



NORTHAMPTON
BOROUGH COUNCIL

PLANNING AGENDA

Wednesday, 19 November 2014

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

6:00 pm

Members of the Committee

Councillor: Brian Oldham (Chair), Matthew Lynch (Deputy Chair)

Councillors: Iftikhar Choudary, Nazim Choudary, Penny Flavell, Michael Ford,
Matthew Golby, Jamie Lane, Lee Mason, Dennis Meredith, 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 837587

PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 19 November, 16 December 2014, 28 January, 17 February and 24 March 2015.

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 837587
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- By email to: democraticservices@northampton.gov.uk (if no acknowledgement is received please telephone)

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

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

on Wednesday, 19 November 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/2014/1092 - THE ECTON BROOK PUBLIC HOUSE, ECTON BROOK ROAD: CHANGE OF USE FROM PUBLIC HOUSE (A3) TO COMMUNITY CENTRE (D1)**
10. **ITEMS FOR DETERMINATION**
(A) **N/2014/0079 - 4A BALMORAL ROAD: ERECTION OF 13 DWELLINGS; CONSISTING OF 12 FOUR BED TERRACED HOUSES AND 1 FOUR BED DETACHED HOUSE INCLUDING 28 PARKING SPACES**

- (B) N/2014/0596 - LAND AT SIXFIELDS STADIUM, EDGAR MOBBS WAY: OUTLINE PLANNING APPLICATION FOR MIXED USE DEVELOPMENT OF LAND ADJACENT TO SIXFIELDS STADIUM TO INCLUDE SINGLE STOREY RETAIL BUILDINGS (14,075SQM) WITH ASSOCIATED CAR PARKING AREAS, RESIDENTIAL DEVELOPMENT OF UPTO 255 UNITS COMPRISING OF 2-3 STOREY TOWN HOUSES AND 4 STOREY APARTMENT BLOCKS. EXTENSION AT FIRST FLOOR LEVEL OF THE EXISTING WEST STAND TO FORM A CONFERENCE CENTRE TOGETHER WITH A LINKED 4 STOREY UP TO 100 BEDROOM HOTEL, LANDSCAPING AND OPEN SPACE

Item withdrawn

- (C) N/2014/0772 - LAND ADJ TO 8 QUINTON ROAD: ERECTION OF TWO DETACHED HOUSES WITH VEHICULAR CROSSOVERS

- (D) N/2014/0866 - FORMER NORTHAMPTONSHIRE ASSOCIATION FOR THE BLIND SITE, WARDINGTON COURT, WELFORD ROAD: PROPOSED ERECTION OF EXTRA CARE ACCOMMODATION FOR THE ELDERLY INCLUDING PROVISION OF COMMUNAL FACILITIES AND CAR PARKING (REVISION TO PREVIOUSLY APPROVED APPLICATION N/2013/0351)

- (E) N/2014/0986 - THE MANNA HOUSE, ST GILES STREET: CHANGE OF USE OF GROUND FLOOR AND BASEMENT FROM RETAIL TO RESTAURANT

- (F) N/2014/1122 - LAND AT FORMER HONDA DEALERSHIP BETWEEN GRAFTON STREET AND COMPTON STREET: ERECTION OF 38 DWELLINGS COMPRISING 12 THREE BEDROOM HOUSES; 13 TWO BEDROOM HOUSES AND 13 FLATS

- (G) N/2014/1144 - 44 BRIDGE STREET: LISTED BUILDING APPLICATION TO REPLACE THE EXISTING GROUND BEARING SLAB WITH NEW REINFORCED CONCRETE AND REPLACEMENT INTERNAL STEP

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

Wednesday, 29 October 2014

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

Steven Boyes, Director of Regeneration, Enterprise and Planning;
Rita Bovey, Development Manager (Acting); David Rowen,
Development Management Team Leader (Acting); Nicky Toon,
Principal Planning Officer (Acting); John Maher, Lawyer; Nathan
Birch, Democratic Services Officer

1. APOLOGIES

Apologies were received from Councillors Flavell; Nazim Choudary and Lynch.

2. MINUTES

The minutes of the meeting held on 30th September 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/2014/0596 Land at Sixfields Stadium
Councillor Glynane
Simon Patnick (County Developments)
- N/2014/0619 Raeburn School, Raeburn Road
Mark Preston (RDC Ltd, Agent)
Councillor Sarah Uldall
- N/2014/0951 Land adjacent to 25 Penfold Lane
Councillor Palethorpe (Ward Member)
John Marlow (Billing Parish Council)
Alan Price (Resident)
John Holman (Applicant)
- N/2014/0956 Clyde House, Southfields Barn, Southfields Community Centre
Councillor Meredith (Ward Member)
Toby Birch (Community Spaces Northampton)
Angela Paterson (Community Spaces Northampton)

Patrick Dooley (Agent)

- N/2014/0987 Former Ashtree Service Station, 237 Main Road,
Councillor Golby (Ward Member)
Francis Jones (Duston Parish Council)
Councillor Hadland
Nick Sanders (Resident)
Graham Price (Agent)
- N/2014/1000 Café Facility, Radlands Skate Park
Hema Patel (owner of Ark Restaurant)

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Ford declared a personal, non-prejudicial interest in Item 10a; in that he is a member of the Northampton Town Football Club Supporters Trust. He could however approach the matter with an open mind, without any predetermination or prejudice.

Councillor Golby declared a pecuniary interest in Item 10c; as a member of Northamptonshire County Council and the Cabinet Member responsible for Education. He would leave the room for the duration of the item.

Councillor Golby declared a prejudicial interest in Item 10f as he was the Ward Councillor who called in the original planning application. He would address the Committee as the Ward member and then leave the room for the remainder of the item.

Councillor Palethorpe declared a personal and prejudicial interest in item 10d; as the ward member he had discussed and advised local residents regarding the application. He would address the Committee as the Ward member and then leave the room for the remainder of the item.

Councillor Meredith declared a personal and prejudicial interest in item 10e; as the ward member he had discussed and advised local residents regarding the application. He would address the Committee as the Ward member and then leave the room for the remainder of the item.

Councillor Meredith declared a personal interest in item 10g; as the ward member he had met the nursery operator. He could however approach the matter with an open mind, without any predetermination or prejudice.

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

None.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Director of Regeneration, Enterprise and Planning submitted a List of Current Appeals and Inquiries. The Development Manager introduced the written report and elaborated thereon.

RESOLVED: That the report be noted

7. OTHER REPORTS

None

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2014/0996 - 56-72 ST GILES STREET: REPLACEMENT OF EXISTING REAR CRITTALL WINDOWS WITH UPVC DOUBLE GLAZED UNITS AND REAR TIMBER DOORS TO POWDER COATED ALUMINIUM FINISH

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning.

The committee discussed the report.

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

(B) N/2014/1000 - CAFE FACILITY RADLANDS SKATE PARK, BEDFORD ROAD: SINGLE STOREY SIDE EXTENSION

This item was heard immediately after 10f on the agenda.

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda. The recommendation was for approval of the application subject to the conditions as set out in the report.

The Chair invited Hema Patel to address the committee. Ms Patel explained that the proposed location of the extension would obscure the view of the barrier entrance from her premises. The view of the skate park would also be obscured to those using her business. She would be happy if the extension went in any other direction.

The Development Manager reminded the committee that they should consider the application before them and not alternative schemes.

The committee discussed the report.

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

10. ITEMS FOR DETERMINATION

(F) N/2014/0987 - FORMER ASHTREE SERVICE STATION, 237 MAIN ROAD, DUSTON: VARIATION OF CONDITION 4 OF PLANNING APPLICATION N/2013/0131 TO EXTEND THE OPENING TIMES FROM 0730 - 2000 TO 0700 - 2200

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda. The recommendation was for approval of the application subject to the conditions as set out in the report.

The Chair invited Councillor Golby to address the committee. He drew the committee's attention to the Inspector's report when granting the application, specifically set out in the agenda at 7.2. He explained that resident concerns over potential anti-social behaviour had not eased. He believed the application was premature and would be more appropriate when the store was in operation and noise could be more effectively monitored and reviewed.

Councillor Golby left the room for the remainder of the item.

The Chair invited Frances Jones, Chair of Duston Parish Council (DPC), to address the committee. She explained that the DPC had reviewed the application and found they could not accept the proposed change of hours. This was in the main a residential area and the additional trading hours could create problems with congregation outside the premises and the noise that would be generated.

The Chair invited Councillor Hadland to address the committee. Councillor Hadland explained that he had called in the application for committee to consider. There had been widespread local unease at the original proposal, but the Planning Inspector had granted the application with conditions, including the limited opening hours. No consideration had been given to noise generated by pedestrians just away from the site, but near residential properties.

In response to a question from the committee Councillor Hadland advised that there was small commercial with limited impact locally.

The Chair invited Nick Sanders to address the committee. Mr Sanders explained that he lived directly opposite the site. Mr Sanders pointed out that despite the Planning Inspector's decision on opening hours, the operator had applied for a Premises Licence to sell alcohol from 06:00 – 00:00. While local residents accepted that the site had a previous use as a garage, that business never traded beyond 19:00, on Sundays and closed one day during the week. This new shop was to be one of 9 convenience stores in the Duston area.

In response to questions from the committee Mr Sanders supplied the following information:

- The car park to the store would be lit by approximately 6 new street lights.
- The bus stop outside the site had previously attracted some anti-social behaviour and been the subject of a dispersal order.

The Chair invited Graham Price, Agent for the applicant, to address the committee. Mr Price highlighted the Planning Inspector's view that he had required "new substantive information" and that the noise survey was that information. He confirmed that the hours now requested were exactly as originally proposed for the premises.

In response to questions from the committee Mr Price supplied the following information:

- The only variation to the conditions applied to the opening hours.
- He did not believe it would attract new customers, but increase the local retail offer.
- This would be a local convenience store, with no wider attraction.
- He did not have details of the car park lighting proposal to hand.
- The car park had no limitations on which business customers could make use of it.

In response to questions from the committee the Development Manager supplied the following information:

- The distance from the nearest property to the premises was approximately 27m.
- The application process did not require a reason for any request change to the conditions.
- Some of the adjoining commercial premises also have a residential element.
- Conditions regarding the car park lighting are in place, but have yet to be discharged.

The Committee discussed the report.

Upon a proposal from Councillor Ford, seconded by Councillor I Choudary the committee **RESOLVED**:

That the application be **REFUSED** on the grounds that:

The applicant has failed to demonstrate that the movement of pedestrians around the site, with the potential of congregation would not adversely impact upon the amenities of surrounding properties. The proposal therefore fails to comply with the requirements of the National Planning Policy Framework.

The committee also noted the Planning Inspector's comments when granting the previous application with the conditions as set out.

The vote on the resolution being - For: 8 Against: 0 Abstained: 0

(E) N/2014/0956 - CLYDE HOUSE, SOUTHFIELDS BARN, SOUTHFIELDS COMMUNITY CENTRE: CHANGE OF USE OF EXISTING STORAGE UNIT TO CREATE 3 DWELLINGS AND INSTALLATION OF FRONT AND REAR WINDOWS, TIMBER CLADDING, ENTRANCE DOORS AND DOUBLE GLAZED SCREENS

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. In addition, two other objections received from 45 Farmhill Road and 7 Ludlow Close were reported. She also drew attention to paragraph 7.6 of the report which should also relate to 7 Oak Park Close. The recommendation was for approval of the application subject to the conditions as set out in the report.

The Chair invited Councillor Meredith to address the committee. Councillor Meredith expressed his unhappiness at the ruling regarding members not having the opportunity to ask questions following his submission. The Chair noted his objection, but pointed out that Councillor Golby had been bound by the same ruling on the previous item. Councillor Meredith explained the inaccuracies highlighted by the applicant regarding Southfields Focus in the addendum had been corrected. He believed the Community Centre to be a vital hub for Southfields and if the application was granted there was a risk this could be lost. He added that there were issues of noise from the Centre which would impact on any potential occupiers of the proposed development. He also believed that the site visit should have included the Community Centre itself.

Councillor Meredith left the room for the remainder of the item.

The Chair invited Toby Birch, Chair and Trustee of Community Spaces Northampton (CSN), to address the committee. Mr Birch explained that this was one of eight centres that CSN had managed since 2012. He outlined that 530 people used the centre each week, across 43 sessions. He believed that the building work proposed would be so disruptive as to potentially force some groups to stop operating. This in itself could impact on its long term viability.

In response to questions from the committee Mr Birch supplied the following information:

- The proposal site had been empty for 2 years and previously used as storage.

The Chair invited Angela Paterson, of Community Spaces Northampton (CSN), to address the committee. Ms Paterson believed that access to the car park was limited to existing leaseholders and this did cover the developer of the neighbouring properties. She highlighted potential issues around the safeguarding of the children using the playgroup and the noise issues from users of the Centre impacting the new properties. She urged the community to refuse the application due to the likely detriment to the wider community.

In response to questions from the committee Ms Paterson supplied the following information:

- The site had 12 parking spaces.

The Chair invited Patrick Dooley, the Agent for the applicant, to address the committee. Mr Dooley pointed out that the site was part of a group of barns which had already been converted. The current use for storage allowed unlimited hours of use, access and traffic movements. If the building was made use of commercially then the impact could be substantially more than the proposed development. He noted that the application was in line with planning policy and urged the committee to follow the officer advice.

In response to questions from the committee Mr Dooley supplied the following information:

- Current conversions are further along the block.
- He believed that the proposed homes would add to the Southfields community.

In response to questions from the Committee the Development Manager supplied the following information:

- It was possible to condition the noise mitigation required in the party wall of the proposed development.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED** subject to the conditions set out in the report and that the Development Manager, with the agreement of the Chair, add a condition with regard to noise mitigation for the party wall of the development.

(D) N/2014/0951 - LAND ADJACENT TO 25 PENFOLD LANE: ERECTION OF 3 BED BUNGALOW WITH CAR PARKING

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda. The recommendation was for approval of the application subject to the conditions as set out in the report.

The Chair invited Councillor Palethorpe to address the committee. Councillor Palethorpe believed that the proposal was out of keeping with area. He added that the application was contrary to Policy E20, in that it did not reflect the character of the area. He reminded the committee that the previous refusal had been upheld by the inspector and that there should a similar refusal for this application.

Councillor Palethorpe left the room for the remainder of the item.

The Chair invited John Marlow, Acting Chair of Billing Parish Council, to address the committee. He asked the committee to note the more than 20 objections and help maintain the character of the area.

The Chair invited Alan Price, who lived adjacent to the proposal site, to address the committee. Mr Price explained that when he had moved to the area he had noted the previous refusal for similar applications. He noted the removal of 7.5m of wall, the potential for his property to be overlooked and the increased risk of flooding due to run off from the new building. He asked that the committee defend the area and refuse the application.

The Chair invited Mr Holman, the applicant, to address the committee. He explained that 25 Penfold Lane had a much larger garden than many in the area. The new proposal was on a smaller scale and fitted well into the site. There had been many changes which would reduce the impact on neighbouring properties. He did not believe this was a precedent, but a sensible use of the site.

