



NORTHAMPTON
BOROUGH COUNCIL

PLANNING AGENDA

Wednesday, 28 January 2015

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

5:30 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, 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, St. Giles Square, Northampton, NN1 1DE.
on Wednesday, 28 January 2015
at 5:30 pm.

D Kennedy
Chief Executive

AGENDA

1. **APOLOGIES**
2. **MINUTES**
3. **DEPUTATIONS / PUBLIC ADDRESSES**
4. **DECLARATIONS OF INTEREST/PREDETERMINATION**
5. **MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
6. **LIST OF CURRENT APPEALS AND INQUIRIES**
Report of Head of Planning (copy herewith)
7. **OTHER REPORTS**
 - (A) **N/2013/0338 - RATIFICATION OF REASONS FOR REFUSAL OF OUTLINE PLANNING APPLICATION - LANDIMORE ROAD AND NEWPORT PAGNELL ROAD, HARDINGSTONE.**
8. **NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
9. **NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
 - (A) **N/2014/1182 - INSTALLATION OF FENCE AND GATES TO COVER 4 OF THE ROAD BRIDGE TUNNEL ENTRANCEWAYS (BENEATH ST JAMES ROAD).OPEN SPACE FOOTMEADOW, WEST BRIDGE**

- (B) N/2014/1328 AND N/2014/1329 - CHANGE OF USE TO PROVIDE A COMMUNITY ARTS HUB INCLUDING 57 WORKSHOPS, MEETING SPACES AND ASSOCIATED AMENITIES INCLUDING ALTERATIONS AND REFURBISHMENT OF EXISTING BUILDINGS, ERECTION OF THREE/FOUR STOREY BUILDING AND DEMOLITION OF EXISTING STRUCTURES AND ASSOCIATED EXTERNAL WORKS. LISTED BUILDING WORKS WITHIN DERNGATE CONSERVATION AREA. 34 GUILDHALL ROAD AND LISTED BUILDING APPLICATION FOR CHANGE OF USE TO PROVIDE A COMMUNITY ARTS HUB INCLUDING 57 WORKSHOPS, MEETING SPACES AND ASSOCIATED AMENITIES INCLUDING ALTERATIONS AND REFURBISHMENT OF EXISTING BUILDINGS, ERECTION OF THREE/FOUR STOREY BUILDING AND DEMOLITION OF EXISTING STRUCTURES AND ASSOCIATED EXTERNAL WORKS.34 GUILDHALL ROAD
- (C) N/2014-1388 - ERECTION OF A 6M FLAG POLE AND FLAG.DELAPRE PARK, LONDON ROAD
- (D) N/2014/1389 - ERECTION OF 6M A FLAG POLE AND FLAG. ABINGTON PARK, PARK AVENUE SOUTH
- (E) N/2015/0005 - PRIOR NOTIFICATION FOR THE DEMOLITION OF FORMER BUS STATION. GREYFRIARS BUS STATION, GREYFRIARS

10. ITEMS FOR DETERMINATION

- (A) N/2013/1035 AND N/2013/1063 - OUTLINE APPLICATION FOR THE NORTHAMPTON SOUTH SUSTAINABLE URBAN EXTENSION TO COMPRISE UP TO 1000 DWELLINGS, A MIXED USE LOCAL CENTRE, A SITE FOR A PRIMARY SCHOOL, GREEN INFRASTRUCTURE INCLUDING FORMAL AND INFORMAL OPEN SPACE, RECONFIGURATION AND EXTENSION OF COLLINGTREE PARK GOLF COURSE, DEMOLITION OF ALL EXISTING BUILDINGS AND STRUCTURES WITHIN THE SITE, NEW VEHICULAR ACCESSES OFF WINDINGBROOK LANE AND ROWTREE ROAD, CAR PARKING, SUSTAINABLE DRAINAGE SYSTEMS (INCLUDING FLOOD RISK BETTERMENT) AND INFRASTRUCTURE (INCLUDING HIGHWAY IMPROVEMENTS) ALL MATTERS RESERVED ACCEPT ACCESS. NORTHAMPTON SOUTH SUE, LAND SOUTH OF ROWTREE ROAD AND WEST OF WINDINGBROOK LANE AND 378 DWELLINGS SERVED BY A NEW ACCESS FROM WINDINGBROOK LANE, AND THE RE-CONFIGURATION OF PART OF THE COLLINGTREE PARK GOLF COURSE INCLUDING A NEW TEMPORARY HOLE 17 AND THE DEMOLITION OF ALL EXISTING BUILDINGS AND STRUCTURES WITHIN THE SITE, GREEN INFRASTRUCTURE INCLUDING FORMAL AND INFORMAL OPEN SP
- (B) N/2014/1027 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT TWO STOREY DWELLING WITH GARAGE. 41 CHURCH WAY
- (C) N/2014/1207 - SINGLE STOREY EXTENSION TO CAFÉ. PARK CAFÉ, ABINGTON PARK, WELLINGBOROUGH ROAD
- (D) N/2014/1290 - CHANGE OF USE FROM DWELLING (C3) TO HOUSE OF MULTIPLE OCCUPATION FOR 7 PEOPLE (SUI GENERIS). 175 GREATMEADOW

- (E) N/2014/1291 - ERECTION OF 35 NEW DWELLINGS COMPRISING 10NO. 1 BED FLATS, 15NO. 2 BED HOUSES AND 10NO. 3 BED HOUSES AND ASSOCIATED ACCESS ROADS. DEVELOPMENT LAND BETWEEN TALAVERA WAY AND BOOTH RISE
- (F) N/2014/1293 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE OF MULTIPLE OCCUPATION (SUI GENERIS) FOR SEVEN PEOPLE. 16 HOPMEADOW COURT
- (G) N/2014/1309 - VARIATION OF CONDITION NUMBER 4 OF PLANNING PERMISSION N/2013/0242 TO EXTEND THE OPENING HOURS TO 09:30-17:30 MONDAY TO FRIDAY AND 09:00-12:00 ON SATURDAY. 22 WOODHILL ROAD
- (H) N/2014/1354 - CHANGE OF USE FROM RETAIL (USE CLASS A1) TO ESTATE AGENTS (USE CLASS A2). 3 TUDOR COURT, WOOTTON HOPE DRIVE

- 11. ENFORCEMENT MATTERS
- 12. ITEMS FOR CONSULTATION
- 13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

SUPPLEMENTARY AGENDA

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 16 December 2014

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

Steven Boyes, Director of Regeneration, Enterprise and Planning;
Rita Bovey, Development Manager (Acting); David Rowen,
Development Management Team Leader (Acting); Ben Clarke,
Senior Planning Officer; Theresa Boyd, Solicitor.

1. APOLOGIES

Apologies for absence were received from Councillors Aziz and Palethorpe.

2. MINUTES

The minutes of the meeting held on 19th November 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/2014/1131 – Change of use – Delapre Abbey
Mr Alan Earle
Mr Alan Clark
Councillor Glynane
Councillor Ford
- N/2014/0596 – Land at Sixfields Stadium, Edgar mobs Way
Mr Simon Patnick
- N/2014/1264 – Single storey extension, 14 Woodland Avenue, Phippsville
Mr Jagoe
Councillor King
Mr Mark Turner
Mr Patrick Dooley

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Ford declared a personal and pecuniary interest in Item 9a - Change of Use of 19th Century Stable Block to Restaurant and Café (A3), Delapre Abbey, London Road, as his wife was employed as a catering manager at the tea rooms.

The LGSS Solicitor declared a personal, non-pecuniary interest in Item 10 d - Single storey rear extension, two storey front extension, new first floor window in side

elevation and alterations to first floor rear windows and front porch (part retrospective) 14 Woodland Avenue, as she knew the applicant.

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

- A) RESOLVED:** To determine the following item, that was considered by the Chair to be a Matter of Urgency, because of the undue delay if consideration of it was not made: N/2013/0338 – S106 agreement for outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road at land to the east of Hardingstone north of Newport Pagnell Road

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning.

The committee discussed the report.

RESOLVED: That delegated authority be given to the Borough Secretary to negotiate and agree terms for a Section 106 Agreement as part of the appeal process, in consultation with the Director of Regeneration, Enterprise and Planning

- B) RESOLVED:** To determine the following item, that was considered by the Chair to be a Matter of Urgency, because of the undue delay if consideration of it was not made: West Northamptonshire Joint Core Strategy: Following the resolution of the West Northamptonshire Joint Strategic Planning Committee meeting on 15th December 2014 to adopt the West Northamptonshire Joint Core Strategy (JCS), the JCS now forms part of the Development Plan for considering planning applications and carries full weight. The JCS will also replace some of the Northampton Local Plan saved policies as these policies will no longer form part of the Development Plan.

RESOLVED: That delegated authority be given to the Director of Regeneration, Enterprise and Planning to amend references to Development Plan Policies in decision notices to reflect the above, if appropriate, following Planning Committee resolutions on 16th December 2014.

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. She added that there were four updates, in that applications **N/2014/0519** - 24 York Road - Change of Use from Offices (Use class B1) into 10 person house of multiple occupation, **N/2014/0214** - 37 Semilong Road and **N/2013/1325** – Residential Development of 69 dwellings – Danes Camp Way had since been allowed. Application N/2014/0618 – rear of 25 Pleydell Road the appeal was dismissed. She advised that the details of the decision were available on the Borough Council's website.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2014/1131 - CHANGE OF USE OF 19TH CENTURY STABLE BLOCK TO RESTAURANT AND CAFÉ (A3), DELAPRE ABBEY, LONDON ROAD

The Development Manager outlined the report of the Director of Regeneration, Enterprise and Planning, as set out in the agenda and the addendum. The committee's attention was also drawn to the circulated addendum. The recommendation was for approval of the application, subject to the conditions set out in the report.

The Chair invited Councillor Ford to address the Committee who spoke against the application who cited the necessity of an extractor fan and disabled access issues as his reasons.

Mr Alan Earle, a local resident, spoke against the application as further conditions needed to be added regarding fume extraction and bottling out.

Mr Clark, a local historian and archaeologist, spoke against the application and commented that there had been a lack of a bat survey or consultation with an arboricultural officer.

Councillor Glynane, as the Ward Councillor, spoke against the application citing the proposal was not sustainable and the business will have reduced covers, there was a lack of Planning Design and Access Statement being a major concern. He asked for the item to be deferred.

The Development Manager explained that any application for the installation of an extractor fan would require separate planning permission and listed building consent and have to be considered by the Planning Committee. She further confirmed that

bottling out would be within the operational hours between 9.00 am to 5.30pm and a planning condition would not be necessary and whilst there was no physical works proposed apart from a new door, the Committee could impose an additional condition to seek details of disabled access

The Committee discussed the report.

RESOLVED: That the application be **APPROVED** subject to the conditions set out in the report and two further conditions being:

- 1) That details of Disabled Access for the premises be sought
- 2) A bat survey be completed prior to the development commencing.

(B) N/2014/1337 - NON-ILLUMINATED FREESTANDING LANDSCAPE SIGN. LAND OFF KETTERING ROAD/WELLINGBOROUGH ROAD

The Senior Planning Officer 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 Committee discussed the report.

RESOLVED: That the application was considered acceptable; however, as the consultation period does not expire until the 25th December 2014 it was resolved to delegate the determination of the application to the Director of Regeneration, Enterprise and Planning and to resolve any unforeseen issues.

(C) N/2014/1338 - NON-ILLUMINATED FREESTANDING LANDSCAPE SIGN. LAND OFF ST MICHAELS ROAD

The Senior Planning Officer 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 Committee discussed the report.

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

(D) N/2014/1349 - ERECTION OF 3NO. NON-ILLUMINATED FREE STANDING ALUMINIUM SIGNS. ST EDMUNDS HOSPITAL, WELLINGBOROUGH ROAD

The Senior Planning Officer 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 Committee discussed the report.

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

10. ITEMS FOR DETERMINATION

- (A) **N/2014/0596 - OUTLINE PLANNING APPLICATION FOR MIXED USE DEVELOPMENT OF LAND ADJACENT TO SIXFIELDS STADIUM TO INCLUDE SINGLE STOREY RETAIL BUILDINGS (13,380SQM), SINGLE STOREY BUILDINGS FOR USE WITHIN CLASSES A3, A4 AND A5 (695 SQM) WITH ASSOCIATED CAR PARKING AREAS, PETROL FILLING STATION, RESIDENTIAL DEVELOPMENT OF UP TO 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. LAND AT SIXFIELDS STADIUM, EDGAR MOBBS WAY**

The Development Management Team Leader presented the report of the Director of Regeneration, Enterprise and Planning. The committee's attention was also drawn to the circulated addendum. The recommendation was for the approval in principle, of the application subject to the conditions set out in the report and addendum.

Mr Simon Patnick, the applicant's representative, commented that the application had been received by the Committee previously on the 29th October 2014 and commented that since then all proposals had been addressed satisfactorily. He thanked the Officers' effort in bringing the application to the Committee for consideration.

The Committee discussed the report.

RESOLVED: That the application be **APPROVED IN PRINCIPLE** subject to the following:

- a) prior referral of the application to the Secretary of State;
- b) the completion of an appropriate and reasonable Section 106 legal agreement, the heads of terms of which were outlined in the Addendum Report;
- c) planning conditions as attached to the report and addendum;
- d) as the consultation period will expire on 18th December 2014 that delegated authority be granted to the Director- Regeneration, Enterprise and Planning to resolve any matters if not already raised in the Planning committee report and any minor amendments to planning conditions

(B) N/2014/1027 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT TWO STOREY DWELLING. 41 CHURCH WAY, WESTON FAVELL

The Development Management Team Leader presented the report of the Director of Regeneration, Enterprise and Planning. The committee's attention was also drawn to the circulated addendum. The recommendation was for the approval, of the application subject to the conditions set out in the report.

The Committee discussed the report.

RESOLVED: That the application be **DEFERRED** to the next Planning Committee pending another site visit.

(C) N/2014/1069 & N/2014/1076 - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF NEW 15025M2 INDUSTRIAL BUILDING (USE CLASS B2) AND ASSOCIATED WORKS - 35 SUMMERHOUSE ROAD - DEMOLITION OF WAREHOUSE AND CHANGE OF USE OF SITE TO CAR PARK (INCLUDING CYCLE STORAGE FACILITIES) TO SERVE NEW MANUFACTURING PLANT AT 35 SUMMERHOUSE ROAD - 11 PONDWOOD CLOSE

The Senior Planning Officer presented the report of the Director of Regeneration, Enterprise and Planning. The committee's attention was also drawn to the circulated addendum. The recommendation was for the approval, in principle, of the application subject to the conditions set out in the report and addendum.

It was explained that whilst it was one agenda item, there were two distinct applications, which should be considered in tandem due to the significant linkages between them; however, two separate decisions would need to be made.

The Committee discussed the report.

RESOLVED: That the application N/2014/1069 be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and addendum and the prior completion of a Section 106 Agreement

RESOLVED: That the application N/2014/1075 be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and subject to the prior completion of the Section 106 Agreement in respect of Planning Application N/2014/1069

(D) N/2014/1264 - SINGLE STOREY REAR EXTENSION, TWO STOREY FRONT EXTENSION, NEW FIRST FLOOR WINDOW IN SIDE ELEVATION AND ALTERATIONS TO FIRST FLOOR REAR WINDOWS AND FRONT PORCH (PART RETROSPECTIVE). 14 WOODLAND AVENUE

The Development Management Team Leader presented the report of the Director of Regeneration, Enterprise and Planning. The committee's attention was also drawn to

the circulated addendum and a letter of objection was received from 19 Woodland Avenue. The recommendation was for the approval of the application subject to the conditions set out in the report.

Mr Jagoe, resident of a neighbouring property, spoke against the application noting that the effect had been detrimental to him and other residents and would like the extension returned to the original, agreed size.

Councillor King, as Ward Member for Phippsville, spoke against the application on behalf of local residents and spoke of the negative impact on their quality of life.

Mr Turner, resident of a neighbouring property, spoke against the application and commented that the current state of the property was greatly different to the original planning permission that had been granted. He expressed his concern that the property may also be converted into a HIMO in future.

Mr Dooley, the agent, spoke in favour of the application. He categorically stated that the current owner had no intention of converting the property into a HIMO and noted that the only reason that the extension was 0.4m higher than had been originally be granted was to maintain ceiling height within the property.

The Committee discussed the report.

RESOLVED:

That the application be **REFUSED** for the following reason:

The development would have a detrimental impact on the amenity of neighbouring residents due to overshadowing and loss of light. This would be contrary to Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

The meeting concluded at 8.43pm.

Directorate: Regeneration, Enterprise and Planning
 Director: Steven Boyes



List of Appeals and Determinations – 28th January 2015

Written Reps Procedure			
Application	DEL/PC	Description	Decision
N/2014/0709 APP/V2825/A/14/2228854	DEL	Substation EME, Countess Road. Erection of a 20m tower with 1m dish and associated works.	AWAITED
N/2014/1025 APP/V2825/A/14/2229120	DEL	35 Cowper Street. Change of use from dwelling (Use Class C3) to house of multiple occupation for 4 people (Use Class C4) - retrospective	AWAITED
N/2014/0642 APP/V2825/A/14/3001170	DEL	7 Manor Road. Two storey side / rear extension and single storey rear extension and new porch	AWAITED
N/2014/0898 APP/V2825/A/14/2229402	DEL	18 Clee Rise. Erection of end of terrace 2-bed dwelling in side garden of 18 Clee Rise (as amended by revised plan received on 5 September 2014)	AWAITED
Public Inquiry			
N/2013/0338 APP/V2825/A/14/2228866	PC	Site at Land to East of Hardingstone, North of Newport Pagnell Road - Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road – exact date and venue of the Public Inquiry to be confirmed by the Planning Inspectorate	AWAITED
Hearing			
N/2013/1263 APP/V2825/A/14/2229013	PC	Land between Talavera Way and Booth Rise. Erection of 38 no. new dwellings comprising 12 no. flats and 26 no. houses with associated parking and installation of new access road – exact date and venue of the Hearing to be confirmed by the Planning Inspectorate	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: 28th January 2015

DIRECTORATE: Regeneration, Enterprise and Planning

DIRECTOR: Steven Boyes

REPORT TITLE: Confirmation of Refusal Reason

N/2013/0338 – Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road (as amended by revised plans received 14/03/14 & revised Transport Assessment- January 2014) at Land to the east of Hardingstone north of Newport Pagnell Road, Northampton.

1. RECOMMENDATION

1.1 That the following **reasons for refusal** be ratified by Members:

1) The highway mitigation measures proposed fail to sufficiently demonstrate that this major development would not have a residual cumulative impact on the A45 trunk road and associated junctions such that the cumulative impacts of the development would not be severe. These adverse highway impacts in turn will lead to a detrimental impact on the highway network adversely affecting all users including occupiers of business premises located in Brackmills Industrial Estate thus acting as an impediment to the operation of the business park and its future sustainable economic growth.

The development would therefore be contrary to the overarching intentions of the National Planning Policy Framework.

2) The site is identified in the Northampton Landscape and Green Infrastructure Study 2009 as being of high-medium landscape and visual sensitivity comprising of a rural landscape which has a stronger visual connection with the surrounding countryside than with Northampton. Furthermore, Policy E7 of the Northampton Local Plan identifies part of the site as an important skyline between Great Houghton and Hardingstone as seen from the Nene Valley. Public Footpath KN6 runs across the site in a south-easterly direction providing amenity access through the rural landscape. The National Planning Policy Framework seeks to ensure that any detrimental effects on the environment, the landscape and recreational opportunities arising from major developments are moderated. The proposed development would have an urbanising effect and be of a scale and density detrimental to the existing rural character of the surrounding area and would result in the loss of land of significant amenity value. In the absence of sufficient information to demonstrate appropriate mitigation for the impact of the development on the landscape, skyline and rural character of the area the proposal is therefore contrary to Policies E1, E7 and H7 of the Northampton Local Plan and the overarching intentions of the National Planning Policy Framework.

2. PURPOSE OF REPORT

- 2.1 This report seeks Planning Committee's ratification of the detailed refusal reason agreed by the Chair and Deputy Chair for the above application following a Committee resolution to refuse the development proposals on 6th May 2014.
- 2.2 The application is currently the subject of an appeal to be dealt with by Public Inquiry. Queen's Counsel acting on behalf of the Council has advised that the refusal reason should be confirmed by Planning Committee.
- 2.3 As the reasons for refusal have been identified in the appeal documents submitted to the Planning Inspectorate, members are advised that given the stage that the application is at in the appeal process, it is not possible to amend the existing wording of the refusal reasons, or further extend the scope of reasons for refusal.

3. BACKGROUND

- 3.1 Planning Committee resolved on 6th May 2014 to refuse Planning Application N/2013/0338. The minutes of the meeting note that the application should be REFUSED on the grounds that:

'The development fails to comply with Policy H7 of the Northampton Local Plan and is not in conformity with the overarching intentions of the National Planning Policy Framework.'

- 3.2 It was agreed at Committee although not subsequently minuted that the detailed wording of the refusal reason be agreed by the Chair and Vice Chair of Committee in conjunction with the Head of Planning.
- 3.3 The detailed wording for refusal was subsequently agreed by the Chair and Deputy Chair and the Director of Regeneration, Planning and Enterprise on the 14th May 2014 in accordance with the wording detailed in Section 1.1 of this report and a decision notice issued to this effect on 15th May 2015.
- 3.4 Queen's Counsel has indicated that as the Planning Committee Minutes did not identify that the detailed wording of the reason for refusal was to be delegated to the Chair and Vice Chair of Committee in conjunction with the Head of Planning, procedurally this needs to be rectified through Planning Committee confirming the reasons for refusal.

4. ADOPTION OF THE WEST NORTHAMPTONSHIRE JOINT CORE STRATEGY

- 4.1 Members are advised to note that since the refusal of planning permission Local Plan Policies E1 & H7 as referred to in the refusal reason have been replaced following the adoption of the West Northamptonshire Joint Core Strategy (JCS) by the Strategic Planning Committee in December 2014.
- 4.2 As such Policy E1 is replaced by Policy BN2: Biodiversity and Policy BN5: The Historic Environment of the JCS and Policy H7 is replaced by Policy H1: Housing Density and Mix and Type of Dwelling.
- 4.3 The replacement of these Local Plan Policies with those in the JCS in the context of the refusal reason will be a matter for further discussion with Queen's Counsel throughout the course of preparing the Council's case for the planning appeal.

5. CONCLUSION

- 5.1 Members' ratification of the refusal reason will solidify the decision and provide clarity on the decision making process by the Council in relation to this application which may be subject to scrutiny during the course of the Public Inquiry.

6. LEGAL IMPLICATIONS

- 6.1 As set out in the report.

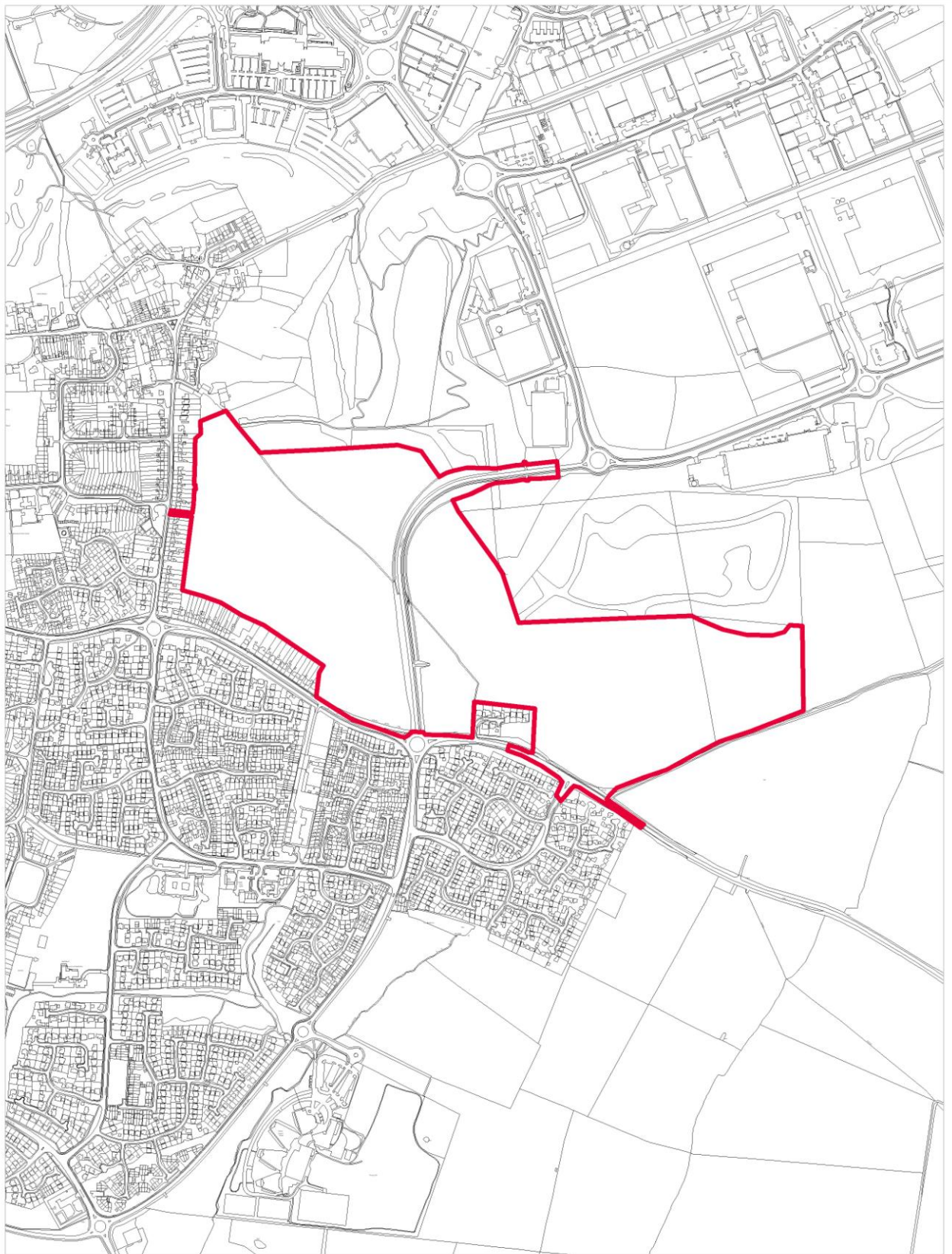
7. SUMMARY AND LINKS TO CORPORATE PLAN

- 7.1 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.

8. BACKGROUND PAPERS

8.1 Report to Planning Committee 6th May – N/2013/0338.

8.2 Committee Minutes 6th May – N/2013/0338



Name: **Planning**
Date: **20th January 2015**
Scale: **1:10000**
Dept: **Planning**
Project: **Planning Committee**

Title

Land to the East of Hardingstone North of Pagnell Rd

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1182: Installation of fence and gates to cover 4 of the road bridge tunnel entranceways (beneath St James Road) at Footmeadow

WARD: St James

APPLICANT: Northampton Borough Council
AGENT: Groundwork Northamptonshire

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Council application on Council owned land

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would not have any adverse impact on the amenity and recreational value of the open space or upon its nature conservation value and would not increase the risk of flooding. The proposal thereby complies with Policies, L1, E18 and L16 of the Northampton Local Plan and Policies BN1, BN2 and BN7 of the adopted West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the installation of fencing with gates, to cover four of the archways beneath the road bridge. The fencing would be palisade fencing with a green finish. The purpose of this fencing is to discourage rough sleepers from using these areas, which was causing problems due to anti-social behaviour.

3. SITE DESCRIPTION

- 3.1 The site comprises four of the archways beneath the road bridge carrying St James Road, within the Footmeadow area of open space.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the Northampton Local Plan 1997 saved policies and the adopted West Northamptonshire Joint Core Strategy.

5.2 National Policies - National Planning Policy Framework (NPPF)

The NPPF states at Paragraph 74 that existing open space and recreational land should not be built on and at Paragraph 75 that public rights of way and access should be protected and enhanced.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy BN1 – Green Infrastructure Connections.

Policy BN2 – Biodiversity.

Policy BN7 – Flood Risk.

5.4 Northampton Local Plan 1997 (Saved Policies)

Policy L1 – Outdoor Recreational Facilities / Open Space.

Policy E18 – Sites Of Acknowledged Nature Conservation Value.

Policy L16 – River Valley Policy Area.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Environment Agency** – Have assessed the information and no objection to the layout as shown.
- 6.2 The application was advertised by **site notice**, no representations received.

