroom dwellings. Furthermore, the site is in close proximity to a bus stop in Booth Rise and cycle storage has been provided for the flats. Therefore, the proposal has addressed the likely parking needs arising from the development.
- 7.13 The proposed parking spaces are either situated within the curtilages of dwellings or in areas that would be habitually overlooked and benefit from natural surveillance. It is accepted that one dwelling (Plot 16 to the west of the site) features two car parking spaces to the side of the property. These spaces would feature from some surveillance from the associated dwelling and would benefit from natural surveillance arising from the prominence of the space. For these reasons, the proposed parking arrangement is acceptable and in compliance with Local Plan Policy E40.
- 7.14 The development would secure the provision of at least 35% of the development for affordable housing, which assists in creating a mixed community and addressing a need for such housing within Northampton. In order to ensure that a mixture of house types are made available on affordable tenures, the legal agreement would secure the provision of six 1 bedroom flats, five two bedroom houses and three 3 bedroom houses for this purposes. In addition, and in conformity with Local Plan Policy H17, a condition would secure 10% of the development to be constructed to the Council's mobility standards. This ensures that a variety of housing would be provided to meet the varied needs of the community.

Retail unit

- 7.15 The development includes a retail unit, of which 321.1 square metres would be used for the display and sale of goods. By reason of this limited floor space, the applicant is not required to submit sequential and impact assessments as the floorspace falls below the thresholds established in the NPPF and the submitted West Northamptonshire Joint Core Strategy. Nonetheless, it is necessary to consider that the impacts of this element of the development on the viability and vitality of the allocated hierarchy of centres.
- 7.16 Whilst the proposed store is located outside of an allocated centre, due to its limited floor space, the impacts of the development upon centre viability and vitality is unlikely to be significant. This is because the nature of retailing carried out in the store would comprise small scale, 'top up' purchases of a more frequent nature, rather than large scale shopping trips, typically carried out within an allocated centre. As a consequence of this, it is considered that the development proposed does not necessarily have to be accommodated within an allocated centre. In order to provide certainty of this in the future, a condition is recommended that would limit the amount of the building that can be used for the display and sale of goods.
- 7.17 The design of the building has been revised during the application. The alteration primarily consists of changes to the building materials, the entrance canopy and the amount of fenestration. This ensures that the building harmonises with its surroundings and would not detrimentally impact on the visual amenity of the locality. As with the residential accommodation, it is likely that there would need to be some alterations to the site's levels. This would be the subject of a pre-commencement condition. The design of the store also ensures that the ATM would benefit from natural surveillance as required by Local Plan Policy E40.
- 7.18 The entrance and car parking would benefit from natural surveillance arising from the proximity of this to the main estate road. The northern boundary of the store and car parking site would feature a variety of landscaping in order to prevent unauthorised access to the site. These measures would therefore deter anti-social behaviour in line with Local Plan Policy E40.
- 7.19 It is accepted that the arrivals and departures of patrons from the store could cause some disturbance; however, this can be mitigated through a condition limiting the store's opening times. In addition, a condition is recommended that would require the submission of a strategy for the mitigation of any noise arising from equipment (such as chiller units) associated with the store. This would ensure that this element of the development is compliant with the NPPF.

- 7.20 The store would be served by 17 parking spaces (including two for use by customers with disabilities), which is sufficient given the scale of the development. Furthermore, it is likely that due to the proximity of the store to the proposed and existing residential properties and the provision of cycle storage and the scale of retailing that would take place in the building, it is likely that that some customers would not use cars to travel to the store. The rear (northern) boundary of the site would feature a substantial amount of landscaping, which would prevent unauthorised access to the car parking area. This would ensure that this element of the proposal is compliant with Local Plan Policy E40.
- 7.21 The service area would be screened from the surrounding road network would reduce the prominence of this element of the proposal. The development includes sufficient space for commercial vehicles to turn without detriment to highway safety. In addition, the service area has been situated so that it is the furthest possible distance away from existing and proposed houses, which would ensure that deliveries would not cause undue detriment to residential amenity. Further mitigation would be secured by a condition controlling the times in which deliveries can be made.

Highways implications

- 7.22 As discussed previously, the development includes sufficient parking to meet the likely needs arising from the development. Furthermore, the layout of the development has been revised so that internal junctions in the development have sufficient visibility to avoid highway and pedestrian safety being compromised.
- 7.23 It is accepted that the development would increase road traffic use within the vicinity, which should be seen as being in conjunction with the impacts of the new residential development on the opposite side of Booth Rise and the impacts of the potential Northampton North Sustainable Urban Extension (planning application currently undetermined by Daventry District Council); however, the applicant has undertaken an assessment of the likely traffic arising from the proposed development.
- 7.24 The application has been assessed by the Highway Authority and no objections have been received. It is accepted that the development is likely to increase the usage of the surrounding road network, including Booth Rise and the Spinney Hill roundabout. Whilst this is unlikely to result in a large effect on the free flow of traffic, the impact should be mitigated. This can be achieved through an obligation to the Section 106 Agreement that would secure improvements to the surrounding highway system. The representations from the Highway Authority indicate that this money would contribute towards the Authority's programme of improvements to the Round Spinney roundabout.

7.25 In order to encourage more sustainable means of transport, the Section 106 Agreement would also secure new bus shelters for the existing bus stops in proximity to the site. A condition is also recommended that would require the submission of a travel plan.

Legal Agreement

7.26 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and
- iii) Fairly and reasonably related in scale and kind to the development.

7.27 As discussed previously, 35% of the development would be utilised for the provision of affordable housing. 70% of these dwellings would be utilised for social or affordable rent and 30% intermediate ownership. This would ensure that the development provides a mixture of housing to provide a varied community in line with the requirements of national and local planning policies. As discussed in paragraphs 7.24 and 7.25, the legal agreement would also secure improvements the highways system.

7.28 It is recognised that the development would provide a comparatively high number of family accommodation units. As a result of this and with reference to the above tests, an obligation would be entered into that would be require a payment towards the increased provision of primary and secondary education facilities within the vicinity. The nature of the development, by reason of the likely number of future occupants, is likely to increase the demand for and usage of public open space. Accordingly, and in line with the requirements of Local Plan Policy E19, it is recommended that an obligation be included as part of the Section 106 Agreement to fund improvements and enhancements to open space within the vicinity of the application site.

7.29 The development will also make a payment and provide opportunities for the provision of construction worker training, which would be secured by the legal agreement in accordance with adopted policy.