In response to questions from the committee Mr Holman supplied the following information:

- This development would provide a bungalow, a much needed housing type in the area.

The Committee discussed the report.

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

The vote on the resolution being - For: 4 Against: 4 Abstained: 0

The Chair used his casting vote in favour of the officer advice to support the application.

**(A) N/2014/0596 - LAND AT SIXFIELDS STADIUM, EDGAR MOBBS WAY:
OUTLINE PLANNING APPLICATION FOR MIXED USE DEVELOPMENT OF
LAND ADJACENT TO SIXFIELDS STADIUM TO INCLUDE SINGLE
STOREY RETAIL BUILDINGS (14,075SQM) WITH ASSOCIATED CAR
PARKING AREAS, RESIDENTIAL DEVELOPMENT OF UPTO 255 UNITS
COMPRISING OF 2-3 STOREY TOWN HOUSES AND 4 STOREY
APARTMENT BLOCKS. EXTENSION AT FIRST FLOOR LEVEL OF THE
EXISTING WEST STAND TO FORM A CONFERENCE CENTRE
TOGETHER WITH A LINKED 4 STOREY UP TO 100 BEDROOM HOTEL,
LANDSCAPING AND OPEN SPACE**

The Development Management Team Leader outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The recommendation was for approval in principle of the application to the prior referral of the matter to the Secretary of State; the completion of an appropriate and reasonable Section 106 legal agreement; appropriate conditions and the satisfactory resolution of the matters set out in the report.

The Development Management Team Leader explained that the holding objection from Sport England had been withdrawn.

The Chair invited Councillor Glynane to address the committee. Councillor Glynane declared an interest in that he was Chair of the Northampton flood Defence Alliance. He urged the committee to look at the facts before them. He believed if they did so they would conclude that there was not enough information before them to make a sound decision. The Environment Agency (EA) response, the lack of a transport plan and the future of town centre shopping not being analysed showed the application was premature.

The Chair invited Simon Patnick, on behalf of the applicant, to address the committee. Mr Patnick pointed out the EA request for further consultation if the committee was minded to approve the application. A further flood risk assessment had been submitted since the report was published. He explained this was an outline application to consider the possibility of use and as whole would improve the local area and add to the business and housing uses within the Waterside Enterprise Zone.

In response to questions from the committee the Development Management Team Leader advised the committee:

- No extension to Tweed Road was proposed
- Relocation of the Civic Amenity Tip was currently being negotiated
- Many of the outstanding issues were already being moved forwards

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to prior referral to the Secretary of State and the issues contained in the report being resolved. A follow up report would be submitted to the Planning Committee likely to be at their next meeting.

**(C) N/2014/0619 - FORMER RAEBURN SCHOOL, RAEBURN ROAD:
CONSTRUCTION OF 38 DWELLINGS AND ASSOCIATED WORKS**

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The recommendation was for approval in principle of the application, subject to the completion of an appropriate and reasonable Section 106 legal agreement and the conditions set out in the report.

The Chair invited Councillor Uldall to address the committee. She explained she supported the proposed development on the site, but asked that resident concerns on highways matters be addressed.

The Chair invited Mark Preston, Agent for the applicant, to address the committee. He explained that the traffic survey had shown very few additional traffic movements in the area around school pick up/drop off. The applicant would have a full construction environment management plan in place to ensure the site was developed in a safe manner.

The committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE**, subject to the completion of an appropriate and reasonable Section 106 legal agreement, the conditions set out in the report and the inclusion of a condition requiring the submission of a scheme for the provision of mains foul sewage on and off site

(B) N/2014/0604 - PLOT 1 ZONE C, SEPALS WAY, PINEHAM: ERECTION OF A BUILDING TO BE USED FOR THE PURPOSES WITHIN GENERAL INDUSTRIAL (B2) OR STORAGE AND DISTRIBUTION (B8) WITH ANCILLARY CLASS B1 OFFICE ACCOMMODATION, ACCESS, PARKING AND LANDSCAPING PROVISIONS

The Development Management Team Leader outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The recommendation was for approval subject to the conditions set out in the report and the amended conditions as stated in the addendum.

The committee discussed the report.

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

(G) N/2014/1022 - PIG & WHISTLE PH, BLACKTHORN BRIDGE COURT: REMOVAL OF CONDITION 3 OF N/2014/0617 (REQUIRING SUBMISSION OF DETAILS OF NOISE SOURCES); VARIATION OF CONDITION 2 TO ALLOW FOR SUBSTITUTION OF PLANS INCORPORATING REVISED DOOR AND WINDOW DETAILS AND EXTENDED RECREATION AREA AND VARIATION OF CONDITION 4 TO EXTEND HOURS OF OPENING TO BETWEEN 0800 AND 2100 MONDAY TO FRIDAY, 0900 TO 2100 SATURDAY AND 0900 TO 1800 SUNDAY

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The recommendation was for approval subject to the conditions set out in the report.

The committee discussed the report.

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

(H) N/2014/1045 - FORMER ABINGTON VALE MIDDLE SCHOOL, BRIDGEWATER DRIVE: VARIATION OF CONDITION 15 OF PLANNING PERMISSION N/2011/1262 TO ALLOW THE PROPOSED ROAD TO BE CONSTRUCTED TO ADOPTABLE STANDARDS BY 1ST SEPTEMBER

**2015 OR BY THE FIRST OCCUPATION OF THE 41ST DWELLING
WHICHEVER IS THE SOONER**

The Principal Planning Officer outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and addendum. The recommendation was for approval subject to the conditions set out in the report.

In response to a question from the committee the Principal Planning Officer confirmed:

- That the timescale would be limited by condition for the work to be completed no later than 1st September 2015.

The committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and the completion of a S106 agreement.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

- (A) N/2014/1057 (SOUTH NORTHANTS DC CONSULTATION) - PINEHAM BARNES AREA, BANBURY LANE: EXTENSION OF PINEHAM BUSINESS PARK COMPRISING THE ERECTION OF BUILDINGS B1(C), B2 AND B8 EMPLOYMENT PURPOSES WITH ASSOCIATED PARKING, HIGHWAYS INFRASTRUCTURE, ENGINEERING WORKS, DRAINAGE, LANDSCAPING AND ANCILLARY WORKS, INCLUDING THE PARTIAL STOPPING UP AND DIVERSION OF EXISTING FOOTPATH LB12. OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT SITE ACCESS AND LANDSCAPING TO BOTH THE NORTHERN AND WESTERN BOUNDARIES**

The Development Management Team Leader outlined the report of the Director Regeneration, Enterprise and Planning , as set out in the agenda. He advised the Committee that the determination of the application would be made by South Northants District Council (SNDC) and this report would form part of the formal consultation response.

The Committee discussed the report.

RESOLVED: That Northampton Borough Council has no objections to the principle of development subject to the issues outlined in the report by South Northants District Council

The meeting concluded at 9:27 pm

Directorate: Regeneration, Enterprise and Planning
 Director: Steven Boyes



List of Appeals and Determinations – 19th November 2014

Written Reps Procedure			
Application	Del/PC	Description	Decision
N/2014/0370 APP/V2825/A/14/2223072	DEL	Rear of 102 Harborough Road. Erection of 5no dwellings with vehicular access and parking	AWAITED
N/2014/0618 APP/V2825/A/14/2223848	DEL	Rear of 25 Pleydell Road. Erection of 3 bedroom detached dwelling (re-submission of N/2013/0718)	AWAITED
N/2014/0519 APP/V2825/A/14/2223952	PC	24 York Road - Change of Use from Offices (Use class B1) into 10 person house of multiple occupation (Sui Generis) including alteration to windows on front and rear elevations (increase of 3 persons from planning permission N/2013/0931)	AWAITED
N/2014/0214 APP/V2825/A/14/2224274	PC	37 Semilong Road - Change of use from dwelling (Use Class C3) to 7 bed HIMO (Sui Generis)	AWAITED
Public Inquiry			
		None	
Hearing			
N/2013/1325 APP/V2825/A/14/2220834	PC	Residential development comprising 69 dwellings with associated access (via Harcourt Way), public open space and local equipped area of play and balancing pond (as amended by revised plans received on 24/02/2014 and 09/04/2014), Danes Camp Way, Hunsbury Hill (Hearing to be held on 28 th October 2014)	AWAITED
Enforcement Appeal			
02/2014		Installation of 3No. roller shutters and associated boxes to the frontage of 24-28 Wellingborough Road	AWAITED

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 Manager (Acting) Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1092: Change of use from Public House (Use Class A3) to Community Centre (Use Class D1) at The Ecton Brook Public House, Ecton Brook Road, Northampton

WARD: Billing

APPLICANT: Northampton Borough Council
AGENT: n/a

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: The Council is the applicant and owns the property

DEPARTURE: No

APPLICATION FOR DETERMINATION BY:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposal would provide improved community facilities within the area and would not lead to any significant adverse impact on nearby residential amenity or existing highway conditions in accordance with the requirements of Policies N1, RC1 & RC2 of the submitted West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application proposes a change of use from a public house to use as a community centre. No external alterations are proposed.

3. SITE DESCRIPTION

- 3.1 The property comprises of a disused public house, situated at the entrance to the Local Centre, which is a two-storey brick-built property with a ground floor area of 350.21 sq m and first floor area of 88.54 sq m. A small service yard is located to the rear. The adjacent properties comprise of a variety of Local Centre uses including a post office, local store, medical centre and pharmacy all of which surround a number of shared parking areas divided by landscaping. Ecton Brook House, a care home for the elderly is located to the south west. St Andrew's Primary School is located to the north of the site. On the opposite side of Ecton Brook Road and beyond the Local Centre are residential properties.

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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

5.2 National Policies - National Planning Policy Framework (NPPF)

The NPPF at paragraph 17 seeks to ensure that sufficient community and cultural facilities and services are delivered to meet local needs.

Paragraph 70 advises that planning decisions should plan positively for the provision of shared space and community facilities, including public houses, and guard against the loss of such facilities where this would reduce the community's ability to meet its day-to-day needs.

5.3 **Northampton Borough Local Plan 1997 (Saved Policies)**

Policy E40 of the Local Plan seeks to ensure that new development pays regard to the need to deter crime and vandalism through design, layout and landscaping.

5.4 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy**

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy N1 of the submitted JCS recognises the importance of addressing factors of deprivation within a number of Northampton's communities including those within Northampton East.

Policy RC1 seeks to deliver community regeneration to improve services, community facilities and infrastructure.

Policy RC2 seeks to allow for the loss of existing community facilities where the proposal will bring about significant community benefits that outweigh the loss of the facility.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** - no objection subject to the submission of a scheme that specifies internal and external sources of noise on site and the provisions to be made for its control prior to occupation and a condition to limit the hours of use.
- 6.2 **NCC Highway Authority** - no comment.
- 6.3 **Police Crime Prevention Design Advisor** - no objections.
- 6.4 **Councillor Malpas** - supports the proposal as local people have often asked for community facilities in Ecton Brook and complained about the run-down state of the pub site.
- 6.5 A site notice was posted at the site and letters sent to neighbouring occupiers. No comments have been received however the consultation period has not expired at the time of writing this report. Any comments received will be reported to Committee on the addendum to this agenda.

7. APPRAISAL

Principle of Use

- 7.1 The application site is located within Ecton Brook which is situated within the east of Northampton's administrative area. Policy N1 of the JCS recognises the importance of addressing factors of deprivation within a number of Northampton's communities including those within Northampton East.
- 7.2 The former Ecton Brook Public House has been vacant for at least 3 years. The submitted details advise that the previous tenant went into liquidation and it is understood that the administrator considered the business to be unviable and therefore the lease was not advertised for assignment to try and attract a new operator.
- 7.3 Policy RC2 of the JCS allows for the loss of community facilities such as public houses where the development proposed would bring about community benefits that outweigh the loss of the facility. The provision of a community centre would satisfy this requirement providing an alternative community facility within the existing local centre and bring a currently disused and boarded up property at the entrance to the local centre back into use assisting in improving the vitality of the area.

Amenity

- 7.4 The site is predominantly surrounded by existing local centre uses the nearest residential properties being located approximately 20m away on the opposing side of Ecton Brook Road.

- 7.5 The Council has received a number of proposals from various third parties for proposed community uses in relation to the freehold disposal/leasehold of the former Ecton Brook Public House following a 3 month marketing period with a final submission date for proposals ending on 31st October 2014.
- 7.6 Although the end user is currently not known, in view of the location of the premises within an existing local centre and the previous use of the premises as a public house, it is not considered that the proposed change of use to a community centre would lead to any significant adverse impacts on nearby residential amenity.
- 7.7 Sources of internal and external noise and measures for their control could be agreed by condition to ensure adjacent amenity is protected. A further condition is proposed to control hours of use to Monday to Friday 07:30 to 22:00 hours, Saturday 09:00 to 23:00 hours and Sunday/Bank/Public Holidays 09:00 to 22:00 hours.

Parking

- 7.8 There is sufficient parking provision adjacent to the property shared with the adjacent local centres facilities. The Highway Authority has no objection.

8. CONCLUSION

- 8.1 The proposal provides an opportunity to improve community facilities within the locality and would bring a redundant building back into use improving the vitality of the area. There would be no significant impact on adjacent amenity and sufficient parking provision is available adjacent to the site. The proposal is considered to accord with the aims of the above policies and therefore the application is recommended for approval.

9. CONDITIONS

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

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

- (2) Before the development hereby commences a scheme shall be submitted for approval in writing by the Local Planning Authority that specifies the internal and external sources of noise on the site and the provisions to be made for its control. The approved scheme shall be implemented in accordance with the approved details with the first use of the development hereby permitted and shall be retained thereafter.

The applicant shall submit details to demonstrate that the approved scheme has achieved its design criteria prior to the first use of the development.

Reason: In the interests of adjacent commercial and residential amenity in accordance with the aims and objectives of the NPPF.

- (3) The premises shall be open only between the following hours:

Monday to Friday 07:30 to 22:00

Saturday 09:00 to 23:00

Sunday/Public & Bank Holidays 09:00 to 22:00

Reason: In the interests of the amenities of occupiers of nearby properties in accordance with the aims and objectives of the NPPF.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Ground Plan & First Floor Plan.