7. APPRAISAL

- 7.1 The issues to consider are the impact on the amenity value of the area of public open space, as a result of enclosing four of the archways, as well as any implications for flooding.
- 7.2 The proposal is for palisade style fencing and gates, which would be of a green finish. Whilst the fencing and associated gates would introduce a contrasting feature within the area of parkland, this would be viewed against the backdrop of the bridge itself which cuts through this area of parkland. The archways proposed to be enclosed are located in less prominent positions, away from any main footpath, and are currently screened from direct view by vegetation.
- 7.3 In this context it is considered that the visual impact of the proposed enclosures would be acceptable and would not significantly affect the setting of the parkland.
- 7.4 The proposal would also allow for improved management of the park, by facilitating the prevention of anti-social behaviour, thereby improving the park environment.
- 7.5 In respect of green infrastructure connections and biodiversity, as dealt with by the planning policies as referred to above, it should be noted that the proposals merely fully enclose archways which are already partially enclosed, underneath which there is no vegetation and as such it is considered that there would be no loss of connectivity of green spaces and no loss of open space, and as such the impact on green infrastructure and biodiversity will be minimal.
- 7.6 In terms of flood risk, the situation is similar in that there would be no further obstruction to the free flow of water than at present and the proposed fencing would be permeable, the Environment Agency has been consulted on the application and has raised no objection.

8. CONCLUSION

- 8.1 The proposal would have a limited impact in visual terms, thereby not affecting the amenity value of the parkland and would also result in an improvement of the management of the area by removing undesirable elements from using the park.

- 8.2 The proposal would have no significant impact on green infrastructure or biodiversity and would not increase the risk of flooding. It is considered that the proposed development is in line with Development Plan Policies.

9. CONDITIONS

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Footmeadow Section, Diagram A.

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

Informative

Notwithstanding this planning permission, any proposed works affecting ordinary watercourses, statutory main river, within the indicative floodplain or within the byelaw distance requires the prior written consent of the Environment Agency under the relevant statutory legislation and current land drainage byelaws.

10. BACKGROUND PAPERS

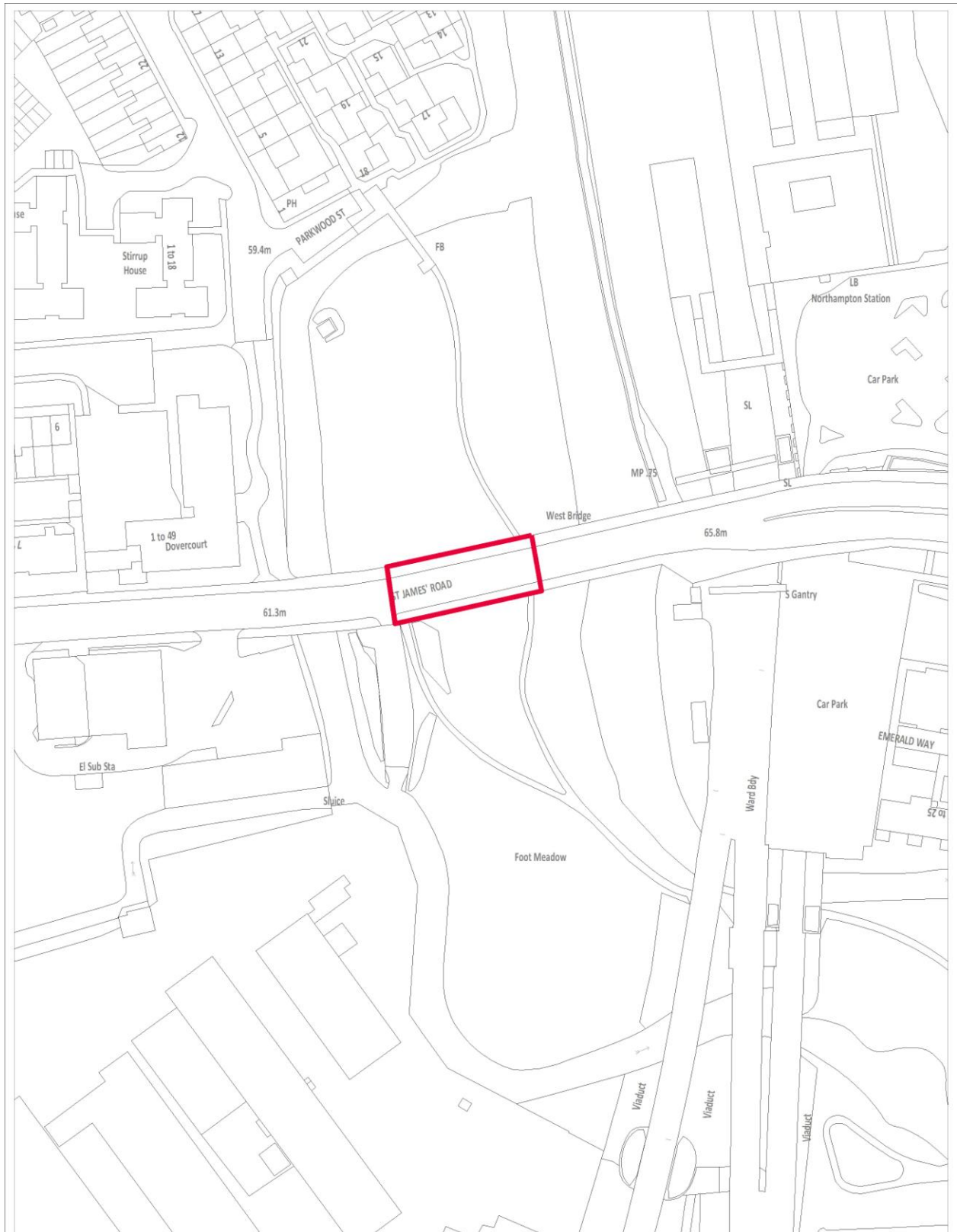
- 10.1 Application File N/2014/1182

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: **3rd December 2014**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title

Open Space Footmeadow, Westbridge

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1328: Change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three/four storey building and demolition of existing structures and associated external works, 34 Guildhall Road

and

N/2014/1329: Listed Building application for change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three/four storey building and demolition of existing structures and associated external works, 34 Guildhall Road

WARD: Castle
APPLICANT: Northampton Borough Council
REFERRED BY: Director of Regeneration, Enterprise & Planning
REASON: Borough Council Application
DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

a) both applications being referred to the Secretary of State;

b) delegated authority be granted to the Director of Regeneration, Enterprise and Planning to satisfactorily resolve those matters and objections currently outstanding; and

c) delegated authority be granted to the Director of Regeneration, Enterprise and Planning to satisfactorily formulate a list of appropriate planning conditions

and for the following reason:

The development would provide significant regeneration opportunities within the town centre and would result in under used listed buildings being brought into a long term viable use with no significant harm to heritage assets having been demonstrated. There would be no adverse highway or flooding implications and acceptable relationships with surrounding properties. This would accord with the aims and objectives of the National Planning Policy Framework, Strategic Objectives 1 and 2 and Policies 1,2 and 5 of the Northampton Central Area Action Plan as well as Policies S7, S10, E7, BN5, BN7 N1 and N2 of the adopted West Northamptonshire Joint Core Strategy.

2. THE PROPOSAL

- 2.1 It is proposed to convert the former Vulcan Works into a community arts hub. This would see the buildings used for workshops with communal meeting and amenity spaces. As part of the proposed development, a building fronting Angel Street, which has subsequently been identified as the former Weights and Measures building, would be demolished and a four storey building erected as a replacement.
- 2.2 To facilitate the change of use it would be necessary to carry out various internal works to the buildings, however the Guildhall Road elevation would be largely unaffected. The Fetter Street frontage would have several openings created.
- 2.3 The application includes the creation of an area of public realm at the corner of Angel Street and Fetter Street. It is also proposed to create an area of garden accessed from Fetter Street in the southern most part of the site.
- 2.4 As the applications are submitted by the Borough Council and involve the demolition of buildings within the conservation area and works to listed buildings, they must be referred to the Secretary of State before planning permission or listed building consent can be granted.

3. SITE DESCRIPTION

- 3.1 The site is within the Derngate Conservation Area sits between Guildhall Road, Fetter Street and Angel Street and was originally used for the production of machinery associated with the Boot and Shoe industry.

- 3.2 The buildings which front Guildhall Road are 19th Century and of brick construction with a decorative façade. These are Grade II listed.
- 3.3 The buildings fronting Fetter Street are of a later period and were an extension to the Guildhall Road buildings. These have north/south roofs with a more industrial appearance. Given their relationship with the listed Guildhall Road buildings these buildings are also listed.
- 3.4 The buildings fronting Angel Street consist of a single storey flat roofed brick built building and a two storey building which has the appearance of a dwelling. The single storey building was originally the Weights and Measures building and would have been associated with the group of civic buildings on the opposite side of Angel Street. There is also a single storey building which runs at a right angle to Angel Street which is proposed to be demolished as well as boundary walls.
- 3.5 There are a variety of land uses in the vicinity of the site with office, retail, commercial and residential premises. On the opposite side of Angel Street to the north is the County Hall group of buildings, while on the opposite side of Fetter Street is the site of Project Angel the County Council's proposed new headquarters. Planning permission was granted for this in July 2014.

4. PLANNING HISTORY

- 4.1 No planning history relevant to these applications.

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 adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

5.2 National Policies - National Planning Policy Framework (NPPF)

Part 2 of NPPF is committed to ensuring the vitality of town centres, while Part 7 requires good design. Part 12 is concerned with conserving and enhancing the historic environment.

5.3 West Northamptonshire Joint Core Strategy

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee and consistent with Section 38(6) it carries full weight when considering planning applications.

Policy S7 requires provision to be made for a net increase of 28,500 jobs to 2029.

Policy S10 sets out sustainable development principles including the achievement of high standards of design.

Policy E7 states that cultural development proposals will be supported where they contribute to the achievement of regeneration aims and objectives.

Policy BN5 stipulates that heritage assets will be protected.

Policy BN7 states that development proposals will comply with flood risk assessment and management requirements.

Policy N1 supports the regeneration of Northampton with a focus on development in the central area which provides high quality urban design and public realm and which protects heritage assets.

Policy N2 makes provision for major office, leisure and cultural development within the central area.

5.4 Northampton Local Plan 1997 (Saved Policies)

Policy E20 of the Local Plan requires new development to reflect the character of its surroundings.

Policy E26 of the Local Plan requires development in conservation areas to enhance the character and appearance of the area

5.5 Central Area Action Plan 2012 (CAAP)

Strategic Objective 1 seeks to regenerate the town centre by expanding town centre facilities and employment opportunities.

Strategic Objective 2 aims to achieve a well designed town centre.

Policy 1 of the CAAP seeks to promote design excellence which positively contributes to the character of the area.

Policy 2 concerns tall buildings and requires buildings which are taller than their surroundings to be justified and demonstrate their impact.

Policy 5: Flood Risk and Drainage requires development to have no adverse impact in terms of flood risk.

5.6 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Derngate Conservation Area Appraisal and Management Plan

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **English Heritage** object to the proposals in their current form and recommend:

1) The Weights and Measures Office and its boundary walls should be retained. The possibility of integrating them into the scheme as the entrance to the café and reception building should be explored.

2) The proposed 4th storey of the new workspace building on Angel Street should be removed from the scheme. A less-harmful alternative should be found for providing the necessary accommodation, possibly in an extension or new building to the south of the Fetter Street sheds.

3) The glazed openings proposed on the west elevations of the Fetter Street sheds should be reduced in scale.

4) Further assessment should be carried out on the significance of the other buildings proposed to be demolished on Angel Street.

6.2 **Council for British Archaeology** is supportive of the principle of the application and sees benefits should the application be permitted. However the demolition of the Angel Street buildings is seen as a negative aspect and questions are raised as to whether the design of the replacement building would benefit the conservation area.

6.3 **NBC Conservation** are supportive of the general principle of the conversion and bringing under used listed buildings back into use. There are concerns though over the current lack of understanding of the buildings proposed to be demolished on Angel Street as well as the lack of justification or assessment of the impact of the height of the four storey new build element. Concern is also expressed regarding the extent of the new openings to be created in the Fetter Street elevation.

6.4 **Environment Agency** object to the application due to the absence of an acceptable Flood Risk Assessment (FRA) and recommend refusal. The applicants are aware of this and are currently working to resolve this matter.

6.5 **NCC Highways** do not object to the application but request further details concerning the Travel Plan and access for refuse vehicles.

- 6.6 **Western Power** have no objections.
- 6.7 **One letter** from the owner of a neighbouring property generally supporting the application but raising concerns due to red line boundary encroaching on his property and overlooking from the new development. Concerns are also raised regarding the condition of one part of the building and the effects of this. The letter also seeks for provision to be made within the development for shared access and refuse provision.

7. **APPRAISAL**

Principle of Development

- 7.1 It is considered that the broad principle of the development is acceptable. The application proposes the re-use of redundant buildings within the town centre for a use which would contribute to the vitality and regeneration of the town centre and complement other recent and proposed developments in this locality and the vision of the Cultural Quarter. This would be consistent with the advice contained in Part 2 of the NPPF and Strategic Objective 1 of the CAAP as well as policies S7, E7, N1 and N2 of the JCS.

Design/Appearance

- 7.2 The Guildhall Road elevation of the building would be largely unaffected by the proposed development. The Fetter Street elevation would see the insertion of large glazed openings in the building. English Heritage in particular have concerns regarding these and their impact on the listed building.
- 7.3 Concerns have also been expressed regarding the height of the new build element adjacent to Angel Street. The height of this would be four storeys. This would be higher than the majority of adjacent buildings and would have an impact upon the area and the heritage assets (listed buildings and conservation areas). The significance of this impact is not fully clear from the information submitted with the application

Demolition

- 7.4 As part of the application several structures along the Angel Street frontage of the site are to be demolished. Concerns have been raised by several consultees concerning this.
- 7.5 The most significant concern is over the loss of what has been identified as the former Weights and Measures building at the corner of Fetter Street/Angel Street. Historically this would have been associated with the group of Civic buildings on the opposite side of Angel Street.

- 7.6 Attached to the Weights and Measures building is a building which has the appearance of a house. Concern has been raised regarding the lack of understanding of the function of this building and its history.
- 7.7 Similarly there is a lack of information concerning the historic function of another narrow single storey building which runs at 90 degrees to Angel Street and links to the main Vulcan Works buildings.

Flooding

- 7.8 The Environment Agency have objected due to the lack of an adequate Flood Risk Assessment to accompany the application. It is considered that in all probability the submission of the appropriate work would address this matter and demonstrate that the development would have an acceptable impact from a flooding perspective, as was the case with the nearby Project Angel development.

Further work/amendments

- 7.9 Following the receipt of the objection from English Heritage, and other concerns being raised regarding conservation matters, officers and the applicant met with English Heritage to discuss a potential way forward.
- 7.10 Consequently the retention of the Weights and Measures building and the incorporation of this into the development is to be explored, with the view being that this may be achievable. Similarly, the new openings in the Fetter Street elevation are likely to be reduced significantly in size. The applicant is also considering the removal of the fourth storey to the new build element. It is hoped that amended details will be available by the time of the Committee meeting.
- 7.11 The applicant is also due to undertake further work with regard to providing more information as to the significance of those buildings proposed to be demolished on Angel Street. It is hoped that this would address the various concerns expressed regarding this issue.
- 7.12 Work is also being undertaken by the applicant to address the objection of the Environment Agency. It is considered that, in all likelihood, the submission of the appropriate assessment will overcome this objection.

Relationships with surrounding properties

- 7.13 The main relationship issues are with the properties to the south on Guildhall Road. The installation of windows on the southern elevation of the development would potentially create overlooking to the rear of these properties. These proposed windows would therefore need to be reconsidered or steps taken to ensure there was no overlooking arising from them.

Highways

- 7.14 The development would provide no car parking and would utilise the public car parking facilities in the vicinity. As a result of there being no designated car parking the Highway Authority have commented that a Travel Plan will need to be robust and well supported. It is considered that this matter could be addressed through conditions.
- 7.15 The lack of car parking is not considered to be unacceptable given the proximity of public car parking and the central location of the site and the availability of public transport.

8 CONCLUSION

- 8.1 It is considered that the broad principle of the development is acceptable and would contribute towards the aims of regenerating the town centre and providing employment opportunities and would bring underused listed buildings back into a viable long term use. There would be significant public benefits arising from the development.
- 8.2 There is however a paucity of information with the application to enable a full assessment of the harm of the development in terms of the demolition of buildings within the conservation area and the height of the new build element to be made. The proper consideration of the balance between the public benefit of the proposal and the harm is therefore not possible. However it is likely that, with the extra work to be undertaken by the applicant and potential changes to the scheme, that this assessment will be possible shortly and it is hoped that at that stage the various objections would be overcome or addressed and that the development would be deemed as being acceptable.
- 8.3 It is accepted that there are a number of matters which need to be resolved and that the information being presented to Members is at this stage, unfortunately, less than comprehensive. However additional information should be available for the Committee meeting and it is considered that if it can be demonstrated that the potential harm is not that significant, or would not outweigh the public benefit of the development, then the development can have significant positive effects, in accordance with the wider aims of the Council, and that delegation to officers to resolve those outstanding issues is the most appropriate way to deal with this matter.

9. CONDITIONS

- 9.1 Given the matters outstanding at this point in time it is not considered reasonable to produce a list of proposed conditions. Approval is sought for this matter to be delegated to the Director of Regeneration, Enterprise and Planning to decide on the appropriate planning conditions which would be required.

10. BACKGROUND PAPERS

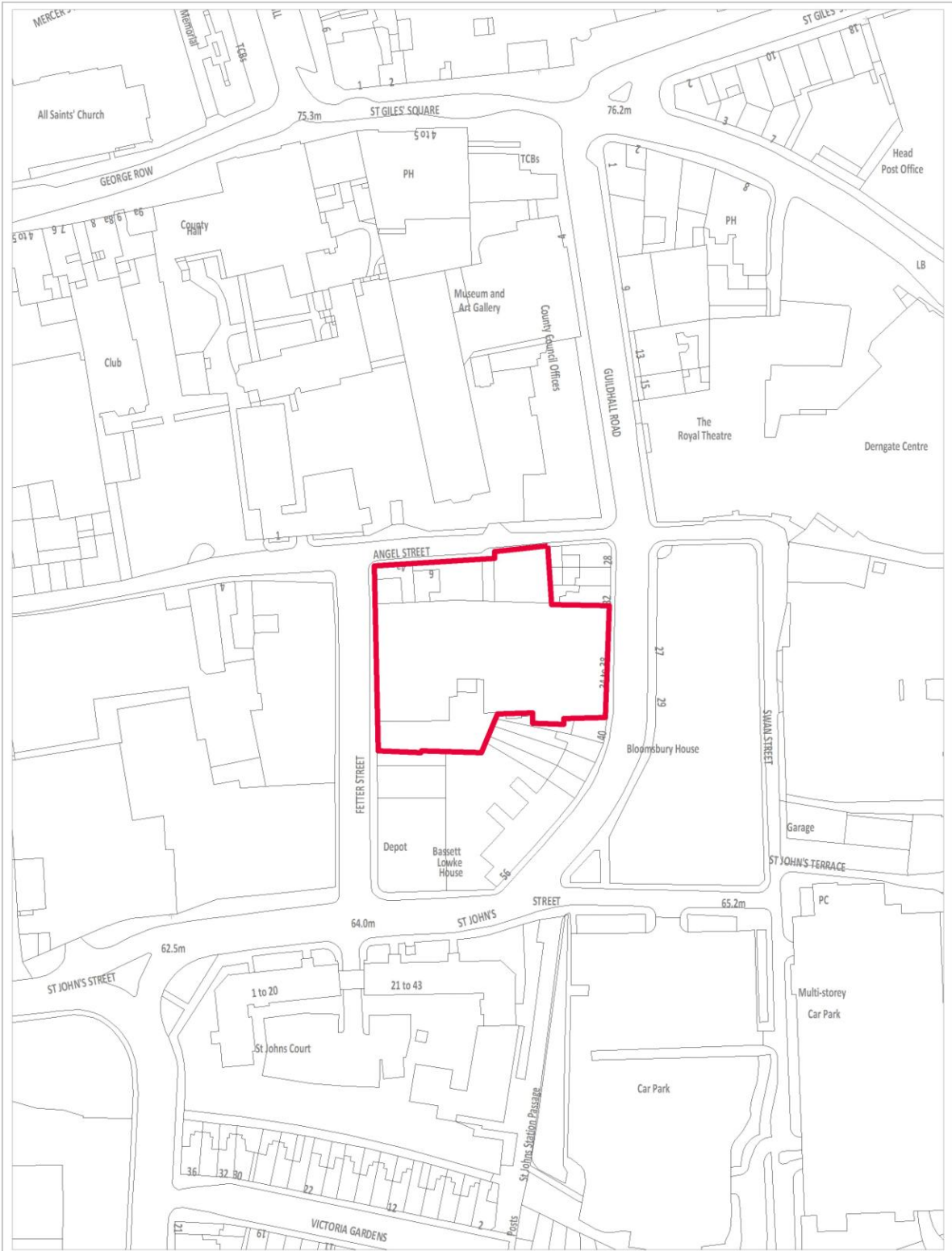
- 10.1 N/2014/1328 and N/2014/1329.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

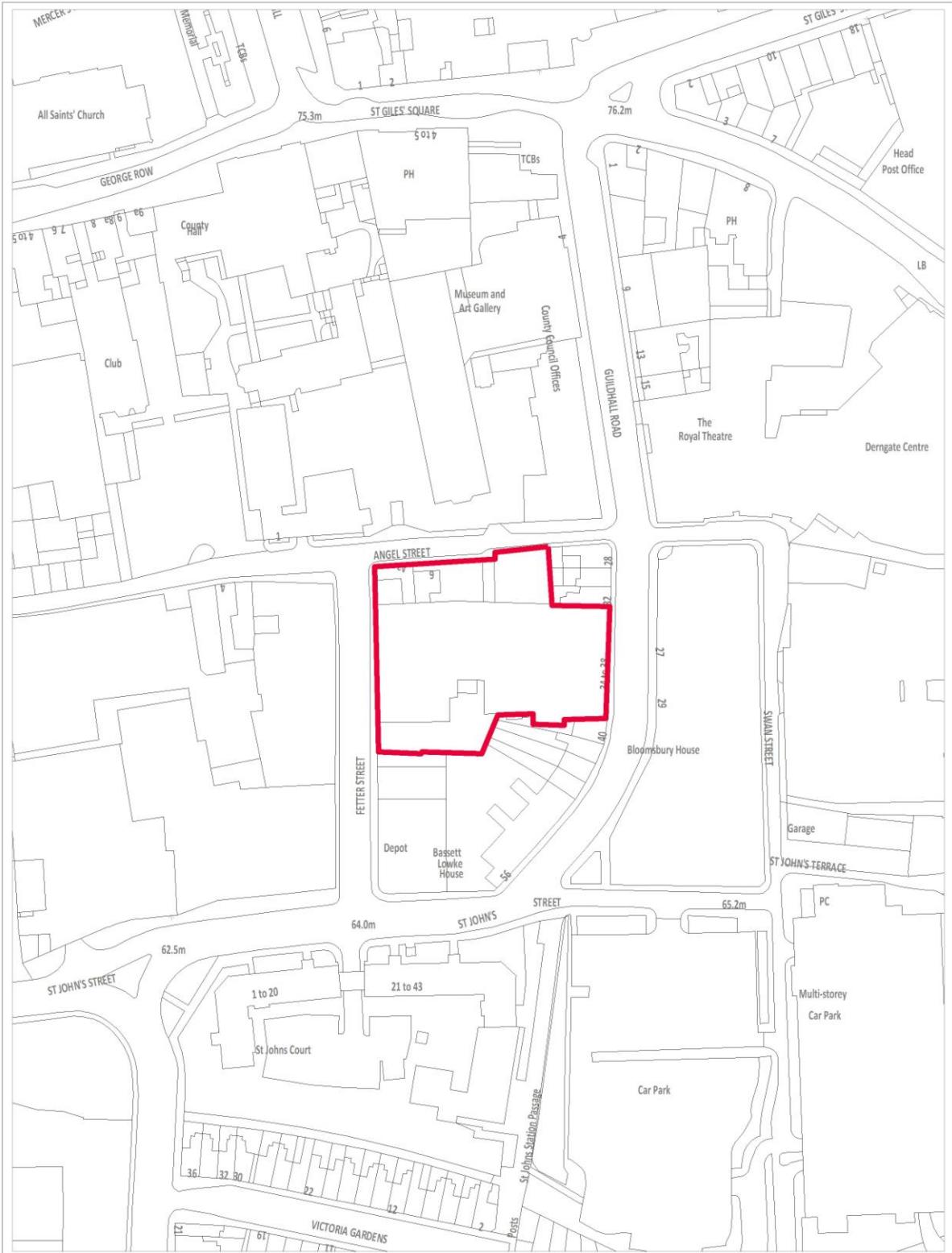
12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Name: Location Plan
 Date: 8th January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
34 Guildhall Road

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Name: Location Plan
 Date: 8th January 2015
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 Project: Planning Committee

Title
34 Guildhall Road

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1388: Erection of a 6m flag pole and flag at Delapre Park

WARD: Delapre and Briar Hill

APPLICANT: Northampton Borough Council
AGENT: None

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Council application and Council owned land

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out in Paragraph 9 below.

2. THE PROPOSAL

2.1 The proposal is for the erection of a flag with a 6m flagpole, at the entrance to Delapre Park. The flag would indicate that the park has been awarded a Green Flag Award.

3. SITE DESCRIPTION

3.1 The flagpole would be sited at the entrance to Delapre Park. This is close to an existing double sided sign. There are residential properties across the road off Delapre Crescent.

4. PLANNING HISTORY

4.1 The double sided advertisement board close to the proposed flagpole was approved by Planning Committee on 10th June 2014 under reference N/2014/0470.

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 adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

5.2 National Policies - National Planning Policy Framework (NPPF)

Paragraph 67 of the National Planning Policy Framework states that applications for advertisement consent should only be considered in terms of the impacts of amenity and public safety, as established by the Advertisement Regulations. Furthermore, the same paragraph states that poorly placed advertisements can have a detrimental impact upon the quality of the built and natural environment.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

Policy BN5 - Development in areas of landscape sensitivity and / or known historic or heritage significance will be required to sustain and enhance the heritage and landscape features which contribute to the character of the area.

5.4 Northampton Local Plan 1997 (Saved Policies)

E20 – New Development: Design to adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials.

E26 – Conservation Areas: Consent for advertisements in conservation areas will be granted so long as the development preserves or enhances the character and appearance of those areas.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 **Conservation** – No objections from a Conservation perspective.

6.2 **Local Highway Authority** – No observation to make.

7. APPRAISAL

7.1 As set out within Paragraph 5.2 of this report, the two relevant material considerations for the determination of applications for advertisement consent are the impacts upon amenity and public safety.

- 7.2 In respect of visual amenity, the principal considerations are that the signage would be within the grounds of Delpare Abbey, a Grade II listed building, and also within the Delapre Conservation Area.
- 7.3 The proposal is for a single flagpole, to indicate an award won by the Abbey. The flagpole would be sited near to the entrance of the Abbey grounds, but set away from the existing advertisements and it is considered that this siting would prevent visual clutter. It is further considered that a single flagpole in this position would not be out of keeping with the area or adversely affect the setting of the listed buildings, which are some considerable distance from the position at the entrance to the site, or the conservation area, due to the limited scale of the proposal.
- 7.4 Due to the location of the advertisement at the access to the site, consultation has been carried out with the Local Highway Authority, who have confirmed they have no objections.
- 7.5 Due to the location and design of the flagpole away from any footpath, it is additionally considered that no undue impact on pedestrian safety would result.

8. CONCLUSION

- 8.1 The proposed flagpole advertisement would have no adverse impact on visual amenity in respect of the setting of the listed building or conservation area and would have no adverse impact on highway or pedestrian safety.