7.30 As discussed previously, it is also recommended that the Section 106 Agreement include a payment towards the provision of highway improvements.

7.31 The County Council has also requested a payment for the provision of the fire services and libraries. There is no adopted development plan policy support for these requests and it is not clear what facilities would

be secured needs would be addressed by this obligations. The new Community Infrastructure Levy Regulations, as discussed previously, also prevent the pooling of S106 funds to deliver infrastructure. For these reasons it is not considered that this request can be supported. The County Council have also requested that a fire hydrant is provided. This is a matter that would be addressed under the relevant building regulations and therefore does not need to be replicated as part of the planning process.

8. CONCLUSION

- 8.1 The development represents an acceptable use of the land and would not be detrimental to the character and appearance of the locality. The development would not have an adverse impact upon neighbour amenity and highway safety. As a result of various conditions and a Section 106 Agreement, the impacts of the development could be mitigated and therefore the proposal is considered acceptable,

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

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

3. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings hereby permitted and retained thereafter.

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

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

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

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. All trees shown to be retained shall be protected for the duration of the development by stout fence(s) to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials nor waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E11 of the Northampton Local Plan.

8. A minimum of 10% of the affordable dwellings and a minimum of 10% of other dwellings shall be available for occupation by persons with disabilities and constructed to the Local Planning Authority's mobility housing standards and details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site and thereafter implemented concurrently with the development, and thereafter retained as such.

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H17 of the Northampton Local Plan.

9. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the construction of all hard standing areas and retained thereafter.

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

10. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing naturally occurring contamination shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

11. The approved remediation scheme in Condition 10 above must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

12. Noise mitigation measures for individual plots, which covers glazing and ventilation specifications, shall be carried out in accordance with the details contained within noise assessment dated the 28th February 2014 (reference: 1628 Northampton – Booth Rise) prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

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

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with the advice contained in the National Planning Policy Framework.

14. Details of the provision for the storage of refuse and materials for recycling to serve the flats hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

15. Details of the provision for the storage of refuse and materials for recycling to serve the retail unit hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first use of the retail unit hereby permitted and retained thereafter.

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

16. Notwithstanding the details submitted, full details of the cycle storage to serve the flats shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details,

implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

- 17 Notwithstanding the details submitted, full details of the cycle storage to serve the retail unit shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first use of the retail unit hereby permitted and retained thereafter.

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

- 18 Prior to the first occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two months of the first occupation of the development hereby permitted and retained thereafter.

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

19. Prior to the commencement of development a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved CEMP, which shall include:
- i. The control of noise and dust during the development process;
 - ii. Traffic management and signage during construction;
 - iii. Phasing;
 - iv. Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
 - v. Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
 - vi. The safe means of access of construction traffic to the site;
 - vii. Routing agreement for construction traffic; and
 - viii. Hours of operation of building works

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

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

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

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

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

22. The parking and roadways as shown on drawing 7771/019J shall be fully constructed prior to the first occupation of the development hereby approved.

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

23. The retail unit service are as shown on drawing 7771/019J shall be fully constructed prior to the first use of the retail unit hereby approved.

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

24. The retail unit service area as shown on drawing 7771/019J shall not be used for the storage of goods.

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

25. The net sales area of the retail store shall be limited to a maximum of 323.1 square metres.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

26. The retail unit hereby permitted shall only be open to members of the public between the hours of 7:30am and 8pm on any one day.

Reason: In the interests of residential amenity in accordance with the requirements of the National Planning Policy Framework.

27. All deliveries or collections to and from the retail unit shall only take place between the hours of 8am and 8pm on any one day.

Reason: In the interests of residential amenity in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

- 10.1 N/2013/1263

11. LEGAL IMPLICATIONS

- 11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: **Planning**
 Date: **12th March 2014**
 Scale: **NTS**
 Dept: **Planning**
 Project: **Committee**

Title

Development land between Talavera Way and Booth Rise

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PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0171: Change of use from dwelling to a house in multiple occupation for 5 occupants (Use Class C4) at 113 Abington Avenue

WARD: Abington

APPLICANT: Mr B. Dunne
AGENT: Mr M. Dunne

REFERRED BY: Head of Planning
REASON: Applicant is related to a NBC employee

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would provide accommodation of a suitable standard and have a neutral impact upon the character and appearance of the area, neighbour amenity and highway safety. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework and Local Plan Policies E20, H30 and H31.

2. THE PROPOSAL

2.1 The application seeks permission to change the use of the building from a single residential dwelling to a house in multiple occupation for a maximum of five residents. No external alterations are proposed.

3. SITE DESCRIPTION

- 3.1 The application site consists of a terraced house located in an allocated residential area in the Northampton Local Plan. The site is adjacent to an allocated local centre comprising a small number of retail units and a takeaway. The application site is within 400m of Kettering Road, which contains a wider array of commercial facilities and the Racecourse park. A number of bus routes operate within the vicinity.

4. PLANNING HISTORY

- 4.1 None

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Local Plan

E20 – New Development
H30 – Multiple Occupation
H31 – Cumulative impact

5.4 Supplementary Planning Guidance

Parking

6. CONSULTATIONS/ REPRESENTATIONS

Representations received are summarised as follows:

- 6.1 **Environmental Health (NBC)** – The proposal is acceptable, subject to a condition requiring the submission of refuse storage details and for this to be retained.
- 6.2 **Highway Authority (NCC)** – Request that a minimum of two off street car parking spaces be provided. The street currently experiences car parking problems.

- 6.3 **Private Sector Housing (NBC)** – The property has been assessed against the requirements of the Housing Act 2004. The space and amenities provided indicate that the property will be suitable to let to five individuals from five separate households.

7. APPRAISAL

Principle of Use

- 7.1 The site is located in an allocated residential area in the Northampton Local Plan therefore a house in multiple occupation use is in keeping with the existing land uses. The submitted plans show that five bedrooms would be provided, in addition to a living room, kitchen and conservatory. As a result of this, it is considered that a suitable level of amenity would be secured for the occupiers of the development. No external changes to the building have been proposed.