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

10. BACKGROUND PAPERS

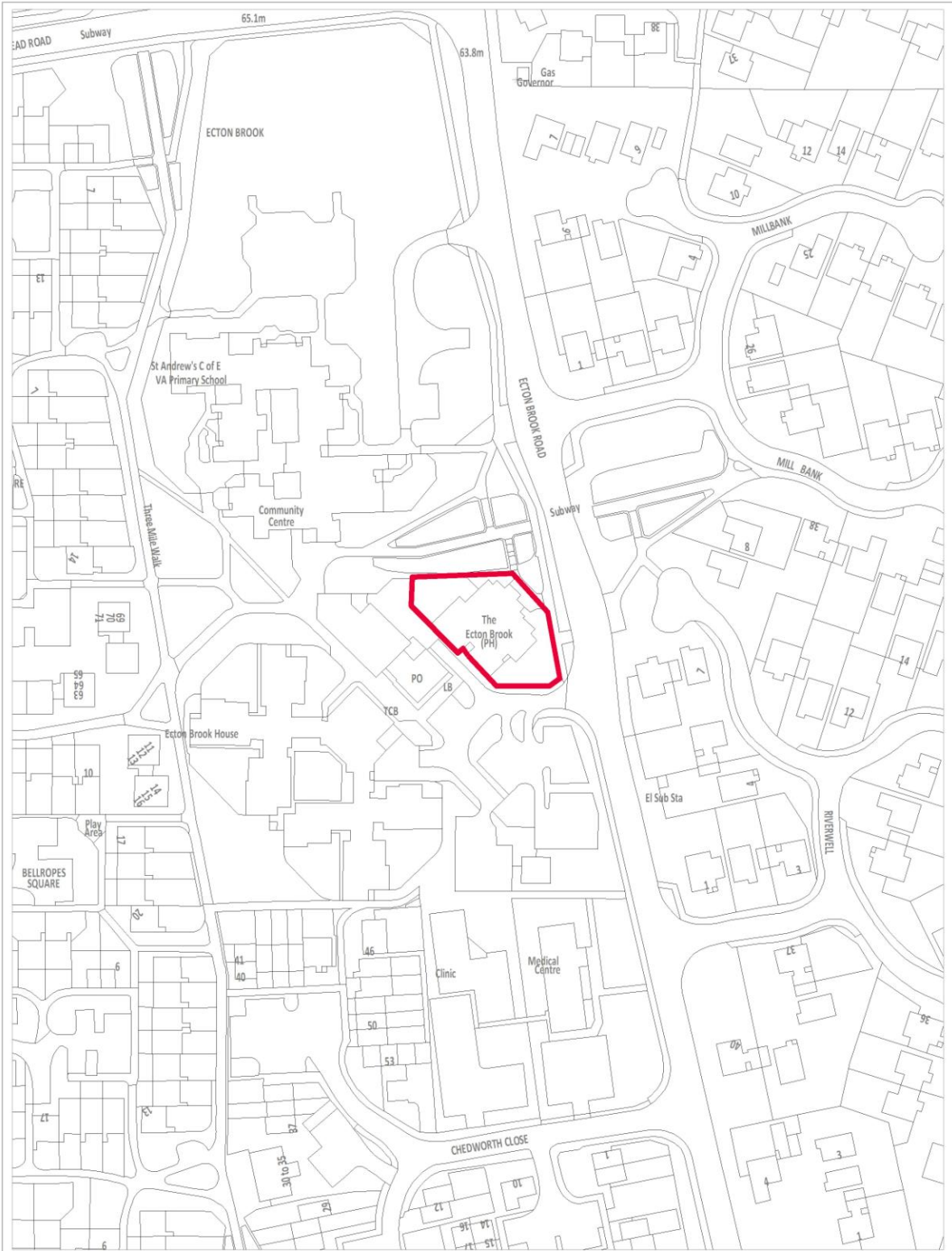
- 10.1 N/2014/1092.

11. LEGAL IMPLICATIONS

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: Location Plan
 Date: 5th November 2014
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
The Ecton Brook Public House, Ecton Brook Road

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Addendum to Agenda Items Wednesday 19th November 2014

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9A

N/2014/1092

**Change of use from public house (Use Class A3) to Community Centre (Use Class D1) at The Ecton Brook Public House
Ecton Brook Road**

No updates.

10. ITEMS FOR DETERMINATION

10A

N/2014/0079

**Erection Of 13no dwellings consisting of 12no. 4-bed terraced houses and 1no 4-bed detached house including 28no. parking spaces with access off Balmoral Road
4a Balmoral Road**

No updates.

10B

N/2014/0596

Outline planning application for mixed use development of land adjacent to Sixfields Stadium to include single storey retail buildings (14,075sqm) with associated car parking areas, residential development of upto 255 units comprising of 2-3 storey town houses and 4 storey apartment blocks. Extension at first floor level of the existing West stand to form a conference centre together with a linked 4 storey upto 100 bedroom hotel, landscaping and open space

Land at Sixfields Stadium, Edgar Mobbs Way

Item withdrawn from Agenda.

10C

N/2014/0772

**Erection of two detached houses with vehicular crossovers
8 Quinton Road**

No updates.

10D

N/2014/0866

Proposed erection of Extra Care Accommodation for the elderly including provision of communal facilities and car parking (revision to previously approved application

N/2013/0351).

Welford Road

Following receipt of a Construction Training Scheme, which has been confirmed as acceptable in consultation with Construction Futures, it is recommended that Condition 10 is amended as follows:

Amended Condition:

(10) Construction training shall be provided during the construction of this development in full accordance with the Construction Futures Construction Training Scheme dated December 2013 received on 11th November 2014.

Reason: To ensure the scheme constitutes sustainable development and supports vibrant and healthy communities in accordance with the guidance contained within the National Planning Policy Framework.

10E

N/2014/0986

Change of use of ground floor and basement from Retail (use class A1) to Restaurant (use class A3)

The Manna House, St Giles street

No updates.

10F

N/2014/1122

**Erection of 38 dwellings comprising 12 three bedroom houses; 13 two bedroom houses and 13 flats, with vehicular accesses from Lower Harding Street and Compton Street at Land at former Honda dealership
Between Grafton Street and Compton Street**

Representations have been received from the occupier of **14 Priory House, Lower Cross Street** in support of the proposal on the grounds that the proposal would provide needed family accommodation with gardens. The flats also have more space than some of the existing units. The proposal would therefore alleviate overcrowding within the area.

Environment Agency - raise no objections subject to the imposition of recommended planning conditions.

Highway Authority - the current version of the plans address many of their comments. It is requested that details of the reinstatement of vehicular crossovers to footways, that ramped kerbs are provided each side of the accesses to private parking courts and that visibility splays are secured.

Officers response:

The matter of the reinstatement of vehicular crossovers and new access details will be submitted via conditions (numbers 14 and 15 as set out on the Committee report). A further condition is recommended with regards to visibility splays.

Additional Conditions:

(18) No building works that comprise the erection of a dwelling to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing for the provision of foul sewage infrastructure has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

(19) No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.

- i) A preliminary risk assessment, which has identified;
- ii) All previous uses;

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

The scheme shall be implemented in accordance with the approved details.

Reason: In the interests of securing a satisfactory standard of development by mitigating any contamination in accordance with the National Planning Policy Framework.

(20) No occupation of the 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 reports 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 a plan for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long term monitoring plan and maintenance plan shall be implemented as approved and retained thereafter.

Reason: To ensure that any remediation is completed to ensure that controlled waters are protected in accordance with the National Planning Policy Framework.

(21) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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 National Planning Policy Framework.

(22) Notwithstanding the details submitted, full details of visibility splays serving the private parking and circulation areas shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, which shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

10G
N/2014/1144
Listed building application to replace the existing ground bearing slab with new reinforced concrete.
44 Bridge Street

No updates.



PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/0079: Erection of 13no. dwellings consisting of 12no. 4-bed terraced houses and 1no. 4-bed detached house including 28no. parking spaces with access off Balmoral Road, 4A Balmoral Road

WARD: Trinity

APPLICANT: Clayson Country Homes
AGENT: TR Dobraszczyk

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major Application

DEPARTURE: YES

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions for the following reason:

The development would be of an acceptable design and appearance, would not adversely impact on road safety or the amenity of existing residents and would contribute towards the Borough's five year housing supply. The application therefore accords with the aims and objectives of the National Planning Policy Framework, Policies E19, E20 and H7 of the Northampton Local Plan and Policies SA, S3, S4, S10 and H1 of the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

2. THE PROPOSAL

- 2.1 The application seeks planning permission to erect 13 dwellings on previously commercial land to the rear of Balmoral Road. The site forms part of a wider area of land with previous commercial uses, including the former Northampton Trades and Labour Club, which have been the subject of planning permissions for residential development.
- 2.2 It is proposed to form an access road from the south side of Balmoral Road, which would be shared with any residential development to the west. This access would then be gated and run parallel with Balmoral Road to service the 13 dwellings with car parking taken directly from this. 12 of the dwellings would be in a 2.5 storey high terrace to the south of the road, with a 2.5 storey detached dwelling to the north of the road adjacent to an existing access track serving the rear of premises on Balmoral Road.

3. SITE DESCRIPTION

- 3.1 The site is a disused commercial yard, with a 'dutch-barn' style metal clad building, apparently last used as a builders yard. The site is enclosed by a brick wall and barbed wire fence and is accessed from a track serving the rear of premises on Balmoral Road.
- 3.2 To the west of the site is vacant, disused commercial land. Other adjacent land uses are residential.

4. PLANNING HISTORY

- 4.1 2000/90 - Outline planning permission granted for residential development and access road – permission has since lapsed.
- 4.2 N/2001/1456 - Full planning permission granted for redevelopment of site to provide 45 flats and construction of access road – permission has since lapsed.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies

The National Planning Policy Framework (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 reduces the potential for conflicts between pedestrians and traffic. Paragraph 49 states that policies for the supply of housing should not be considered up-to-date if a five-year supply of deliverable housing sites cannot be demonstrated by the local planning authority. Paragraph 50 of the NPPF requires that new developments should provide a wide choice in new homes. Paragraph 51 of the NPPF states that local authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate. The NPPF also requires that new developments be of a good quality design (paragraph 56) and contribute to and enhance the natural and local environment (paragraph 109).

5.3 Northampton Local Plan

Policy E19 (Implementing Development) requires any adverse effect of development to be allowed for or appropriately mitigated against.

Policy E20 (New Development) requires development to be well designed and in keeping with its surroundings and ensuring adequate standards of amenity.

Policy H7 (Housing Development Outside Primarily Residential Areas) requires proposals to secure a satisfactory residential environment; be in keeping with the surrounding area and not prejudice the function of the area.

Policy H17 (Housing for People with Disabilities) requires the provision of 10% of dwellings, when over ten dwellings are expected, to be constructed to the Council's mobility standards.

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Planning Obligations SPD 2013

5.5 Other Material Considerations

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making, being prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy SA – 'Presumption in favour of Sustainable Development' requires local planning authorities to take a positive approach to determining development proposals.

Policy S3 – 'Scale and Distribution of Housing Development' requires that Northampton Borough provides about 18,870 new houses.

Policy S4 – 'Northampton Related Development Area' requires about 28,470 net additional houses to be delivered within Northampton and its adjoining sustainable urban extensions by 2029.

Policy S10- 'Sustainable Development' requires developments to be located sustainably and to achieve high quality design.

Policy H1 – 'Housing Density and Mix and Type of Dwellings' requires housing developments to make the most effective use of land having regard to such considerations as the existing character and density of the local area, the accessibility to services and facilities, proximity to public transport routes and the impact on the amenities of occupiers of neighbouring properties.

6. CONSULTATIONS/ REPRESENTATIONS

Comments are summarised as follows:

- 6.1 **NCC Highways** do not object to the application.
- 6.2 **Northamptonshire Police** do not object to the application but raise several security/safety matters.

- 6.3 **Anglian Water** raise no objections.
- 6.4 **NBC Environmental Health** recommend a number of conditions should planning permission be granted.
- 6.5 **Environment Agency** have no comments.
- 6.6 **NCC Development Management** request a number of financial contributions in respect of the development. These are £111,542 towards primary education; £71,540 for secondary education; £1,288 for fire and rescue services and £17,602 towards library services. The issue of the works required to meet the County Council's aspirations for broadband coverage is also raised.
- 6.7 **Queen's Park Residents Association** request a financial contribution of £100 per dwelling towards renewing and upgrading play equipment in Thornton Park.
- 6.8 **Councillor Beardsworth** requests a financial contribution of £100 per dwelling towards renewing and upgrading play equipment in Thornton Park.
- 6.9 **One letter in support** of the application has been received due to the houses being well designed and laid out and meeting the needs of families wanting to live in the area.

7. **APPRAISAL**

Principle

- 7.1 The site is allocated in the Local Plan for business purposes. The NPPF advises that commercial sites should be used for housing development where there would be no economic reasons for doing otherwise. The need for Local Authorities to have a demonstrable five year housing supply is also emphasised.
- 7.2 The site appears to have been disused for a number of years and as such the principle of using this for residential development would appear to accord with the advice contained in the NPPF. Thirteen dwellings would also contribute towards the Borough's five year housing supply.
- 7.3 Previous planning permissions on this site and adjacent former commercial sites would also seem to support the suitability of residential development in this location.
- 7.4 To the north, east and south of the site are residential uses and it is considered that the residential development of the site would conform with this. Development of the site may result in the removal of a visually and environmentally unattractive site to the benefit of existing surrounding residents.

- 7.5 Consequently the principle of residential development on the site would seem to be broadly acceptable.

Design/appearance

- 7.6 In terms of the development proposed, it is considered that the appearance is acceptable. The predominant form of housing in the vicinity is of a terraced form and the creation of a terrace of 12 dwellings is considered to reflect this. All of the dwellings are of 2.5 storeys in height which are somewhat higher than the more typical two storeys seen on Balmoral Road to the north. However to the south are four storey blocks of flats. Consequently it is not considered that the height of the proposed dwellings would be unacceptable in this context.
- 7.7 The design of the dwellings is also considered to be acceptable with the use of chimneys, dentillated eaves and brick detailing to window headers adding visual interest.
- 7.8 From a visual perspective the development would not be overly prominent and is not readily visible from the surrounding area given its location to the rear of existing dwellings and the enclosed nature of the site.

Amenity

- 7.9 With regard to amenity it is considered that there would be no undue adverse impact on existing residents in terms of overlooking or loss of light. Similarly it is considered that the amenity to be provided for future residents of the development would also be acceptable with adequate private rear gardens being provided to the terraced dwellings and the detached dwelling having both gardens to the front and rear.

Parking & Access

- 7.10 The Highway Authority has raised no objections to the application from this perspective.

Flooding & Drainage

- 7.11 Neither the Environment Agency nor Severn Trent Water have raised any concerns with regard to this issue.

Section 106/Viability

- 7.12 Northamptonshire County Council have requested contributions towards education, libraries and fire and rescue provision totalling £255,892. A request has also been received from the local residents association and the local Ward Councillors for £1,300 towards new play equipment in Thornton Park.

7.13 The applicant has undertaken a viability appraisal of the development which has demonstrated that the level of return is significantly below what would normally be considered acceptable (6% versus the normally accepted 15 to 20%). This is due to the ground conditions and nature of the site. The submitted assessment has been verified by officers within the Council's Asset Management Team. Consequently it is considered to have been demonstrated that to require any Section 106 contributions would render the scheme unviable. Paragraph 173 of the NPPF requires Section 106 contributions to not prejudice the deliverability of development and as such to require a financial contribution in this instance would be contrary to the NPPF.