9. CONDITIONS

- (1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (2) No advertisement shall be sited or displayed so as to:
- a. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. Obscure or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
 - c. Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- (4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

- (5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

10. BACKGROUND PAPERS

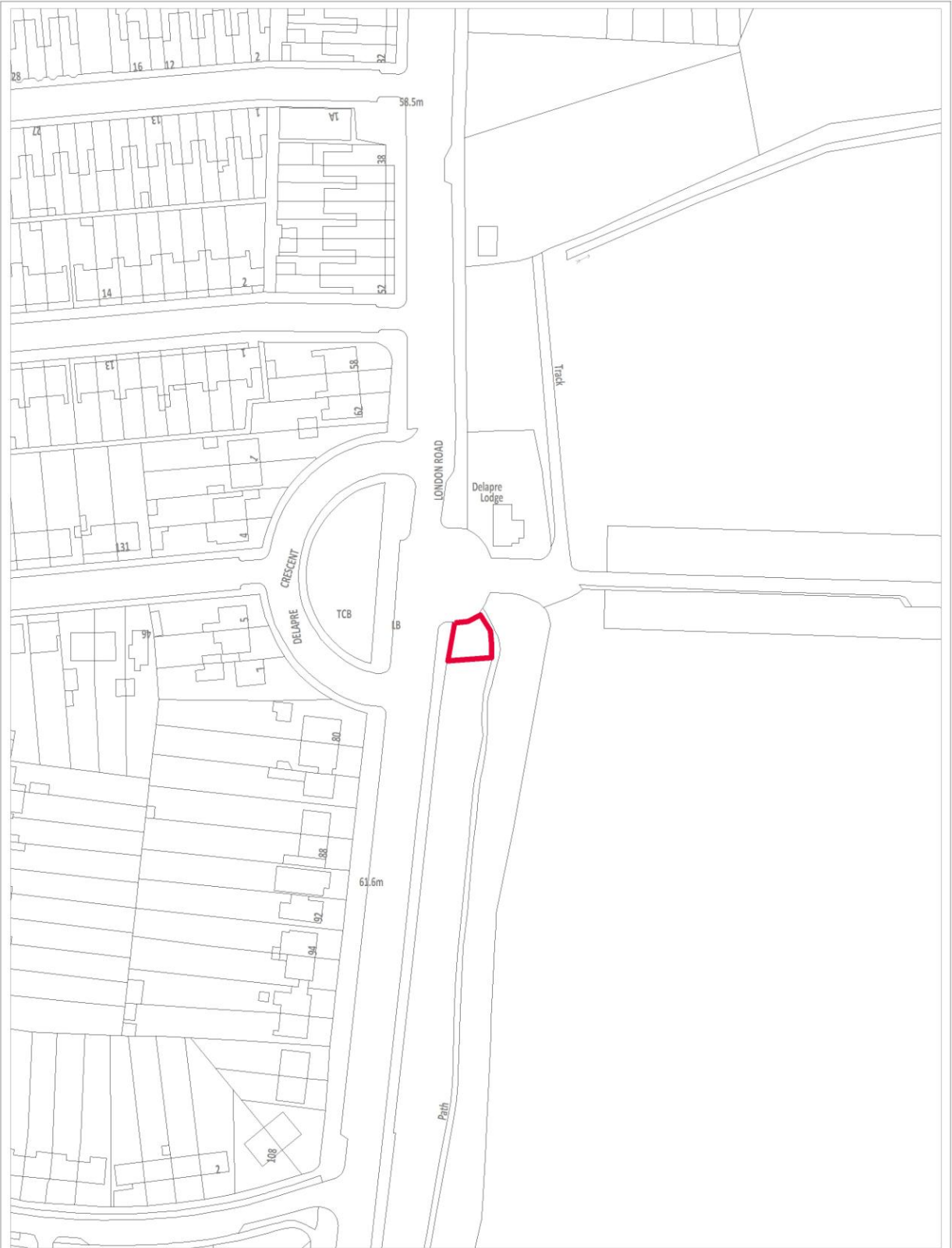
- 10.1 Application file N/2014/1388.

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 January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
Delapre Park, London Road

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1389: Erection of a 6m flag pole and flag at Park Avenue South

WARD: Park

APPLICANT: Northampton Borough Council
AGENT: None

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Council application and Council owned land

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out in Paragraph 9 below.

2. THE PROPOSAL

2.1 The proposal is for the erection of a flag with a 6m flagpole within Abington Park and located at the side of the road. The flag would indicate that the park has been awarded a Green Flag Award.

3. SITE DESCRIPTION

3.1 The flagpole would be sited at the roadside within Abington Park, which is within the Abington Park Conservation Area, close to the children's play area and opposite the listed Church of St Peter and St Paul.

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 adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

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

Paragraph 67 of the National Planning Policy Framework states that applications for advertisement consent should only be considered in terms of the impacts of amenity and public safety, as established by the Advertisement Regulations. Furthermore, the same paragraph states that poorly placed advertisements can have a detrimental impact upon the quality of the built and natural environment.

5.3 **West Northamptonshire Joint Core Strategy – Adopted December 2015**

Policy BN5 - Development in areas of landscape sensitivity and / or known historic or heritage significance will be required to sustain and enhance the heritage and landscape features which contribute to the character of the area.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

E20 – New Development: Design to adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials.

E26 – Conservation Areas: Consent for advertisements in conservation areas will be granted so long as the development preserves or enhances the character and appearance of those areas.

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Conservation** – This site is within the Abington Park Conservation Area, and the flag pole is to be positioned along Park Avenue South, in an area surrounded by open space. It is not considered that the flag pole will adversely affect the character or appearance of the Conservation Area, and there are no objections from a Conservation perspective.

7. APPRAISAL

- 7.1 As set out within Paragraph 5.2 of this report, the two relevant material considerations for the determination of applications for advertisement consent are the impacts upon amenity and public safety.
- 7.2 In respect of visual amenity, the principal considerations are that the signage would be within the grounds of the park, which is a Conservation Area and opposite a Grade A listed building.
- 7.3 The proposal is for a single flagpole, to indicate an award won by the park. The flagpole would stand alone by the side of the road. It is considered that a flagpole in this position would not have any significant visual impact on the area or the setting of the listed building opposite.
- 7.4 Due to the location and design of the flagpole, it is additionally considered that no undue impact on highway or pedestrian safety would result.

8. CONCLUSION

- 8.1 The proposed flagpole advertisement would have no adverse impact on visual amenity in respect of the setting of the listed building or conservation area and would have no adverse impact on highway or pedestrian safety.

9. CONDITIONS

- (1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
- (2) No advertisement shall be sited or displayed so as to:
- a. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - b. Obscure or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
 - c. Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
- (3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
- (4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

- (5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

10. BACKGROUND PAPERS

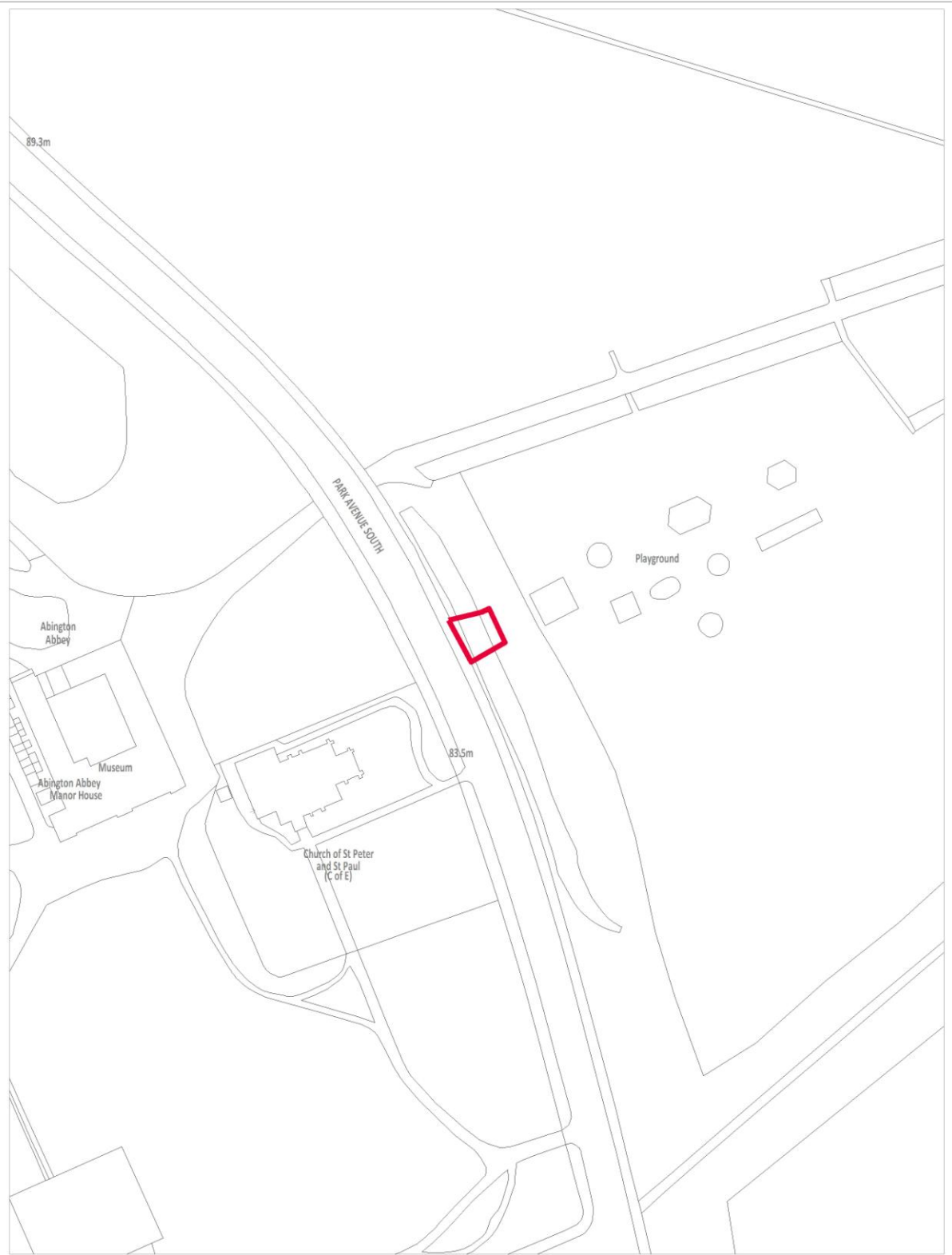
- 10.1 Application file N/2014/1389.

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 January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title

Abington Park, Park Avenue South

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0005: Prior notification for the demolition of former Bus Station, Greyfriars Bus Station, Greyfriars

WARD: Castle

APPLICANT: Northampton Borough Council

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Council Application and Council owned land

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

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

2. THE PROPOSAL

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

- 2.2 It is proposed to demolish the building using a controlled initiated collapse. The majority of the material arising from the demolition would be used to fill the void under the building to create a levelled site which could then be redeveloped in the future.

3. SITE DESCRIPTION

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

4. PLANNING HISTORY

- 4.1 The Planning Committee in April 2014 resolved that prior approval for demolition of bus station using long reach method would not be required.

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 adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies and Northampton Central Area Action Plan (2013).

5.2 National Policies

NPPF – National Planning Policy Framework

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee and consistent with Section 38(6) it carries significant weight when considering planning applications.

5.4 Northampton Central Area Action Plan 2013 (CAAP)

Policy 7: Bus Interchange: Fishmarket outlined that the existing Greyfriars Bus Station would be replaced with a new bus interchange.

Policy 17: Grosvenor Centre Redevelopment includes the site of the bus station within the area identified for potential redevelopment.

6. CONSULTATIONS/ REPRESENTATIONS

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

7. APPRAISAL

7.1 For Prior Notification for demolition, the only consideration is the matters in relation to the means of demolition and the proposed restoration of the site.

7.2 The means of demolition using the controlled initiated collapse method is considered to be acceptable.

7.3 In terms of the loss of the building and the site which is left behind, the CAAP identifies the building for demolition to facilitate the future expansion of the Grosvenor Centre as part of the wider vision for the development and improvement of the town centre.

7.4 Consequently the demolition of the building is consistent with the policy framework. In the longer term any development proposals for the site will be considered on their merits as part of the usual planning application process. However in the shorter term the levelling of the site and the restoration works are considered to be acceptable.

8. CONCLUSION

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

9. CONDITIONS

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

10. BACKGROUND PAPERS

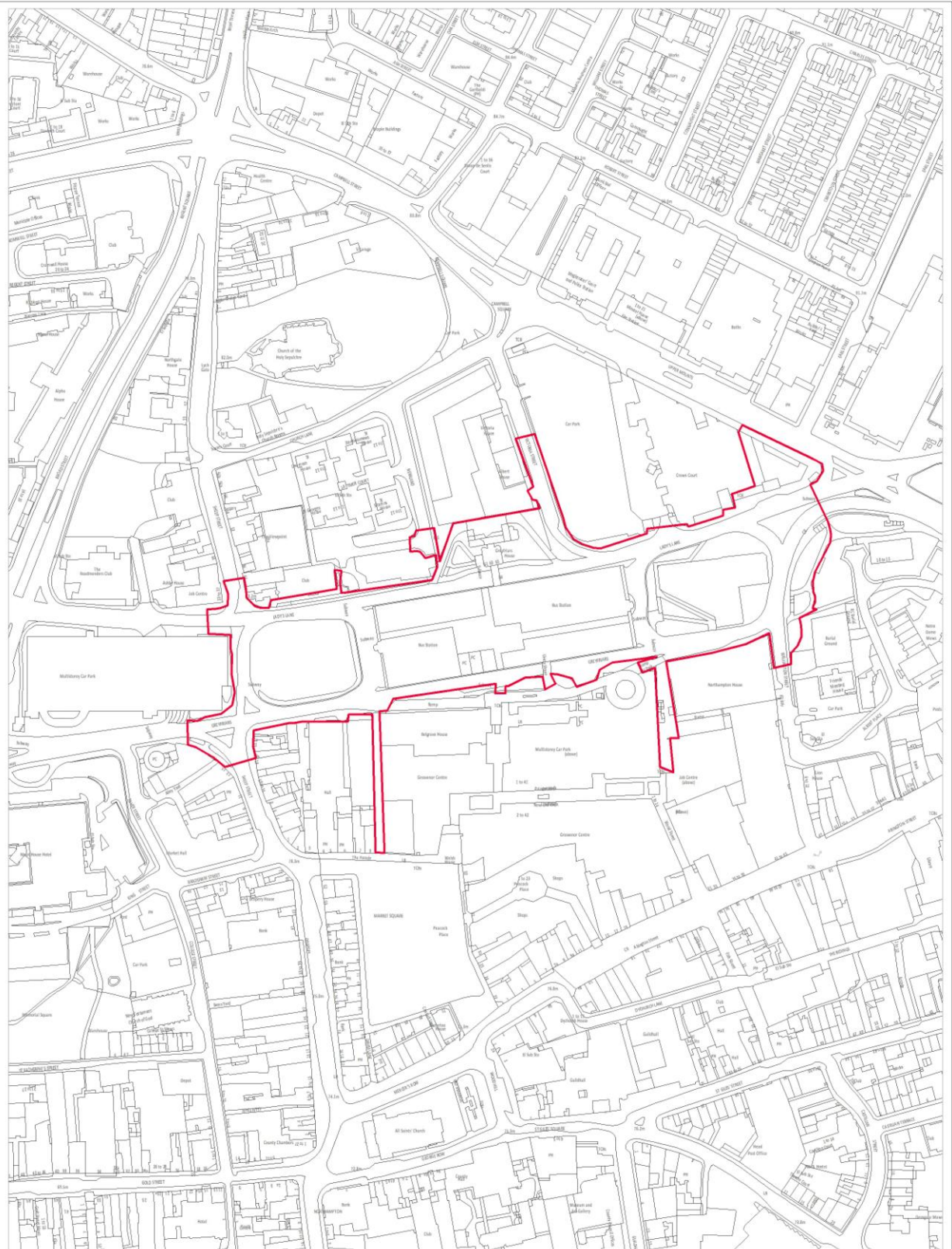
10.1 N/2015/0005

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: 13th January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title

Greyfriars Bus Station, Greyfriars

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Addendum to Agenda Items Wednesday 28th January 2015

7. OTHER REPORTS

7A

N/2013/0338

Ratification of reasons for refusal of outline planning application – Landimore Road and Newport Pagnell Road, Hardingstone

No update.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9A

N/2014/1182

Installation of fence and gates to cover 4 of the road bridge tunnel entranceways (beneath St James Road)

Open Space Footmeadow, West Bridge

No update.

9B

N/2014/1328

Change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three/four storey building and demolition of existing structures and associated external works. Listed Building works within Derngate conservation area. 34 Guildhall Road

And

N/2014/1329

Listed Building application for change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three/four storey building and demolition of existing structures and associated external works 34 Guildhall Road

NCC Archaeology recommend a condition be imposed on any planning permission for the investigation and recording of any affected remains.

NBC Environmental Health suggest that consideration needs to be given to the type of uses in those workshops in proximity to neighbouring residential uses and also to the potential for odour issues from the café.

As outlined in the Committee report, following discussions with English Heritage, the applicant has agreed to review elements of the proposed scheme. Consequently confirmation has now been received that the scheme will be amended.

First, the Weights and Measures building at the corner of Angel Street and Fetter Street is to be retained and incorporated into the development through being used as a café rather than being demolished. As a consequence the area of public realm which would have been created on this corner would no longer be provided. As part of the retention of the Weights and Measures building a courtyard to the rear of this would be covered with a glazed roof to create internal

floorspace.

Second, the proposed new four storey building on the Angel Street frontage of the site is to be reduced in height to create a three storey building.

Third, the proposed new openings to be formed in the Fetter Street elevation of the buildings to be converted are to be reduced significantly in size.

Work is also being undertaken by the applicant to provide further assessment of the buildings to be demolished on Angel Street. As part of the reworking of the scheme to accommodate the loss of a storey from the new build element and the retention of the Weights and Measures building the internal layout is being reviewed to rationalise the use of floor space. This review may address some of the issues raised by Environmental Health.

It is considered that these changes would be in line with the recommendations of English Heritage, and certainly Officers at English Heritage have responded positively in discussions around these matters, albeit no detailed plans have currently been submitted. A further consultation exercise, including with English Heritage, will be carried out upon the receipt of these.

Work is also still on-going to address the objection from the Environment Agency.

9C

N/2014/1388

**Erection of a 6m flag pole and flag
Delapre Park, London Road**

No update.

9D

N/2014/1389

**Erection of 6m a flag pole and flag
Abington Park, Park Avenue South**

No update.

9E

N/2015/0005

**Prior notification for the demolition of former Bus Station
Greyfriars Bus Station, Greyfriars**

No update.

10. ITEMS FOR DETERMINATION

10A

N/2013/1035

Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved except access Northampton South SUE, Land south of Rowtree Road and West of Windingbrook Lane

And

N/2013/1063

378 dwellings served by a new access from Windingbrook Lane, and the re-

configuration of part of the Collingtree Park Golf Course including a new temporary hole 17 and the demolition of all existing buildings and structures within the site, green infrastructure including formal and informal open space, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements)

Phase 1, Northampton South SUE, Land south of Rowtree Road and West of Windingbrook Lane

On 19th January 2015, Full Council gave consideration to a report in relation to the adoption of the West Northamptonshire Joint Core Strategy Local Plan Part 1 (JCS) by the West Northamptonshire Joint Strategic Planning Committee on the 15th December 2014. Full Council resolved to object to the allocation of the site for 1,000 dwellings in Policy N5 'Northampton South SUE' because of major concerns regarding transport, impact on setting of the existing settlements, increased flooding risk and social infrastructure implications.

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 Council delegated its Plan-Making powers to the Northamptonshire Joint Strategic Planning Committee who formally adopted the JCS on 15th December 2014, consequently the JCS forms part of the Development Plan under the above Act. In terms of the weight the decision-maker needs to give to the JCS when determining a planning application, the Plan must be afforded significant weight consistent with S.38(6) of the Act as the Plan has been recently adopted, following robust statutory processes and conformity with the NPPF.

However, subject to the narrative in the paragraph immediately above the resolution by Full Council to object to the principle of the development of Northampton South SUE represents a material planning consideration in the determination of these planning applications. The specific issues related to the concerns about the site's suitability related to the Full Council resolution are addressed through the technical assessments supplied with these planning applications and dealt with in the Officer's report. Therefore the weight which may be given to this consideration is a matter for the Planning Committee to assess.

Further letter of objection received from a resident on behalf of the **Wootton Brook Action Group** referring to the Full Council Resolution as referenced above and raising concerns with the Committee report, including in respect of the contribution of the development to the five year housing supply, impact on the highway network, impact on Brackmills Industrial Estate, bus service provision, impact on Collingtree Park, bus service provision, flood risk, air quality, noise and healthcare provision. This letter has been circulated to all Members of the Planning Committee.

Further correspondence received from consultants acting on behalf of the developers in response to previous objections which clarifies matters related to flood risk, highway impact and bus service provision. A response to this has also been received from consultants acting on behalf of Wootton and East Hunsbury Parish Council, questioning the findings of the letter and reiterating previous concerns in respect of flood risk and highway impact.

Abington Consulting Engineers have written in various occasions on behalf of **Wootton and East Hunsbury Parish Council** objecting to the planning applications. Their comments have been included in the Officer's report in paragraph 6.36.

Further correspondence received from **Northamptonshire Police** to reiterate their request for contribution towards funding the provision of 4.25 officers, which is an increase from their original request for 2 Police Community Support Officers. The Officer's report in Paragraph 7.92 has addressed this particular point.

Amended Conditions (13) and (25) in respect of outline application N/2013/1035:

(13) Prior to the commencement of development engineering and construction details of the two access junctions to the site as shown indicatively upon approved drawings 28015/001 Rev F (Windingbrook Lane) and 28015/002 Rev F (Rowtree Road) shall be submitted to and approved

in writing by the Local Planning Authority. The Windingbrook Lane junction shall be provided prior to the commencement of any other works on site and in accordance with the approved details. The Rowtree Road junction shall be provided at the start of Phase 2 in accordance with the approved details.

(25) Prior to the proposed new golf holes 4 and 5 adjacent to the railway line being brought into use the developer is to provide a suitable fence adjacent to the boundary with the railway, to prevent golf balls from entering railway land, the details of which shall be first submitted to and approved in writing by the Local Planning Authority.

Additional Condition in respect of outline application N/2013/1035:

(35) Prior to the commencement of Phase 2 of proposed development, an area of land measuring 1.01ha will be identified within the proposed Strategic Open Space for the provision of community food production. The nature of this provision will be agreed in prior consultation with the local resident population. Full details of the provision including timing of implementation shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the agreed timing and retained thereafter.

Reason: In the interests of sustainable development and general amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

A further informative is recommended in respect of application **N/2013/1035**, as requested by **Anglian Water**:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 85 of the Water Industry Act 1991 or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that diversion works should normally be completed before development can commence.

10B

N/2014/1027

**Demolition of existing dwelling and erection of replacement two storey dwelling with garage
41 Church Way**

No update.

10C

N/2014/1207

**Single storey extension to café
Park Café, Abington Park, Wellingborough Road**

Condition 2 omits the relevant plan numbers and should read:

(2) The development hereby permitted shall be carried out in accordance with the following approved plan: 14/A71/2C.

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

An additional letter of objection has been received from **128 Beech Avenue** due to the impact on the green space around the café; the loss of healthy trees; impact on wildlife; and impact of outside furniture on appearance of park.

10D

N/2014/1290

Change of use from dwelling (C3) to house of multiple occupation for 7 people (Sui Generis)

175 Greatmeadow

No update.

10E

N/2014/1291

Erection of 35 new dwellings comprising 10no. 1 bed flats, 15no. 2 bed houses and 10no. 3 bed houses and associated access roads

Development land between Talavera Way and Booth Rise

Two letters of objection from the occupiers of **50 Booth Rise**. Comments can be summarised as:

- The land is intended to act as a buffer between the existing houses and the Round Spinney roundabout.
- NBC raised objections to the Booth Park development; however, this was approved By WNDP.
- No mitigation from noise and pollution can be offered to external spaces or to pedestrians.
- The area suffers from significant congestion.
- The development would represent an unacceptable cluster of affordable housing.
- The site is inappropriate for development.

10F

N/2014/1293

Change of use from dwelling (Use Class C3) to house of multiple occupation (Sui Generis) for seven people

16 Hopmeadow Court

No update.

10G

N/2014/1309

Variation of condition number 4 of planning permission N/2013/0242 to extend the opening hours to 09:30-17:30 Monday to Friday and 09:00-12:00 on Saturday

22 Woodhill Road

Further representation received from **Duston Parish Council**:

The Committee did not consider the property to be an appropriate setting for a full-time business and believe that any such business should be on a commercial site rather than at a residential property. In light of this and the strength of the neighbour objections, the Committee would recommend that the application be refused.

Having visited the street, councillors confirmed that parking was an observed issue.

The Committee queried whether the business is observing the current restricted hours as neighbours have stated otherwise. If the business is allowed to continue with the current restricted hours, can an enforcement officer attend to confirm that set hours are being adhered to?

The Committee requests that all neighbours be informed that this application will be considered at the NBC Planning meeting on 28 January 2015.

Officer response:

The Council has informed all those that commented on the application, and those that signed the petition, have been notified that the application is to be considered by Planning Committee.

No objections were received from the Highway Authority or NBC Public Protection, and as this is a small-scale, one-person business, it is considered that the increased hours will not

significantly affect residential amenity.

Representation received from **Mrs. J. Shortt, 233 Ryeland Road**, in support of the application for the following reasons:

- a) Fantastic to have a local beauty service without having to go into town;
- b) Lisa is hard working and professional and just wants to support her family;
- c) Always room to park on the driveway;
- d) Most people work all day necessitating longer opening hours;
- e) Only one client at a time and I have never crossed over with anyone, so parking on the road is not an issue;
- f) Need to support local businesses – isn't it refreshing to see young people not taking money from the Government.

Officer response:

Comments on parking noted. Points (b) and (f) are not material planning considerations.

10H

N/2014/1354

Change of use from retail (use class A1) to Estate Agents (use class A2)

3 Tudor Court, Wootton Hope Drive

Correspondence from the operator of the existing hair dressers confirming that the business has been struggling to be viable and will be relocating to Kingsthorpe, with existing staff also moving to the new site.



PLANNING COMMITTEE: 28th January 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2013/1035: Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved accept access at land south of Rowtree Road and West of Windingbrook Lane

and

N/2013/1063: Full Application for 378 dwellings served by a new access from Windingbrook Lane, and the re-configuration of part of the Collingtree Park Golf Course including a new temporary hole 17 and the demolition of all existing buildings and structures within the site, green infrastructure including formal and informal open space, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) at land south of Rowtree Road and West of Windingbrook Lane

WARD: East Hunsbury

APPLICANT: Bovis Homes Ltd
AGENT: David Lock Associates

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major Applications requiring S106 Legal Agreements
DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 Outline Application N/2013/1035

1.2 APPROVAL IN PRINCIPLE subject to the following:

a) The prior finalisation of a S106 agreement to secure planning obligations as set out in the heads of terms as listed in paragraph 7.87 of this report;

b) The planning conditions set out in paragraph 9.1 of this report and for the following reason:

The National Planning Policy Framework supports sustainable housing development and economic growth. The development of the site for up to 1,000 dwellings forms a significant and vital component of the Borough Council's 5 year housing land supply and would contribute towards the Government's aims of improving economic development and the creation of employment and training opportunities. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the National Planning Policy Framework and the adopted West Northamptonshire Joint Core Strategy and subject to the recommended conditions and planning obligations contained within the associated S106 agreement development of the site as proposed is considered acceptable.

1.3 It is also recommended that in the event that the S106 legal agreement is not secured within six calendar months of the date of this Committee meeting, delegated authority be given to the Director of Regeneration, Enterprise and Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

1.4 Furthermore, due to the nature and complexity of planning conditions, it is recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to amend conditions as appropriate.

1.5 Full Application N/2013/1063

1.6 APPROVAL IN PRINCIPLE subject to the following:

a) The prior finalisation of a S106 agreement to secure planning obligations as set out in the heads of terms as listed in paragraph 7.88 of this report;

b) The planning conditions set out in paragraph 9.2 of this report and for the following reason:

The National Planning Policy Framework supports sustainable housing development and economic growth. The development of the site for 378 dwellings forms a significant and vital component of the Borough Council's 5 year housing land supply and would contribute towards the Government's aims of improving economic development and the creation of employment and training opportunities. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The design and layout of the proposed development are considered to be acceptable and would be in keeping with the nearby Collingtree Park and Collingtree village without undue impact on the setting of the Collingtree Conservation Area. The proposal supports the sustainable growth of Northampton in accordance with the National Planning Policy Framework and the adopted West Northamptonshire Joint Core Strategy and subject to the recommended conditions and planning obligations contained within the associated S106 agreement development of the site as proposed is considered acceptable.

1.7 It is also recommended that in the event that the S106 legal agreement is not secured within six calendar months of the date of this Committee meeting, delegated authority be given to the Director of Regeneration, Enterprise and Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

1.8 Furthermore, due to the nature and complexity of planning conditions, it is recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to amend conditions as appropriate.

2. THE PROPOSALS

2.1 An outline planning application (N/2013/1035) has been submitted for the Northampton South Sustainable Urban Extension, which comprises a mix of uses including up to 1,000 dwellings at an average net density of 33 dwellings per hectare. A mix of dwellings in terms of size and tenure would be provided. Affordable housing would be provided within

the development but due to viability concerns, as set out later in this report, this would represent 15% of the total dwellings.