Policy Implications

- 7.2 Policy H31 of the Local Plan identifies a number of streets where it is considered that, due to cumulative impacts, planning permission should not be granted for any further house in multiple occupation. This list includes the section of Abington Avenue running from numbers 9 to 115. Whilst the proposed development is contrary to the requirements of this policy, it is necessary to establish whether harm would emanate from this breach.
- 7.3 The application site is on the periphery of the area covered by Policy H31 and therefore the overall impact of this development upon the character of the wider Abington Avenue area is limited. Furthermore, the application site is sustainably located given its proximity to various local services and facilities. As a consequence it is considered that the development is acceptable.
- 7.4 It is accepted that there are a number of house in multiple occupation within the general area, however, the immediate environs of the application site are characterised by units occupied by single households and therefore the development would not cause any substantial erosion of the area's character.

General Amenity and Parking

- 7.5 In order to ensure that the development does not pose an undue detrimental impact upon the occupiers of neighbouring properties as a result of increased noise and disturbance, a condition is recommended that would ensure that the number of residents of the property does not exceed five. It is considered that this figure would not be significantly different from the number of potential residents that would occupy the building as a dwelling house.

- 7.6 In order to ensure a satisfactory standard of development, details of refuse and cycle storage are to be secured by condition. It is accepted that the proposal does not include any off street car parking and the comments of the Highway Authority are noted; however, the application site is in close proximity to a variety of commercial and leisure facilities and major routes. Furthermore, the number of potential occupiers is not significantly higher than the number that could occupy the building for a use falling within Class C3 (dwelling house). As a consequence, it is considered that the lack of off street car parking does not render the application unacceptable.

8. CONCLUSION

- 8.1 Despite the requirements of the Local Plan Policy H31, it is considered that the creation of a house in multiple occupation in this location would have a neutral impact upon the character and appearance of the locality, neighbour amenity and highway safety and therefore the development is acceptable.

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: Site Plan; Existing Floor Plans; and Proposed Floor Plans.

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

3. The development hereby permitted shall be occupied by no more than five residents at any one time.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy H30 of the Northampton Local Plan.

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 prior to the commencement of development. Development shall be carried out in accordance with the approved details, implemented prior to the first commencement of the use hereby permitted and retained thereafter.

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

5. Details of the provision for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall be carried out in accordance with the approved details, implemented prior to the first commencement of the use hereby permitted and retained thereafter.

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

10. BACKGROUND PAPERS

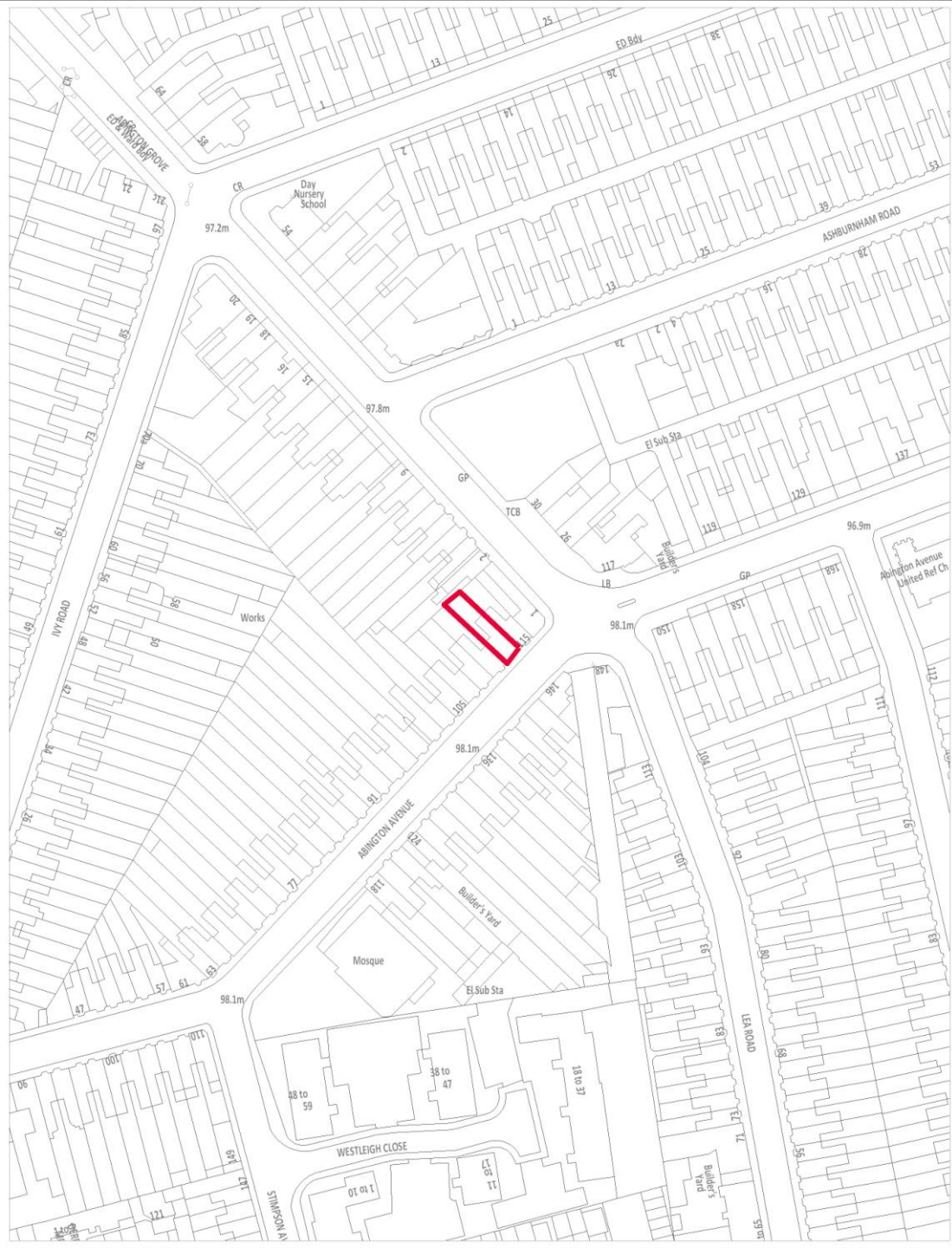
- 10.1 N/2014/0171

11. LEGAL IMPLICATIONS

- 11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: Planning
 Date: 13th March 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
113 Abington Avenue

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PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0183: Proposed new 3372sqm production building (Use Class B2 - General Industrial) with access and parking at vacant industrial land end of St James Mill Road

WARD: St James Ward

APPLICANT: Cosworth
AGENT: Phil Graham, Ridge & Partners LLP

REFERRED BY: Head of Planning
REASON: Development is on Council owned land

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to the following:

- (1) That objections of the Environment Agency being addressed;
- (2) Planning conditions in Paragraph 9 and for the following reason:

The proposed development is in line with Government and local objectives for economic development within the Northampton Waterside Enterprise Zone and would allow for the expansion and development of an established business and the creation of additional employment within Northampton. The design and appearance are appropriate to the surroundings and the flood mitigation measures within the amended Flood Risk Assessment would ensure that there is no adverse impact on existing flood conditions. The proposal would not lead to any significant adverse impacts on existing highway conditions or biodiversity and is considered acceptable and in accordance with Policies B1, B13, T12, E2, E20 & E40 of the

Northampton Local Plan and National Planning Policy Framework paragraphs 17, 18-21, 32, 35, 56, 57, 99, 100, 103 & 109.