7.14 The requirement of Policy H17 of the Local Plan that 10% of residential units within a development should be constructed to a mobility standard is a matter which could be secured through condition

8. CONCLUSION

8.1 It is considered that the development would be of an acceptable design and appearance, would not adversely impact on road safety or the amenity of existing residents and would contribute towards the Borough's five year housing supply. The application accords with the relevant planning policies and consequently it is recommended to grant planning permission.

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: 2227/1A, 2A, 3B and 4A received 10 June 2014.

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. 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 relation to surrounding land levels 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.

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

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

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

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

7. 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.

8. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site, implemented concurrently with the development and retained thereafter.

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

9. Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, implemented prior to the occupation or bringing into use of the buildings and thereafter maintained.

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. The parking spaces shown on the approved plans shall be constructed prior to the first occupation of the development hereby approved and retained thereafter.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

12. A minimum of 10% of the total number of dwellings shall be constructed to the Local Planning Authority's mobility standards in accordance with further details to be submitted to and approved in writing by the Local Planning Authority and implemented concurrently with the development and thereafter retained as such.

Reason: To ensure the provision and retention of dwellings suitable for use by people with disabilities in accordance with Policy H17 of the Northampton Local Plan.

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

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

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

14. Full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site. 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.

10. BACKGROUND PAPERS

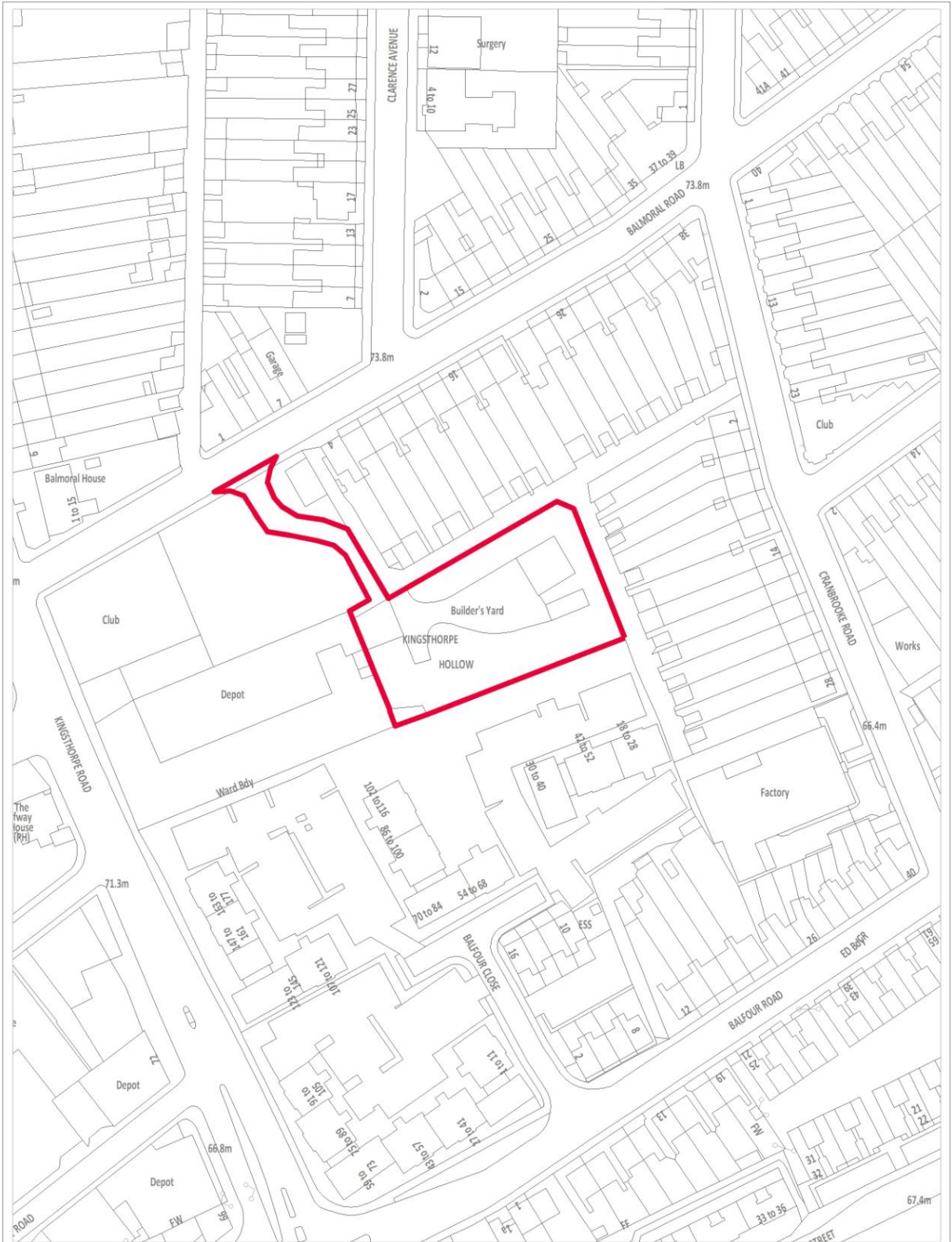
10.1 N/2014/0079.

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: Location Plan
 Date: 16th September 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
4A Balmoral Road, Northampton

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PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/0772: Erection of two detached houses with vehicular crossovers, land adjacent to 8 Quinton Road, Wootton, Northampton.

WARD: Wootton & East Hunsbury

APPLICANT: Mr David Corley

REFERRED BY: Councillor Nunn
REASON: Adverse impact on road safety.

DEPARTURE: NO

APPLICATION FOR DETERMINATION BY:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The development would have no undue adverse impact on the character and appearance of the area, on the setting of the Wootton Conservation Area or the adjacent listed building, residential amenity or highway safety and would contribute to the Borough's five year housing supply and would therefore comply with Policies H6 and E20 of the Northampton Local Plan and the requirements of the National Planning Policy Framework

2. THE PROPOSAL

2.1 The application seeks planning permission for the erection of two detached dwellings either side of an existing detached dwelling, in effect creating a row of three properties. All three dwellings would have their own vehicular accesses to Quinton Road.

- 2.2 The two proposed dwellings would be located slightly forwards of the front elevation of the existing dwelling and would be approximately one metre higher.

3 SITE DESCRIPTION

- 3.1 The site is a rather irregular shape and currently forms the garden to 8 Quinton Road, a 1960/70's detached dwelling with attached outbuildings.
- 3.2 To the west of the site is a Grade II listed building, Clare Cottage, which is also within the Wootton Conservation Area. Trees in the garden of this are adjacent to the boundary with the application site and indeed overhang this. To the south of the site are residential properties.

4. PLANNING HISTORY

- 4.1 N/2014/0442 Erection of three detached dwellings withdrawn. June 2014.

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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies, and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

5.2 National Policies - National Planning Policy Framework (NPPF)

Paragraph 49 states that policies for the supply of housing should not be considered up-to-date if a five-year supply of deliverable housing sites cannot be demonstrated by the local planning authority.

Paragraph 50 of the NPPF requires a range of housing types to be provided.

Paragraph 57 requires development to be of a good quality design.

Paragraph 129 requires the significance of any heritage asset affected by development to be identified and assessed.

5.3 **Northampton Borough Local Plan 1997 (Saved Policies)**

Policy H6 of the Local Plan states that within Primarily Residential Areas residential development should be in keeping with the character and appearance of the area, and not result in the loss of trees of amenity value.

Policy E20 allows for new development where the character of its surroundings would be respected and adequate standards of privacy, daylight and sunlight being ensured.

5.4 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Wootton Conservation Area Re-appraisal and Management Plan 2010

5.6 **Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy**

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy BN5 of the JCS states that the setting of heritage assets will be conserved.

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **NCC Highways** do not object.

- 6.2 **NBC Environmental Health** recommend a condition concerning contaminated land.
- 6.3 **NBC Arboricultural Officer** has “no arboricultural reasons why this application should be refused”.
- 6.4 **NBC Heritage and Built Environment** have commented “the scale and density on the site is now more appropriate, but I have concerns over the design details including the dormer windows”.
- 6.5 **Councillor Nunn** objects as the development will “add to the risks of road traffic incidents” due to the speed of traffic and the proximity of the site to a bend.
- 6.6 **Councillor Hill** objects as “an additional access on to Quinton Road at this point...will be a potential traffic hazard”.
- 6.7 **30 Objections** received. These comments can be summarised as follows:
- Detrimental impact on vehicular and pedestrian safety;
 - Lack of car parking facilities resulting in on-street car parking;
 - Existing character is large plots;
 - Overdevelopment;
 - Loss of trees;
 - Impact on stone wall;
 - Poor quality of submitted plans;
 - Loss of garden area;
 - Impact on amenity due to overshadowing/loss of light/privacy;
 - Out of character with surrounding area;
 - Poor quality design:
 - Impact on wildlife;
 - Should concentrate on reusing empty homes rather than inappropriate new development;

- Impact on amenities and infrastructure;
- Construction traffic;
- Impact on adjacent Conservation Area and listed building.

7. APPRAISAL

Principle

- 7.1 The site is located within a primarily residential area as identified in the Local Plan. Within such an area the principle of residential development is considered broadly acceptable subject to matters of detail being acceptable. The development of two dwellings would contribute towards the Borough's five year housing supply

Design/Appearance

- 7.2 It is considered that the site is currently viewed as being somewhat isolated in urban design terms as it does not form part of an established pattern of development. The listed property to the northwest, Clare Cottage, has a distinctly different character and provides a clear break in the streetscene. To the south east of the site is a bungalow set back and screened from the road and does not, in visual terms, relate to the application site.
- 7.3 The appearance and character of the site would be altered by the proposed development and would lose its current appearance of being a spacious plot. However, due to its visual relationship with the surrounding area it is not considered that the development of a further two dwellings within the site would adversely impact on the character and appearance of the wider area.
- 7.4 The new dwellings would be sited further forward than the existing dwelling, and would have different ridge heights to this. It is considered that the alignment of the dwellings would disguise the different ridge heights as well as avoiding a rigid row of dwellings and would assist in a more satisfactory appearance being achieved.
- 7.5 The design of the front elevations of the dwellings with half dormered windows at first floor level is considered acceptable.

Conservation/Trees

- 7.6 It is not considered, for the reasons outlined above, that the development would adversely impact on either the setting of the adjacent listed building or the setting of the Wootton Conservation Area.
- 7.7 There are a number of trees within and adjacent to the site which need to be considered. Two trees in the garden of the neighbouring property, Clare Cottage, overhang the application site and are classed as being within the conservation area. One of the proposed dwellings would be within the root protection zone of one of these trees. It is considered that a condition requiring details of foundation design would adequately address this issue. The other tree would be unaffected by the development, although this would cause some shadowing to the rear of the new house. Measures would need to be imposed during the construction period to provide protection to the trees.
- 7.8 A number of trees/hedges within the site would be removed to facilitate the development, including a mature Scot's Pine on the site frontage. It is not considered that these trees are of a sufficiently high quality to warrant a Tree Preservation Order or, therefore to preclude the development.
- 7.9 Should planning permission be granted a condition to require replacement planting and landscaping would be imposed.

Amenity

- 7.10 The development would introduce different relationships between the site and neighbouring properties, in particular those located to the rear, with the potential for overlooking. This could be exacerbated by the difference in land levels. However with the position of the windows on the rear elevations of the proposed dwellings, the limited parts of the gardens of the adjacent properties which would be within 10 metres of these windows and the existing planting combined with the potential to secure additional planting to the boundaries, it is considered, albeit finely judged, that these relationships are acceptable.
- 7.11 There is also the issue of the relationships between the existing dwelling within the site and the development to be considered. At present the dwelling has first floor side windows which would face towards the two proposed dwellings. In the case of the dwelling to the north this window would face towards the gable wall of the dwelling. More significantly the window on the southern gable would directly overlook the rear garden of the other proposed dwelling. A condition would be required to ensure that this window is changed to obscure glass.

Highways

- 7.12 With regard to the issue of road safety, a matter which several of the letters of objection raise, the Highway Authority has raised no objections to the application subject to the imposition of conditions.

8. CONCLUSION

- 8.1 It is considered that overall, the development would have no undue adverse impact on the character and appearance of the area, on the setting of the Wootton Conservation Area or the adjacent listed building, residential amenity or highway safety and would contribute to the Borough's five year housing supply. The development would therefore comply with the relevant national and local policies and consequently it is recommended to grant planning permission.

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: Revised site plan (received 10/10/14); 6 Quinton Road (received 6 November 2014) & 10 Quinton Road.

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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no (additional) window (s) shall be installed in the proposed development without the prior written consent of the Local Planning Authority.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy 20 of the Northampton Local Plan.

6. No development shall take place before a scheme for the treatment of the windows on the south eastern elevation of the existing dwelling, No.8 Quinton Road, has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented in full prior to the first occupation of the new dwelling, indicated as No.10 Quinton Road on the approved plans.

Reason: To safeguard the privacy of future residents in accordance with Policy E20 of the Northampton Local Plan.

7. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development 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.

8. 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.

9. 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.

10. 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.

11. Before development commences a scheme for the foundations of the dwelling referred to as No. 6 Quinton Road where it would encroach into the root protection area of tree T10, as identified within the RGS report of September 2014, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed scheme.

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

12. Before development commences details of tree protection fencing, including positioning, to safeguard those trees to be retained within and adjacent to the application site shall be submitted to and agreed in writing by the Local planning Authority. The agreed scheme shall be implemented before construction work begins, shall be retained for the duration of construction work and shall be removed thereafter.

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

13. A pedestrian visibility splay of 2.4m x 2.4m will need to be secured and achieved at all times at all the crossovers.

Reason: In the interests of road safety to accord with the requirements of the National Planning Policy Framework.

14. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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

10. BACKGROUND PAPERS

10.1 N/2014/0772.

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: Location Plan
 Date: 16th September 2014
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
Land Adjacent 8 Quinton Road

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PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steve Boyes

N/2014/0866: Proposed erection of Extra Care Accommodation for the elderly including provision of communal facilities and car parking (revision to previously approved application N/2013/0351), Wardington Court, Welford Road

WARD: Sunnyside

APPLICANT: YourLife Management Services Ltd
AGENT: The Planning Bureau Ltd

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Called in by Cllr Beardsworth because of the loss of the original building on site due to fire

DEPARTURE: NO

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

1.1 APPROVAL for the following reason:

The proposal would provide care facilities for the elderly in a sustainable way, whilst its impact upon the character of the existing built form, neighbouring properties, residential amenity and highway safety is considered to be acceptable in compliance with Policies E20 and H16 of the Northampton Local Plan (1997) and the guidance contained within the National Planning Policy Framework (2012).