- 2.2 The developer anticipates that the development shall be delivered on a phased basis over a period of approximately 10-15 years. The development is split into three indicative phases and is structured around the concept of three 'villages' each separated by informal and formal open space and afforded access to the proposed primary highway route to run through the site connecting Windingbrook Lane and Rowtree Road.
- 2.3 It is proposed that the initial phase of development commences within the eastern part of the site within the area between Collingtree Park and Collingtree village and accessed via Windingbrook Lane. Later phases would occupy the central and western areas of the site respectively.
- 2.4 It is proposed that the second phase of development would incorporate the provision of a two-form-entry primary school and a local centre as well as formal outdoor sports facilities including play pitches. In addition, various formalised areas of play would be provided across the site to complement formal and informal open space.
- 2.5 The scheme is also proposed to incorporate sustainable drainage systems to include the provision of surface water attenuation swales / basins. Furthermore, the scheme would necessitate the reconfiguration and extension of the Collingtree Golf Course.
- 2.6 In addition to the outline scheme, a further full planning application (N/2013/1063) has been submitted for what effectively constitutes the first phase of the outline scheme. Alternatively this development could be delivered as a standalone scheme in the event that the whole SUE does not proceed or its implementation is delayed. The full application is accompanied by detailed information, as opposed to the illustrative informative that supports the outline scheme.
- 2.7 The full planning application proposes 378no. dwellings to be served by a new access from Windingbrook Lane. The scheme would also necessitate the part re-configuration of the Collingtree Park Golf Course and the formation of formal and informal areas of open space including drainage features such as swales and attenuation ponds.
- 2.8 Of the 378no. dwellings to be constructed, 57no. (15%) would be classified as affordable housing, including 28no. 2-bed, 21no. 3-bed and 8 no. 4-bed houses. A mixture of two to five bedroom homes would be provided across the detailed scheme as a whole, with an emphasis on four bedroom houses.

3. SITE DESCRIPTION

- 3.1 The site of outline application N/2013/1035 comprises approximately 96 hectares of land, whilst full application N/2013/1063 comprises

approximately 27 hectares of land within this area. The site comprises parts of Collingtree Golf Course as well as agricultural land and includes trees and hedges on the field boundaries as well as small bodies of water within the golf course. The land slopes gently towards the north east.

- 3.2 The site is on the southern edge of Northampton Borough, located approximately 4.5km to the south of Northampton town centre and 2.6km from Junction 15 of the M1.
- 3.3 To the north of the wider site is East Hunsbury and to the east is Wootton. The site also includes part of the Collingtree Park Golf Course and adjoins Collingtree Park which is enclosed by the site on three sides.
- 3.4 The smaller site of the full application, is in the south east corner of the larger site and to the south of Collingtree Park. This part of the site is adjacent to the edge of Collingtree village and the conservation area.
- 3.5 Three public footpaths cross parts of the site.
- 3.6 To the south-west of the site is the M1 motorway whilst the Northampton loop railway line runs beyond the western edge of the site.

4. PLANNING HISTORY

- 4.1 There is no relevant history of planning applications on the sites, however there have been extensive pre-application discussions and public consultations / workshops which have informed the application process.

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 West Northamptonshire Joint Core Strategy and the Northampton Local Plan (Saved Policies).

5.2 National Policies

The National Planning Policy Framework was adopted by the Government in March 2012 to replace the previous national planning guidance.

At Paragraph 14 the Framework sets out the Presumption in Favour of Sustainable Development which is described as the “Golden Thread” running through plan making and decision making. The Framework

states that when plan making, authorities should positively seek opportunities to meet the development needs of the area and draw up Local Plans to meet objectively assessed needs. When decision taking, development which accords with the development plan should be approved without delay.

At Part 6, “Delivering a wide choice of high quality homes”, the NPPF sets out the requirements for local planning authorities to ensure the Local Plan meets assessed housing needs by identifying a five year supply of deliverable sites. Where this is not identified development plans will not be considered up to date. The Framework goes on to say that local planning authorities should plan for a mix of housing, reflecting local demand and set policies meeting the need for affordable housing.

5.3 West Northamptonshire Joint Core Strategy

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as set out above, as it has been prepared in full conformity with the NPPF. The JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and therefore carries full weight when considering planning applications.

Policy N5 of the JCS allocates the site for the development of in the region of 1,000 dwellings; a primary school; a local centre to include local retail facilities including a small convenience store, health care, services and community facilities; an integrated transport network focussed on sustainable transport modes including public transport, walking and cycling, with links to adjoining areas, employment areas and the town centre; structural greenspace and wildlife corridors; open space and leisure provision; archaeological and ecological assessment of the site and required mitigation, flood risk management including surface water management, and necessary infrastructure.

Other relevant policies of the Joint Core Strategy are as set out below:

POLICY S1 - The Distribution of Development
POLICY S3 - Scale and Distribution Of Housing Development
POLICY S4 - Northampton Related Development Area
POLICY S5 - Sustainable Urban Extensions
POLICY S9 - Distribution of Retail Development
POLICY S10 - Sustainable Development Principles
POLICY C1 - Changing Behaviour and Achieving Modal Shift
POLICY C2 - New Developments
POLICY RC2 - Community Needs
POLICY E6 - Education, Skills and Training
POLICY H1 - Housing Density and Mix and Type of Dwellings
POLICY H2 - Affordable Housing

POLICY H4 - Sustainable Housing
POLICY BN1 - Green Infrastructure Connections
POLICY BN2 - Biodiversity
POLICY BN3 - Woodland Enhancement And Creation
POLICY BN5 - The Historic Environment and Landscape
POLICY BN7A - Water Supply, Quality and Wastewater Infrastructure
POLICY BN7 - Flood Risk
POLICY BN8 - The River Nene Strategic River Corridor
POLICY BN9 - Planning for Pollution Control
POLICY INF1 - Approach to Infrastructure Delivery
POLICY INF2 - Contributions to Infrastructure Requirements

5.4 Northampton Local Plan (Saved Policies)

L26 – Leisure Proposals
R11 – Shopping Facilities in Major Residential Development
E9 – Locally Important Landscape Areas
E20 – New Development (design)
E29 – Crime and Vandalism
H14 – Residential Development, Open Space and Children’s Play
Facilities
T12 – Development requiring servicing

5.5 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003
Planning Out Crime in Northamptonshire SPG 2004
Planning Obligations Strategy SPD 2013
Affordable Housing Interim Statement 2013

6. CONSULTATIONS/ REPRESENTATIONS

Consultation responses relate to both applications N/2013/1035 and N/2013/1063 unless stated otherwise. The comments are summarised as follows:

6.1 Local Highway Authority

The Highway Authority have been in discussion with the applicant’s transport consultant regarding the Transport Assessment and the revised version of this is considered to be acceptable in principle, as a basis for considering the mitigation required to minimise the impact on the highway network. The mitigation proposed is considered acceptable to the highway authority, subject to technical approval and additional contributions.

Therefore the LHA has no objections to the development subject to the highways elements gaining technical approval under the Highways Act.

Conditions are required to secure the implementation of the two site access points and the provision of various specified walking and cycling measures, as well as full details of any public right of way alterations, a full residential travel plan and construction environmental management plan.

Highway improvements are required to be secured via suitably worded planning conditions.

A contribution to area wide highway improvements is also to be required, this is to be included in the S106 agreement. This will secure the following:

- Trunk Road contribution
- Bus Service Contribution
- Bus Stop Maintenance
- Bus Priority Corridors
- Street lighting
- Upgraded routes
- Area wide highway improvements

6.2 **NBC Environmental Health**

The area is adversely affected by traffic noise, particularly from the M1 motorway. A bund will be required along the boundary with the M1 to assist in protecting the dwellings from the noise. Mechanical ventilation will also be required, full details would need to be secured via condition. A detailed noise mitigation strategy is required as the barrier construction and density needs to be confirmed. Further noise conditions are required to secure full details of plant / equipment and deliveries / collections associated with commercial premises on-site. Conditions also need to be imposed to secure the implementation of mitigative measures to protect the amenities of residential occupiers where necessary. A scheme of intrusive investigation in respect to possible contamination at the site is also required to be secured via condition, in addition to full details of refuse storage.

In respect of air quality, the submitted information regarding modelling has addressed previous concerns.

6.3 **NBC Conservation**

No objection to the development as a whole but a greater separation should be provided between the historic settlement and Village 1. It is

not considered that the setting of the Church of the Holy Cross would be significantly compromised by the proposed development.

6.4 NBC Urban Design

The original comments were that the proposed Phase 1 development has failed to respond appropriately to both the natural and built context. The Phase 1 layout was subsequently revised with the support of the Urban Designer and no further comments have been received from the revised scheme.

6.5 NBC Arboriculture

An Arboricultural Assessment incorporating an Arboricultural Impact Assessment and Tree Protection Measures has been submitted in support of both applications. Any development of the area is going to require the loss of trees and hedgerows; the final layout should ensure that the better quality trees are retained where appropriate. In respect to the detailed application, a number of prominent specimens have been retained and incorporated into the proposed development layout. The detailed landscaping plan is acceptable including the proposed buffer zone adjacent to the south east and southern boundaries – an Open Space Management Plan and Environmental Management Plan would be provided to secure the management and maintenance of this area. There are no arboricultural reasons why either application should be refused. Detailed Arboricultural Method Statements and Tree Protection Plans can be secured via condition.

6.6 NCC Development Management

The development would be expected to generate at least 1.5 forms of entry worth of Primary School pupils, based on a mixed development and utilising the County Council's generation multipliers. The proposed 2.03Ha school site is considered to be of acceptable size. The land should ideally be flat, for both use of the playing fields and disabled access. Further discussions shall be required to understand the phasing and mechanisms of delivery. The financial contribution towards the delivery of the school shall be based upon the proportional impact of the development upon the new facility. The County Council will not be seeking a contribution towards Secondary and Sixth Form Education as the Elizabeth Woodville School has sufficient capacity to accommodate the development. A contribution towards school transport shall be required where not possible to provide school places within a reasonable walking distance of new development. Contributions towards local fire and rescue infrastructure costs, the provision of fire hydrants and the extension and improvement of library facilities are requested.

6.7 NCC Minerals Planning Authority

The site is located within a sand and gravel Minerals Safeguarding Area (MSA) – the applicant should demonstrate how it meets Policy CS10 of the Northamptonshire Minerals and Waste Development Framework (MWDF) Core Strategy (adopted May 2010), which seeks to ensure that such areas are protected from sterilisation by incompatible non-mineral development. Objection to both the outline and full applications.

6.8 NCC Natural Development Officer (Nene Valley Nature Improvement Area NIA)

The Collingtree SUE lies within the NIA and is of sufficient scale to be able to contribute to local ecological connectivity. The proposed green infrastructure framework is broadly satisfactory, in particular the ecological improvements to Wootton Brook.

6.9 NCC Archaeology

A number of intrusive and non-intrusive studies have been undertaken within parts of the application area, which identified a concentration of activity representing a small enclosed Romano British settlement which correlates with the geophysical survey. Further evaluation will be required within areas that have not been subject to archaeological investigation – this can be covered by a suitably worded planning condition. With respect to the full application (Phase 1) the geophysical survey identified activity within the north western corner and current golf course. The proposed modification of the golf course is likely to impact upon buried archaeological remains. All areas of potential groundwork should be evaluated, assessed and be subject to appropriate mitigation; this further evaluation can be secured via planning condition.

6.10 Highways Agency

The proposed developments are expected to have a material impact upon the closest strategic route, the A45. This impact can be mitigated through a contribution under the Northampton Growth Management Scheme (NGMS). No objection.

6.11 Environment Agency

No objection subject to the imposition of planning conditions to secure a surface water drainage scheme and flood plain compensation scheme for the site. A scheme for works to Wootton Brook and a scheme for the provision of mains foul sewage infrastructure shall also be secured via condition. If contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted an appropriate remediation strategy for approval. Having referenced objecting correspondence from Abington Consulting Engineers (on behalf of Wootton & East Hunsbury Parish Council), it is confirmed that the Flood Risk Assessment is of adequate detail to support the planning application subject to appropriately worded planning conditions being applied.

6.12 Natural England

The scheme will not damage or destroy the interest of features for which any SSSI has been notified. No objection in respect to the impact of the development upon European Protected Species – in respect to the outline application a planning condition should be applied to secure a detailed mitigation and monitoring strategy in respect to bats and otters (and specifically in respect to bats on the detailed application). The proposed developments would be unlikely to affect great crested newts. Natural England is generally supportive of the approach described within the Green Infrastructure Strategy and the significant amount of strategic open space to be provided. A management plan addressing biodiversity and landscape features should be secured via condition in respect to both applications.

6.13 NBC Housing Strategy

There is an ongoing viability exercise in respect to the outline application. Once the level of affordable housing provision has been agreed, it would be useful to have an indication from the applicant of the size and broad location of affordable dwellings across the wider site. In respect to the detailed application, there does not appear to be sufficient flexibility with regards to smaller dwellings.

6.14 Crime Prevention Design Advisor

No objection to both of the applications but made comments regarding surveillance of parking spaces and safety design regarding open space, local centre and layout. The comments have been incorporated in the revised layout of the proposal.

6.15 Northants Police

Growth and new development imposes additional pressure on the Force's infrastructure base. It is advised that funding for 2no. Police Community Officers for three years is secured via planning obligation.

6.16 Western Power Distribution

No objections to the scheme on the basis that the developer contacts Western Power prior to the commencement of work to discuss any alterations to the electricity network.

6.17 Sport England

Would support the use of S106 obligations to secure appropriate enhancements to existing pitch sports facilities in the area. Earlier objection is therefore lifted.

6.18 Stagecoach

The Transport Assessment offers an accurate and balanced assessment of the baseline situation as far as public transport is concerned. The development will significantly assist in providing both a better service to existing residents in the locality, as well as providing the basis for a credibly attractive public transport option from the proposals. All the opportunities to make use of sustainable transport have been fully taken up and the proposals are closely accord with the requirements of the NPPF.

6.19 Ramblers Association

No objection to the application. Newly proposed footways and cycleways should be provided at a minimum width of 3m. Temporary closures should be kept to a minimum.

6.20 National Grid

No objection and recommended informative to be added to any planning permission to ensure that National Grid is contacted and formally agree the full detail of any works within the vicinity of pipelines on site.

6.21 Network Rail

A number of recommendations are raised in the interests of reducing the risk to railway infrastructure due to adjacent developments. Once the proposals enter construction phase it is requested that the developer submits a risk assessment and method statement for works within 10m of the railway boundary. The Council and applicant should be aware of noise / vibration impacts caused by the proximity of the site to the existing railway. The proposals should not increase the risk of flooding on Network Rail land. Any buildings should be located a minimum of 2m from Network Rail's boundary fencing. The full detail of proposed fencing should be secured via condition.

6.22 NHS England

A contribution would be sought to make this development favourable to NHS England and would like to propose that a charge is applied per dwelling towards development or health care facilities in the area.

6.23 Anglian Water

No objection and recommended informative to be added to any planning permission regarding impact on Anglian Water assets.

6.24 Construction Future

Requested S106 contributions for training.

6.25 Canal and River Trust

No objections subject to the imposition of suitably worded planning conditions to secure an appropriate scheme for the disposal of surface water from the site. Any planning consent should adequately secure the long-term management and maintenance arrangements for the SUDS to be implemented, potentially via an obligation under S106 of the Town and Country Planning Act 1990.

6.26 Collingtree Parish Council

The Parish Council welcomes the intention not to provide any vehicular access into the village. It also has no objection to the site being developed by Bovis Homes if the site has to be developed at all. There are concerns however in respect to the suitability of the site for development and adverse impact on the health and well being of residents. Concerns about air quality as a result of air pollution from M1. Furthermore, the development is in an area that already floods regularly. There are also traffic concerns in respect to the capacity of the A45. The first phase of development (detailed application) would not be supported by school provision or shops. Any consent would need to be appropriately conditioned and controlled.

6.27 West Hunsbury Parish Council

Objection to the outline planning application; grave concerns in respect to traffic as an unacceptable burden would be placed upon the local road network. Not confident that the development will not increase flood risk in West Hunsbury. The development will put pressure on local schools.

6.28 South Northamptonshire Council

No objection subject to consideration being given to increase in the density of the development and all acoustic fencing along the M1 boundary should be screened by existing or proposed native species planting.

6.29 Milton Malsor Parish Council

Comments made in relation to the originally submitted full application. The Parish Council is concerned about the traffic implications of this development. The applicant has not demonstrated that the surrounding urban and nearby rural areas in the South Northamptonshire Council district can cope with the enormous increase in traffic generated by the total projected development without significant effect on the quality of life in adjacent areas in West Hunsbury and nearby villages to the south.

6.30 Councillor M Hill

Objection to the development as access to the proposed site is already at or beyond design capacity and minor works to improve the flow at the roundabout are going to have minimal effect. A second concern is

whether the site is suitable for development as the land is susceptible to flooding.

6.31 Collingtree Park Residents Association

Object to the application (N/2013/1063); the development is in direct conflict with the intended use of the land covered by Policy E9 of the Local Plan in that it is important landscape area which provides setting for Collingtree village; development would severely impact on traffic movements on Windingbrook Lane and Rowtree Road and would make it impossible for morning traffic leaving Butts Road to access Rowtree Road toward the A45; the traffic would impact on Collingtree Park Care Home; concerns regarding flooding and 'betterment' does not ensure resolution of flooding problem and merely to improve a bad situation; concerns about air pollution and impact on future residents; there is no way that the planned expansion Danes Camp Surgery will be able to support additional patients; the appeal of Collingtree Park will diminish as a result of the development.

6.32 Wootton Brook Action Group

Objection to both planning applications, development of the site is considered to be unnecessary and undesirable. The application should not be considered until the Inspector has considered the JCS. The Flood Risk Assessment fails to demonstrate that flood risk is not increased elsewhere; the characteristics of Wootton Brook are not fully understood. There are only four routes out of East Hunsbury and Collingtree Park and the development would add to existing difficult traffic problems; particular concerns regarding extra traffic using the new roundabout at Lichfield Drive and the dangers it will generate during arrivals and departures from East Hunsbury Primary School; properties already suffering from noise vibration and pollution problems; concerns about capacity of health and school provision; the SUE is not close to main employment areas and the development has failed to make provision for the elderly wishing to down size or in need of sheltered accommodation. Localised channel improvement in Collingtree Park can only increase the flow downstream and it is not possible to demonstrate that flood risk is not increased elsewhere. Also concerned about flood model and design of SUDs proposed. The betterment proposed in outline for the Collingtree section will add to flood risk. If the Phase 1 application is a stand-alone application then the final solution to the hole 17 needs to be spelt out.

6.33 Hunsbury and Collingtree Residents Alliance

Object to the applications; there is a lack of clear sustainability although the development would provide housing need there is no other substantive advantage but many very clear disadvantages; concerns about flood risk and infrastructure deficit. The likelihood of a significant economic benefit to the town centre is remote and social cohesion objective will be extremely hard to achieve as development is cut off

from existing residential area. No significant employment opportunities are proposed. Concerns about air and noise pollution. A large increase in the already congested traffic at rush hours is a certainty, no credible evidence has been produced or improvements in infrastructure proposed to mitigate this. The site is confined by the railway, M1 and A45 leaving only one side for access and egress. The A45 already exceeds capacity and no increase in capacity will be provided. Modal shift would not be achieved due to infrequency of bus service. Models used to predict traffic increase are not reliable. Elite status of golf course will never be recovered. FRA does not demonstrate that flood risk will not be increased. Conditions should be attached requiring fencing to contain golf balls and to require golf course to have insurance against damage to neighbouring properties. It has not been demonstrated that health issues can be mitigated.

- 6.34 In respect of the outline application 109 letters of objection to the original plans have been received from 98 separate households and three businesses together with a further 73 letters of objection from 65 separate households, one business and consultants employed by objectors to the revised plans, of which 42 objectors from 38 households did not comment on the original plans.
- 6.35 In respect of the full application 126 letters of objection to the original plans have been received from 100 separate households and three businesses together with a further 83 letters of objection from 62 separate households, one business and consultants employed by objectors to the revised plans, of which 48 objectors from 35 households did not comment on the original plans.
- 6.36 The objections to both applications can be summarised as follows:
- The scheme does not constitute sustainable development in conflict with many of the core principles set out within the National Planning Policy Framework (NPPF). There are no concrete details of sustainable objectives, such as grey water harvesting, green energy targets, permeable surfaces for drives etc.
 - The proposals are in advance of an adopted strategic plan, which NBC members of the WNJPC have previously voted against.
 - Large scale housing developments to the south of the town become dormitories for commuters.
 - The placement of homes adjacent to the motorway is unacceptable – the associated noise is very intrusive. A greater separation distance and more substantive noise barrier should be proposed.

- Acceptable standards of amenity would not be achieved for future occupants – for example, triple-glazing and assisted ventilation systems would be necessitated.
- The scheme is entirely upon Greenfield land and would result in the loss of important local landscape and recreational space.
- The proposals would result in the loss of the only green space that the village of Collingtree has left.
- The site would encourage the use of private cars; bus service provision would be limited. There is a lack of any real prospect of modal shift.
- The site already experiences pollution, which would be exacerbated by the vehicle movements associated with the new dwellings to the detriment of the health of future residents.
- The scheme would exacerbate flood risk, the site drains into the Wootton Brook. Existing drainage issues at the site would be magnified by concreting over existing fields. Flood attenuation would not be sufficient and existing properties would not be as well protected.
- The volume and impact of future traffic flows appear to have been seriously underestimated.
- The A45 is already heavily congested and proposed improvements would not take place until a high proportion of the proposed development has been completed.
- There would be two exits onto Rowtree Road which will exacerbate traffic delays, consideration should be given to an exit over the railway line to Towcester Road.
- There is already excessive congestion at peak hours across the local highway network in the vicinity of the site, which would be further exacerbated.
- The proposed Windingbrook Lane and Rowtree Road access points are unacceptable; major congestion would materialise.
- There will be a significant increase in construction traffic which will gridlock the area.
- The provision of affordable housing would not reflect the type of houses that exist in the immediate vicinity of the site.
- There is already strain upon local healthcare provision in the area, which would be exacerbated.

- The site is located within a congested area of the county; there must be more suitable alternative sites available. Housing for Daventry District should not be imposed on Northampton.
- Those employed on the site would be unlikely to live there, thereby increasing travel to the site. With employment for 110 people and 1000 homes there will be rush hour movement to other employment zones.
- No extra school places would be created during Phase 1 and only primary school places during the later phases of development, which shall place pressure upon local schools and roads.
- The viability of Collingtree golf course is brought in to question through the loss of its driving range, the need for the construction of a temporary hole and the introduction of shorter par 3 holes.
- The temporary hole could become permanent if only the full application is approved.
- In the interest of public safety and to protect adjacent properties, planning conditions should be applied to secure safety netting to the perimeter of golf course areas.
- Collingtree Park was built as an exclusive development, not fair on residents that their properties will be devalued because they will be incorporated into an area of mixed housing. Will affect the setting of the existing housing.
- Concerns about the detail of the design, for example proposed bridleways are hard surfaced and not segregated, cycleways end at the site boundary, houses are not all to accessible standard, car parking should not be on street as this is dangerous, retail hours not specified, dwellings and school would not be in keeping with the area.
- The full application is not a stand-alone application and should be treated as part of the overall development of the site.
- The bus service proposed may not be financially viable.
- Predictions of traffic flow are not based on a robust assessment
- Growth management scheme will not solve the problems of the A45 as capacity will not be increased.
- Sequential test should be applied to consider alternative sites with lower risk of flooding.

- Environment Agency is recommending planning condition which requires the applicant to provide evidence that flood risk is not increased elsewhere acknowledges that the applicant has failed to prove that flood risk has not been increased elsewhere.
- 6.37 One letter received from a resident from Collingtree Park pointing out that the Collingtree Park Residents Association was made dormant eight or so years ago.
- 6.38 At the time of writing this report officers are aware that on the 19th January 2015 Full Council will be considering its response to the adoption of the West Northamptonshire Joint Core Strategy Local Plan Part 1 by the West Northamptonshire Joint Strategic Planning Committee on the 15th December 2014. Council will be considering recommendation of confirmation an objection to the allocation of the site for 1000 dwellings in Policy N5 'Northampton South SUE' and for this to be made known to the decision maker in the determination of the associated planning applications. The Council report identifies objection being based on concerns about transport impacts, impact on setting of the existing settlements, increased flood risk and social infrastructure implications. This issue will be updated in the Addendum Report to be presented to Members at the Planning Committee meeting.

7. APPRAISAL

Principle of development

- 7.1 The National Planning Policy Framework (NPPF) advises that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework places considerable importance on the need to have an up-to-date development plan and to approve development which accords with the plan without delay.
- 7.2 Paragraphs 49 & 50 of the NPPF advise that housing applications should be considered in the context of a presumption in favour of sustainable development and encourage the delivery of a wide choice of high quality homes and the need to widen opportunities for home ownership. It is stated that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 7.3 The emphasis placed upon the importance of pro-actively planning for meeting objectively assessed housing needs in development plans and making timely positive decisions that allow local planning authorities to meet their housing needs is of major importance to Government.
- 7.4 The adopted Joint Core Strategy sets out the requirement for housing for the period 2011 to 2029. This plan also makes it clear that this need cannot be accommodated within the Borough boundary, as has been the case for many years, but allocates about 18,870 dwellings for within

the boundary over the plan period (Policy S3). In order to meet this need on a rolling basis, it is necessary to ensure a five year housing land supply. Within Northampton the amount to be provided has been set at 5,674 for the period 2013-2018 and 7,256 for the period 2018-2023 (Table 5). At present, Northampton does not have the required five year supply of deliverable housing sites. However, the latest housing trajectory (2014) demonstrates how that supply deficit is to be redressed, including by assuming housing completions on the application site from the 12 month period April 2015 to March 2016 onwards.

- 7.5 The application site is allocated under Policy N5 of the adopted JCS for the development in the region of 1,000 dwellings, a primary school, a local centre to include local retail facilities, an integrated transport network focused upon sustainable transport modes, structural greenspace and wildlife corridors as well as open space and leisure provision, archaeological and ecological mitigation if required and flood risk management.

Design & Layout

- 7.6 The NPPF advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people creating safe and secure layouts which minimise conflicts between traffic, cyclists and pedestrians. Policy S10 of the adopted Joint Core Strategy seeks to achieve high standards of design and promotes the use of sustainable development principles in relation to access to facilities, alternative transport methods, waste generation and building methods.
- 7.7 The information submitted with the outline scheme provides broad parameters for development going forward and Members need to consider whether these development parameters form an appropriate framework for the future development of the site.
- 7.8 As specified within the Design & Access Statement that accompanies the outline scheme, the structure of the proposed development has evolved through analysis of the site's wider context and of the influence of the site's features and constraints. For example, the configuration of the three 'villages' has been informed by the position of existing hedgerows and the position of sustainable urban drainage proposals (which are informed by the prevailing hydrology of the site).
- 7.9 The scheme responds to the physical boundaries provided by the M1, the Collingtree Park Golf Course and the Wootton Brook flood plain – which define the extent of the developable area of the application site. It is also worth noting that approximately 31% of the total site area shall form inter-connected strategic open space as a direct response to the unique characteristics of the site and its development requirements.
- 7.10 In terms of the proposed access, a primary route is proposed to run through the site connecting Windingbrook Lane at the eastern side of

the site to Rowtree Road at the northern end of the site. The route would be positioned on an alignment to fit the site's contours and to ensure optimum access to the different parcels of development that are proposed.

- 7.11 The concept for development includes the central location of the proposed community facilities (such as the primary school, local centre and outdoor sports pitches). These facilities would come forward as part of Phase 2 of the development and would be positioned immediately adjacent to the primary route running through the site.
- 7.12 The site is located within a residential context – it directly relates to the village of Collingtree to the south east and to the residential areas of Collingtree Park and East Hunsbury to the east and north respectively. These surrounding areas offer a variety of character, house types and sizes. Collingtree itself offers a varied built character as a result of the village's development over the years; the pre-20th century buildings are influenced by the use of local ironstone and limestone. Collingtree Park is typified by large detached properties and the use of red brick, cream-painted render and examples of decorative half-timbering. East Hunsbury is typified by strategic movement routes, smaller houses and a mixture of different modern brickwork and rendering.
- 7.13 The full application site (N/2013/1063) with the exception of the paddock at its southern end, is identified under the saved Policy E9 of the Local Plan as a locally important landscape area on the basis of the setting it provides for Collingtree village. This policy requires any development within such identified areas to be capable of being integrated with the existing development and to protect and enhance existing landscape features, such that the impact on that existing development will be minimised. This would be the case in respect of the application proposals, which set development back from Collingtree village, incorporates low densities nearest to it, and preserve and enhance intervening vegetation. Through these means, the settings of the heritage assets at Collingtree village (including the conservation area and listed parish church) would also be conserved, in accordance with the NPPF.
- 7.14 The overall average density proposed is 33 dwellings per hectare based upon 1,000 dwellings across a net developable area of 30ha, which is consistent with the prevailing housing density in East Hunsbury. It should be noted that all strategic open space and golf course areas as well as the area taken by the primary route have been excluded in this density calculation.
- 7.15 It is proposed that dwellings will be predominantly 2 and 2 ½ stories in height with some 3 storey development to provide visual interest in appropriate places. These heights are considered to offer an appropriate response to the urban context.