2. THE PROPOSAL

- 2.1 The application proposes the erection of a new 3,372 sqm portal frame production building for Cosworth together with an access road and the provision of a loading/goods in and goods out area and visitor parking.
- 2.2 The land is owned by the Council and the intention is that the land and building would be leased to Cosworth by the Council, should permission be granted.
- 2.3 The proposed building would be used for the manufacture of machined engine castings and would comprise of a production area measuring 2,790 sqm at ground floor with a 582 sqm mezzanine above providing ancillary office space, staff facilities and plant rooms. The building would measure 9m to the eaves and 10m to the ridge with elevation materials comprising of grey and blue composite cladding and roof panels to match the adjacent Cosworth unit to the west of the site.
- 2.4 The existing site levels would be raised by a maximum of 1m overall to mitigate potential flood impacts. The loading area to the west of the existing unit would be extended to provide a loading area and waste compound for the new unit served by the existing vehicular access.
- 2.5 St James Mill Road would be extended for the length of the new building and a new vehicular and pedestrian access provided to the east of the proposed building providing access to a 19 space car park and the main entrance to the building. A cycle shelter for 10 bicycles would be provided to the front of the building.
- 2.6 The application is accompanied by a Design & Access Statement, Extended Phase 1 Habitat Assessment, Flood Risk Assessment, Phase 1 Ground Condition Assessment (Contamination), a Transport Assessment and Travel Plan.

3. SITE DESCRIPTION

- 3.1 The application site is a vacant brownfield site situated at the end of St James Mill Road where the road forms a dead end and comprises of an area of open scrubland owned by the Council. The site is situated within an industrial area within the Northampton Waterside Enterprise Zone.
- 3.2 The site lies within Floodzones 2 & 3 and is situated at the top of the flood bank of the Kingslingbury branch of the River Nene. A public footpath/cycleway runs alongside the river with the Northampton branch of the Grand Union Canal located some 80m further south of the site.

3.3 To the west and northwest of the site are existing business and industrial units including an existing Cosworth building immediately adjacent to west of the site. The land to the immediate north is vacant scrubland also owned by the Council beyond which is further industrial development. The site is bordered to the east by a disused railway line beyond which is Nene Valley Retail Park.

3.4 The site is relatively level with a slight drop to the east with the southern boundary rising up to the flood bank of the River Nene.

4. PLANNING HISTORY

4.1 There is no relevant planning history.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies

National Planning Policy Framework (NPPF)
17 - Core Planning Principles
18-21 - Building a strong, competitive economy
32 & 35 - Transport
56 & 57 - Design
99, 100 & 103 - Flood Risk
109 - Biodiversity

5.3 Northampton Local Plan

B1 – Sites allocated for business use
B13 – Provision of Infrastructure for Business
T12 – Development requiring servicing by commercial vehicles
E2 – Development alongside the River Nene
E20 – New Development
E40 – Design to deter crime & vandalism

5.4 West Northamptonshire Joint Core Strategy (Submission Version)

Policy S7 – Provision of Jobs
Policy S8 – Distribution of Jobs
Policy E1 – Existing Employment Areas

5.5 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Representations are summarised as follows:

6.1 **Environmental Health** – has no objection subject to contamination conditions relating to further site investigation, the approval and implementation of a remediation scheme and continual monitoring and assessment of contamination during development. In addition, it is recommended that a condition requiring appropriate mitigation measures to address air quality/carbon management and to identify external sources of noise are imposed.

6.2 **The Highways Agency** – has no objection.

6.3 **The Environment Agency** – objects to the proposal requesting further information regarding the proposed drainage strategy in relation to the proposed road, actions in the event of pump failure, land ownership and discharge point issues and details relating to the existing 900mm pipe crossing the site.

Note: Further details have been requested from the applicant and the final comments of the EA will be reported to Committee via an addendum.

6.4 **NCC Highway Authority** – has no objection but raise concern that the Transport Assessment has only assessed the impact of the proposal on the St James Road/ St James Mill Road junction and not the eight surrounding junctions as requested during pre-application discussions. Nor does the assessment provide a future assessment to the year 2026. The junction assessed is over capacity and any development will need to have a nil detrimental impact and may require the developer to provide mitigation. Notwithstanding these concerns the Highway Authority has no objection overall subject to conditions requiring the provision of a standard turning head and the end of the current St James Mill Road, the submission of a Construction Management Plan and that a road condition survey is carried out prior to commencement and on completion of the proposed development.

6.5 **Construction Futures** - request S106 contributions of £3,372 equivalent to 26 training weeks.

6.6 **The Council's Arboricultural Officer** – has advised that the trees within the site are of low quality and not suitable for retention. A

detailed landscaping scheme incorporating additional tree planting should be conditioned.

- 6.7 **The Canal and River Trust** - no comment.
- 6.8 **The Crime Prevention Officer** – no objection. The developer has advised that they aspire to achieve Secure By Design accreditation for the building which will contribute to the BREEAM rating.
- 6.9 **Natural England** – has no objection.
- 6.10 **NCC Development Management** – has requested a contribution of £145 per 100 sqm towards local fire and rescue infrastructure costs or alternatively the installation of a sprinkler system throughout the new development and the installation of 1 fire hydrant.

7. APPRAISAL

Principle of the Development

- 7.1 The NPPF places significant weight on the need to support sustainable economic growth encouraging Local Planning Authorities to set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth and the expansion of existing business.
- 7.2 The site is allocated for employment use in the Local Plan and lies with the Northampton Waterside Enterprise Zone where business and economic development is actively encouraged by the Council in line with Government objectives.
- 7.3 Cosworth has a strong established presence within Northampton with both the Head Office and a number of factories already located on the St James Mill Road industrial estate. The proposal would allow for the expansion and development of an established business within the town and provide employment for up to 70 people in line with the above policies and is therefore considered acceptable in principle subject to the issues addressed below.