2. THE PROPOSAL

- 2.1 The proposals are for Extra Care accommodation, which constitutes assisted living for the elderly. Extra Care housing is a form of accommodation which offers care and support to aged, frail and vulnerable people within their own home. The care element would be provided from within the same building(s) as the accommodation by a dedicated team of care staff. The Extra Care concept is based upon a service charge levied upon homeowners, which funds care services and other facilities on site – the level of charge is dependent upon the care package purchased by each individual homeowner.
- 2.2 A total of 56no apartments are proposed (29no. 1-bed and 27no. 2-bed apartments) in addition to communal living areas such as a lounge, function room, communal restaurant, laundry room, staff accommodation and facilities. The total number of apartments proposed varies from the 58no. approved under N/2013/0351 and involves some internal re-configuration to offset a reduction in 1-bed units with an increased number of 2-bed units. 28no. communal car parking spaces would be provided – to be accessed via the existing pedestrian and vehicular site entrance to the south west corner of the site.
- 2.3 The scheme involves the replacement (on a like-for-like basis) of the former main stone building onsite. The application seeks to replicate the built layout and external appearance of the scheme previously approved (N/2013/0351). The proposals involve the construction of buildings (in predominantly 3no. storey built form) to both the southern Welford Road frontage and to the northern side (or rear) of the site; a total gross internal floor space of 5,744 sq. m would be provided. A predominantly glazed, 18m long, single-storey corridor link would, as previously approved, run across the site to connect the different elements of built form.

3. SITE DESCRIPTION

- 3.1 The site, which is located within an area allocated as primarily residential in the Northampton Local Plan (1997), is rectangular in shape and occupies a total area of approximately 0.57Ha. It slopes gently from north down to south and occupies a slightly elevated position 1m above the level of Welford Road to the southern boundary. The site is bounded by Kingsthorpe recreation ground to the west, Kingsthorpe indoor bowling club to the north and a combination of private houses, Princess Anne House apartments for physically impaired people and Kingsthorpe Clinic to the east. Further to the east, approximately 400m along Welford Road, is situated the Kingsthorpe Local Centre.

- 3.2 The site is currently vacant and has been cleared; it was formally occupied by the Northamptonshire Association for the Blind. The main building on-site was an imposing 3no. storey former grand house that was understood to date from about 1860. Its dominant external facing material was ironstone whilst its roof was afforded red clay tiles and its frontages were typified by multiple gabled elements. However, Wardington Court was destroyed by fire in January 2014 and was subsequently demolished due to health and safety reasons. The main building was supplemented by a number of modern single storey additions and extensions, which have also now been demolished. The site contains areas of both soft and hard landscaping and numerous mature trees (some with preservation orders) and shrubs exist on site. The site is enclosed by a natural stone wall ranging in height from 1.5m – 4m.

4. PLANNING HISTORY

N/2013/0351 Partial demolition of existing buildings and erection of 58no. Units of extra care accommodation for the elderly including provision of communal facilities and car parking (Approved subject to conditions).

WN/2011/0005 Demolition of existing building and erection of 74no. bed residential care home (Class A2) and alterations to existing bungalows in southern corner of the site to provide activity centre with conservatory (Application Withdrawn).

98/0005 Addition of porch / lobby to existing entrance (Approved subject to conditions).

97/A178 Name board & information sign (Approved subject to conditions).

97/0389 Alteration of existing building to provide extended bar/server (Approved subject to conditions).

94/0100 Alterations to existing building to provide extra office accommodation and extension to provide new pottery area (Approved subject to conditions).

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 Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies and, whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

5.2 National Policies

National Planning Policy Framework (NPPF)

5.3 Northampton Local Plan

E20 – ‘New Development’ requires the design of any new built development to adequately reflect the character of its surroundings and to ensure adequate standards of privacy, daylight and sunlight.

E40 – ‘Crime and Vandalism’ requires development to pay adequate regard to the need to deter crime and vandalism.

H6 – ‘Housing Development within Primarily Residential Areas’ requires that development is of a scale and density that respects the character of the surrounding area.

H16 – ‘Housing for the Elderly’ requires that the Council negotiate the provision of purpose built housing suitable for the elderly on appropriate sites.

5.4 Supplementary Planning Guidance

Residential Extensions and Alterations Design Guide SPD

5.5 Other Material Considerations

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy SA – 'Presumption in favour of Sustainable Development' requires local planning authorities to take a positive approach to determining development proposals.

Policy S1 – 'The Distribution of Development' requires that development be concentrated primarily in and adjoining the principal urban areas of Northampton.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Arboriculture:** There are no arboricultural reasons why the application should be refused, there are however several elements of the development that could have a detrimental effect on the long term health of those trees to be retained – the Arboricultural Method Statement (AMS) should be revised to demonstrate how any potential impact will be mitigated or significantly reduced on specific elements of the development. The revised AMS is satisfactory.
- 6.2 **NBC Urban Design:** The key issue is whether the proposed replacement building is capable of replacing the original building with a like-for-like replacement. Clarity about proposed materials should be provided. The use of natural stone is crucial if the newly proposed building is to live up to the character of the original. Original timber window designs should be replicated.
- 6.3 **NBC Environmental Health:** No objections, the submitted environmental reports are considered to be acceptable. A condition should be applied to any approval to secure the submission of a remedial strategy should previously unidentified contamination be found during construction works.
- 6.4 **Anglian Water:** There are no Anglian Water assets within the development site. An informative should be added to any permission to ensure that an application is made to Anglian Water to discharge trade effluent to the public sewer. It is recommended that oil interceptors are fitted to car parking areas and that fat traps are fitted to catering establishments.

- 6.5 **Local Highway Authority:** An access width of 4.8m shall be provided at the site entrance for the first 10m from the back of the highway boundary. No gates should be provided within 5.5m of the back of the highway. Pedestrian visibility splays of 2.4m x 2.4m will need to be secured and achieved at all time and secure cycle parking for 6no. cycles shall be provided. The revised plans that have submitted are acceptable.
- 6.6 **Northants Police:** No formal objection. However, the inner garden area should be completely secure and only accessible from within the buildings. Robust locking systems should be installed and the reception area properly monitored. The front gates should be electronically operated and set at a height that reduces opportunities for climbing over.
- 6.7 **Western Power:** No objection subject to the developer making contact to discuss any alterations required to the electricity network.
- 6.8 2no. site notices were erected adjacent to the site, the application was advertised in the local press and letters of notification were sent out to close proximity neighbours. 2no. representations were received and can be summarised as follows:
- 6.9 **85 & 89 Welford Road:**
- The proposed building heights are of concern – the buildings would tower over nearby residential properties and be an imposing structure.
 - Traffic and parking problems will be caused by the development.
 - Wardington Court was demolished without proper authority being given.
 - Contractors vehicles should be prevented from parking on neighbouring streets and be required to park on site or on the main Welford Road.

7. APPRAISAL

Principle & Care Home Use

- 7.1 The National Planning Policy Framework (NPPF) stipulates that local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (paragraph 50), whilst housing applications should be considered in the context of the presumption in favour of sustainable development.

The Northampton Local Plan (1997) identifies that the site is located within an area allocated as primarily residential. Policy H16 of the Local Plan stipulates that where any major residential development is considered appropriate the Council will negotiate the provision of purpose built housing suitable for the elderly at a scale reflecting the established local need for such provision.

- 7.2 The Planning Statement that accompanies the original application (N/2013/0351) explored the need for Extra Care accommodation. Demographic trends point towards an increasingly aged population whilst Kingsthorpe (according to census information) already has a high percentage of residents at a pensionable age when compared to the average across town and country.
- 7.3 The application has been put forward for Extra Care accommodation for the elderly; the applicant is of the firm opinion that the proposed use falls within the C2 Use Class (Residential Institutions) as opposed to Use Class C3 (Dwelling Houses). The categorisation of the use is particularly important in the context of implications for potential S106 contributions and affordable housing provision. There would not appear to be any formal government guidance available as to which use class an Extra Care scheme would fall within. Assessment therefore must take account of individual circumstances, with the level of care separating Extra Care from C3. Clarification upon the proposed operation to be provided has been sought from the applicant in the interests of providing confidence that the proposed scheme falls within the C2 use class.
- 7.4 The applicants have confirmed that apartments (which would be sold on long leasehold) would attract an annual service charge that would tend to be three to four times higher than those levied at sheltered housing or conventional retirement home developments – this is a direct reflection of the range of facilities and care provided within an Extra Care scheme. Within this scheme the following would be provided within the basic service charge: 24-hour emergency cover; security; initial assessment and periodic review of individuals' personal care requirements; personal care (including such items as meal provision, cleaning and mobility assistance); access to extensive communal facilities. The service charge would rise as an individual's dependency levels increase.
- 7.5 The applicant has stated that they consider that the scheme would be self-regulating in the sense that individuals with no requirement for its care facilities would not choose to purchase an apartment and be subject to the service charge. Notwithstanding the likely accuracy of this presumption, it was still felt necessary to gain a full understanding of the **minimum care package** as provided by the service charge.

This package would include a minimum 1 hour of weekly personal care comprising daily checks on homeowners as well as liaison with professionals, family, neighbours and volunteers as necessary. In addition, various activities and services would be available on site to individuals on a day-to-day basis (including the restaurant service). Residents would, if required, have the opportunity to purchase additional care, domestic and lifestyle services over-and-above the provisions of the minimum care package.

- 7.6 It is considered that an appropriate level of detail has been provided by the applicant to offer certainty that the proposed scheme would fall within the C2 Use Class (Residential Institutions). All residents would be provided with personal care as part of the minimum care package to be provided. A planning condition should be attached to any permission ensuring that the scheme is run in a C2 capacity in perpetuity.

Design & Visual Impact

- 7.7 The layout of the original proposals was based around the retention of the original local stone building on-site and broadly comprised 2no. elements: a double-fronted two/three storey apartment block principally fronting onto Welford Road and a further, predominantly 3no. storey, apartment block located to the rear of the site. This rear element was to be linked to the northern rear façade of the original building. The Welford Road block was also to be linked to the main building via a single-storey, predominantly glazed, corridor. A replica scheme is now proposed that includes the construction of a stone building upon the same footprint and of a matching scale and design as the original stone building that was lost to fire.
- 7.8 It should be noted that the grounds of Wardington Court are extensive in the sense that they cover 0.57 Ha, which affords notable development opportunities. It is considered that the proposals represent the efficient use of the land available without overdeveloping the site. The present built form on site (with the exception of 2no. existing small modern bungalows to the south east corner of the site) is setback behind the principal elevation of the main building (some 40-50m from Welford Road). These proposals would offer an active frontage to Welford Road (being setback approximately 5m from the boundary) whilst allowing the existing stone boundary wall to be retained in its present form.
- 7.9 It is considered that the proposed full 3no. storey height of the proposals is acceptable in terms of appropriate scale and massing. Comments have been received from local neighbours offering concerns as to the height of the development in comparison to existing bungalow premises located on the opposing side of Welford Road.

As a further note, the extant ground level within the application site adjacent to the southern boundary is around 1m higher than the ground floor level of the nearest built form to the south. In this instance however, a lengthy separation distance is in existence. The newly proposed front elevation of the block would be some 35m away from the nearest opposing built form (given the existence of Thornby Drive running parallel to Welford Road and forming a further buffer). In light of this distance it is not felt that the development would have an overbearing relationship. Along this frontage the proposals would gradually step up in height from the east so as to respect the lower scale (2no. storey) of the adjacent Clinic.

- 7.10 The main building on-site (to be re-built) would be some 2 ½ stories in height and would therefore be exceeded in ridge height by the 3no. storied elements of the proposal (by approximately 2m). The scheme however is made up of a variant arrangement of 2no. and 3no. storey elements. The main building, it is felt, would maintain a notable visible stature within the site and would not be visually predominated by the new-built elements of the scheme. This is particularly true given the continued availability of full views of the main building when viewing from the west of the site across Kingsthorpe Recreation Ground.
- 7.11 The applicant in their submission has demonstrated a commitment to replace Wardington Court on a like-for-like basis. Pedimented gabled bays and stone detailing around window openings would reflect the original detailing of Wardington Court – as would the use of natural stonework to elevations to match the original elevation material. Subject to the submission of full material samples, it is considered that this element is acceptable in design terms. As a general point, the applicant has also committed (within the stated materials palette) to using a ‘traditional brick’ to other new build elements as opposed to a ‘buff brick’ as one of the main building materials. This is in the interests of providing high quality to materials to complement the original main building on site.
- 7.12 It is considered that the scheme as a whole represents an efficient and intelligent use of the site. It is particularly positive that the main building on site is being replaced as part of this wider development of the site. The character/features of this building would be referenced by virtue of the gabled designs of the new elements and the selected use of natural stone as an external-facing material.

Conservation Area

- 7.13 The Kingsthorpe High Street and Manor Road Conservation Area is located in close proximity to the southern edge of the site (to the opposing side of Welford Road). It is not however considered that the proposals would affect the setting of this Conservation Area given that it does not directly oppose it.

Residential Amenity

- 7.14 It is considered that the newly proposed built form would appropriately safeguard the amenities of surrounding residential occupiers. 2no. responses have been received from opposing occupiers on Welford Road – both stating concerns in respect to the scale and form of the element of the proposals that fronts Welford Road. These concerns are based upon the 3no. storey height of the proposals being potentially over-imposing and overbearing. The potential for overlooking has also been raised as an issue.
- 7.15 As referenced within the previous section of this report, a 35m gap would be retained between the proposed built development and the position of the nearest opposing residential built form. As a guide, the Residential Extensions and Alterations Design Guide SPD references a recommended minimum separation distance of 27m between opposing 3no. storey dwellings in the interests of preserving residential amenity. Although this figure is not directly applicable given the existence of single-storey properties, it still offers a useful guide on acceptability. The approved scheme would be afforded facing window opening of a sensible residential scale. The properties in question are considered to be located far enough away from each other so as not to raise overlooking, overbearing nor overshadowing concerns (particularly given the orientation of the site and the path of the sun).
- 7.16 There are also 2no. storey residential properties located to the eastern side of the site on Mescalero. The closest of which is located 10m away from the proposed footprint of the new buildings. This area of the scheme would however be constructed in a complimentary 2no. storey built form and would include no side-facing openings to potentially provide overlooking. It is considered that the amenities of residential occupiers in Mescalero would be safeguarded.
- 7.17 The internal layouts that have been provided appear acceptable in terms of the standard of accommodation to be provided. All apartments are generously proportioned and are provided with individually partitioned bedroom, bathroom, kitchen and living areas. Generous communal areas are also shown. It is also note that separate regulations relating to care accommodation are in place that govern standards in this context also.

Trees & Landscaping

- 7.18 The site and its immediate environs are well vegetated and there is the presence of numerous mature trees, a number of which are afforded Tree Preservation Orders (TPOs). 18no. trees would be removed as part of the proposed works (5no. of which are included within a TPO). The Council's Arboricultural expert was consulted upon the proposals and visited the site accordingly.

They have stated within their consultation response that there are no arboricultural reasons why the application should be refused.