Detailed Design & Layout – Phase 1

- 7.16 In respect to the full application for Phase 1 of the development (N/2013/1063) a suite of detailed plans and supporting information has been provided. These plans have been amended during the planning process as a result of detailed liaison between the applicant and Council officers; the number of proposed dwellings has reduced from 380 to 378 as a result of these changes. The whole development would be designed to Lifetime Home standards.
- 7.17 The development would provide a mix of dwellings, ranging from two to five bedrooms, and in a range of designs and materials, incorporating the features of the area of stone, brick, slate and tiles. Within this initial phase as proposed under the detailed application, properties would be largely two storeys, with some two and a half storey development also, on corner sites and prominent plots. There would be no three storey development in Phase 1.
- 7.18 Off street parking would be provided for all dwellings, with a minimum of two spaces per dwelling, for the bulk of Phase 1, with some plots having 1.5 spaces. All dwellings with four or more bedrooms would have a minimum of three spaces. Garages would be provided for most dwellings, with parking courts generally being avoided.

Reconfiguration of the Collingtree Park Golf Course

- 7.19 The full application incorporates the first phase in the reconfiguration and improvement of Collingtree Park Golf Course at the northern end of the site.
- 7.20 These alterations take a phased approach to allow for continuity of play and will return the course to championship status.
- 7.21 The alterations comprise in the first phase the extension of hole 1, the removal of hole 2, the shortening of hole 3, the construction of a temporary 17th hole and the renumbering of the majority of holes to create a playable course.
- 7.22 In Phase 2 of the proposed works, the renumbered hole 3 (formerly hole 4) will be shortened, new holes 4, 5 and 6 created and the temporary hole 17 removed.
- 7.23 These works will require an extension of the course and also re-contouring, which has been designed to maintain the existing level of flood storage. All principal parts of the course will be above the 1 in 1,000 year flood risk level.
- 7.24 Concerns have been raised by objectors that safety netting should be provided to the perimeter of the golf course, to protect adjacent properties. However, it is not considered that this can be justified given that this is an existing golf course and the remodelling is not considered to increase the risk to neighbouring properties and could not reasonably be required adjacent to holes which would not be altered. However,

where the new holes are proposed in proximity to the railway line, a condition is proposed requiring safety fencing, which is considered appropriate due to the significant changes to this part of the course and the safety implications.

Highways Matters

- 7.25 As referred to above, access to the site would be provided by means of a primary route through the site connecting Windingbrook Lane to Rowtree Road. From this route, secondary street connections would provide access into the three areas of residential development and the school and local centre.
- 7.26 There has been concern from objectors as to the impact of the development on the local highway network, as it is clear that a significant number of additional vehicle movements would be generated. However this impact was considered in the allocation of the site in the JCS, and in the transport assessment submitted with the application.
- 7.27 The response from the Local Highway Authority indicates no objection to the proposals, subject to detailed requirements for improvements to the local highway network, to be funded by developer contributions which would offset the impact of these additional movements and prevent any detrimental impact to the highway network.
- 7.28 Improvements to the highway network would include works to the following junctions, with works required to be carried out prior to the occupation of any of the dwellings:
- Rowtree Road / London Road / Wooldale Road roundabout
 - A45 / Queen Eleanor Interchange
 - Towcester Road / Mereway / Tesco / Danes Camp Way roundabout.
- Works to Rowtree Road's junctions with Butts Road and with Penvale Road would be required prior to the occupation of any dwelling beyond the proposed first phase.
- 7.29 In addition, works to provide a priority Junction at Windingbrook Lane and a compact Roundabout at Rowtree Road would form part of the works required to be carried out as part of the outline application.
- 7.30 Further works required include cycle connections to bridleway KG2, cycle lanes on Hilldrop Road and Penvale Road, footway upgrading on Mereway and pedestrian crossings on Rowtree Road.
- 7.31 Also provided by condition and under the Section 106 agreement would be contributions to a bus service, provision and maintenance of bus stops and contributions to bus priority corridors. Additionally, residents would be able to apply for travel vouchers, paid for under the S106, and would be provided with timetables, whilst employers would be encouraged to promote public transport use to staff and visitors. Other measures which would form part of the travel plan required under the

S106 include the promotion of car sharing, walking and cycling and home working, all of which would assist in encouraging modal shift away from reliance on private cars.

- 7.32 Objections have been received in respect of the proposed bus service, which maintain that the bus service would not be sustainable or viable for the operator. In response to this it has been clarified that discussions have taken place between the applicant and Stagecoach, the bus operator, which supports the transport strategy and has assessed the details included in the Transport Assessment (TA). Stagecoach has confirmed that, with sufficient pump-priming fund being provided by the applicant, a commercial bus service could be offered longer term.
- 7.33 Objections have been made which assert that the transport assessment has not been carried out on a robust basis. In response to this it has been clarified that the assessment complies with the Department for Transport technical guidance. Assertions made by objectors and their consultants about the state of the A45 in particular are not supported by technical evidence. The Highways Agency are satisfied that the impact from the development can be mitigated by proposals under the Northampton Growth Management Strategy.
- 7.34 The detailed highway layout within the first phase is considered to be acceptable, subject to the required detailed technical approvals, which would be a matter for the Local Highway Authority, who has confirmed that the layout meets their requirements.
- 7.35 This detailed layout has also been the subject of objections, specifically that insufficient traffic calming measures have been included. It must be recognised that the layout has been designed in accordance with Manual for Streets and the Northampton Place and Movement Guide, and incorporates traffic calming measures such as frequent junction spacing, direct access to the primary route, sinuous highway layout, on street bus stops, use of surface materials, distribution of tree planting and inclusion of pedestrian and cycle facilities, and has been rigorously assessed by the Local Highway Authority which has found this to be acceptable.

Flooding and Drainage

- 7.36 The principal areas of the site comprising the housing, school and local centre lies outside the 1 to 1,000 year flood plain. The golf course is classified as water compatible development and its location within the flood plain is therefore acceptable.
- 7.37 However, the issue of increased risk of flooding as a result of site drainage must of course be taken into account.
- 7.38 A Flood Risk Assessment has been submitted and subsequently revised, which sets out the flood management and mitigation measures which would be employed.

- 7.39 This indicates that surface water run-off will be limited to existing greenfield run-off rates and this will be achieved by the use of SUDS which will replicate the greenfield conditions in terms of quantity and quality of surface water run-off.
- 7.40 Surface water run-off will be stored through surface attenuation features, including basins and swales which will be sited strategically across the site.
- 7.41 Betterment will also be provided over the existing flood risk conditions, which will provide increased protection to the existing residents in the area through improvements to existing conditions, including new swales to contain flows from Phase 1 and the golf course and direct these away from the existing residential properties at Collingtree Park.
- 7.42 Also proposed are channel improvements to Wootton Brook, further floodwater storage and improvement of drainage features along Wootton Brook.
- 7.43 Objections have been received questioning the Flood Risk Assessment (FRA) and stating that the Environment Agency's requirement for planning conditions indicates that the case has not been proven that the development would not lead to increased flooding elsewhere.
- 7.44 The FRA clearly indicates that the sequential test has been adhered to and complies with the requirements of the NPPF to steer new development outside the flood zone. In respect of the risk of flooding elsewhere, as set out above significant measures are proposed which would not only offset this risk but would provide betterment for existing properties, in comparison to the risk which would remain if the development did not go ahead.
- 7.45 The FRA has been examined in detail by the Environment Agency and their previous objection has been withdrawn, subject to appropriate conditions as set out below.
- 7.46 The fact that conditions are required should not, as suggested by objectors, imply that there is any doubt that the required mitigation cannot be achieved, but that the details of exactly how this will be achieved are needed.

Ecology

- 7.47 The NPPF at paragraph 118 advises that Local Planning Authorities should aim to conserve and enhance biodiversity and where significant harm from development cannot be avoided it should be adequately mitigated. Policy BN2 of the adopted Joint Core Strategy seeks to ensure that development with the potential to harm sites of ecological importance demonstrates methods to conserve biodiversity through design and implementation, linking habitats to achieve conservation and safeguarding protected species and priority habitats and ensuring

appropriate mitigation measures where there is no reasonable alternative to development.

- 7.48 The submitted Environmental Statement contains an Ecology chapter that assesses the ecological effects of the proposed development. A range of field surveys were undertaken in order to gather information upon the habitats and species present within or near the site; this included an Extended Phase 1 Survey and a number of species-specific surveys. It should be noted that the site is not covered by any statutory designations and there are no designations of national importance within 2km of the site. There are however non-statutory designations existent within the vicinity of the site, including the Collingtree Golf Course County Wildlife Site (CWS) within the site itself.
- 7.49 The Council employed an external consultant (LUC) to undertake a review of the Ecology chapter of the ES and its associated appendices. This review highlighted that the Ecology chapter is considered to have been produced to a high standard based on sound scientific evidence and according to a robust and pragmatic interpretation of the site's ecological features. The consultants conclude that the principles of mitigation set out in the chapter are agreeable and coverable by way of appropriately worded planning conditions.
- 7.50 The key mitigation measures to be conditioned include the production of an Ecological Construction Method Statement (ECMS) to set out in detail the measures required to be implemented with respect to ecological receptors (including the Collingtree Golf Course CWS) and the production of a Landscape and Ecology Management Plan (LEMP) to set out the measures for the ongoing management, maintenance and monitoring of such receptors.
- 7.51 A Green Infrastructure Strategy for the site has been designed to integrate existing ecological features (such as hedgerows and stream corridors) whilst providing sufficient areas of public open space within the site. In addition, a comprehensive drainage strategy and incorporation of SUDS will ensure that discharge of surface water into the natural environment is acceptable.
- 7.52 In terms of species-specific impacts – negative impacts upon otters primarily relate to the severance and disturbance associated with the construction of the access road and bridge over Wootton Brook. Detailed survey work in March 2013 identified evidence of foraging and commuting by otters (no holts were found). In terms of mitigation, the bridge design will allow space between the abutments and the river bank to allow the natural stream bank to be retained, whilst continued access to the river corridor would be provided during construction. It is considered that a detailed Mitigation Strategy should be secured via condition upon the outline application.
- 7.53 In terms of bats, the existing buildings on site (a dilapidated storage barn and driving range complex) were explored for potential bat roosts.

These structures would be demolished as part of the first phase of development. It was concluded that the storage barn supports a small day roost whilst small numbers of bats were seen entering and leaving this barn. As specifically stated within the Ecology Chapter, a planning condition should be added to any consent to ensure that the appropriate Natural England licence is accrued prior to the removal of this building. This requirement would be part of a wider Mitigation Strategy to be secured via condition on both the outline and full applications.

- 7.54 No other individual species-related planning conditions are considered necessary in respect to either application. Survey work did not identify any record or evidence of water vole activity. The wintering birds that were observed are not considered to be of any more than local ecological value whilst all breeding birds that were observed are considered to be widespread and common in Northamptonshire. Some grass snake activity was recorded in the vicinity of the golf course, but no other reptiles were recorded. This population is only of site level ecological importance. No great crested newts were recorded during field surveys. There are no records of badgers within the vicinity of the site, whilst an updated survey took place in February 2013 and no evidence of their presence was recorded.

Air Quality

- 7.55 The submitted Environmental Statement contains an Air Quality chapter, which assesses the likely significant effects of the scheme in this context. Impacts arising during the construction and operational phases of the development have been assessed. The effect of existing road traffic emissions on air quality for future residents is calculated as being negligible, as predicted pollutant concentrations at worst case locations within the site closes to the motorway are below the relevant objectives (this is based upon modelling up to 2026 and a full build-out of the site).
- 7.56 During the application process the Council's Environmental Health Officer has been in active liaison with the applicant's technical representatives in respect to air quality matters. Upon request further information has been provided offering clarification in respect to the precise modelling procedures and criteria that were followed. It has been clarified that, when modelling alongside the M1 motorway, predicted nitrogen oxide concentrations are well below the National Air Quality Strategy Objectives such that exceedances of acceptable levels are very unlikely. The Environmental Health Officer was confirmed that the additional information has resolved previous concerns and no objection on air quality has been raised.
- 7.57 As concluded within the ES, in order to combat the potential minor adverse impacts identified specific to construction phases, a suitably robust Construction Environmental Management Plan should be secured via condition on both the outline and full applications.

Noise

- 7.58 The submitted ES contains a chapter entitled Noise & Vibration, which presents the results of an assessment of the likely noise and vibration effects from the construction and operation phases of development. The potential noise sensitive receptors that were identified for the purposes of the assessment included existing dwellings located close to the eastern and northern boundaries of the site and the 1,000 residential dwellings proposed upon the application site itself. The scope and methodology of this chapter has been the subject of discussions with NBC Environmental Health. In terms of noise during construction, it is considered that any potential adverse impacts can be appropriately mitigated by a suitably robust Construction Environmental Management Plan.
- 7.59 It is demonstrated within the ES that the area is adversely affected by traffic noise, in particular from the M1 motorway. NBC Environmental Health agreed that a 3m barrier will be required along the boundary with the M1 to assist in protecting the proposed dwellings from the noise. A section (Figure 50b) has been provided within the latest iteration of the Design and Access Statement for the outline scheme (April 2014) to provide an indication of the proposed position and composition of the acoustic barrier. This can be read in conjunction with the Parameter Plan (BHL001-015 J) showing the intended installation along the southern and western perimeters of the site.
- 7.60 In order for an appropriate level of barrier mitigation to be provided to the first phase of development, NBC Environmental Health have made it clear that a temporary barrier (of similar specification to the proposed permanent barriers) would be required to be installed along the western boundary of the initial phase of development. This requirement would need to be covered by an appropriately worded condition applied to the full application.
- 7.61 Notwithstanding the provision of an acoustic barrier, the modelling and calculations that have been undertaken to support the application demonstrate that means of additional ventilation and/or cooling would be required to maintain acceptable internal noise levels within the properties located closest to the M1 motorway. NBC Environmental Health has suggested a planning condition (which would need to be applied to both the full and outline consents). The condition would essentially require specific measures to be installed wherever first floor bedroom noise levels exceed LAeq night 55 dB (which is the level identified as an appropriate threshold by NBC Environmental Health).

Contamination

- 7.62 The site is within an area where there are high levels of naturally occurring arsenic, but there does not appear to have been any industrial or commercial activity, other than farming, on the land in the past. As requested by Environmental Health Officers, conditions are proposed requiring site investigation and appropriate mitigation measures, prior to occupation.

Health Facilities

- 7.63 Although no specific health facility is proposed with the application proposals, a local centre is proposed for the outline application. The applicant has confirmed that a dentist facility could be included should there be any future demand. In addition, the Danes Camp Way Surgery has recently gained planning permission for a substantial extension and development works are currently underway. The Surgery could provide a facility that would serve future residents of the development site. Notwithstanding this, NHS England has been consulted and they have requested funding for the provision of a health facility to serve the future residents of the development and the planning obligation is included in the proposed Head of Terms below.

Local Centre Facilities

- 7.64 A local centre is proposed within the outline application, comprising of convenience retail floorspace, flexible commercial floorspace and a community facility incorporating meeting rooms.
- 7.65 The centre is located centrally within the development site and adjacent to the primary access through the site, therefore this would be accessible to all future residents. The centre has been designed to provide for the needs of future residents and is considered to be appropriate and adequate in this respect.
- 7.66 This centre is compliant with Policy N10 of the JCS in that it would provide for the needs of future residents of the development but due to its limited scale would not compete with the town centre. A condition is proposed which defines the parameters of this centre.

Open Space Provision

- 7.67 An open space assessment was carried out, which identified particular deficits in the area of provision for young people and children and outdoor sports facilities.
- 7.68 The proposals seek to address this through the provision of 29.43 hectares of open space, including formal and informal space, five locally equipped play areas and one larger neighbourhood equipped play area. The proposals would retain and enhance the green infrastructure connections and existing mature trees and would introduce new planting and new areas of woodland.
- 7.69 An area of the site is designated as a County Wildlife Site and whilst there would be some loss of hedgerow and trees, there would be an overall increase in coverage and diversity and a net increase in wetland habitat.
- 7.70 Within the outline application the provision of open space would include 4.01 hectares for outdoor sports facilities and 1.01 hectares of

community food provision (a community orchard and/or allotments), whilst the full application would provide for 6.2 hectares overall, of which 0.5 would be outdoor sports facilities.

- 7.71 The proposals are considered to be acceptable in this regard subject to full details of the management and maintenance; and maintenance of the play areas.

Sports Facilities Provision

- 7.72 As a result of the initial consultation exercise, Sport England were unable to offer support for either application in the absence of any evidence to demonstrate that the proposals have been assessed against the requirements of Sport England's Sports Facilities Calculator in light of the guidance offered by the Northampton Borough Playing Pitch Strategy (2011) and the West Northants Sports Facilities Strategy (Synergy 2009).
- 7.73 The Playing Pitch Strategy outlines that there are pressures upon existing junior / mini pitches, but that there are more than sufficient adult football pitches to meet current and future requirements. The Sports Facilities Strategy identifies that there is largely an adequate stock of facilities in Northampton – the town has a very high ratio of water space, no specific need is identified for badminton courts and indoor bowls provision replicates the national average. In this context, it is not considered that contributions toward the provision of water space, badminton courts and indoor bowls are justified in this instance. There is a current identified shortfall of one artificial grass pitch across Northampton Borough – it is considered that a contribution towards providing the equivalent of 0.08 of one artificial grass pitch is a justified requirement associated with the outline scheme.
- 7.74 Discussions have been held with the applicant in the interests of understanding how the identified shortfalls of one artificial grass pitch and of junior / mini pitches could be addressed. One option would be to provide publicly accessible artificial grass pitches at the primary school site whilst another option would be to deliver one of the currently proposed adult pitches as an artificial grass pitch with the other proposed adult pitch being provided as two junior / mini pitches. At this point in time it is not yet known how (and by whom) the primary school site would be delivered – hence the need to accommodate flexibility and alternative options.
- 7.75 The full planning application (N/2013/1063), or the initial phase of development of the outline scheme, would not (under the above arrangements) be supported by artificial pitches or by an associated contribution. N/2013/1063 does however include an outdoor sports area located within the flattest area of the site, which has been conceived as a dual-function recreation and surface water attenuation area and would provide for an area of approximately 0.5Ha to be used for informal play

pitches whilst offering opportunities for junior / mini pitch provision within this area.

- 7.76 It is considered that mechanisms can be taken forward via the S106 agreement to secure appropriate enhancements to existing sports facilities in the area. These mechanisms would set out to cover the different options for artificial grass pitch and junior / mini pitch provision set out above. Sport England, in response to this approach, support the use of S106 obligations to secure appropriate enhancements to existing pitch sports facilities in the area and issue no objection to either the outline or the full scheme.

Minerals Implications

- 7.77 Northamptonshire County Council as minerals planning authority have raised an objection to the proposal, stating that the applicant should demonstrate how it meets Policy CS10 of the Northamptonshire Minerals and Waste Development Framework (MWDF) Core Strategy. The policy states that development should not lead to sterilisation of mineral resources and that development should not be a hindrance to future mineral extraction, or the minerals can be extracted prior to the development taking place. Policy CMD11 of the MWDF Control and Management of Development states that development of a non mineral related development should not proceed unless, inter alia, it can be demonstrated that the mineral concerned is no longer of any value, substantial deposits exist elsewhere, or there is an overriding need for the development.
- 7.78 No representations were raised by the minerals planning authority in respect to the proposed SUE allocation, through the progress of the Joint Core Strategy. The allocation is required to provide for Northampton's objectively assessed housing needs up to 2029 and the principle of development is established in the sites allocation in the Joint Core Strategy. The policy proposes the completion of 1,000 homes by the end of the plan period, for this to be deliverable it would not be practicable for mineral extraction and land restoration to take place first.
- 7.79 It is considered, therefore, that the proposal is compatible with Policy CMD11 as there is an overriding need for this development, in order for the development to contribute to the 5 year housing supply, as established by the latest housing trajectory (2014) which assumes the completion of 50 dwellings within the SUE during the period April 2015 – March 2016 and a further 100 during the period April 2016 – March 2017, a time frame which would make prior mineral extraction impractical. Northampton does not have the required 5 year supply of deliverable housing sites at present. Coupled with the site's allocation in the JCS, this underlines the overriding need for the development proposed through these applications in the terms of Policy CMD11.

Affordable Housing & Viability

- 7.80 Policy H2 of the JCS sets out the affordable housing provision for the Northampton Related Development Area and states that 35% will be provided on sites of 15 dwellings or more. However, Policy H2 also states that this percentage requirement is “subject to the assessment of viability on a site by site basis”.
- 7.81 The proposal in this case is for 15% of dwellings to be affordable.
- 7.82 Paragraph 205 of the NPPF requires Local Planning Authorities to, “take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.” Therefore various levels of affordable housing and financial contributions have been tested in order to establish a viable base level scenario, whilst providing a competitive return for the land owner, in accordance with paragraph 173 of the NPPF.
- 7.83 The conclusion of an independent viability assessment is that in order for the development to be viable, the affordable housing percentage should be no more than 15%, with the total S106 contribution being in the region of £15m. It is further recommended that a viability re-assessment mechanism should be incorporated within the agreement, to allow for re-assessment in the event of an improved financial situation in the future.
- 7.84 At this level of affordable housing provision, the development will be able to proceed, whilst providing an acceptable level of infrastructure and mitigation to serve the development.

Planning Obligations

- 7.85 Paragraph 203 of the NPPF states; “Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.” Further to the above paragraphs on affordable housing and viability, the heads of terms as listed below form the basis for formulation of planning obligations in order to mitigate an otherwise unacceptable impact of the development. It is considered that the impact of the development in terms of affordable housing, educational requirements, highway improvements, public transport provision and healthcare are all capable of being sufficiently mitigated:
- 7.86 In respect of the Outline Application N/2013/1035 the Heads of Terms are as follows:
- 15% affordable housing, tenure mix and timing to be agreed
 - Open Space and Play Areas (provision, maintenance and management)

- Sustainable Urban Drainage System Management and Maintenance
- Community Facility and artificial playing pitch provision management and maintenance
- Healthcare
- Construction Training Scheme
- Primary School Provision
- Secondary School Transport
- Northampton Growth Management Scheme (NGMS) Contribution
- Sustainable Transport Contributions
- Highways Contribution including Bus Stop Provision and Maintenance
- Travel Plan
- Footpath Improvements
- Off Site Street Lighting Improvements
- Council's Monitoring Fee

7.87 In respect of the Full Application N/2013/1063 the Heads of Terms are as follows:

- 15% affordable housing, 70/30 split between affordable rent/shared ownership;
- Open Space and Play Areas (provision, maintenance and management)
- Sustainable Urban Drainage System Management and Maintenance
- Healthcare
- Construction Training Scheme
- Primary School Contribution
- Secondary School Transport
- Northampton Growth Management Scheme (NGMS) Contribution
- Sustainable Transport Contributions

- Highways Contribution including Bus Stop Provision and Maintenance
- Travel Plan
- Footpath Improvements
- Off Site Street Lighting Improvements
- Council's Monitoring Fee

7.88 The County Council has requested that the provision of fire hydrants is secured through the Legal Agreement. In response, it should be recognised that this is a matter that would normally be addressed under the relevant building regulations and as a consequence, there is no need to duplicate this process through the consideration of a planning application.

7.91 The County Council has also requested payments for the provision of 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 or which needs would be addressed by these obligations. Therefore, it is not considered that these requests can be supported.

7.92 A further request has been received from Northamptonshire Police to fund the employment of two further Police Community Support Officers (PCSOs). Such requests should be assessed against the tests included within the Community Infrastructure Levy Regulations. In particular, it should be noted that all Section 106 obligations should be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. There is no evidence that the PCSOs would be directly and solely required to provide policing to the new development. It is therefore considered that such a planning obligation would be disproportionate and not in conformity with the CIL Regulations.

8. CONCLUSION

8.1 The Government set out clear objectives for sustainable, long-term economic growth in 'The Plan for Growth' 2011 seeking to encourage investment and business growth in the UK and create a more educated, flexible workforce. The objectives included a radical reform to the planning system by introducing a powerful new presumption in favour of sustainable development and a plan to accelerate the release of public land and delivery of new homes.

8.2 These 'pro-growth' aims have been subsequently reflected in the National Planning Policy Framework, a material consideration in the determination of planning applications, which advocates and supports sustainable development and growth with a presumption in favour of

sustainable development to encourage the delivery of homes and widen home ownership opportunities.

- 8.3 The West Northamptonshire Joint Core Strategy was adopted on December 15th 2014. This allocates the site under Policy N5 for the development of a sustainable urban extension of 1,000 dwellings.
- 8.4 Members are reminded that the Council has a requirement under paragraph 47 of the NPPF to demonstrate a 5 year supply of deliverable housing sites. The development of the site for up to 1,000 dwellings forms a critical and key component of that supply, which is capable of early delivery, as is recognised in the latest housing trajectory (2014). Paragraph 49 of the NPPF is clear that if the Council are unable to demonstrate a 5 year supply of deliverable housing sites then the relevant policies for the supply of housing should not be considered up-to-date. At present, the Council is unable to demonstrate such a supply. Refusing these applications could leave the Council open to 'off plan' speculative developments and potentially planning by appeal and awards of costs against the Council.
- 8.5 On balance, it is considered that the associated highway, environmental and flood impacts and infrastructure requirements can be suitably mitigated through the imposition of the conditions proposed and through the obligations of the S106 and as such should not in themselves represent a constraint to development.
- 8.6 The proposal supports the sustainable growth of Northampton and would make a significant and vital contribution towards the Council's housing requirements and contribute towards the Government's aims of improving economic development and the creation of employment and training opportunities, in accordance with the National Planning Policy Framework, the saved policies of the Northampton Local Plan and the adopted Joint Core Strategy. Subject to the conditions below and planning obligations contained within the associated S106 agreement, the proposed development is considered acceptable and is therefore recommended for approval.

9. CONDITIONS

9.1 Outline Application N/2013/1035

- 1) Approval of the details of the appearance, layout and scale of the building(s), the means of access other than that approved and the landscaping of the site (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase is commenced.

Reason: This permission is in outline only granted under Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010.

- 2) Application for approval of the first reserved matter must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of the grant of outline planning permission and all remaining reserved matters applications for this development shall be made within ten years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3) The development to which the permission relates must be begun not later than the expiration of two years from the approval of the first reserved matters and development shall commence under any subsequent reserved matters approval within two years from the date of the approval of the relevant reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4) The number of residential units to be constructed on the site shall not exceed 1,000 units.

Reason: To ensure the provision of a mixed use development and to enable the Local Planning Authority to assess the environmental implications of additional residential development in accordance with the aims of the NPPF.

- 5) The development and all reserved matters applications submitted pursuant to this permission shall not materially depart from the following plans and parameters:

- Parameter Plan (BHL001-015 J)
- Proposed Windingbrook Lane Priority Junction (28015/001 F)
- Proposed Rowtree Road Compact Roundabout (28015/002 F)
- Up to 2.03 hectares for the provision of a primary school
- A minimum of 29.43 hectares of strategic open space
- A local centre comprising of 450 sq m of convenience retail floorspace (Use Class A1), 360 sq m of flexible commercial floorspace to accommodate uses within use Classes A1(shops), A2 (financial & professional services), A3 (restaurants/cafes), A4 (Drinking Establishments), A5 (Hot Food Takeaways) B1 (Business) and D1 (non-residential institutions) and 725 sq m for a community facility incorporating meeting rooms (Class D1).

Reason: To ensure that the development complies with the principles set out within the Design and Access Statement and to ensure that the

Environmental Impacts are within the scope of development as assessed by the Environmental Impact Assessment.

6) Prior to the submission of any reserved matters application, a Masterplan and Design Code covering the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be formulated having regard to the approved Design and Access Statement, Parameter Plan and respond to the recommendation of Building for Life 12 and shall include the following details:

- A phasing plan for the development, including an affordable housing phasing plan.
- The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
- The proposed layout, use and function of all open space within the development.
- The approach to and design principles applied to car parking (on street and off-street).
- Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
- Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
- External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods.
- The design principles that will be applied to the development to encourage security and community safety.
- The specific design principles that will be applied to the Local Centre.
- The design principles for the incorporation of SUDS throughout the development.

Thereafter, any reserved matters application for any phase of development shall comply with the principles established within the approved Design Code.

Reason: To provide a site layout in general conformity with the Masterplan and Design Code that demonstrates quality in form and design, maximises public amenity, reduces the potential for crime and anti-social behaviour, and deals with ongoing maintenance in accordance with the aims of NPPF.

- 7) Prior to the submission of any reserved matters application, a detailed phasing plan for the development that identifies stages at which each element of the proposed development (including the local centre, open space, sports provision, play equipment, primary school, housing, highway infrastructure and SUDs) shall be commenced, completed and made available for occupation, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in full accordance with the approved details.

Reason: For the avoidance of doubt and to ensure that appropriate infrastructure, mitigation and facilities are in place in a timely manner to support the proposed residential community.

- 8) Contemporaneously with the submission of reserved matters applications for each phase of development, a Sustainability Strategy including pre-assessment checklist detailing a method of achievement of a minimum of Code for Sustainable Homes Level 3 (or its equivalent in any superseding framework) for the proposed affordable housing and BREEAM “very good” (or its equivalent in any superseding framework) for any non-residential development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved Sustainability Strategy.

Reason: To ensure the delivery of a sustainable development in accordance with the NPPF.