Appearance & Design

- 7.4 The proposed building would be simple in form and has been designed to be in keeping with the existing Cosworth buildings on the industrial estate using the corporate grey and blue colours. Although visually prominent from the riverside footpath, the scale and appearance of the building would be viewed in the context of the surrounding large scale industrial and retail units and would reflect the character of the surrounding area. The design and appearance are considered acceptable.

- 7.5 Landscaping is proposed on the limited space surrounding the site to the front of the building and surrounding the proposed car park the details of which could be approved by condition.
- 7.6 Following comments from the Crime Prevention Design Advisor the cycle shed has been relocated to be visible from windows at the front of the building to enable surveillance from inside. The applicants aspire to achieve Secure By Design accreditation and this could be secured by condition.

Flood Risk

- 7.7 The site lies within Floodzones 2 & 3 as identified by the Environment Agency's Flood Map. Industrial development is classed as 'less vulnerable' development in accordance with the Technical Guidance for NPPF (March 2012) and therefore is an appropriate development within these floodzones.
- 7.8 NPPF advises that in determining planning applications local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site-specific flood risk assessment following a sequential test and, if required, an exception test.
- 7.9 A Flood Risk Assessment (FRA) has been submitted with the application which advises that from historic Environment Agency data, there is no evidence to show that the site has been flooded during the extreme events of March 1947 or Easter 1998. The FRA at Appendix E provides written confirmation from the Environment Agency that sequential and exceptions test are not required for the proposed development.
- 7.10 The FRA proposes mitigation measures which include:
- Constructing finished floor levels a minimum of 300mm above the predicted 1:200 year plus climate change allowance flood level. The southern section of the site will be infilled to approximately 60.580m AOD to reduce the flood level hazard risk on site. The overall site level will be raised by a maximum of 1m.
 - Surface water from service yard areas will be collected in a positive drainage system and passed through an oil interceptor which will discharge into an underground attenuation tank beneath the car parking area.
 - Surface water from the roof drainage will be collected in a positive drainage system and discharged into the underground attenuation tank.
 - The car park will be made of a permeable construction.

- A SUDs attenuation tank will be placed beneath the car park to store the surface water run-off from the site which will discharge to the River Nene using a flow control device.
- 7.11 The Environment Agency currently has a right of access for maintenance purposes to the top of the embankment through the site. The proposal provides an alternative access route for the Environment Agency through the car parking area to the embankment.
- 7.12 The Environment Agency has requested further information in relation to the FRA and their further comments will be reported to Committee via an addendum.

Environment

- 7.13 NPPF encourages the effective use of brownfield land and seeks to minimise impacts on biodiversity and provide net gains where possible. Policy E2 of the Local Plan resists development alongside the River Nene unless it is compatible with important wildlife habitats and includes a landscaped accessible frontage to the river, on average 12m.
- 7.14 The site is a brownfield site located approximately 30m from the riverbank with the flood embankment and an area of vegetation, scrub trees and reed beds alongside the river. The development would not affect the immediate riverbank and would maintain the existing accessible frontage to the river.
- 7.15 An Extended Phase 1 Habitat Report has been submitted with the application which advises that no protected species have been identified on site although the western part of the site has potential for common reptile species to occur and a reptile survey is recommended.
- 7.16 The site has no statutory designation for wildlife and is not within the vicinity of a designated wildlife site. The proposed development would not lead to any significant impacts on biodiversity and Natural England has no objection.

Highways

- 7.17 The site is located at the end of St James Street. The application proposes increasing the service yard area to the east of the existing Cosworth building and providing goods vehicle access via the existing access. In addition, the proposals include the extension of St James Mill Road by some 120m for the length of the site along the route of the previously safeguarded corridor intended to provide a link from St James Mill Road to St James Mill Road East previously allocated under the now removed Policy T3 of the Local Plan. The road would be constructed to adoptable standards at base level with a hardcore finish to enable continuation of the route should the remainder of the link come forward in future.

- 7.18 The submitted Transport Assessment anticipates that there will be two inbound deliveries per week and one outbound delivery every three weeks in small HGVs. In addition there will regular waste collections and deliveries of non-industrial post. However, overall very few additional vehicular movements would occur as a result of the proposed development. Production staff which will form 75% of the proposed workforce will be employed in two shifts (6am to 2pm and 2pm to 10pm) and therefore the majority of staff would travel outside of the peaks periods.
- 7.19 Additional HGV movements will occur during the construction period for the transportation of materials and inert materials to increase site levels however these have been assessed as part of the Transport Assessment and will be of a temporary nature.
- 7.20 A Travel Plan has been submitted with the application with the aim of encouraging staff to be responsible for their travel habits and to promote more environmentally sustainable and less polluting methods of transport. A detailed Travel Plan and its implementation would be required by condition.
- 7.21 The Highway Authority on balance has no objection subject to the conditions proposed. A condition requiring a road condition survey is not considered to be a planning matter and could be dealt with under separate Highway legislation. In view of the limited HGV movements proposed, the proposed shift patterns which would minimise additional impacts on the highway at peak times and the implementation of a Travel Plan it is not considered that the proposal, subject to the conditions proposed, would lead to any significant adverse impact on the highway network.

Other Matters

- 7.22 The proposal is not subject to a S106 agreement however the Council as land owner will negotiate a construction training programme with the applicant as appropriate.
- 7.23 With regard to air quality/carbon management, the application is accompanied by a Sustainability Statement which advises that a minimum of 10% of the developments energy needs will be from decentralised and renewable or low carbon sources. In addition, HGV movements to and from the site are not significant and a Travel Plan is requested by condition which would promote more environmentally sustainable methods of transport for employees.
- 7.24 Further comments are awaited from the applicant regarding fire safety and will be reported as an addendum.

8. CONCLUSION

- 8.1 The proposed development is in line with both Government and the Council's objectives for economic development within the Enterprise Zone and would allow for the expansion and development of an established prominent business within Northampton leading to the creation of up to 70 additional jobs in line with the objectives of the Joint Core Strategy. The design and appearance are appropriate to the surroundings and the development would not adversely impact on biodiversity. Further comments in relation to flood impacts are awaited and will be reported to Committee via an addendum.