- 7.19 The majority of the trees to be removed are of low quality, whilst the principle Category B tree earmarked for removal (a large mature Cedar) is showing early signs of deterioration. Further, the Arboriculturalist has noted that the line of large mature Limes within Kingsthorpe Recreation Ground adjacent to the north eastern boundary are unlikely to be directly affected by the development, although some minor root damage could be caused during demolition.
- 7.20 There is also a line of Limes, which is subject to a TPO, within the site adjacent to the north western boundary, which have been pollarded at approximately 5m in height. Although hard surfacing already exists within the Root Protection Areas (RPAs) of these trees, it would appear that a new surface shall be laid requiring works within the RPAs. In accordance with the Arboriculturalist's advice, the applicant has provided an update to their Arboricultural Method Statement to demonstrate that any potential impact of development (upon trees) is appropriately mitigated against (particularly via works within the RPAs).
- 7.21 In terms of the tree protection measures that are proposed, these are clearly identified upon the submitted Tree Protection Plan and involve the erection of 2m-high panelled barriers to comprehensively provide protection to all tree specimens to be retained. The Arboriculturalist has confirmed acceptance.
- 7.22 The applicant has provided indicative landscape proposals. These include the additional planting of alternating Birch and Cherry trees to the Welford Road frontage to be complimented by herbaceous and ornamental ground cover. Within the proposed soft landscaped area to the back of the site it is proposed that existing mature trees are under planted with shade tolerant ground cover. It is recognised that the constrained nature of the site does not lend itself to the provision of extensive new landscaping, particularly given the existing specimens to be retained. Full details should be secured via condition, the Arboricultural Officer has indicated that the use of trees with a tight upright growth habit would be beneficial upon this constrained site.

Highways & Parking

- 7.23 The Local Highway Authority (LHA) submitted comments in respect to details of the vehicular access. In the interests of highway safety and to ensure that 2no. vehicles can pass side-by-side, the plans have been amended to clarify that an access width of 4.8m would be provided (this would involve the demolition of a short length of existing low-level stone boundary wall).

The associated proposed gated element of the access is to be positioned 5.5m back within the site so as to provide space for accessing vehicles. The LHA has also requested the provision of secure cycle parking for 6no. cycles – evidence of this has been provided by the applicant.

- 7.24 Improved pedestrian visibility (when compared to the existing situation) would be provided at the access by virtue of the provision of a low-level (1.2m in height) stone wall of approximately 1m in width to be positioned adjacent to the eastern side of the access, which is to be setback a couple of metres behind the front boundary line of the property. These are identical access arrangements when compared to the previously consented scheme at the site (N/2013/0351).
- 7.25 The application is accompanied by a 'Report on Transport Impact and Parking Provision'. It is confirmed within this document that 28no. car parking spaces would serve the 56no apartment scheme. Expected traffic generation has been calculated for the scheme based on survey work undertaken at other assisted living developments. Expected vehicle movements would be estimated at a maximum 12no. arrivals / departures during any single hour period of the daytime. Again based on the analysis of other operational schemes, the peak predicted demand at this scheme might be expected to total 21no. spaces. The level of proposed provision appears to be reasonable in this context; the Local Highway Authority has raised no observations in this context.

Crime Prevention

- 7.26 Northants Police have raised no objections to the scheme in principle. They have however noted that the site has been the subject of some crime and disorder in the past by virtue of unfettered access to the site being available. The application includes the introduction of an electronically operated vehicular gate to the main access. This feature would provide valuable site security to complement the stone boundary walls that would be retained to the remaining perimeters of the site. The applicant has confirmed that the entrance to the building itself would be fob-operated and would not be open access.

Flood Risk & Drainage

- 7.27 The site is located within Flood Zone 1 (the lowest flood risk zone) and is sized at under 1Ha in area. In accordance with the Environment Agency's Flood Risk Standing Advice (FRSA), no Flood Risk Assessment is required to accompany the application and no formal consultation of the EA is required either. The FRSA references good practice surface water management principles and standards. As a note, the new built elements of the scheme would continue to be surrounded by porous soft landscaped areas.

A Drainage Survey has been submitted with the application which advises that surface water from new development should be taken to soakaways. Failing this, it is stated that a storage tank would be installed with a controlled discharge to the public surface water sewer.

Other Matters

- 7.28 Construction Futures is a scheme to deliver construction training on new developments. The scheme generally attracts a levy plus a requirement to provide a number of training weeks for construction students / apprentices on-site. The number of weeks is based on the level of floor space to be provided – in the case of the original scheme (N/2013/0351) 92no. training weeks were generated and a similar number of weeks would be expected in this instance. The applicant has committed to providing construction training and has stated that initial discussions have been undertaken with Construction Futures – an appropriate scheme should be secured via planning condition.
- 7.29 The Council's Public Protection department has confirmed no objections. The submitted Air Quality Report is considered satisfactory; as is the submitted Noise Report (the recommendations related to glazing should be conditioned as part of any approval). The conclusions of the Site Investigation Report are considered satisfactory also.
- 7.30 It has been questioned via the consultation process whether proper authority was granted for the demolition of the original fire-damaged building on-site. The applicant was able to satisfactorily demonstrate to the Council through the submission of building reports that the building's demolition was urgently necessary in the interests of health and safety.

8. CONCLUSION

- 8.1 The proposal would provide care facilities for the elderly in a sustainable way, whilst its impact upon the character of the existing built form, neighbouring properties, residential amenity and highway safety is considered to be acceptable in compliance with Policies E20 and H16 of the Northampton Local Plan (1997) and the guidance contained within the National Planning Policy Framework (2012).

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: Location Plan (1848-01-01); Site Plan (1848-01-02B); Street Scenes (1848-01-07); General Arrangement Elevations (1848-01-03A); General Arrangement Elevations (1848-01-04A); General Arrangement Plans (1848-01-05A); General Arrangement Plans (1848-01-06A); Tree Protection Plan (7794/02 C); Indicative Landscape Proposals (2B); Proposed Cycle Store Layout (1848-02-10 A); Window, Door & Curtain Walling Elevations (1848-01-093 B).

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

(3) The premises shall be used only for purposes within Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

(4) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site.

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 buildings or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

(6) Development shall be implemented in full accordance with the approved Arboricultural Method Statement (updated 11/10/2014).

Reason: To mitigate or significantly reduce any adverse impact of the development upon trees located within and immediately adjacent to the application site.

(7) Development shall be implemented in full accordance with the tree protection measures of 2m in height as detailed upon the approved Tree Protection Plan (7794/02 C).

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 E20 of the Northampton Local Plan.

(8) Development shall be carried out in accordance with the approved external facing material details (detailed schedule provided via email dated 29th October 2014).

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.

(9) Development shall be implemented in full accordance with the 'Glazing Requirements' and 'Required Glazing Performances' laid out in Tables 3 and 4 (and referenced against Figure 2) of the approved Noise Impact Assessment (R5046-1 Rev 2) and shall be retained at all times thereafter.

Reason: In the interests of protecting the amenities of the future occupiers of the development in accordance with National Planning Policy Framework.

(10) Prior to the commencement of development a scheme for the implementation of a Construction Training Scheme shall be submitted to and approved in writing by the Local Planning Authority. Development shall be implemented in full accordance with the approved Scheme.

Reason: To ensure the scheme constitutes sustainable development and supports vibrant and healthy communities in accordance with the guidance contained within the National Planning Policy Framework (2012).

(11) Development shall be implemented in accordance with the approved details of secure and covered parking of bicycles as shown on approved plan 'Proposed Cycle Store Layout' (1848-02-10 A) and these facilities shall be retained at all times thereafter.

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

(12) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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 NPPF.

Informative for the applicant:

(1) An application to discharge trade effluent is required to be made to Anglian Water and is required to have been obtained before any discharge of trade effluent can be made to the public sewer. Anglian Water recommends that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of such facilities could result in pollution of the local watercourse and may constitute an offence. Anglian Water also recommends the installation of a properly maintained fat traps on all catering establishments. Failure to do so may result in this and other properties suffering blocked drains, sewage flooding and consequential environmental and amenity impact and may also constitute an offence under section 111 of the Water Industry Act 1991.

10. BACKGROUND PAPERS

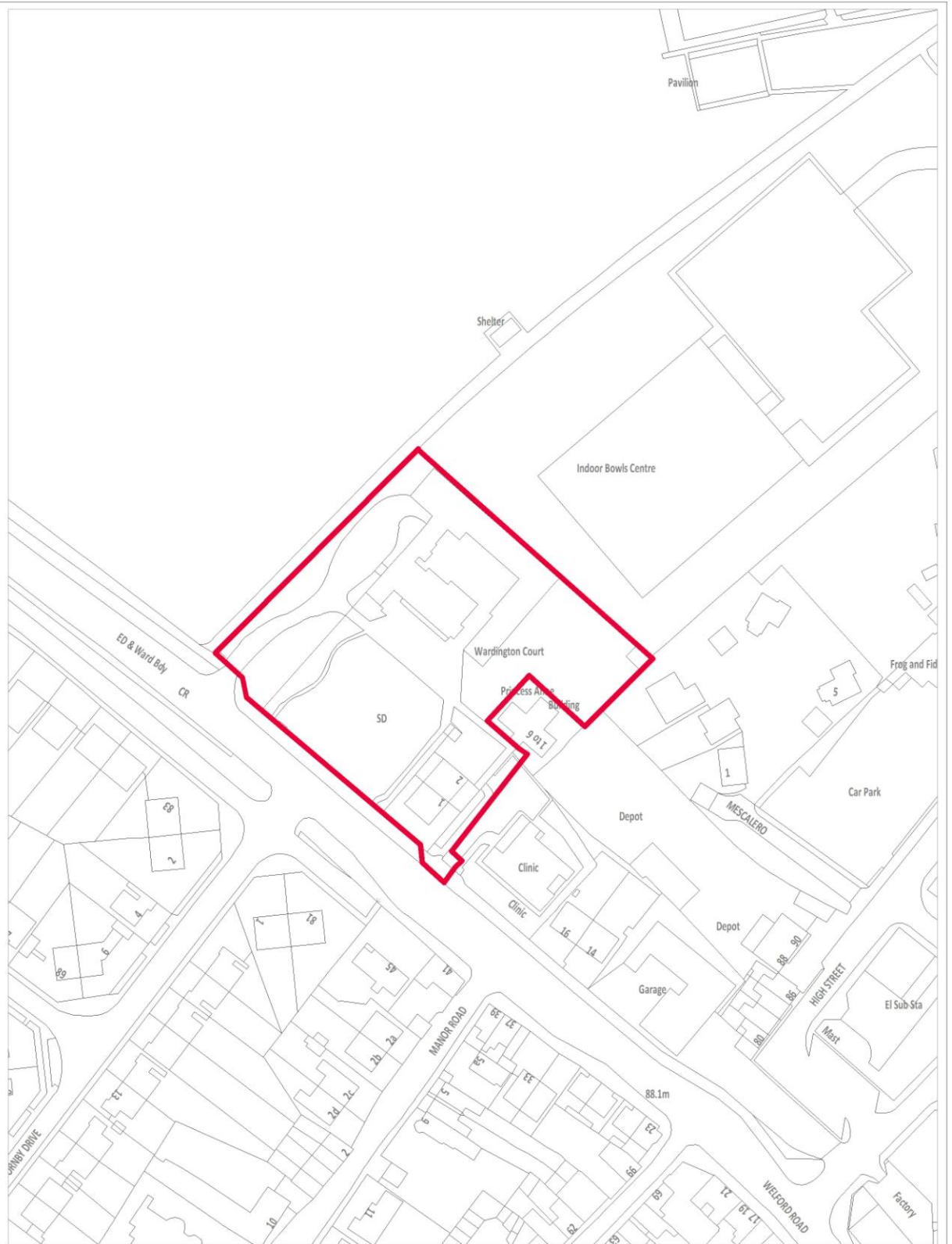
10.1 N/2014/0866

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: Location Plan
 Date: 8th October 2014
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title

Prop. Erection of Extra Care Accommodation, Wardington C

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PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/0986: Change of use of ground floor and basement from retail to restaurant, The Manna House, St Giles Street.

WARD: Castle

APPLICANT: Mr J. Nightingale; The Manna House Trust
AGENT: Mr S. Collins; Underwoods LLP

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Due to the potential impact upon the character of St Giles Street

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL for the following reason:

The proposed change of use would have neutral impacts upon the character of the area, the character and appearance of the St Giles Conservation Area and neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework and Policies 1 and 12 of the Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to change the use of the basement and ground floor of the building from a retail unit to a restaurant.

3. SITE DESCRIPTION

- 3.1 The application site is located within the St Giles Conservation Area and St Giles Street, which serves as one of the main shopping streets within the town centre. As a consequence of this, the provision of retailing is the predominant land use within the vicinity of the site. Notwithstanding this assessment, there are a number of non-retail uses with the site's environs, including other cafés and restaurants. Hazelwood Road, which runs perpendicular to the application site contains a variety of residential accommodation and office accommodation.
- 3.2 The application site consists of a building of four storeys (including a basement). The upper floors of the building are used for residential accommodation.

4. PLANNING HISTORY

- 4.1 None relevant

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the Northampton Central Area Action Plan 2012.

National Policies - National Planning Policy Framework (NPPF)

- 5.2 Paragraph 17 of the NPPF requires that new development secure a good standard of design and amenity in addition to requiring that heritage assets are conserved in an appropriate manner.
- 5.3 Furthermore, paragraph 23 states that planning decisions should recognise that town centres form the heart of the community and planning should support their viability and vitality and promote competitive town centres with customer choice. In achieving this, it is necessary to provide sites that provide adequate facilities for retail, leisure and commercial uses.

Central Area Action Plan 2012 (CAAP)

- 5.4 The CAAP does not allocate this site as being within any particular retail frontage. As a consequence, there are no thresholds for the minimum level of retailing within this section of St Giles Street. Nonetheless, Policy 12 requires that the town centre will be the primary focus of retailing within the Borough.

Furthermore, Policy 1 requires that the new developments positively contribute to the character of the area in terms of matters such as the existing urban grain, materials and style. In addition, the same policy requires that new uses increase the level of vitality and vibrancy in an area and create a wider range of choice for users.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** – The proposed use would not affect the character of this part of the Conservation Area. Furthermore, no external alterations are proposed.
- 6.2 **Environmental Health (NBC)** – Would express some caution as the application has not included any details regarding extraction equipment.
- 6.3 **Regeneration (NBC)** – St Giles Street already hosts several similar businesses. A new café would add to the offer of the street for consumers but also add to the competition faced by the existing businesses. That said, it is another indication of the buoyant café/restaurant market within the town centre which should be supported as a resilient, leisure based town centre offering. The size and layout of the building is different to the majority of the units in the area and therefore could be appealing to a different business model that is not compatible with the other stock on St Giles Street. The building also offers appealing design features and if partnered with a compatible business could enhance the immediate environment surrounding it.
- 6.4 **Town Centre Conservation Areas Advisory Committee** – No objections.
- 6.5 Four letters of objection were received. Comments can be summarised as:
 - The street does not require another restaurant.
 - Without a balanced mix of retail units and restaurants, it is likely that St Giles Street would decline.
 - Quality retailing is needed to bring people into the town.
 - The noise from the restaurant would cause disruption to adjoining residents.
 - The proposal does not include details of refuse storage or parking.