- 9) No development shall take place in each phase of development until details of the materials to be used in the construction of the external surfaces of the buildings to be constructed within that phase have been 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 the visual amenity of the area in accordance with Policy E20 of the Northampton Local Plan.

- 10) Concurrently with the submission of reserved matters applications for each phase of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives including their gradients within that phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and

thereafter provided in full prior to the development being first brought into use.

Reason: To ensure the development is served by a satisfactory highways and parking network in accordance with the NPPF.

11) Development shall not commence on any phase of development until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

- a) the management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) The location of access points for site traffic for that phase of development
- c) detailed measures for the control of dust during the construction phase of development
- d) the location and size of compounds;
- e) the location and form of temporary buildings, adverts and hoardings;
- f) details for the safe storage of any fuels, oils and lubricants;
- g) construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) a scheme for the handling and storage of topsoil;
- i) details of the methods of protection of trees, hedgerows and water features in accordance with Condition 20;
- j) a scheme for the protection of areas of ecological interest and for the mitigation of any possible harm to such areas;
- k) details of any temporary lighting;
- l) procedures for maintaining good public relations including complaint management, public consultation and liaison;
- m) measures for the control of noise emanating from the site during the construction period;
- n) Construction Plant Directional signage (on and off site);
- o) provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- p) waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: To ensure that appropriate consideration is given to environmental assets and safeguard the amenities of the locality in accordance with the NPPF.

- 12) No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturday or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of the amenity of adjacent properties in accordance with the NPPF.

- 13) Prior to the commencement of development engineering and construction details of the two access junctions to the site as shown indicatively upon approved drawings 28015/001 Rev F (Windingbrook Lane) and 28015/002 Rev F (Rowtree Road) shall be submitted to and approved in writing by the Local Planning Authority. The Windingbrook Lane junction shall be provided prior to the commencement of any other works on site and in accordance with the approved details. The Rowtree Road junction shall be provided prior to the occupation of 379 dwellings on site and in accordance with the approved details.

Reason: To ensure adequate access to the site and in the interests of highway safety and the free flow of traffic in accordance with the requirements of the NPPF.

- 14) No dwelling shall be occupied until details of the precise location and engineering and construction details of the following walking and cycling measures have been submitted to and approved in writing by the Local Planning Authority and the works have been carried out in accordance with the approved details:

- 2no. pedestrian / cycle connections to existing bridleway KG2
- Provision of on-road advisory cycle lane on Hilldrop Road (to be delivered at the start of Phase 2) and Penvale Road
- Upgrade of existing footway in the southern verge of Mereway between the junction with Penvale Road and the A451 Queen Eleanor Roundabout
- 2no. controlled pedestrian crossings on Rowtree Road (the second of which is to be delivered at the start of Phase 2)

Reason: To ensure the provision of appropriate walking and cycling measures throughout the development and in the interests of highway safety in accordance with the NPPF.

- 15) No dwelling shall be occupied until engineering and construction details of the following highway improvements have been submitted to and

approved in writing by the Local Planning Authority and the works have been carried out in accordance with the approved details:

- Improvement to Rowtree Road / London Road / Wooldale Road roundabout (TA Figure 15.2)
- Improvement to Rowtree Road/Butts Road Roundabout (TA Figure 15.3) (to be delivered prior to the occupation of 379 dwellings on site)
- Improvements to Rowtree Road/Penvale Road junction (TA Figure 15.4) (to be delivered prior to the occupation of 379 dwellings on site)
- Improvements to A45/Queen Eleanor Interchange (TA Figure 15.6)
- Improvements to Towcester Road/Mereway/Tesco/Danes Camp Way roundabout (TA Figure 15.7)

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

- 16) Three peak hour part classified junction turning and queue count surveys will be undertaken at the Berry Lane / Wooldale Road junction:

- The first one being undertaken in the last neutral month before works commence to the Rowtree Road / London Road / Wooldale Road Roundabout;
- The second one being undertaken in the first neutral month after works are completed to the Rowtree Road / London Road / Wooldale Road Roundabout;
- The third one being undertaken in a neutral month one year afterwards.

Should both the latter two surveys demonstrate that the conditions at the Berry Lane / Wooldale Road junction have not improved, the improvements shown on Figure 15.5 of the Transport Assessment will be implemented.”

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

- 17) Prior to the first occupation of any dwelling a full Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable development in accordance with the requirements of the NPPF.

- 18) Prior to the commencement of any works affecting any existing public right of way, full details of any enhancement, improvement, diversion or

closure shall be submitted for approval in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with a timetable to be agreed in writing with the Local Planning Authority.

Reason: To ensure the impacts on the public right of way are acceptable in the interests of public amenity in accordance with NPPF.

- 19) No development shall take place in each phase of development until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in Relation to Design, Demolition and Construction – Recommendations", including details and proposed timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase of development shall be carried out in accordance with the details so agreed.

Reason: In order that trees, hedges and wildlife are protected through the development in accordance with the NPPF.

- 20) No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 „Trees in Relation to Design, Demolition and Construction – Recommendations“, have been submitted to, and approved in writing by, the Local Planning Authority. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: In order that trees, hedges and wildlife are protected through the development in accordance with the NPPF.

- 21) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 0.5% (1 in 200) probability critical storm with climate change allowance will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The

scheme shall comply with the parameters set out in the agreed FRA, Peter Brett Associates, 28015/012 Rev4, February 2014 and shall also include:

- Full calculations and detailed drawings with levels to Ordnance Datum, including flow control structures.
- Designing for exceedance and consideration of overland flows.
- Accommodation of the existing spring on site.
- Details of how the scheme shall be maintained and managed after completion to support the Section 106 agreement.

Reason: To prevent the increased risk of flooding, both on and off site.

- 22) Prior to the submission of any reserved matters application for that part of the golf course within the flood plain, a scheme for flood plain compensation must be submitted to, and approved in writing by, the local planning authority.

The scheme shall also include:

- Flood plain compensation on a level for level, volume for volume basis up to the 0.5% (1 in 200) probability flood with climate change.
- Additional storage as set out in section 9 of the agreed FRA, Peter Brett Associates, 28015/012 Rev4, February 2014.
- Evidence that flood risk is not increased elsewhere as a result of the reprofiling of ground levels.

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

Reason: To prevent the increased risk of flooding, both on and off site.

- 23) No development approved by this planning permission shall take place until such time as a scheme for works to Wootton Brook has been submitted to, and approved in writing by, the local planning authority. The scheme shall comply with the parameters set out in the agreed FRA, Peter Brett Associates, 28015/012 Rev4, February 2014 and shall also include:

- Full detailed design of the Wootton Brook Crossing and any associated mitigation.
- Details of localised channel improvements to improve conveyance.

- Details of the long term management and maintenance of the Wootton Brook and associated flood plain.
- Evidence that flood risk is not increased elsewhere as a result of the crossing or other works to the Wootton Brook.

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

Reason: To prevent the increased risk of flooding, both on and off site.

- 24) No building works which comprise the erection of a building required 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 mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- 25) Prior to occupation of the dwellings the developer is to provide a suitable fence adjacent to the boundary with the railway, to prevent golf balls from entering railway land, the details of which shall be submitted and approved in writing by the Local Planning Authority.

Reason: To protect the adjacent railway from golf ball encroachment.

- 26) No development shall take place until a phased programme of further archaeological work (in accordance with the details outlined in the ES accompanying the application) shall be submitted to and approved in writing by the Local Planning Authority. The further archaeological work shall be undertaken prior to the commencement of any infrastructure phase, landscaping phase or development parcel (as identified in the phasing plan to be agreed under Condition 7) where such further archaeological work is required.

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

- 27) Prior to the commencement of the demolition of buildings on site a Mitigation Strategy detailing the measures to be put in place to ensure that the risk of harm to bats during demolition is minimised shall be submitted to and approved in writing by the Local Planning Authority;

demolition shall be implemented in accordance with the approved details. The Mitigation Strategy shall include details of replacement bat boxes to be sited on retained features to provide alternative roosting opportunities and details of an appropriate Natural England European Protected Species Derogation Licence to undertake the Mitigation Strategy.

Reason: To ensure appropriate protection is afforded to protected species in accordance with the guidance contained within the National Planning Policy Framework.

- 28) Prior to the commencement of development a Mitigation Strategy detailing the measures to be put in place to ensure that the risk of harm to otters during construction work is minimised shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in accordance with the approved details.

Reason: To ensure appropriate protection is afforded to protected species in accordance with the guidance contained within the National Planning Policy Framework.

- 29) Prior to the submission of any reserved matters application an Ecological Construction Method Statement (ECMS) setting out in detail the measures to be implemented to protect ecological resources (as specified in paragraph 9.6.37 of the approved Environmental Statement) shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in accordance with the approved Statement.

Reason: To ensure appropriate protection is afforded to the site's ecological resources in compliance with the guidance contained within the National Planning Policy Framework.

- 30) Prior to the submission of any reserved matters application a Landscaping and Ecological Management Plan (LEMP) setting out in detail the long-term management measures to be implemented (as specified in paragraph 9.6.40 of the approved Environmental Statement) shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in accordance with the approved Plan.

Reason: To ensure appropriate protection is afforded to the site's ecological resources in compliance with the guidance contained within the National Planning Policy Framework.

- 31) Before any non-residential development commences as part of the overall development a Noise Assessment shall be submitted for approval in writing to the Local Planning Authority specifying the sources of internal and external noise and the provisions to be made for its control. The approved

scheme shall be implemented prior to the occupation of the non-residential unit in accordance with the approved details and retained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

- 32) Before any non-residential development commences as part of the overall development a scheme shall be submitted for approval in writing by the Local Planning Authority which specifies the arrangements to be made for deliveries to the premises concerned. The scheme shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

- 33) Concurrently with the Reserved Matters submission for each phase, a Noise Assessment of the exposure of proposed residential premises, with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted for approval in writing to the Local Planning Authority. In particular the map shall identify the dwellings where the LAeq, night 55 dB noise level is exceeded at bedroom window height. The assessment shall take into account the likely growth of traffic over the next 15 years.

Where any bedroom is exposed to noise levels in excess of LAeq night 55 dB, the submitted Noise Assessment shall include a scheme to protect those rooms. This will include provision for additional ventilation and / or heat control that will allow the occupant to keep the windows closed, independent of the weather conditions, if they so wish.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

- 34) Prior to the first occupation of the development, full details (including the precise alignment and the construction materials) of the approved 3m high acoustic barrier (as indicated upon the approved Parameter Plan (BHL001-015 J)) shall be submitted to and approved in writing by the Local Planning Authority and the barrier shall subsequently be installed in accordance with the approved details and retained at all times thereafter.

Reason: In the interests of safeguarding both visual and residential amenity in compliance with Policy H1 of the West Northamptonshire Joint Core Strategy.

- 36) Prior to the commencement of development, an intrusive investigation in respect of possible contaminants and ground gas generation within the site shall be completed – the scope and methodology of which shall be submitted to and approved in writing by the Local Planning Authority. The results of any such investigation shall be used to produce a method statement for any remedial work, which, if required, shall be submitted to

and approved in writing by the Local Planning Authority. All remedial works found to be required shall be fully implemented in accordance with the approved details and a validation report shall be submitted to and approved in writing by the Local Planning Authority within 2 weeks of the completion of the development hereby approved. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported immediately in writing to the Local Planning Authority and subsequently investigated, remediated and validated in accordance with the full requirements of this condition.

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.

- 37) The residential units hereby approved shall be designed to provide accommodation that meets the requirement of the Lifetime Homes Standard.

Reason: To ensure long term sustainability of the residential accommodation hereby approved, in accordance with Policy H4 of the West Northamptonshire Joint Core Strategy.

- 38) Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no premises shall be used for the purposes of a house of multiple occupation.

Reason: To enable the Local Planning Authority to assess the implications of a house of multiple occupation in this location in accordance with Policy E20 of the Northampton Local Plan.

- 39) Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), the commercial premises hereby approved shall not be used for any purposes other than those in use classes A1, A2, A3, A4, A5, B1 and D1 of the aforementioned order.

Reason: To enable the Local Planning Authority to assess the implications of alternative uses in this location in accordance with Policy E20 of the Northampton Local Plan.

- 40) Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), at no time shall the total gross retail floor area of the development hereby approved exceed

810 square metres and any individual unit exceed 500 square metres gross floor area.

Reason: To ensure that they are of a scale to meet local provision, without affecting the balance in the provision of local facilities elsewhere within the south-west district or town centre in accordance with the NPPF.

- 41) Prior to the commencement of each phase, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

- 42) 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.

- 43) 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 of shrubs that may die or 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.

- 44) As part of each reserved matters application, a scheme shall be submitted to and approved in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development as identified in the submitted Design and Access Statement. The approved details shall be implemented concurrently with the reserved matters development as approved.

Reason: In the interests of security and amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the NPPF.

- 45) Locally Equipped and Neighbourhood Equipped Areas of Play shall be provided across the site in accordance with the indicative positions depicted upon the approved Parameter Plan (BHL001-015 J); full details (including for their management and maintenance) shall be submitted contemporaneously with subsequent reserved matters applications and be approved in writing by the Local Planning Authority, development shall be implemented in accordance with the approved details.

Reason: To ensure that an appropriate standard of facilities are provided on site in accordance with the guidance contained within the NPPF.

INFORMATIVES

- 1) Under the terms of the Water Resources Act 1991, and the Anglian Region Land Drainage and Sea Defence Byelaws, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank/foreshore of the Wootton Brook, designated a 'main river'. The flood defence consent will control works in, over, under or adjacent to main rivers (including any culverting). The consent application must demonstrate that:

- there is no increase in flood risk either upstream or downstream.
- access to the main river network and sea/tidal defences for maintenance and improvement is not prejudiced.
- works are carried out in such a way as to avoid unnecessary environmental damage.

Mitigation is likely to be required to control off site flood risk; the Environment Agency will not be able to issue consent until this has been demonstrated.

- 2) In compliance with National Grid guidance SSW22, prior to the commencement of any works on site (including site preparation and archaeological investigations) the National Grid shall be contacted to formally agree the full detail of any works within the vicinity of pipelines on-site. In addition, prior to the commencement of any works, a PADHI assessment should be carried out via the HSE website.
- 3) In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable fibre connectivity for all new developments in respect to receiving superfast

broadband services. It is advised that ducting works are carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works – specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 – I Series Underground Cable Ducts.

- 4) To prevent any piling works and vibration, earthworks or excavations from de-stabilising or impacting upon the railway, prior to undertaking any vibro-impact works in the vicinity of the railway an appropriate risk assessment and method statement should be formulated.

9.2 Full Application N/2013/1063

- 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: DLA BHL001-040-B, DLA BHL001-015-J, DLA-866-002-G, DLA-866-003-C, DLA-866-004-D, DLA-866-006-B, DLA-866-007-B, PBA-28015/001-F, PBA-28015/002-F, PBA-28015/003-D, PBA-28015/006-G, PBA-28015/007, PBA-28015/008-A, EDP-1881-55-E, EDP-1881-56-F, EDP-1881-57-E, EDP-1881-58-F, EDP-1881-75-F, EDP-1881-69-E, EDP-1881-59-E, EDP-1881-60-E, EDP-1881-61-E, EDP-1881-62-E, EDP-1881-63-E, EDP-1881-64-E, EDP-1881-65-E, EDP-1881-66-E, EDP-1881-67-E, EDP-1881-68-E, DLA-866-H-202-01, DLA-866-H-241-01, DLA-866-H-302-01, DLA-866-H-303-01, DLA-866-H-303-02, DLA-866-H-303-03, DLA-866-H-351-01, DLA-866-H-402-01, DLA-866-H-402-02, DLA-866-H-403-01, DLA-866-H-403-02, DLA-866-H-403-04, DLA-866-H-403-05, DLA-866-H-404-01, DLA-866-H-404-03, DLA-866-H-404-04, DLA-866-H-409-01, DLA-866-H-409-02, DLA-866-H-409-03, DLA-866-H-410-01, DLA-866-H-461-01, DLA-866-H-501-01, DLA-866-H-501-03, DLA-866-H-502-01, DLA-866-H-502-02, DLA-866-H-502-03, DLA-866-H-507-01, DLA-866-H-507-03, DLA-866-H-507-04, DLA-866-H-534-01, DLA-866-H-534-02, DLA-866-H-534-04, DLA-866-H-534-05, DLA-866-H-603-01, DLA-866-H-603-02, DLA-866-H-GAR-01, DLA-866-H-GAR-02, DLA-866-H-GAR-03.

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

- 3) Prior to the commencement of development a Sustainability Strategy including pre-assessment checklist detailing a method of achievement of a minimum of Code for Sustainable Homes Level 3 (or its equivalent in any superseding framework) for the proposed affordable housing shall be submitted to and approved in writing by the Local Planning

Authority. The development shall be carried out in full accordance with the approved Sustainability Strategy.

Reason: To ensure the delivery of a sustainable development in accordance with the NPPF.

- 4) Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:-

- a) the management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) the location of access points for site traffic
- c) detailed measures for the control of dust during the construction phase of development
- d) the location and size of compounds;
- e) the location and form of temporary buildings, adverts and hoardings;
- f) details for the safe storage of any fuels, oils and lubricants;
- g) construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) a scheme for the handling and storage of topsoil;
- i) details of the methods of protection of trees, hedgerows and water features in accordance with Condition 13;
- j) a scheme for the protection of areas of ecological interest and for the mitigation of any possible harm to such areas;
- k) details of any temporary lighting;
- l) procedures for maintaining good public relations including complaint management, public consultation and liaison;
- m) measures for the control of noise emanating from the site during the construction period;
- n) Construction Plant Directional signage (on and off site);
- o) provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- p) waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: To ensure that appropriate consideration is given to environmental assets and safeguard the amenities of the locality in accordance with the NPPF.

- 5) No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800

to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturday or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of the amenity of adjacent properties in accordance with the NPPF.

- 6) Prior to the commencement of development engineering and construction details of the Windingbrook Lane access junction to the site as shown indicatively upon approved drawing 28015/001 Rev F shall be submitted to and approved in writing by the Local Planning Authority. The approved junction shall be provided prior to the commencement of any other works on site and in accordance with the approved details.

Reason: To ensure adequate access to the site and in the interests of highway safety and the free flow of traffic in accordance with the requirements of the NPPF.

- 7) No dwelling shall be occupied until details of the precise location and engineering and construction details of the following walking and cycling measures have been submitted to and approved in writing by the Local Planning Authority and the works have been carried out in accordance with the approved details:

- 2no. pedestrian / cycle connections to existing bridleway KG2
- Provision of on-road advisory cycle lane on Penvale Road
- Upgrade of existing footway in the southern verge of Mereway between the junction with Penvale Road and the A451 Queen Eleanor Roundabout
- A controlled pedestrian crossings on Rowtree Road

Reason: To ensure the provision of appropriate walking and cycling measures throughout the development and in the interests of highway safety in accordance with the NPPF.

- 8) No dwelling shall be occupied until engineering and construction details of the following highway improvements have been submitted to and approved in writing by the Local Planning Authority and the works have been carried out in accordance with the approved details:

- Improvement to Rowtree Road/London Road/Wooldale Road roundabout (TA Figure 15.2)
- Improvements to A45/Queen Eleanor Interchange (TA Figure 15.6)

- Improvements to Towcester Road/Mereway/Tesco/Danes Camp Way roundabout (TA Figure 15.7)

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

- 9) “Three peak hour part classified junction turning and queue count surveys will be undertaken at the Berry Lane / Wooldale Road junction:

- the first one being undertaken in the last neutral month before works commence to the Rowtree Road / London Road / Wooldale Road Roundabout;
- the second one being undertaken in the first neutral month after works are completed to the Rowtree Road / London Road / Wooldale Road Roundabout;
- the third one being undertaken in a neutral month one year afterwards.

Should both the latter two surveys demonstrate that the conditions at the Berry Lane / Wooldale Road junction have not improved, the improvements shown on Figure 15.5 of the Transport Assessment will be implemented.”

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

- 10) Prior to the first occupation of any dwelling a full Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of sustainable development in accordance with the requirements of the NPPF.

- 11) Prior to the commencement of any works affecting any existing public right of way, full details of any enhancement, improvement, diversion or closure shall be submitted for approval in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and in accordance with a timetable to be agreed in writing with the Local Planning Authority.

Reason: To ensure the impacts on the public right of way are acceptable in the interests of public amenity in accordance with NPPF.

- 12) No development shall take place until an Arboricultural Method Statement, in accordance with BS 5837:2012 “Trees in Relation to Design, Demolition and Construction – Recommendations”, including details and proposed timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, have been submitted to and approved in writing by the

Local Planning Authority. Thereafter, the development shall be carried out in accordance with the details so agreed.

Reason: In order that trees, hedges and wildlife are protected through the development in accordance with the NPPF.

- 13) No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 „Trees in Relation to Design, Demolition and Construction – Recommendations“, have been submitted to, and approved in writing by, the Local Planning Authority. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: In order that trees, hedges and wildlife are protected through the development in accordance with the NPPF.

- 14) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 0.5% (1 in 200) probability critical storm with climate change allowance will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall comply with the parameters set out in the agreed FRA, Peter Brett Associates, 28015/012 Rev4, February 2014 and shall also include:

- Full calculations and detailed drawings with levels to Ordnance Datum, including flow control structures.
- Designing for exceedance and consideration of overland flows.
- Accommodation of the existing spring on site.
- Details of how the scheme shall be maintained and managed after completion to support the Section 106 agreement.

Reason: To prevent the increased risk of flooding, both on and off site.

- 15) No development approved by this planning permission shall take place until such time as a scheme for works to Wootton Brook has been submitted to, and approved in writing by, the local planning authority. The scheme shall comply with the parameters set out in the agreed FRA, Peter Brett Associates, 28015/012 Rev4, February 2014 and shall also include:

- Details of localised channel improvements to improve conveyance.
- Details of the long term management and maintenance of the Wootton Brook and associated flood plain.
- Evidence that flood risk is not increased elsewhere as a result of the works to the Wootton Brook.

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

Reason: To prevent the increased risk of flooding, both on and off site.

- 16) No building works which comprise the erection of a building required to be served by water services shall be undertaken until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

- 17) No development shall take place within the application site indicated until the applicant, or their agents or 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 by the applicant 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.

- 18) Prior to the commencement of the demolition of buildings on site a Mitigation Strategy detailing the measures to be put in place to ensure that the risk of harm to bats during demolition is minimised shall be submitted to and approved in writing by the Local Planning Authority;

demolition shall be implemented in accordance with the approved details. The Mitigation Strategy shall include details of replacement bat boxes to be sited on retained features to provide alternative roosting opportunities and details of an appropriate Natural England European Protected Species Derogation Licence to undertake the Mitigation Strategy.

Reason: To ensure appropriate protection is afforded to protected species in accordance with the guidance contained within the National Planning Policy Framework.

- 19) Prior to the commencement of development a Mitigation Strategy detailing the measures to be put in place to ensure that the risk of harm to otters during construction work is minimised shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in accordance with the approved details.

Reason: To ensure appropriate protection is afforded to protected species in accordance with the guidance contained within the National Planning Policy Framework.

- 20) Prior to the commencement of development an Ecological Construction Method Statement (ECMS) setting out in detail the measures to be implemented to protect ecological resources (as specified in paragraph 9.6.37 of the approved Environmental Statement) shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in accordance with the approved Statement.

Reason: To ensure appropriate protection is afforded to the site's ecological resources in compliance with the guidance contained within the National Planning Policy Framework.

- 21) Prior to the commencement of development a Landscaping and Ecological Management Plan (LEMP) setting out in detail the long-term management measures to be implemented (as specified in paragraph 9.6.40 of the approved Environmental Statement) shall be submitted to and approved in writing by the Local Planning Authority; development shall be implemented in accordance with the approved Plan.

Reason: To ensure appropriate protection is afforded to the site's ecological resources in compliance with the guidance contained within the National Planning Policy Framework.

- 22) Prior to the commencement of development a Noise Assessment of the exposure of proposed residential premises, with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted for approval in writing to the Local Planning Authority. In particular the map shall identify the dwellings where the LAeq, night 55 dB noise level is exceeded at bedroom window height.

The assessment shall take into account the likely growth of traffic over the next 15 years.

Where any bedroom is exposed to noise levels in excess of LAeq night 55 dB, the submitted Noise Assessment shall include a scheme to protect those rooms. This will include provision for additional ventilation and / or heat control that will allow the occupant to keep the windows closed, independent of the weather conditions, if they so wish.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

- 23) Prior to the first occupation of the development, full details (including the precise alignment and the construction materials) of the approved 3m high acoustic barrier (as broadly indicated upon the approved Parameter Plan (BHL001-015 J) and to be supplemented by provision to the western boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority and the barrier shall subsequently be installed in accordance with the approved details and retained at all times thereafter.

Reason: In the interests of safeguarding both visual and residential amenity in compliance with Policy H1 of the West Northamptonshire Joint Core Strategy.

- 24) Prior to the commencement of development, an intrusive investigation in respect of possible contaminants and ground gas generation within the site shall be completed – the scope and methodology of which shall be submitted to and approved in writing by the Local Planning Authority. The results of any such investigation shall be used to produce a method statement for any remedial work, which, if required, shall be submitted to and approved in writing by the Local Planning Authority. All remedial works found to be required shall be fully implemented in accordance with the approved details and a validation report shall be submitted to and approved in writing by the Local Planning Authority within 2 weeks of the completion of the development hereby approved. In the event that contamination that was not previously identified is found at any time when carrying out the approved development, it must be reported immediately in writing to the Local Planning Authority and subsequently investigated, remediated and validated in accordance with the full requirements of this condition.

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.

- 25) The residential units hereby approved shall be designed to provide accommodation that meets the requirement of the Lifetime Homes Standard.

Reason: To ensure long term sustainability of the residential accommodation hereby approved, in accordance with Policy H4 of the West Northamptonshire Joint Core Strategy.

- 26) Notwithstanding the provisions of Article 3(1) of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), no premises shall be used for the purposes of a house of multiple occupation.

Reason: To enable the Local Planning Authority to assess the implications of a house of multiple occupation in this location in accordance with Policy E20 of the Northampton Local Plan.

- 27) Prior to the commencement of development, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of NPPF.

- 28) 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 of shrubs that may die or 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.

- 29) Prior to the commencement of development full details of the approved Local Equipped Areas of Play (LEAPs) and sports pitches shall be submitted to and approved in writing by the Local Planning Authority. These facilities shall be located upon the site in accordance with the positions depicted on 'Figure 10 – Public Open Space' contained within the Design & Access Statement Addendum (July 2014). Development shall be implemented in accordance with the approved details; the LEAPs and sports pitches shall be completed and made available for use prior to the occupation of 200 units on site and be managed and maintained in accordance with the details submitted to discharge Condition 21.

Reason: To ensure that an appropriate standard of facilities are provided on site in accordance with the guidance contained within the NPPF.

INFORMATIVES

- 1) Under the terms of the Water Resources Act 1991, and the Anglian Region Land Drainage and Sea Defence Byelaws, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank/foreshore of the Wootton Brook, designated a 'main river'. The flood defence consent will control works in, over, under or adjacent to main rivers (including any culverting). The consent application must demonstrate that:

- There is no increase in flood risk either upstream or downstream.
- Access to the main river network and sea/tidal defences for maintenance and improvement is not prejudiced.
- Works are carried out in such a way as to avoid unnecessary environmental damage.

Mitigation is likely to be required to control off site flood risk; the Environment Agency will not be able to issue consent until this has been demonstrated.

- 2) In compliance with National Grid guidance SSW22, prior to the commencement of any works on site (including site preparation and archaeological investigations) the National Grid shall be contacted to formally agree the full detail of any works within the vicinity of pipelines on-site. In addition, prior to the commencement of any works, a PADHI assessment should be carried out via the HSE website.
- 3) In order for the commercial communications market to be able to deploy to these new build areas, measures must be introduced at the earliest opportunity. This will provide the required specification to enable fibre connectivity for all new developments in respect to receiving superfast broadband services. It is advised that ducting works are carried out in co-operation with the installations of standard utility works. Any works carried out should be compliant with the Manual of Contract Documents for Highway Works – specifically Volume 1 Specification Series 500 Drainage and Ducts, and Volume 3 Highway Construction Details Section 1 – I Series Underground Cable Ducts.