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 approved will be constructed in accordance with the external material details as shown on drawing no. 140088-A2000 received 18 March 2014.

Reason: In the interests of the appearance of the building and the character of the area in accordance with the requirements of Policy E20 of the Northampton Local Plan.

- (3) Prior to construction work commencing on site, an intrusive site investigation shall be carried out in accordance with the recommendations of the submitted Peter Brett Report (PBA 26554/001) Phase 1 Ground Contamination Assessment Report date February 2012 and the results shall be used to produce a remediation scheme, which shall be submitted to the Local Planning Authority for approval. Construction work shall not commence on site until confirmation of the full implementation of the approved remediation scheme has been confirmed by means of a validation report submitted to and approved in writing by the Local Planning Authority. Any unexpected suspect contamination discovered during the development shall be reported to the Planning Authority forthwith and assessed and remediated by methods agreed with the Local Planning Authority in writing prior to the occupation of the development.

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

- (4) Within three months of work commencing on site, a landscaping scheme shall be 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.

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

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

- (6) Notwithstanding the submitted details, within one month of commencement on site, details shall be submitted for approval in writing by the Local Planning Authority for the provision of a standard turning head in accordance with Northamptonshire County Council Highway standards at the current end of St James Mill Road (the existing adopted highway) adjacent to No. 68 St James Mill Road including the provision of a 1.8m footpath. The proposed turning head shall have been implemented prior to the occupation of the development hereby approved.

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

- (7) No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include details of the management of traffic during construction to address site access, routes within site kept free from obstruction, wheel washing facilities, a travel plan for construction workers, loading and unloading, vehicle parking and turning areas and a scheme for prevention of surface water discharges onto the highway. The scheme shall be implemented in accordance with the approved details for the duration of construction.

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

- (8) No goods or articles shall be stored on any part of the site except inside the building.

Reason: To ensure that the proposed development does not prejudice the appearance of the locality in accordance with Policy E20 of the Northampton Local Plan.

- (9) The loading and unloading of all vehicles attending the premises shall at all times take place solely within the curtilage of the site.

Reason: In the interests of highway safety in accordance with Policy T12 of the Northampton Local Plan.

- (10) The parking and turning, loading and unloading space shown on the submitted plan, drawing no. 140088=A0100 rev A, shall be laid and marked out prior to the development being first brought into use and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy T12 of the Northampton Local Plan.

- (11) Prior to commencement on site construction details including surface treatment of the proposed access road including gradients shall be submitted for approval in writing site by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

- (12) Prior to the first occupation of the premises hereby approved, a detailed Travel Plan for employees shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the reliance on the private car for journeys to work in accordance with the advice contained in NPPF.

- (13) Full details of facilities for the secure and covered parking of bicycles shall be first 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: To ensure the provision of adequate facilities in accordance with Policy E20 of the Northampton Local Plan.

- (14) Prior to the occupation of the development hereby permitted details of a scheme demonstrating how the development will aim to achieve

Secure By Design standards shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details.

Reason: To ensure that appropriate consideration is given to the prevention of crime and vandalism in accordance with the requirements of Policy E40 of the Northampton.

- (15) The development hereby permitted shall be carried out in accordance with the following approved plans: 140088-A0100 rev B, A2000 rev C, A1001 rev E, A1003 rev A, A1000 rev E, A4000 rev B & 5111/30 rev A 'Proposed Levels'.