7. APPRAISAL

- 7.1 On account of the site not being located within an allocated retail frontage in the CAAP, there are no minimum levels of retailing directly applicable to the application site (although it is noted that other sections of St Giles Street do have a policy requirement that specifies a minimum level of retailing). As a consequence, the primary matter for consideration is whether the development would adversely impact upon the street's function. In assessing this matter, the CAAP requires that the town centre's predominant use is retailing. Taken as a whole, the main use of St Giles Street would remain as retailing, with a number of other, ancillary uses. As a consequence of this, it is considered that the proposed development would not unduly lead to a significant detrimental impact upon the area's character and would be in line with the broad requirements of the National Planning Policy Framework and the Central Area Action Plan.
- 7.2 It is accepted that there are a number of cafés/restaurants within the general environs of the application site; however, given that the predominant land use is retailing, it is considered that the number of such uses alone would not represent sustainable grounds for resisting this planning application. Uses such as this are normally suitable in town centre location. In any event, the creation of a new café/restaurant would increase customer choice and support an increased leisure offer within the town centre.
- 7.3 No external alterations are proposed, which would ensure a neutral impact upon the character and appearance of the Conservation Area and the amenities of surrounding properties. It is noted that concerns have been raised by the Council's Environmental Health section regarding the lack of details relating to extraction equipment; however, such works would require planning permission and would be dependent upon the cuisine/trading model offered by the final occupier. As a consequence, it is considered that this should not be a reason for withholding planning permission. Nonetheless, an informative note is recommended that would draw the planning requirements to the attention of the developer. A condition is also recommended that would secure the provision of refuse storage.
- 7.4 As a town centre location, it is likely that background noise levels would be comparatively high and as a consequence the proposed development would be unlikely to cause any undue detrimental impacts upon the occupiers of neighbouring properties. In order to prevent the use from operating at the most sensitive of times, a condition is recommended with regards to opening times.

- 7.5 In addition to the above, the application site is sustainably located, which means that a significant number of patrons would visit the site without requiring on site car parking to be provided. As the property is already in use for commercial purposes, it is considered that the development would not cause any greater impacts in terms of deliveries.

8. CONCLUSION

- 8.1 The proposed development would not unduly impact upon the function of St Giles Street, the character of the surrounding area and the amenities of the surrounding properties. As a consequence, it is considered that the development is in accordance with the requirements of the National Planning Policy Framework and the Central Area Action Plan.

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: 001; 002; and 005.

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

3. The use hereby permitted shall only be open to customers between the hours of 10am and 11pm on any one day.

Reason: In the interests of securing a neutral impact upon the amenities of the occupiers of neighbouring properties in accordance with the requirements of the National Planning Policy Framework.

4. Notwithstanding the details submitted, full details of refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, shall be fully implemented prior to the first commencement of the use 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.

Informative:

The developer is advised that a separate application for planning permission is likely to be required for the installation of any external extraction equipment.

10. BACKGROUND PAPERS

10.1 N/2014/0986

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: Location
 Date: 5th November 2014
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title

The Manna House, St Giles Street

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PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1122: **Erection of 38 dwellings comprising 12 three bedroom houses; 13 two bedroom houses and 13 flats, with vehicular accesses from Lower Harding Street and Compton Street at Land at former Honda dealership between Grafton Street and Compton Street, Northampton**

WARD: Castle

APPLICANT: Westleigh Developments Ltd
AGENT: RG+P

REFERRED BY: Director for Regeneration, Enterprise and Planning

REASON: Major development requiring a Legal Agreement

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE for the following reason:

The proposed development would result in the delivery of residential accommodation which would have a neutral impact upon visual and neighbour amenity and highway safety. The proposal therefore complies with the requirements of the National Planning Policy Framework and Central Area Action Plan Policies 1, 24 and 36

- 1.2 The prior completion of a Section 106 Legal Agreement to secure:
- i) 35% affordable housing on site;
 - ii) A payment for the provision of education facilities;
 - iii) A payment to fund the provision, improvements to connections and/or enhancements to areas of public open space within Miller's Meadow; and
 - iv) The Council's monitoring fee.
- 1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account of the necessary mitigation measures not having been secured in order to make the proposal acceptable in line with the requirements of Northampton Local Plan Policy E19 and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The applicant seeks planning permission to erect 38 dwellings comprising 25 houses of two and three bedrooms and 13 one bedroom flats. Of these buildings, 12 of the houses would be of three storeys, with the remainder of two storeys in height. The flats would be of a combination of two and three storeys in height.
- 2.2 The bulk of the development would be arranged so that dwellings face onto one of the three surrounding highways (Compton Street, Grafton Street and Lower Harding Street). The exceptions to this would be nine dwellings located to the south of the development, which would be situated perpendicular to Compton Street, adjacent to two of the development's vehicular access points.
- 2.3 The development includes 38 car parking spaces that would be provided within a combination of in curtilage spaces and a secure and gated parking court.

3. SITE DESCRIPTION

- 3.1 The application site was most recently in use as a vehicle dealership; however, this use ceased some time ago and all buildings have been demolished. Notwithstanding this, the site is allocated within the Northampton Central Area Action Plan as being a site that should be developed for employment purposes.

- 3.2 The buildings that immediately surround the site are primarily in use for commercial purposes. There are some residential flats to the east (on the opposite side of Lower Harding Street). The areas to the north are typically characterised by the presence of residential accommodation.
- 3.3 The site is located adjacent to Grafton Street, which forms part of the inner ring road and therefore experiences a significant amount of use. The site is also in close proximity to the crossroads between Grafton Street and St Andrews Road (which is also widely used). As a consequence of this, the site is very prominent within the townscape. The application site is also surrounded by Lower Harding Street (to the east) and Compton Street (to the south). These streets predominantly serve existing business properties and the aforementioned flats.
- 3.4 The topography of the site is varied as the land levels slope upwards from the western boundary to the eastern boundary. The site does not feature any existing landscaping.

4. PLANNING HISTORY

- 4.1 N/2014/0600 – Erection of 36 dwellings comprising 12 three bedroom houses; 12 two bedroom houses; and 12 two bedroom flats with vehicular access from Compton Street – Refused
- 4.2 The above application was refused planning permission at the Council's Planning Committee in June 2014. The reasons for refusal were that the development proposed was of a poor quality design, that the development's internal layout would have an adverse impact on safety and that the site would result in the loss of an allocated employment site.

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 Development Plan for the purposes of this application comprises Northampton Central Area Action Plan 2013, and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

National Policies - National Planning Policy Framework (NPPF)

- 5.2 Paragraph 49 of the National Planning Policy Framework (hereafter referred to as the NPPF) requires that proposals for housing should be encouraged within the context of promoting sustainable development.

The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.

- 5.3 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development, 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 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

Central Area Action Plan 2013 (CAAP)

- 5.4 Policy 16 of the CAAP requires that in the period leading up to 2026, the Central Area will be developed to provide up to 3,400 additional new homes and that residential developments will comprise a mixture of dwelling types, sizes and tenures. More specific to this application is Policy 24, which states that Spring Boroughs will be regenerated in a manner that would ensure a balanced community through, in part, the appropriate provision of house types and tenures; the provision of a wider range of uses within the area that will, in particular, provide increased employment opportunities.
- 5.5 In addition to these points, Policy 1 of the CAAP requires that new developments must positively contribute to the character of an area and should create attractive and uncluttered streets that are lined by attractive buildings. Furthermore, new developments should promote high quality, inclusive design. Policy 36 requires that new developments make the required provision of infrastructure (e.g. affordable housing).
- 5.6 Policy 15 of the CAAP seeks to secure the retention of employment sites within the Central Area unless it can be demonstrated that the proposal would assist in the delivery of the strategic objectives of the CAAP (such as the repopulation of the Central Area).

Supplementary Planning Documents

- 5.7 Affordable Housing
Developer Contributions
Parking
Planning out Crime

Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy

- 5.8 Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF.
- 5.9 The Inspector's report on the examination into the JCS was published on the 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.
- 5.10 Policy S1 of the JCS states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, 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 West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.
- 5.11 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing.
- 5.12 Policy N11 requires that new developments within Spring Boroughs contribute towards the regeneration of the area through improved integration and connectivity, improving the public realm, improved design quality, reducing opportunities for crime and anti-social behaviour, addressing existing deficiencies and creating opportunities for business and employment opportunities.

- 5.13 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure to be provided.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Archaeological Advisor (NCC)** – The application site is within the confines of the former St Andrews Priory. Whilst the site has been redeveloped in the past, there is the potential for archaeological deposits to survive underneath, which should be investigated.
- 6.2 **Development Management (NCC)** – Request Section 106 Agreement obligations towards the provision of primary and secondary education facilities and the library and fire services.
- 6.3 **Environmental Health (NBC)** – No objections to the principle of the development; however, it is recommended that a condition is used to secure the implementation of the noise mitigation scheme.
- 6.4 **Highway Authority (NCC)** – Request some amendments to the layout in order to improve visibility. It is requested that details of the reinstatement of dropped kerbs to pavements and further details of vehicular crossings are provided. It is also requested that a Section 106 Agreement is entered into to secure visibility to the east of Compton Street. *(Officers note: revised details will be submitted to address some of these matters where required and a further update will be provided to members via the addendum).*
- 6.5 **National Grid** – Provides guidance for the developer in terms of constructing the proposed dwellings.
- 6.6 **Northamptonshire Police Crime Prevention Design Advisor** – No objections in principle, but recommend that details of boundaries treatments (including the flats) and for details of access gates to be the subject of conditions.
- 6.7 At the time of preparing this report, the consultation period had yet to conclude, therefore any further consultation responses will be reported to the Committee by means of an addendum, which will be circulated prior to the meeting commencing.

7. APPRAISAL

Principle of the development

- 7.1 As discussed previously, the site is allocated for commercial purposes within the Central Area Action Plan. This policy position does attract weight due to the fact that it forms part of a recently adopted planning policy document that has been subject to an Examination in Public. However, weight should also be given to the period of time that the site has been unoccupied. Demolition work at the site took place in 2011 with marketing of the site for redevelopment having taken place since 2007.
- 7.2 The current application includes details regarding the pursued marketing strategy of the site. The approach taken has included conventional on site and press advertising in addition to direct approaches to a significant number of developers. These approaches include developers that regularly undertake schemes that would be policy compliant within this instance, in addition to developers of other schemes such as retailers and house builders. Following this process, the landowner received only four approaches to purchase the site – all of which were house builders.
- 7.3 Whilst it is accepted that the site is allocated for commercial purposes, the fact that reasonable efforts have been made to market the site for a policy compliant land use and as a consequence, suitable alternative uses should be considered.
- 7.4 The need to provide sufficient employment sites needs to be balanced against the need to provide sufficient housing within the Borough and the fact that there is not a current a five year supply of land. In instances such as this, the NPPF states that relevant planning policies cannot be considered to be up to date and any subsequent applications should be assessed on the basis of whether they represent sustainable development.
- 7.5 The site represents previously developed land, which is of a type that should, where practical, be redeveloped in advance of other sites coming forward. Furthermore, the proximity of the site to the town centre means that the site is sustainably located in close proximity to existing commercial and leisure facilities and public transport links.
- 7.6 In addition, Policy 24 of the CAAP represents a very recent assessment of future development within Spring Boroughs. In particular, the policy requires the creation of a more balanced community within the vicinity of the site.

The characteristics of the existing surrounding residential buildings can be defined as generally being small houses and flats. The proposal responds to this issue by including a significant proportion of three bedroom houses with gardens. This therefore means that the proposed development would assist in the creation of a more sustainable community through the provision of a more balanced housing mix. In addition, the proposed development would feature a variety of tenure types.

- 7.7 A further consideration is that it should be recognised that the development would deliver some units of accommodation that would assist in the providing the required five year land supply. This is combined with there being a Strategic Objective within the Central Area Action Plan which calls for the repopulation of the centre of Northampton. The proposed development would therefore contribute to meeting this aim.
- 7.8 The applicant has submitted assessments which demonstrate that the development would secure a suitable level of mitigation from noise and air quality. Furthermore, investigations into on site contamination can be carried out prior to any construction works taking place and appropriate mitigation works carried out if necessary.
- 7.9 For the foregoing it is considered that the development is sustainable due to its location; the fact that it would represent the provision of needed housing in Northampton; would address shortfalls of specific housing types in the area; and would result in the satisfactory redevelopment of a previously development site. As consequence, it is considered that the development is in compliance with the aims and objectives of the National Planning Policy Framework.

Design and layout

- 7.10 Following the refusal of planning permission, the design of the development has been revised significantly. Whilst the predominantly linear form of dwellings has been retained, the design of the properties facing Grafton Street has been amended so that the bulk of these houses are of three stories in height. These are combined with the three storey block of flats that is situated on the junction of Grafton Street and Lower Harding Street, which ensures that the a prominent and distinctive development is created, which improves the quality of the streetscene on this heavily trafficked route.
- 7.11 The buildings that face onto Grafton Street are generally of a modern design, which is considered appropriate due to the wide variety of architectural styles within the vicinity. Of particular note is that the design of these houses would feature a variety of materials that would add variety to the streetscene. This is considered to be of particular importance due to the length of this particular frontage. This frontage also serves to create a landmark feature at this particular juncture.

- 7.12 It is accepted that these buildings are of three storeys; however, due to the separation distances between these and the existing buildings, the separation distances to less tall buildings within the surrounding area and the height of the existing flats to the east of the site, it is considered that this arrangement is acceptable. By reason of their positioning and scale, it is likely that the two storey dwellings would have no significant adverse impact upon the occupiers of neighbouring properties in terms of light, outlook and privacy.
- 7.13 It is noted that there would be 4 two storey dwellings located to the west of the site; which does limit the overall success of this frontage; however, it is recognised that there is a need to provide a variety of house types within this development in order to create a deliverable scheme. Furthermore, the effect of this reduction in height has been mitigated to some degree by the varying roof heights that have been utilised on this section of the development, which serves as a mechanism for reducing the impact of this variation in height.
- 7.14 The internal layout has been significantly revised from the previously considered scheme in that a variety of entrance points to the development have been created. The vast majority of car parking spaces would be overlooked by routinely occupied rooms, which would ensure that these spaces are reasonably secure and attractive to use. The parking court located to the east of the site would benefit from a reasonable level of natural surveillance in addition to secure gates being sited at the entrance to this parking area. A condition is recommended that would require these gates to be provided prior to the first occupation of the flats and retained thereafter.
- 7.15 The houses all feature gardens of sufficient size to meet the likely requirements of the occupiers of these dwellings. Whilst it is accepted that the flats do not feature any private amenity space (although they would be surrounded by soft landscaping), the site is in close proximity (i.e. approximately 60 metres) from the open space at Miller's Meadow, which would be likely to meet some of the demand for recreation space arising from this development coming forward.
- 7.16 The applicant has submitted assessments into the prevailing levels of noise and air quality, which conclude that utilising the proposed layout a satisfactory level of amenity can be secured for the future occupiers of the development.