10. BACKGROUND PAPERS

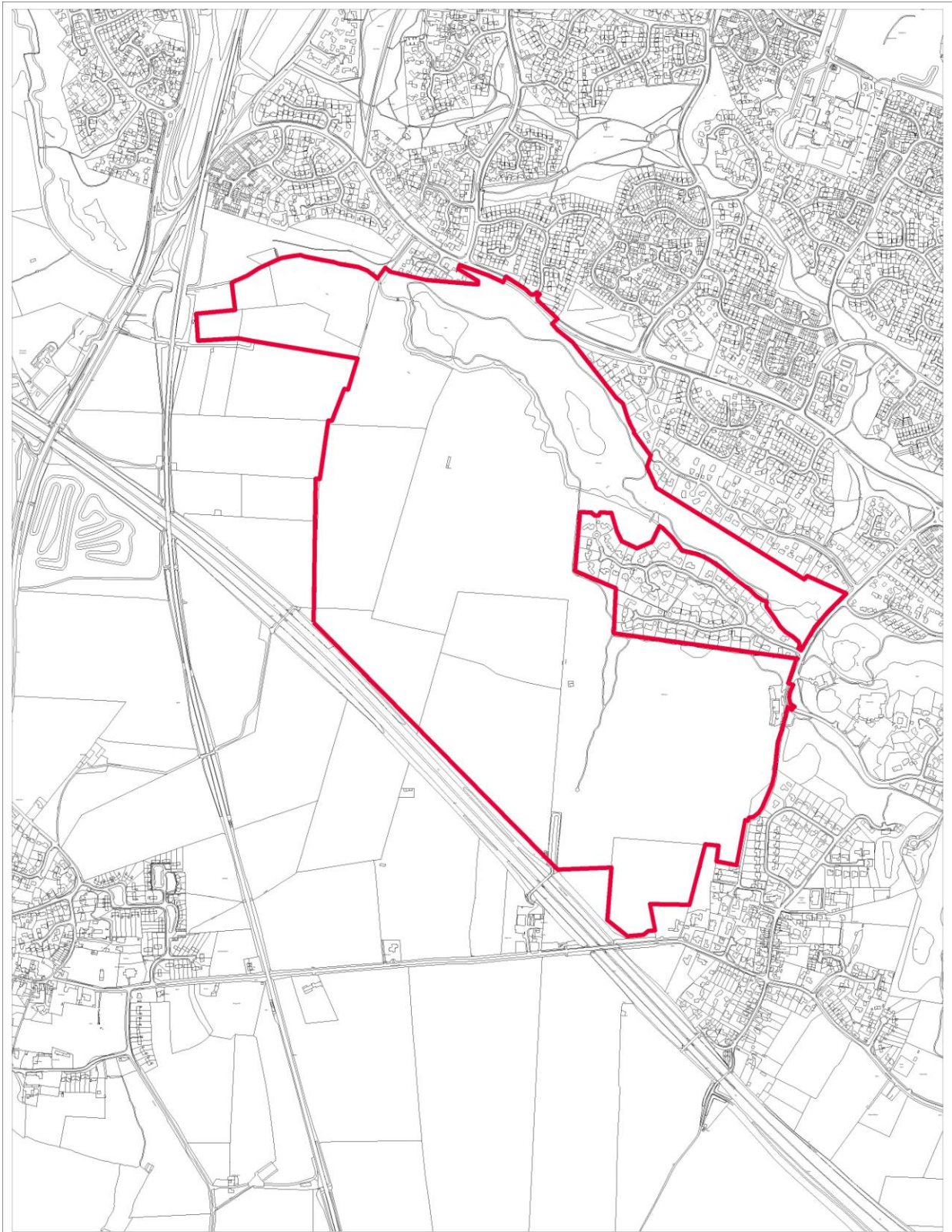
- 10.1 Application files N/2013/1035 and N/2013/1063.

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.

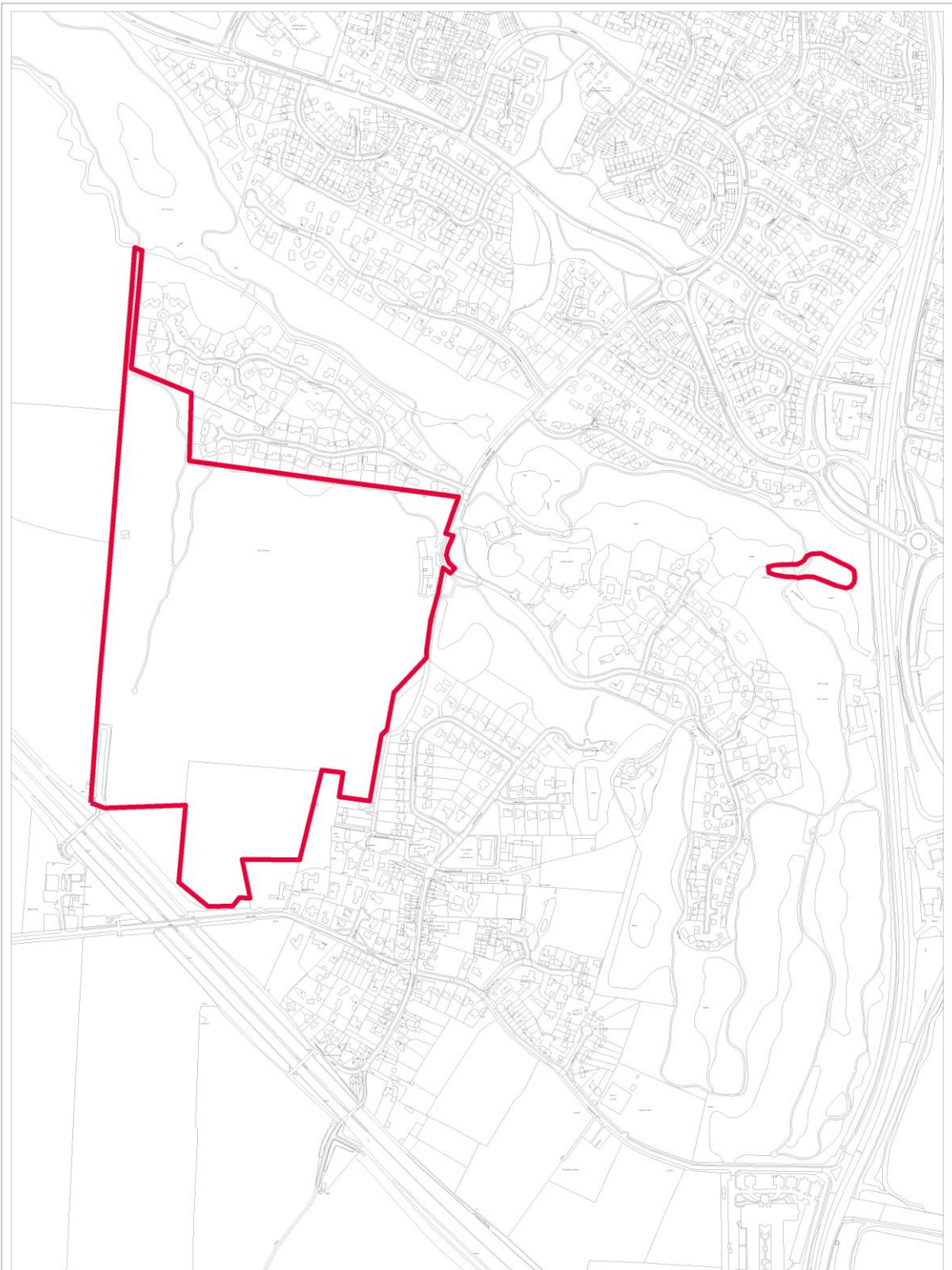


Name: **Location plan**
Date: **8th January 2015**
Scale: **1:10,000**
Dept: **Planning**
Project: **Planning Committee**

Title

Npton South SUE, Rowtree Rd & West of Windingbrook Ln

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Date: 20th January 2015
Scale: 1:7500 @ A4
Dept: Planning
Project: Planning Committee

Title
Phase 1, Npton South SUE, Rowtree Rd

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1027: Demolition of existing dwelling and erection of replacement two-storey dwelling with garage at 41 Church Way

WARD: Park

APPLICANT: Mr Mick Kaare
AGENT: Mr Bernard Chester, Tuckley Chester Design

REFERRED BY: Cllr Duncan & Cllr Markham
REASON: Impact on conservation area and character of area and setting of listed building

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The amended design and appearance are considered acceptable and appropriate within the context of the conservation area and the setting of the listed building and the proposed development would not lead to any significant harm to neighbouring amenity or adversely impact on existing highway conditions in accordance with the requirements of Policies E20 & E26 of the Northampton Local Plan, Policies H1 & S10 of the adopted West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. BACKGROUND

2.1 The application was deferred by Committee on 16th December 2014 to allow for a further site visit.

- 2.2 Since the last Committee the applicant has submitted a further application (N/2014/1411) which is currently under consideration for the removal of the existing garage, outbuildings and bay window and the erection of a single storey rear and two-storey side extension with front and rear dormers, the conversion of the roofspace to create a master bedroom with en-suite which would result in an increase in the ridge height of approximately 1m, an entrance canopy and small extension to the front, the erection of a detached garage and the removal of a 335mm section of stone boundary wall to the right hand side of the existing access.

3. THE PROPOSAL

- 3.1 The application proposes the demolition of the existing bungalow, garage and outbuildings on site and the erection of a two-storey four-bedroom dwelling with detached double garage. Materials would comprise of natural stone, wooden windows and a slate roof.
- 3.2 The existing vehicular access would be widened on one side by the removal of approximately 0.9m section of the existing 1.8-2m stone wall to the right of the existing access increasing the driveway to 3.6m. Amended plans have been submitted showing the stone wall to the left of the access retained and a brick pier to be constructed to match the existing wall.

4. SITE DESCRIPTION

- 4.1 The application site comprises of a bungalow, garage and outbuildings located on a corner plot with frontage to both Church Way and High Street and situated in the heart of Weston Favell Conservation Area.
- 4.2 The bungalow sits back in the plot with a 1.8-2m stone wall forming the boundary with Church Way and the footway along High Street with an existing vehicular access from High Street.
- 4.3 The surrounding properties are of varying ages and construction and predominantly two-storey. To the south of the site is St Peter's Church, a grade II* listed building and the cemetery located to the south west.

5. PLANNING HISTORY

- 5.1 There is no planning history.

6. PLANNING POLICY

6.1 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 the West Northamptonshire Joint Core Strategy 2014.

6.2 National Policies - National Planning Policy Framework (NPPF)

The NPPF, paragraph 131, requires Local Planning Authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

6.3 West Northamptonshire Joint Core Strategy – Adopted December 2014

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy H1 of the JCS seeks to concentrate development primarily in and adjoining the urban area, making best use of previously developed land.

Policy S10 requires development to achieve the highest standards of sustainable design and amongst other things protect, conserve and enhance the natural and built environment and heritage assets and their settings.

6.4 Northampton Local Plan 1997 (Saved Policies)

Policy E20 requires that any new development should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and be designed and located to ensure adequate standards of privacy, daylight and sunlight.

Policy E26 allows for development in conservation areas providing it preserves or enhances the character of the area and does not include the demolition of buildings which make a significant contribution.

6.5 Supplementary Planning Documents

Weston Favell Conservation Area Appraisal and Management Plan (March 2010) advises that the designation of the area as a conservation area is due to the concentration of historic buildings dating from 17th to the 19th centuries within the core of the village along High Street and the area around St Peter's Church.

The plan acknowledges the importance of St Peter's Church which dates back to at least the 12th century and that key views within the conservation area are of the church and from the north and south of Church Way.

The plan acknowledges that "boundary walls play an important role in creating the special character of Weston Favell. This is particularly so in Church Way and the southern part of High Street."

7. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **NBC Conservation Officer** - no objection. The design of the proposed development is considered appropriate within its context and the scale, massing and materials of the building sit well within the conservation area. The building is well proportioned for the plot and its ridge height sits beneath that of the immediately adjacent building at 39a Church Way. The success of the development will be significantly dependant on the details and quality of execution which should be conditioned.
- 7.2 The amended scheme has reduced the forward projection to the front of the building and provided this is no further forward than the bay windows of the adjacent properties there is no objection.
- 7.3 A number of objections have been raised to the removal of the stone wall to facilitate access to the existing driveway. The Weston Favell Conservation Area Appraisal and Management Plan acknowledges that *boundary walls play an important role in creating the special character of Weston Favell, this is particularly so in Church Way and the southern part of High Street*. The boundary wall to be removed is however a small remaining section of wall that has presumably been demolished to make way for the existing driveway entrance. There is some scope for the wall to be reduced to a similar width to the adjacent neighbouring pillar, which would retain the visual separation between the two properties.
- 7.4 **NBC Arboricultural Officer** – no objection. The trees on site are visible and contribute to the overall amenity of the area but are not of sufficient merit to warrant protection with a Tree Preservation Order.
- 7.5 **19 letters of objection** have been received including objections from **Weston Favell Residents Association and the Rector of the Church of St Peter**. A petition with 23 signatures has also been received. Comments are summarised as follows:
 - No objection to existing property being demolished or materials proposed.

- Out of scale with existing properties.
- Out of character with conservation area and will detract from listed church.
- The property will be outside of the existing building line by several feet.
- Overlooking.
- Overshadowing.
- Loss of view of church tower and clock.
- Current sewer to bungalow prone to blocking.
- Impact on existing parking problems - further dropping the kerb to allow for the enlarged driveway will result in the loss of two parking spaces.
- The new house will become the dominant building on the corner of Church Way/High Street detracting from the former prominence of the church, closing off the aspect to the north when viewed from the church and will become an overbearing presence.
- Building forward of the building line is likely to impede the currently unimpeded view of the church travelling southwards down Church Way.
- Parking on and access to the church from High Street is difficult. The effect of taking an extra 1.5m for the new buildings drive plus visibility will push pedestrian activity and stationary traffic back towards the sometime dangerous and blind corner.
- Impact on parking will cause immediate issues between the church and the new residents.
- The 2010 Conservation Area Appraisal clearly marks the entirety of the boundary walls to the existing 41 Church Way as important.
- Removal of some 1.7m of stone wall in part of conservation area.
- The size of the proposed house is significantly larger in footprint and height than the bungalow being replaced.
- There has been excessive and incongruous recent infill further down Church Way.
- The plot should be more modestly developed with less impact on its surroundings.
- The Conservation Area Appraisal and Management Plan (2010) recognises St Peter's Church and immediate geographical area as being of "special historical importance".
- At present 41 Church Way is an unobtrusive one-storey building with a narrow entrance drive.
- Construction work at this junction will cause problems.

7.6 Amended plans were received on 10th November 2014. A **further 6 letter of objection** were received with comments summarised as follows commenting:

- Pleased that stone wall is being kept.
- Property still too large and ostentatious.

8. APPRAISAL

Principle of Development

8.1 The NPPF advises that housing applications should be considered in the context of a presumption in favour of sustainable development. The site is a brownfield site located within a residential area and already in residential use. The re-development of the site as proposed would accord with the requirements of Policy H1 of the JCS which seeks to concentrate development primarily in and adjoining the urban area using previously development land. Subject to there being no adverse impacts on heritage assets the residential development of the site is considered acceptable.

Design

8.2 The existing bungalow due to its scale, simple form and siting set back within the plot is visually unassuming within the surrounding context. However, the property has become vacant in recent years and subsequently fallen into a state of disrepair and currently does little to enhance the appearance of the area.

8.3 The proposed dwelling would increase the existing footprint by approximately 31.46 square metres and would be two-storey in height with ridge height of 7.8m and 7.3m respectively and an eaves height of 4.2m. Whilst the proposal evidently represents an increase in overall scale and height to the existing bungalow on site the proposed ridge line and eaves would remain lower than the neighbouring properties either side. The increase in footprint is not considered excessive and is broken down into relatively small additions to the side rear and front of the property.

8.4 The scheme has been amended to reduce the forward projection of the front gable and porch from 1.6m to 0.7m to such that the main body of the house would sit in line with the predominant building line of adjacent properties along Church Way and the front gable would not protrude beyond the adjacent bay windows to the front of properties on Church Way.

8.5 The side elevation facing towards High Street would be more visually prominent with the increase to two-storey when viewed from the east however this would be viewed in the context of the adjacent two-storey properties

- 8.6 The existing single garage would be demolished along with the adjacent outbuildings and replaced with a double garage with a pitched roof. The garage would be set back within the plot retaining its existing alignment with the neighbouring property at No. 100 High Street.
- 8.7 Materials would comprise of natural stone with wooden windows and a slate roof in keeping with more traditional properties located along High Street, the details of which would be secured by condition.
- 8.8 It is acknowledged that the proposed development is a significant alteration to the existing bungalow on site however, the overall scale, footprint and form are not considered excessive for the plot and the varied roof heights and window details add visual interest. The building would remain set back within the plot retaining the alignment with properties on Church Way and would be constructed with traditional materials in keeping with the character of properties on High Street. The design and appearance is therefore considered acceptable.

Impact on Conservation Area and Listed Buildings

- 8.9 St Peter's Church is a Grade II* listed church located directly opposite the application site and despite being predominantly surrounded by properties on all sides the general setting of the church has an open character interspersed with several mature trees and enclosed by a stone boundary wall. The surrounding properties are generally set back from the road frontage adding to this open character and to the dominant presence of the church within a central part of the conservation area.
- 8.10 By virtue of its location on the corner of High Street and Church Way the application site is viewed in the context of the setting of the church from all sides with the exception of the rear. The proposed dwelling would be more visually prominent than the existing bungalow when viewed along Church Way from the North West due to its height and proportions slightly narrowing the view southwards towards the church, however, the amended alignment of the front of the proposed dwelling and lower ridge height than adjacent dwellings would assist in reducing the impact. The increased sense of enclosure of this view would be minimal retaining the visually open setting of the church and its visual prominence such that it is not considered the proposal would lead to any significant adverse impact on the setting of the listed building.
- 8.11 The scheme has been amended to retain the entire length of the stone wall that extends along the front of the site to the left hand side of the existing driveway. A 900mm section of stone wall would be removed to the right hand side to the access to allow for a wider entrance. Subject to conditioning a method statement for the removal of this section of wall and the making good of the remaining stone pier it is not considered that the historic importance of these walls within the conservation area would be harmed.

- 8.12 The design and appearance of the scheme is considered appropriate within the context of the conservation area and the setting of the listed church and is therefore considered acceptable.

Impact on Residential Amenity

- 8.13 No. 39a Church Way is a two-storey dwelling located to the north west of the site. The property has been extended to the rear with part two-storey and part single storey extension. Windows facing towards the application site comprise of ground floor toilet, landing and first floor bathroom. Whilst the increase in height from the proposed dwelling may have some impact on light to these windows due to the orientation, these windows could not be considered main habitable rooms and therefore are afforded less protection.
- 8.14 No. 100 High Street is a two-storey dwelling located to the east with no main windows facing towards the application site. The proposed dwelling would be orientated towards the rear garden off this property which is some 29m in length. A proposed first floor bedroom window would be situated approximately 9m away from this neighbouring boundary but at an angle looking down the garden such that it is not considered there would be any adverse impact on the immediate private space to the rear of this property in terms of overlooking.
- 8.15 The protection of views of the listed building from neighbouring properties is not a planning consideration.

Highway Impacts

- 8.16 Local concern has been raised regarding the loss of already limited on-street parking due to the widening of the existing access. Parking is already restricted at the point of access due to be altered by an existing white line which extends across the front of No. 100 High Street ending at the section of wall on the application site to be removed. The alterations to the access would therefore not lead to any further reduction in the level of on-street space to that existing.
- 8.17 The proposal would make provision for on-site parking for four vehicles with a double garage and area of hardstanding. Whilst visibility is restricted in both directions by existing boundary walls the access is existing. As such it is not considered that the proposed alterations would lead to any increased adverse impact on existing highway conditions and is therefore considered acceptable in this regard.

Other Matters

- 8.18 The application site has a number of trees located to the front including Hollies and Apple trees which are visible from the public highway and add to the amenity of the site.

The application advises that it is the intention to retain as much of the existing landscaping as possible. The trees are not considered of sufficient merit to warrant protection by a Tree Preservation Order however the retention of some trees would provide a degree of maturity to the development. A condition requiring a tree protection plan is proposed to ensure protection of retained trees during construction.

9. CONCLUSION

- 9.1 The amended design and appearance are considered acceptable and appropriate within the context of the conservation area and the setting of the listed building and it is not considered that the development would lead to any significant harm to neighbouring amenity or adversely impact on existing highway conditions. The application is therefore recommended for approval.

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

Reason: In the interests of visual amenity to ensure the extension harmonises with the existing building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

- (3) A sample panel of the stonework a minimum of 1 square metre in area to be used in the construction of the external walls shall be made available for viewing on site prior to the commencement of construction work on site. The stone shall be laid, coursed and pointed in the traditional manner in the area. The works shall be carried out in accordance with the approved details.

Reason: To ensure that materials are appropriate to the appearance of the building/area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

- (4) Notwithstanding the submitted details, prior to any works commencing on the stone boundary wall, a detailed method statement shall be submitted in relation works to be carried out to the stone wall and the construction of the stone pier and a sample of the stonework made available for inspection on site.

The works shall be carried out in accordance with the approved details and completed prior to the occupation of the dwelling.

Reason: To ensure that materials are appropriate to the appearance of the building/area and sympathetic to the character of the conservation area and setting of the adjacent Grade II* listed building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

- (5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site including the driveway and parking area. 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 S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

- (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 S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

- (7) Prior to commencement of development a Tree Protection Plan showing details of trees to be retained on site and measures for their protection during construction including details of protective fencing shall be submitted for approval in writing by the Local Planning Authority. The approved scheme shall be implemented prior to commencement of development and maintained throughout the duration of the development and no plant shall be sited, no materials nor waste shall be deposited, no bonfires shall be lit or the ground level altered within the vicinity of the trees shown to be protected on the approved plan.

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 the aims and objectives of the National Planning Policy Framework.

- (8) Before any work is carried out, further precise details of the windows including sections and profiles at a scale of 1:10 or 1:20 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: To ensure that materials are appropriate to the appearance of the building/area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

- (9) The access, driveway and parking area shall be laid out in accordance with the drawing 2554/PL/1 rev B prior to the occupation of the dwelling hereby permitted and retained thereafter.

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

- (10) The development hereby permitted shall be carried out in accordance with the following approved plans: 2554/PL/1 rev B, 2554/E/1B rev B, 2554/FP/1B rev B received 10 November 2014, 2554/G and 2544/SS received 17 September 2014.

- (11) The first floor bathroom window in the north-west elevation shall be glazed with obscured glass before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining property in accordance with the aims and objectives of the National Planning Policy Framework.

- (12) 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 and in the interests of the character and appearance of the conservation area and the setting of the adjacent listed building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy in accordance with the aims of the National Planning Policy Framework.

10. BACKGROUND PAPERS

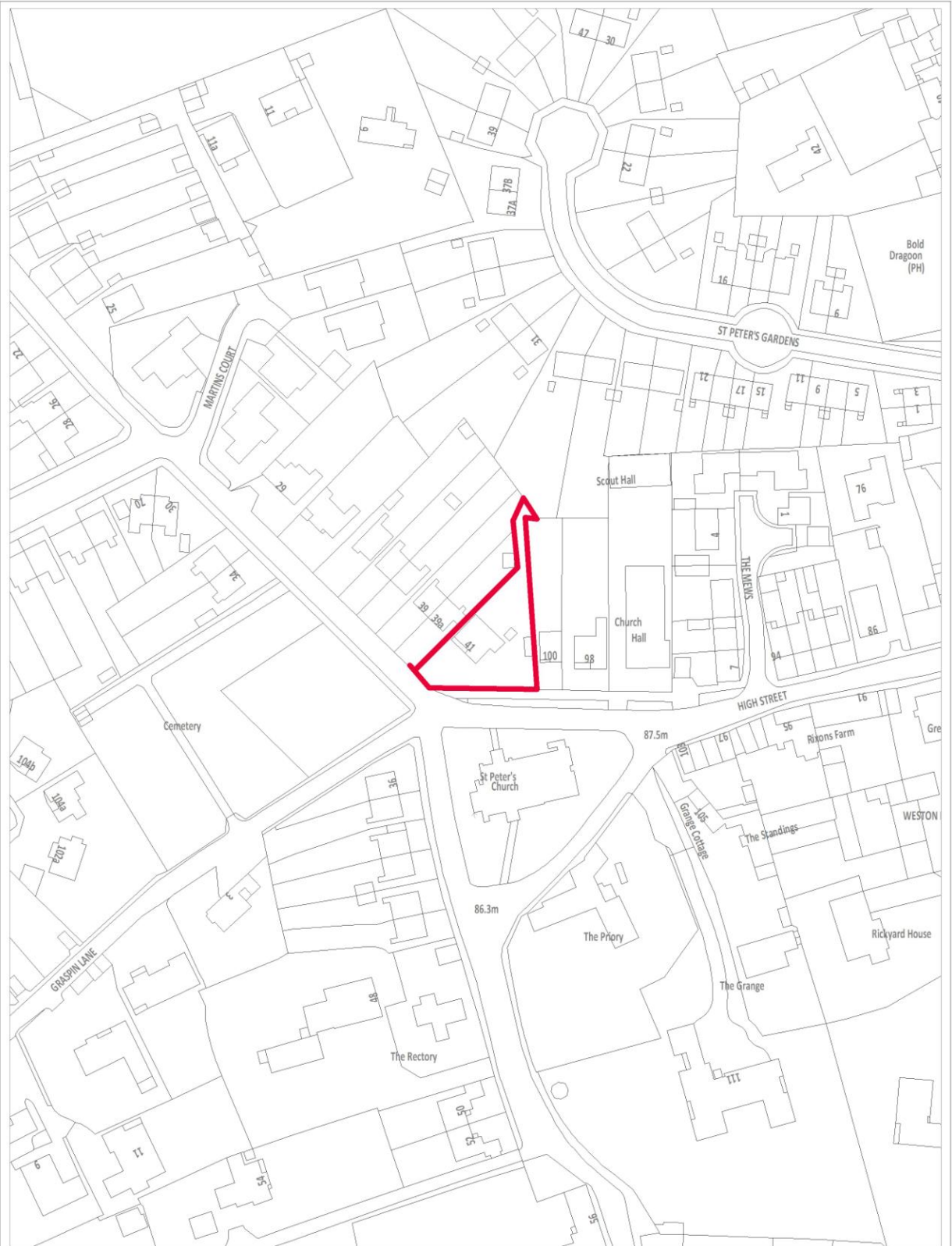
10.1 N/2014/1027.

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 January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
41 Church Way

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1207: Single storey extension to café, Park Café,
Abington Park, Wellingborough Road

WARD: Abington

APPLICANT: Mr A Ansell
AGENT: Architectural Solutions

REFERRED BY: Director of Regeneration, Enterprise and
Planning

REASON: Council owned land and applicant is elected
Member

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development would appear as a sympathetic addition to the building with no adverse visual impact on the Conservation Area and would provide public benefit in terms of improving the range of facilities available within Abington Park. This public benefit would outweigh the loss of a tree and would comply with the aims and objectives of the National Planning Policy Framework and Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

2. THE PROPOSAL

2.1 The application seeks planning permission to erect a single storey extension to the existing cafe building. This will form a continuation of the existing building providing a kitchen area, office and food store. This would provide the café with a larger kitchen/preparation area and

a larger servery. Originally an off-shot outside furniture store was included within the scheme however this has subsequently been removed.

- 2.2 To facilitate the development a Lime tree would need to be removed.

3. SITE DESCRIPTION

- 3.1 The café stands alone within Abington Park and is sited almost within a group of trees. To the front of the café is a grassed area. The park is within Abington Park Conservation Area.

4. PLANNING HISTORY

- 4.1 No relevant history.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

5.2 National Policies - National Planning Policy Framework (NPPF)

The NPPF indicates in paragraphs 56 and 57 that good design is important and should contribute to making public places better for people.

Paragraph 70 outlines that the provision of facilities should be viewed positively to enhance the sustainability of communities.

Paragraph 73 states that “access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities”.

Paragraph 131 encourages local planning authorities to consider sustaining and enhancing heritage assets, the contribution heritage assets can make to sustainable communities including their economic vitality and new development making a positive contribution to local character.

Paragraph 134 outlines that harm to a heritage asset should be weighed against public benefit.

5.3 **West Northamptonshire Joint Core Strategy – Adopted December 2015**

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries full weight when considering planning applications.

Policy S10 Sustainable Development Principles sets out that development will achieve high standards of design and will protect, conserve and enhance the built and natural environment.

Policy BN5 The Historic Environment and Landscape outlines that heritage assets will be conserved and enhanced.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

Policy E20 of the Local Plan states that planning permission will be granted for development where design reflects the character of its surroundings.

Policy E26 indicates that planning permission will be granted in conservation areas where the character and appearance of those areas would be preserved or enhanced.

5.5 **Supplementary Planning Documents**

Abington Park Conservation Area Assessment 2005.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments are summarised as follows:

- 6.1 **NBC Arboricultural Officer** has commented, “The trees adjacent to the existing café are very prominent specimens which are in good condition and contribute significantly to the amenity of the area and are important features within the conservation area. It is accepted that the proposed construction methods will reduce the potential for root severance and damage and the overall conflict with the RPA of trees T5, T7 and T8 is below the maximum percentage recommended within BS5837:2012 but I consider the removal of tree T2, a fine young mature specimen with a long useful life expectancy located within a conservation area is unacceptable irrespective of any proposed replacement planting.

Accordingly, I would recommend that the application is refused.”