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

10. BACKGROUND PAPERS

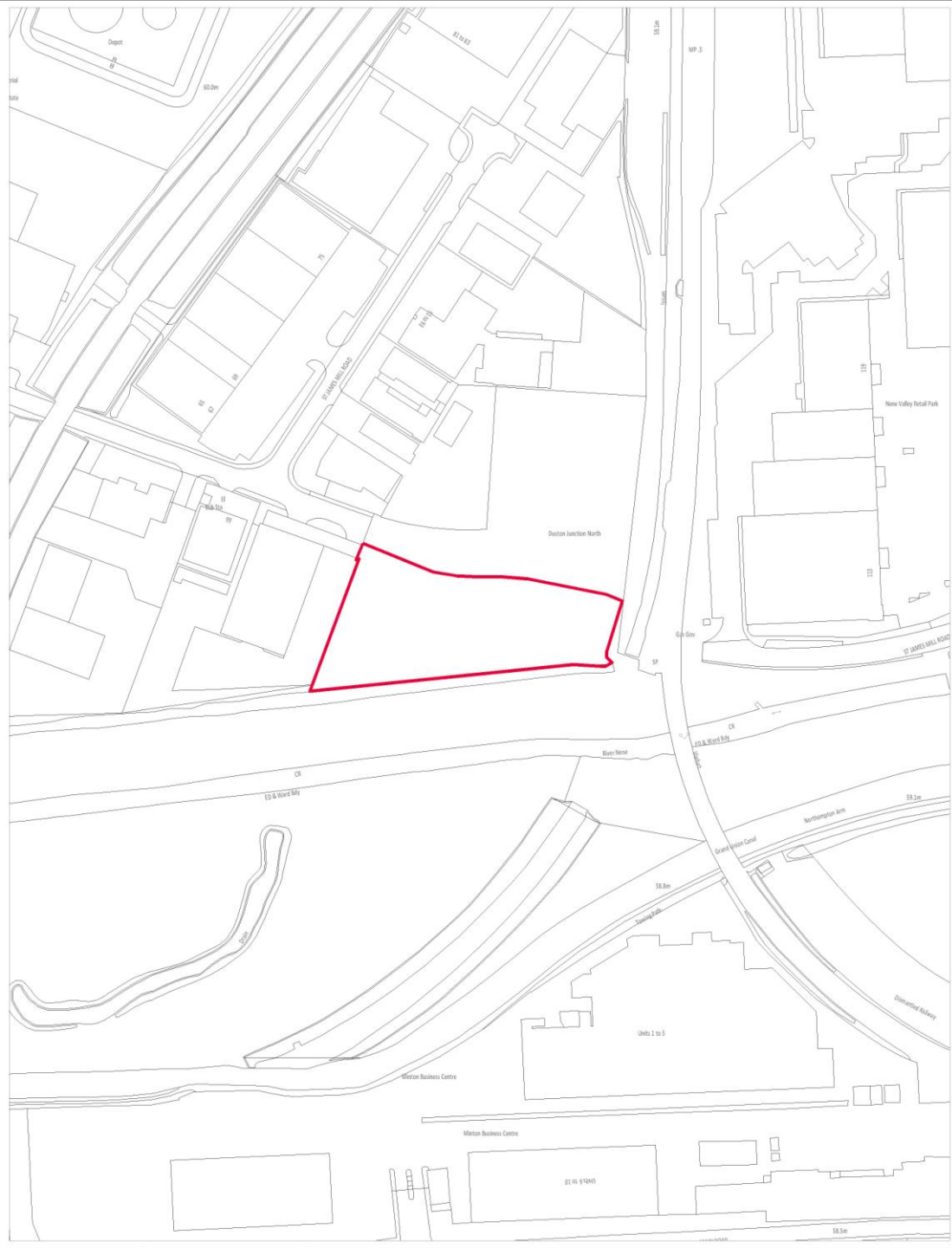
- 10.1 N/2014/0183

11. LEGAL IMPLICATIONS

- 11.1 Lease agreement to be dealt with by Asset Management.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: **Planning**
 Date: **26th March 2014**
 Scale: **NTS**
 Dept: **Planning**
 Project: **Committee**

Title

Land at St James Mill Road

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PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0188: Single-storey front extension and repositioning of ATM machine at Goldings Supermarket, Unit 2, Prentice Court

WARD: Talavera

APPLICANT: Mr R Sidhu
AGENT: Mr Ali Ay

REFERRED BY: Head of Planning
REASON: Council own land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL for the following reason:

The proposed development would not have an undue detrimental impact on the residential amenity of the area and would be of a design and scale in keeping with the existing building and wider area to comply with Policies E20 and E40 of the Northampton Local Plan and aims of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for erection of a single storey flat roof front extension to an existing supermarket. The proposal also includes re-location of an existing cash machine (ATM) from the side façade of the shop to the side façade of the proposed extension. The proposed extension would be constructed in materials to match the original shop and measures 7.3m long, 5m wide and 2.9m high.

3. SITE DESCRIPTION

- 3.1 The application site is located in the Goldings Local Centre and forms a block of 2 units including a hot food takeaway (Unit 1, Prentice Court) and is adjacent to a vacant former public house (The Silver Horse). There is a public car park adjacent to the block suitable for parking approximately 20 cars off road.

4. PLANNING HISTORY

- 4.1 N/2009/0535 Installation of ATM to shop front - Approved.
- 4.2 N/2008/1124 Change of use of Unit 1 from Class A1 retail to hot food takeaway – 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 the Northampton Local Plan.

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Local Plan

E20 - Design of New Development
E40 - Crime and Vandalism

5.4 Supplementary Planning Guidance

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Environmental Health** - no objections.
- 6.2 **Police Crime Design Advisor (NCC)** Raises concern as the new position of the ATM is set close to the new front door and the door provides opportunities for users to have their PIN numbers compromised by persons walking close to them when entering and leaving the shop. The new position does not provide sufficient space to ensure privacy for users.

- 6.3 Would recommend that a “privacy zone” is created for the ATM users which would comprise an area designated on the pavement which will reduce opportunities for anti-social activity.

7. APPRAISAL

- 7.1 The main issues to consider are the design and visual appearance of the extension /cash machine as well as the effect on neighbours living conditions and security.

Impact on appearance and character of building and wider area

- 7.2 The proposed extension is of modest size and the flat roof design is in keeping with the host building and would tie in with the flat roof on the existing canopy covering the front of the shop. The proposed materials would match the existing building and would provide a satisfactory external appearance. The existing ATM would be relocated to the side elevation of the extension and the proposed design and scale would be in keeping with the existing unit. The development would comply with Policy E20 of the Northampton Local Plan which seeks to encourage good design and paragraph 56 and 57 of the NPPF.

Impact on neighbouring amenity

- 7.3 In terms of the effect on surrounding properties, given the scale of development and fact that the proposed extension is almost 30 metres from the nearest residential properties, it is not considered that the proposed development would impact on residential amenity. The Council’s Environmental Health Officers raise no objections to the proposal.

Security and Crime Prevention

- 7.4 There is an existing ATM on site. The repositioning of this ATM would have neutral impact in the immediate area.
- 7.5 The Northants Police Crime Advisor has been consulted on the application and raises concern that the repositioned ATM would result in loss of privacy to users as it is within 2.5 metres of the centre of the main front doors into the shop potentially allowing shoppers to invade the privacy of those using the ATM. Whilst the ATM in the proposed position is closer to the door than existing it is considered that there would be sufficient room to provide users with privacy, furthermore being adjacent to the entrance will result in it being difficult for people to invade privacy of those using the ATM as they would also be obstructing the entrance. Furthermore, the location would allow for greater general surveillance resulting in a less likely invasion of privacy as there will be more passing pedestrians. In addition, the ATM can be surveilled by a nearby CCTV camera which would assist in preventing crime at the site.

Parking

- 7.6 The application will have no adverse impact on existing parking arrangements given that it is located within walking distance to a large number of residential properties and is adjacent to a car park.

8. CONCLUSION

- 8.1 The proposed development would be acceptable and not result in significant impact to visual or residential amenity and is in line with Development Plan and national policies.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 29.14/01, 02, 03, 04.

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

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

Reason: In the interests of visual amenity to comply with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