Highway impacts

- 7.17 The development includes the provision of 38 car parking spaces, which is considered to be acceptable given the proximity of the site to the town centre and the public transport links that are available within the vicinity of the site.

This arrangement would reduce the need for future residents to park on the highway, which could potentially lead to an adverse impact upon the free flow of traffic. In order to ensure this, a condition is recommended that would require the parking provision to be provided in advance of the dwellings being occupied.

- 7.18 The access points all include suitable visibility splays for both oncoming traffic and pedestrians, which is sufficient to ensure that the egress of vehicles from the site would not cause any significant adverse impact upon highway safety.
- 7.19 On account of the scale of the development, combined with the site's history of being used for potentially intensive commercial uses, it is likely that the proposal would not cause any significant detrimental impact upon the capacity of the surrounding road system.
- 7.20 In order to address the comments from the Highway Authority, conditions are recommended to secure details of the reinstatement of dropped kerbs and the installation of new vehicular crossovers. Whilst it is noted that a Section 106 obligation has been requested to secure visibility to the east of Compton Street, it is considered that this is not required as the area of the east does not form part of the public highway and there is no right for vehicles to enter the western section of Compton Street. As there is sufficient pedestrian visibility, it is considered that the development is acceptable in this regard.

Legal Agreement

- 7.21 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.
- 7.22 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.
- 7.23 In order to provide sufficient infrastructure for the residents of the residential development, the Section 106 Agreement would also secure payments towards the provision of primary and secondary school education within the vicinity and improvements to public open space.

These matters address ongoing shortages of provision within the vicinity of the application site that would be further exacerbated if this development to proceed without the legal obligations.

- 7.24 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 and what needs would be addressed by these obligations. Therefore, 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 within the planning application process.

8. CONCLUSION

- 8.1 Whilst it is accepted that the development represents a departure from the recently adopted Central Area Action Plan, it is considered that reasonable endeavours have been made to find a commercial occupier for the site. As a consequence of this, it is considered that it is appropriate to consider alternative uses for the site. In particular as a residential scheme of an acceptable design has been proposed, the development is acceptable as it represents a sustainable scheme that would contribute to addressing the established need for housing in the Borough.

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 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) Notwithstanding the details submitted, full details of all access gates (including to vehicular accesses) as shown in drawing 7743/011D 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 development hereby permitted and retained thereafter.

Reason: In the interests of creating a safe and secure development in accordance with the requirements of Policy 1 of the Central Area Action Plan.

(6) Details of the provision for the storage of refuse and materials for recycling to serve the flats shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, implemented prior to the first occupation of the flats hereby permitted.

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

(7) Notwithstanding the details submitted, full details of the proposed surface treatments to all access roads, driveways, parking areas and pathways shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of visual amenity in accordance with the requirements of Policy 1 of the Central Area Action Plan.

(8) The car parking spaces as shown on drawing 7743/011D shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

(9) Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development 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 the National Planning Policy Framework.

(10) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of soft landscaping to surround the flats and associated car parking area (spaces 26 – 38) as shown on drawing 7743/011D.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

(11) 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.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

(12) The development hereby permitted shall be carried out in accordance with the conclusions in Section 8 of the Acute Acoustics Report Ref 1670 – Northampton- Grafton Street (Rev A) and dated 24th October 2014, which shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

(13) 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.

(14) Notwithstanding the details submitted, full details of the reinstatement of dropped kerbs shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

(15) Notwithstanding the details submitted, full details of all new vehicular crossovers shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

(16) The development hereby permitted shall be carried out in accordance with the recommendations of the Phase 1 Site Appraisal (reference: P6583 and dated May 2014). Full details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of ensuring the appropriate remediation of contaminants in accordance with the requirements of the National Planning Policy Framework.

(17) Prior to the commencement of the development of the retail unit, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved CEMP, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- The safe means of access of construction traffic to the site;
- 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.

10. BACKGROUND PAPERS

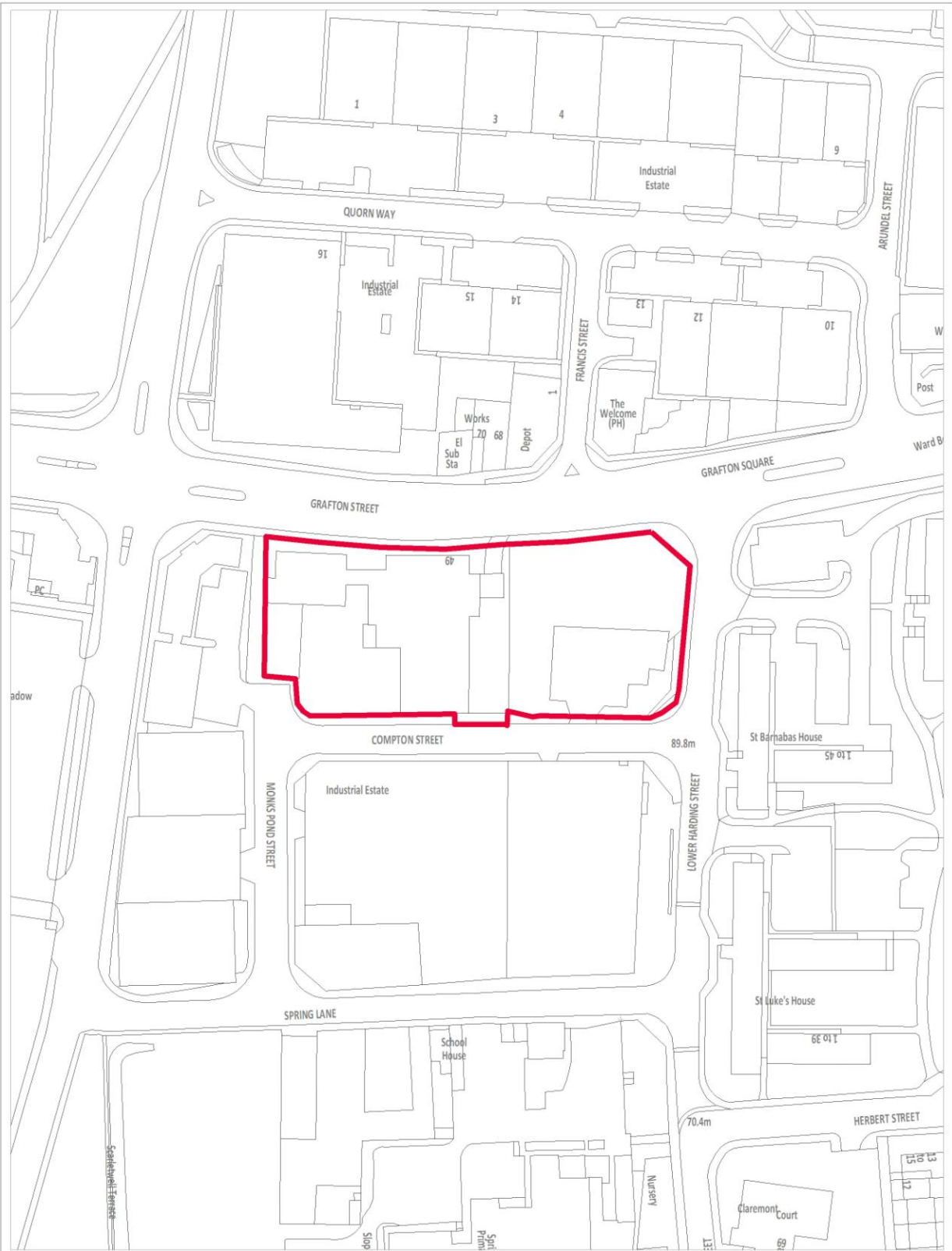
10.1 N/2014/0600 and N/2014/1122


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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Name: Location Plan Date: 10th November 2014 Scale: 1:1250 Dept: Planning Project: Planning Committee</p>	<p>Title</p> <p>Land at fmr Honda btwn Grafton and Compton Streets</p> <p>Produced from the 2011 Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence number: 100019655</p>
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PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1144: Listed building application to replace the existing ground bearing slab with new reinforced concrete and replacement internal step at 44 Bridge Street, Northampton

WARD: Castle

APPLICANT: Mr O Kushall
AGENT: David Smith Associates

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Council owned property.

DEPARTURE: No

APPLICATION FOR DETERMINATION BY:

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to prior referral to the Secretary of State and the conditions as set out in paragraph 9 and for the following reason:

The proposed works would have no adverse impact on the historic or architectural significance of the listed building and would be in accordance with the requirements of Policy 1 of the Northampton Central Area Action Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application is for listed building consent and proposes the replacement of the demolished existing ground bearing slab with a new reinforced concrete slab which will include insulation and a damp proof membrane to satisfy Building Regulation requirements and the replacement of an internal step inside the front entrance.

3. SITE DESCRIPTION

- 3.1 No. 44 Bridge Street forms part of a group of three-storey Grade II listed buildings comprising built in the early 19th Century, situated within the All Saints Conservation Area. The property consists of a hot food takeaway unit at ground floor level with storage above.

4. PLANNING HISTORY

- 4.1 Applications for listed building consent to demolish the ground floor wall between No. 44 & 46 and a further application for internal structural alterations to provide additional support to ceiling/loft joists were considered by Committee in March and April 2014 with Members resolving to approve in principle.
- 4.2 A further application for the installation of Slimlite double glazing to Nos. 42-48 Bridge Street was considered and approved in principle by Members in September 2014.
- 4.3 All the above applications were referred to the Secretary of State, as required by legislation being works to a Grade II listed building owned by the Council, and have subsequently been 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 Development Plan for the purposes of this application comprises the Northampton Central Area Action Plan 2012, and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

5.2 **National Policies - National Planning Policy Framework (NPPF)**

National Planning Policy Framework (NPPF), paragraph 131 requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets.

5.3 **Central Area Action Plan 2013 (CAAP)**

Policy 1: Promoting Design Excellence requires all new development in the central area to demonstrate a high design standard and to preserve and enhance heritage assets.

5.4 **Supplementary Planning Documents**

All Saints Conservation Area and Management Plan 2007

5.6 **Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy**

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy BN5 of the JCS seeks to conserve and enhance heritage assets stating where valued heritage assets are at risk, the asset and its setting will be appropriately conserved and managed.

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 NBC Built Conservation – no objections.

6.2 The consultation period has not expired at the time of writing this report. Any further comments received will be reported to Committee in the addendum to this agenda.

7. APPRAISAL

- 7.1 The works are required to compensate for a variation in floor levels between No. 44 & 46 following the removal of the party wall and would include the reinstatement of an internal step to the front entrance. The replacement slab has been detailed to comply with Building Regulation requirements.
- 7.2 The proposed works would not adversely impact on the historic fabric of the building and the conservation officer has no objection.

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 above policies and the National Planning Policy Framework.

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 plans: site location plan 13/17236/SK2/A and drawing no. 13 17236/01 rev B

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

10. BACKGROUND PAPERS

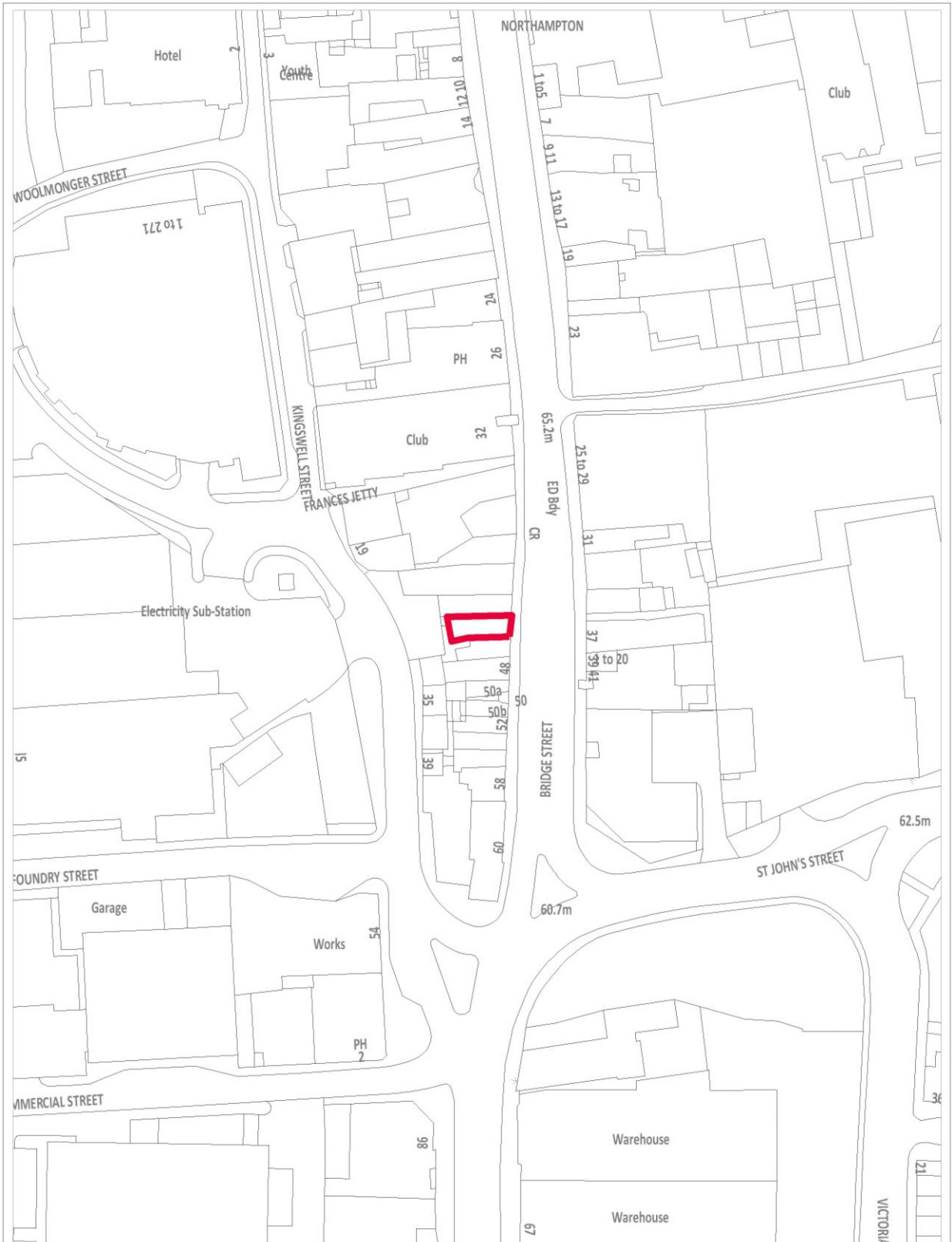
- 10.1 N/2014/1144.

11. LEGAL IMPLICATIONS

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: Location Plan
 Date: 5th November 2014
 Scale: 1:1000
 Dept: Planning
 Project: Planning Committee

Title
44 Bridge Street

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