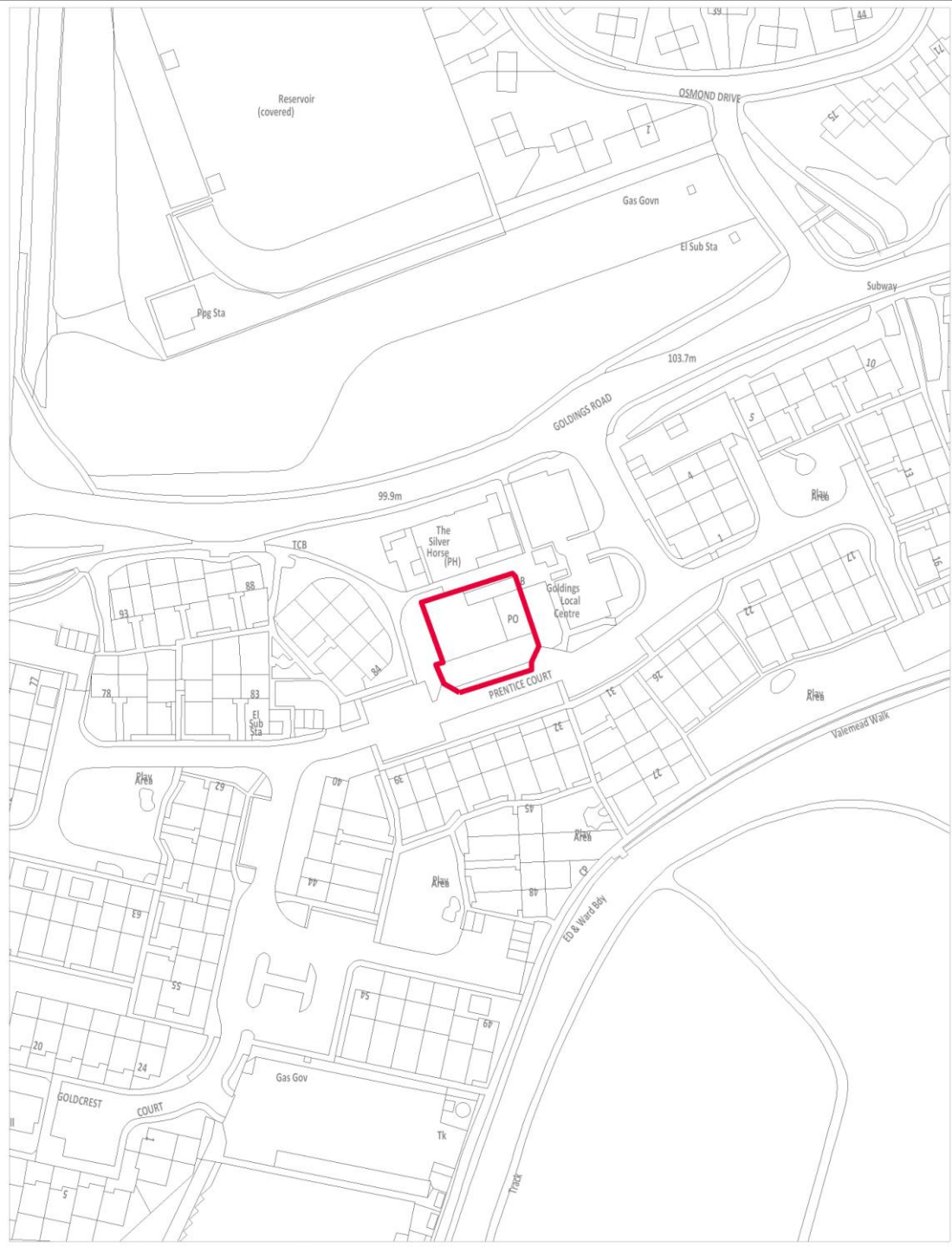
- 10.1 N/2014/0188

11. LEGAL IMPLICATIONS

- 11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: Planning
 Date: 13th March 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
Unit 2, Prentice Court

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PLANNING COMMITTEE: 8th April 2014
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2014/0227: Two-storey and single-storey side extension including an additional rear dormer and amendments to existing rear dormer and front porch (part retrospective) at 7 Hedgerow Drive

WARD: Spring Park

APPLICANT: Mr Neil Marriott

REFERRED BY: Head of Planning
REASON: Applicant is related to a Councillor

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

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

2. THE PROPOSAL

2.1 Permission is sought for the erection of a two storey side extension set back 2.8m from the front main wall of the property. The proposal provides an extended kitchen at ground floor level with bedroom and bathroom above. The proposal also includes the erection of an enlarged rear dormer and single storey utility room. The proposed

materials would match the existing house. The front porch which was erected in 2012 also forms part of this application.

3. SITE DESCRIPTION

- 3.1 The site consists of a semi-detached dwellinghouse located in a quiet residential street with similar properties. There is an existing flat roof detached garage to the side of the house and private garden to rear.

4. PLANNING HISTORY

- 4.1 None recent.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Local Plan

E20 - New Development
H18 - Extensions

5.4 Supplementary Planning Guidance

Residential Extensions and Alterations Design Guide 2011

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 None received.

7. APPRAISAL

- 7.1 The main issues to consider are the impact on character and appearance of host building, street scene and whether the proposal would have an acceptable impact on adjoining neighbours.

Impact on character and appearance of host building and street scene

- 7.2 The applicant's property is situated at the end of a quiet cul-de-sac with no through traffic. The proposed two storey side extension would be

set back 2.8m from the front main wall of the house. Given that the proposed extension would not be readily visible from much of the street, it is considered that the effect on street scene would be limited.

- 7.3 Whilst it is acknowledged that the proposed design and roof form of the first floor side extension is somewhat unconventional in relation to the existing house roof profile, Officers consider that the scale and proportion and the general appearance of the proposal are acceptable and would not be out of keeping with the existing dwelling.
- 7.4 The proposed rear dormer would be large in size, however, given that it would not be visible from Hedgerow Drive the effect on street scene would be minimal. The cheeks of the proposed dormer would also match the roof materials on the existing building and this would be secured by condition on any grant of planning permission to ensure a satisfactory external appearance of the development.
- 7.5 The design of the existing front porch, roof form and materials are considered to be in keeping with the existing building and street scene. This would comply with Policies E20 and H18 of the Northampton Local Plan and advice contained in the SPD on Residential Extensions.

Impact on amenity of adjoining neighbours

- 7.6 Given the existing rear to rear separation distance in excess of the Council's minimum 21 metres standard as contained in the Residential Extensions Guide, it is considered that the proposed rear dormer would not result in significant overlooking to the properties on Rookery Lane. In terms of the impact on the adjoining neighbour to the immediate south at no. 6 Hedgerow Drive, it is considered that due to the orientation, separation and relationship involved the effect on that property in terms of overlooking, overshadowing and loss of outlook would be minimal. The proposed extensions would have a very limited effect on the adjacent semi at no. 8 Hedgerow Drive given that the development would be on the other side of the applicant's house away from their main windows. The development would comply with Policies E20 and H18 of the Northampton Local Plan and aims of the SPD on Residential Extensions.

8. CONCLUSION

- 8.1 For the reasons cited above the proposed development is considered acceptable and would not have any undue impact on nearby neighbours or character of the area.

9. CONDITIONS

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

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

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

Reason: In the interest of visual amenity to comply with Policy E20 of the Northampton Local Plan.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing and Proposed Elevations and Floor Plans received on 3 March 2014.

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

10. BACKGROUND PAPERS

- 10.1 N/2014/0227

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.