- 6.2 **NBC Conservation** have no objections to the application in principle and are of the view that matching the extension to the existing structure will minimise the impact. There are some concerns regarding extending an existing unattractive structure.
- 6.3 Three objections received from **51 Wantage Road and 8 Greenway (2 letters)** on the grounds of the loss of the tree and that this is contrary to the purpose and history of the park; the visual impact and appearance of the existing café and the exacerbation of this by the proposed extension and problems arising from the operation of the café.

7. **APPRAISAL**

Design/Appearance

- 7.1 It is considered that the design and appearance of the proposed extension is acceptable. The extension, which measures 7.7 X 8.1m is of modest size and reflects the form of the existing building and as such would appear as a sympathetic addition.

Conservation Area/Trees

- 7.2 In terms of the impact of the extension on the appearance of the conservation area, this is considered to be neutral for the reasons outlined above. It is not considered that the extension would have a visual impact on the conservation area over and above that which the existing building has.
- 7.3 However the development would require the removal of a Lime tree of a good quality, the retention of which would ordinarily be considered desirable within a conservation area and which undoubtedly contributes to the amenity of this.
- 7.4 It is however considered that the café makes a contribution to the amenity of those who use the park and is a facility which adds to the quality of Abington Park as a leisure and recreation venue for local residents and, indeed, as an attraction for those living further afield. The extension and improvement of the café would therefore be of further benefit to the park and the users of this.
- 7.5 It is considered, on balance, that the improvement to the facilities within the park and the wider public benefits which this would bring would, in this instance, outweigh the desirability of preserving the tree. In addition should Members be minded to grant planning permission a condition would be imposed to require not just a replacement tree but additional trees to be planted. The intention of this would be that in the long term there would be a betterment in terms of the trees within the park and the amenity which these provide.

8. CONCLUSION

- 8.1 On balance the public benefit of the development is considered to outweigh the harm of the loss of a single tree and the development would have no adverse visual impact on the wider conservation area. This would accord with the advice contained in the NPPF and policies of the West Northamptonshire Joint Core Strategy.

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:

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

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

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

4. Before development commences a scheme for tree planting within Abington Park, including a timetable, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be implemented thereafter in accordance with the approved details.

Reason: To ensure there is no long term loss of amenity through tree removal to comply with Policy BN5 of the West Northamptonshire Joint Core Strategy.

5. The development shall only be carried out in accordance with the submitted Arboricultural Method Statement.

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.

6. All trees shown to be retained in the approved plans shall be protected for the duration of the development by the fencing indicated within the submitted Arboriculturist's Report, the positions of which shall be submitted to and approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced areas no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials nor waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

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

Informative: In relation to Condition 4 above the applicant is advised that the required scheme should make provision for the replacement of the tree to be removed with a tree of the same species as well as additional compensatory planting.

10. BACKGROUND PAPERS

- 10.1 N/2014/1207.

11. LEGAL IMPLICATIONS

- 11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: Planning
 Date: 8th January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title

Park Cafe, Abington Park, Wellingborough Rd

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PLANNING COMMITTEE:	28th January 2015
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
N/2014/1290:	Change of use from dwelling (Use Class C3) to house of multiple occupation for 7 people (Sui Generis) at 175 Greatmeadow
WARD:	Talavera
APPLICANT:	Mr Sam Maddrell
AGENT:	Mr Rod Kilsby
REFERRED BY:	Cllr D Meredith
REASON:	Overbearing development not in keeping with the area
DEPARTURE:	NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would provide accommodation of a suitable standard and have a neutral impact upon the character and appearance of the area, neighbour amenity and highway safety. The development is therefore in accordance with the requirements of the National Planning Policy Framework, Policy H5 of the Adopted West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan and the Houses in Multiple Occupation Interim Planning Policy Statement.

2. THE PROPOSAL

- 2.1 The application seeks planning permission to operate the building as a house in multiple occupation for seven people. The application is submitted retrospectively as the use is existing although not all rooms are currently let. The property has been licenced by Private Sector Housing for occupation as a HiMO not exceeding 7 persons. No external changes have been made to facilitate the change of use.

3. SITE DESCRIPTION

- 3.1 The application site comprises an end of terrace three storey property located within the eastern district. The property is located at the end of a footpath serving 172 – 175 Greatmeadow and 176-186 Greatmeadow. The dwelling sides onto Blackthorn Road and faces a block of flats. To the rear of the property is a public footpath which leads to the underpass that links developments east and west of Blackthorn Road. The property has an open plan front garden and an enclosed rear garden with gated access to the footpath at the rear. To the north of the site, adjacent to 172 Greatmeadow is a public parking/garage court.

4. PLANNING HISTORY

- 4.1 PA/3013/0073 – Pre-application advice regarding HiMO use for 8 people.

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 adopted West Northamptonshire Joint Core Strategy (2014) and the Northampton Local Plan (1997) saved policies.

5.2 National Policies

NPPF – National Planning Policy Framework

Paragraph 17 requires that new developments be of a good standard of design and secure a good standard of amenity.

Paragraph 47 requires that an evidence base is used to meet the full and objectively assessed housing needs of an area.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy H5 of the JCS (Managing the Existing Housing Stock) states that the existing housing stock will be managed by:

- Restricting the loss of existing dwellings to other uses
- Securing the re-use of empty dwellings for residential use
- Allowing houses in multiple occupation (HIMOS) where they would not adversely affect the character and amenity of existing residential areas.

Housing related policies in the JCS have been formulated following an objective housing needs assessment. Given that this policy has not been the subject of any objection, it was therefore not debated at the examination and therefore must be given weight in the determination of this planning application.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

E20 – New development should have an acceptable layout.

H30 – houses in multiple occupation should be of sufficient size and have a neutral impact on the character of an area and should not create a substantial demand for on-street parking in areas judged to be experiencing local difficulties in this respect.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Houses in Multiple Occupation - IPPS November 2014 – provides principles for determining such applications.

5.6 **Other Material Considerations**

Emerging growing Together Neighbourhood Development Plan

On 11 September 2013, Northampton Borough Council's Cabinet designated Growing Together as a Neighbourhood Forum, and the estates of Blackthorn, Goldings, Lings and Lumbertubs as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. The Neighbourhood Plan builds upon the lottery funded Big Local programme. A pre-submission Neighbourhood Plan is expected to be published in Spring 2015. Recent community consultation has identified the following priorities to be addressed through the Neighbourhood Plan:

- Tackling crime and making the area feel safer;
- Improved facilities, activities and opportunities for children and teenagers;
- Improving and tidying up the local environment;
- Supporting elderly and disabled residents.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Public Protection (NBC)** – No comments received.

6.2 **Private Sector Housing (NBC)** – No objections. The property has sufficient amenities and room sizes to allow for 7 persons to occupy as 7 separate households.

- 6.3 **Highway Authority (NCC)** – No objection. It is noted that the proposed site meets the general requirements laid down within the draft HIMO Interim Planning Policy Statement, being located within 400m of a regularly served bus stop, which provides access to a number of very frequent services, and also providing segregated / covered cycle parking in the form of a cycle shed. The local planning would have no objection to this application; would request that the applicant either confirms the cycle shed as being sufficient to accommodate 7 cycles or provide an undertaking that a suitable size shed will be provided.
- 6.4 **Blackthorn/Goldings Residents Association** – No comments received.
- 6.5 **Councillor D Meredith** - Requests that the application be determined by the Planning Committee due to an overbearing occupation not in keeping with the area.

7. APPRAISAL

Principle of use

- 7.1 The site is located within an allocated residential area as defined in the Northampton Local Plan therefore a house in multiple occupation is in keeping with the existing land uses. The building includes seven bedrooms, 2 bathrooms, a separate WC and wash hand basin, kitchen/living room and TV room. The bedrooms have a satisfactory level of light, outlook and privacy which ensures that a suitable level of residential amenity has been secured for residents of the development.

Policy Implications

- 7.2 Policy H30 of the Northampton Local Plan can be given some weight in the determination of this application due to its general conformity with the NPPF. However, due to the age of the policy, it may not reflect up to date evidence of housing need. Policy H5 of the JCS is up to date and therefore relevant.
- 7.3 Whilst Policy H30 is dated, it is considered that as the room sizes and facilities provided are satisfactory this policy has been complied with. The Council's Private Sector Housing have no objections and have granted a licence for the property to operate as a HiMO for 7 bedrooms.
- 7.4 Policy H5 of the JCS states that Houses in Multiple Occupation will be permitted in instances where they would not adversely affect the character and amenity of the surrounding areas. Council records indicate that only one other property in Greatmeadow is in use as a HiMO. It is not considered therefore that the character of this area would be affected due to overconcentration of such a use. Whilst the development provides accommodation for seven people it should be recognised that this figure is not substantially higher than the number of people that could occupy the building as a single dwelling. As a consequence of this it is considered the development has a neutral impact on the area's character.

7.5 The Interim Planning Policy Statement sets out 4 principles for determining HiMO applications as follows:

1. To create support and maintain a balanced, mixed and inclusive community and to protect the neighbourhood and streetscene character
2. To secure the provision of adequate facilities and amenities and minimise flood risk
3. To promote the use of public transport, cycling and walking and to secure the provision of adequate parking
4. To ensure adequate refuse provision and storage

It is considered that principles 1 and 2 have been complied with as discussed in the paragraphs above. Principles 3 and 4 are discussed below.

Neighbouring Amenity

7.6 No external changes are proposed to the property which ensures that the development has a neutral impact upon the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy.

7.7 Other issues that may affect neighbouring amenity usually associated with HiMOs are problems with refuse storage and disturbance due to noise and the intensified use of the site. The applicant has confirmed that the property is managed by a letting agency who regularly visit the site to ensure standards are maintained. Points to note during the site visit were the provision of wheelie bins within the front garden and a 'bin' cupboard adjacent to the front door. The site also has a garden to the rear which would allow for an area of bin storage. Details of refuse collection days were posted on a notice board by the front door.

7.8 In terms of potential noise disturbance, it is not considered that the proposed maximum of 7 no. occupants would represent substantial intensification in comparison to how the property could be used as a family home. No noise complaints have ever been received by the Environmental Health Department relating to this property. A condition is recommended that would ensure that the number of residents occupying the property does not exceed 7. Given the scale of the building and the fact that a satisfactory standard of amenity can be secured, this figure is not considered to be excessive.

Parking

7.9 It is accepted that the proposal does not include any allocated off street car parking however there are several parking bays in the vicinity of the site that could be used by residents and the Highway Authority have no objections to the proposal. The site is within 400m of a regularly served bus stop which provides access to a number of frequent services. The site also includes a shed that could be used for cycle parking although Highways have expressed concern about the size of the shed. The applicant agrees that subject to consent being granted he will provide a lockable timber shed to accommodate 7 cycles. A condition can be applied to any planning consent regarding this requirement. In view of this it is considered the proposal complies with the Houses in Multiple Occupation Interim Planning Policy Statement and the lack of off street car parking does not render the application unacceptable.

8 CONCLUSION

- 8.1 It is considered that this application is in accordance with planning policy. The property is large enough for seven people; there is no over-concentration of similar uses in the area which would result in a detrimental impact upon amenity and the character of the area. The site lies in a sustainable location and the development does not create an adverse impact upon the surrounding highway system.
- 8.2 The proposed use is of a residential nature within a residential area and is compliant with the guidance contained within the NPPF and Policies H5 of the JCS, Policy H30 of the Northampton Local Plan and advice contained within interim Planning Policy Statement, Houses in Multiple Occupation. The application is therefore recommended for approval.

9. CONDITIONS

- (1) The development hereby permitted shall be implemented fully in accordance with the approved plan 14-206.

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

- (2) The maximum number of occupiers shall not exceed 7 at any time.

Reason: To prevent over-development to accord with the NPPF and Policy H30 of the Northampton Local Plan.

- (3) Notwithstanding the details submitted further details of a larger facility for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority within one month from the date of this permission. The approved details shall be implemented within two months from the date of this permission and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H30 of the Northampton Local Plan.

10. BACKGROUND PAPERS

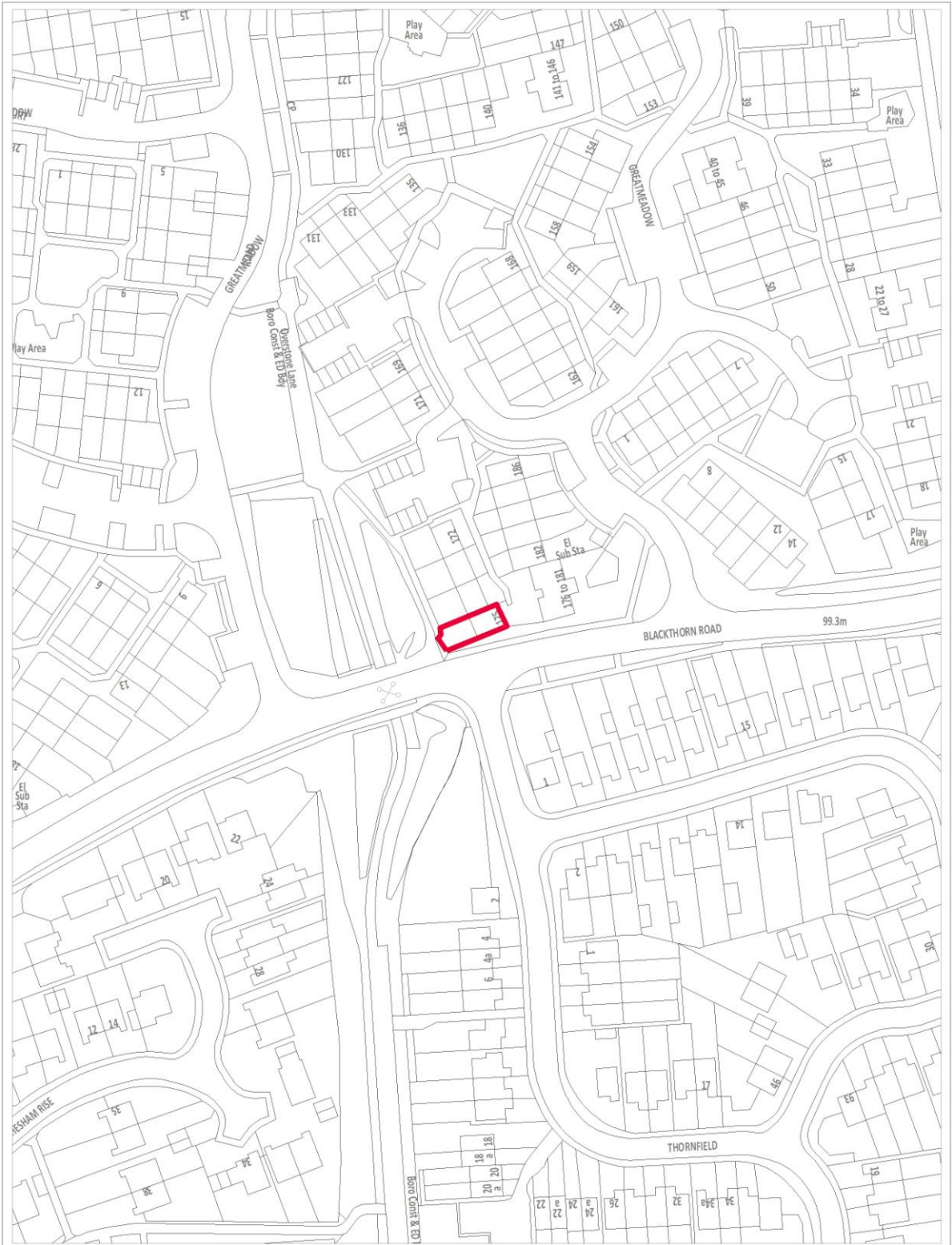
- 10.1 PA/3013/0073

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: 19th January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
175 Greatmeadow

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1291: Erection of 35 new dwellings comprising 10 one bedroom flats; 15 two bedroom houses; and 10 three bedroom houses and associated access road at land between Booth Rise and Talavera Way

WARD: Boothville

APPLICANT: Westleigh Partnerships Ltd
AGENT: RG+P

REFERRED BY: Director of Regeneration, Enterprise and Planning

REASON: Major development requiring a Section 106 Agreement and affecting land owned by Northampton Borough Council

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to conditions, would represent the satisfactory reuse of the land and contribute to the established housing need in Northampton. The development is of a satisfactory design and layout and would not impinge upon the amenities of surrounding occupiers or highway safety. The development is therefore in accordance with the National Planning Policy Framework, Policies H1, H2, S3, S10, BN2 and INF2 of the West Northamptonshire Joint Core Strategy and Policies E20, H17 and H32 of the Northampton Local Plan.

- 1.2 The prior completion of a Section 106 Legal Agreement to secure:
- i) 35% of the development to be used for affordable housing;
 - ii) A financial payment to fund the provision, improvements to connections and/or enhancements to areas of public open space within the vicinity of the site;
 - iii) A financial payment to fund highway improvement works within the vicinity of the site;
 - iv) A financial payment to fund the provision of two bus shelters and their ongoing maintenance within the vicinity of the site;
 - v) A financial payment to fund the provision of primary (at Boothville Primary School) and secondary school education (at Northampton Academy facilities) within the vicinity of the site;
 - vi) A payment towards the provision of and/or improvement to and/or maintenance of facilities at Boothville Community Centre; and
 - vii) 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 have not been secured in order to make the proposal acceptable in line with the requirements of Policy INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The applicant seeks planning permission to erect 35 dwellings on the site, which comprise 35 new dwellings comprising 10 one bedroom flats; 15 two bedroom houses; and 10 three bedroom houses. These buildings would all be of two storeys in height. The proposed dwellings would be surrounded by landscaping, which would be a combination of existing and new planting.
- 2.2 The development would be accessed via the original section of Booth Rise, which lies to the west of the existing alignment. A new junction would be created; however, it would utilise an existing turning head.

3. SITE DESCRIPTION

- 3.1 The application site is a vacant plot of land situated between Booth Rise and Talavera Way that is not allocated for any particular purpose in the Local Plan or any other planning document. The site features a number of variations in land levels and is currently in a somewhat overgrown state. The site also features a number of trees.
- 3.2 The surrounding area is characterised by the presence of residential accommodation of traditional design, which has been developed in a ribbon form alongside Booth Rise and Thorpeville. These dwellings, which are typically of one and two storeys, play a significant role in defining the character of the area. Also within the area are a number of more modern housing developments, which provide a greater degree of variety in terms of building heights as some units within the Booth Park development (to the east of the application site) and the flats at 69-71 Booth Rise are of three storeys in height. As a consequence, there is a varied streetscene.
- 3.3 Although the application site is undeveloped, it has no allocation within any local planning policy document. The areas to the north of Talavera Way have also been developed for residential accommodation in a similar density and style to Booth Rise. As discussed, the site is adjacent to Booth Rise, which serves as one of the main routes into Northampton from Kettering. The site is also adjacent to the Spinney Hill roundabout, which forms a junction between Booth Rise, Thorpeville and Talevera Way, in addition to access to the Stone Circle Road Industrial Estate.

4. PLANNING HISTORY

- 4.1 N/2013/1263 – Erection of 38 no. new dwellings comprising 12 no. flats and 26 no. houses with associated parking and installation of new access road – Refused
- 4.2 The above application was refused Planning Permission by the Planning Committee at the meeting held in June 2014 on the following grounds:

“The application site is an isolated site surrounding by roads, including those frequented by a high volume of traffic, which prevent effective direct pedestrian links to the surrounding area from being formed. As a consequence, the development would not be integrated with the surrounding area.”

Furthermore, the site can be characterised as forming a transitional green area between the urban areas to the south and the less built up setting to the north, as a consequence the development would form an incongruous feature, detrimental to the character and appearance of the locality and visual amenity. The proposal therefore fails to comply with the requirements of the National Planning Policy Framework and Policy H7 of the Northampton Local Plan.”

- 4.3 An appeal has since been lodged by the applicant to the Planning Inspectorate against the Council's decision to refuse planning permission. The appeal will be in the form of a hearing and the exact date has yet to be confirmed by the Planning Inspectorate.

5. PLANNING POLICY

Development Plan

- 5.1 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 adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

National Policies

- 5.2 The National Planning Policy Framework (hereafter referred to as the NPPF) requires that all planning applications are determined in accordance with the requirements of the Development Plan unless material considerations indicate otherwise. Of particular note to this application is that Paragraph 49 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).

West Northamptonshire Joint Core Strategy (JCS)

- 5.4 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 JCS has now been adopted by the West Northamptonshire Joint Strategic Planning Committee and therefore carries full weight. As part of the development plan, consistent with Section 38(6) it carries significant weight when considering planning applications.
- 5.5 Of particular note is that Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period. Policy H1 provides further detail regarding the location of these buildings by stating that they should be constructed through a combination of specifically planned Sustainable Urban Extensions and development within the existing built fabric. The same policy states that new developments shall provide for a mixture of house types, sizes and tenures in order to meet varying needs of the community. Applications for residential developments will be assessed against the location and setting of the site; the existing character of the area; the accessibility to services and facilities, including the proximity to public transport routes; the living conditions provided for future residents; and the impact upon the amenities of surrounding properties.
- 5.6 Policy H2 encourages the creation of varied communities that should be ensured through the provision of affordable housing, which in Northampton would represent 35% of the total development.
- 5.7 Policy S10 encourages sustainable development through incorporating measures to increase safety and security. To further encourage sustainable development, Policy C2 requires that new developments maximise opportunities for travel choices. This is in order to facilitate a modal shift.
- 5.8 In assessing applications relating to biodiversity, it is necessary to give weight to Policy BN2, which requires that development management decisions will reflect the hierarchy of biodiversity and appropriate weight should be given to the status of the site. Policy BN3 states that the retention of existing trees would be supported unless it can be demonstrated that the loss of trees would be outweighed by the need and benefits of the development.
- 5.9 Policy INF2 states that new development should only be permitted in instances where the necessary infrastructure has either been provided or that there is a reliable mechanism (such as a Section 106 Agreement) to ensure the delivery of such mitigation.

Northampton Local Plan

- 5.10 Although substantially dated and in the main replaced by the JCS, there are a small number of Local Plan Policies that are relevant to this application. These are E20 that states that developments should be of a satisfactory standard of design; Policy H17 requires the provision of a suitable level of housing for people with disabilities; and Policy H32, which necessitates the provision of some affordable housing.

Supplementary Planning Guidance

- 5.11 Affordable Housing
Developer Contributions
Parking
Planning out Crime

6. CONSULTATIONS/ REPRESENTATIONS

Representations received are summarised as follows:

- 6.1 **Anglian Water** – No objections, subject to a condition relating to the installation of a surface water strategy.
- 6.2 **Archaeological Advisor (NCC)** – Items of archaeological interest have been found within the wider area; however, areas of interest are likely to be diminished due to development in the wider area. Therefore, a condition is recommended regarding the investigation of such matters.
- 6.3 **Daventry District Council** – No objections
- 6.4 **Development Management (NCC)** – In the event that the application is approved, it is requested that Section 106 obligations are secured to fund enhancements to the provision of primary and secondary school provision within the vicinity of the site; the fire and rescue service; library provision; and fire hydrants.
- 6.5 **Environmental Health (NBC)** – Recommend conditions in respect of the investigation of contamination and the implementation of already proposed noise and air quality mitigation.
- 6.6 **Environment Agency** – No objections provided that a condition is attached to any approval regarding the submission of a scheme relating foul water drainage.
- 6.7 **Highways Agency** – No objections.

- 6.8 **Highway Authority (NCC)** – An acceptable transport statement has been submitted. Some amendments have been made to the general layout in order to provide sufficient visibility for those exiting some of the site’s car parking spaces. In the event that the application is approved, it is requested that a financial payment be secured to fund the provision of bus shelters in Booth Rise and to contribute to upgrades in Booth Rise (between the Round Spinney roundabout and the roundabout at the junction of Booth Rise and Kettering Road North), which would include, if required, improvements to the junction between Booth Rise and Round Spinney roundabout.
- 6.9 **Housing Strategy (NBC)** – The development would provide a mixture of houses that would be built to Lifetime Homes standards. There is a need for these dwellings within the Borough.
- 6.10 **National Grid** – Make observations that should be brought to the attention of the developer regarding the implementation of the development.
- 6.11 **Western Power** – No objections.
- 6.12 **Natural England** – No objections.
- 6.13 **Northamptonshire Police Crime Prevention Design Advisor** – No objections, but recommend that the refuse store be constructed from brick. Some concerns are raised regarding the position of parking spaces for Plot 5.
- 6.14 **Michael Ellis MP** – Objecting on the grounds that the site is unsuitable for residential development due to its proximity to the Round Spinney roundabout. The land also acts a buffer between the busy highway and residential accommodation. There are a number of large scale proposals for residential accommodation to the north and a decision should be taken with reference to this context.
- 6.15 **County Councillor M. Hallam** – There are serious concerns regarding the impact of the development upon the traffic at what is already one of the busiest roundabouts/gateways in Northampton.
- 6.16 18 letters of objection have been received from local residents. Comments can be summarised as:
- The proposed development would have an adverse impact upon highway safety and the free flow of traffic.
 - The application site represents an area of green space that has a value.
 - Further developments are proposed within the vicinity, which would add to traffic problems, in addition to the nearby development at Booth Park.

- The site entrance is currently used for car parking.
- The development would result in the loss of trees.
- There is limited capacity within surrounding schools and doctors surgeries.
- The scheme is similar to a previously refused scheme.

7. APPRAISAL

Principle of the development

- 7.1 As stated within Section 5 of this report, the NPPF requires a five year housing land supply to be demonstrated. At present, Northampton cannot demonstrate such a supply. Accordingly, the relevant locally saved policies are considered to be out of date and can only be given a comparatively small amount of weight in the determination of this application. Given that the development would provide additional housing, it therefore follows that the proposed development would make a contribution to the established housing need within the Borough (as identified by JCS Policy S3). The policy position of the JCS – which now carries full weight - is that the projected demand for housing can only be addressed through the development of sites that are within the existing urban fabric (in addition to specially planned Sustainable Urban Extensions). It is considered that due to the prevailing character of the site and surroundings and its lack of specific allocation in the Development Plan, the development of housing within the site contributes to meeting this objective.
- 7.2 The over-riding principle of the NPPF is that in instances where a local plan is out of date, planning applications for residential development should be determined based on an assessment as to whether they are of a sustainable nature and this test is therefore of paramount importance in the determination of this planning application. In assessing whether the development is of a sustainable nature, weight should be given to the fact that the site is located adjacent to one of the main routes into the town centre, which is well served by public transport. The site is also in close proximity with two allocated industrial areas (Moulton Park and Stone Circle Road) and areas of public open space. As a consequence, it is considered that residents of the proposed development would have ready and easy access to a number of the requisite facilities.
- 7.3 It is accepted that the site does form a buffer between the areas of Booth Rise and Thorpeville to the north; however, it should be recognised that the site was never allocated for any specific purpose within the Northampton Local Plan nor within the significantly more recent JCS. Furthermore, it is considered that the areas of allocated open space to the north of Talavera Way play a more significant role in achieving this objective.

- 7.4 The site's existing trees do make a contribution to the streetscene; however, it is understood that these are generally poor specimens that are not necessarily of good species or health and therefore their removal would not be contrary to the requirements of the JCS. In addition, the removal of these trees would be satisfactorily mitigated through the submission of a landscaping scheme that would ensure that those trees capable of retention are maintained and replacement planting takes place. This would be ensured through a condition, which would enable the Council to approve any landscaping scheme prior to development commencing.
- 7.5 As the site is undeveloped, the applicant has undertaken a full ecological assessment. This assessment concludes that as the bulk of the site is open without a water body it could not support a population of otters, water voles or great crested newts. The likelihood is that the site would not be colonised for reptiles due to the application site being isolated from other areas of open space due to the presence of road surrounding the site. There is also no record of reptiles being found in the vicinity of the site. The presence of badgers has been investigated and no evidence found. Although bats may have been seen on the site, it is exceedingly likely that their presence is a result of food gathering over a much wider area and as a consequence the development of this site would not harm the bat population. There is evidence that the site has been used for nesting birds; however, these are unlikely to be significant in number or species. In addition, the impacts of the development can be mitigated through the planting of additional trees. Therefore, the development would not pose a detrimental impact upon the natural environment. No objections have been received from Natural England with regards to this proposal.
- 7.6 As a consequence, it can be concluded that there is a significant need for new housing to come forward within the Northampton area and that the realistic means that this need can be addressed is for smaller sites within the existing urban area to be developed for residential accommodation, which would cumulatively make some contribution – alongside larger scale developments – to meeting this demand. Although undeveloped the site does benefit from good quality links with surrounding facilities and does not have any significant overriding ecological or landscape value.
- 7.7 It is considered that as the application site is of a small scale, which would be combined with replacement planting surrounding the proposed dwellings and the fact that area to the north of the application site would remain undeveloped, the actual role that the application site plays as a 'transitory' space is very limited. Furthermore, it should be recognised that the character of the surrounding area has also been changed to some degree through the development of the Booth Park site to the east and, to a lesser extent, the flats to the west in Booth Rise. Furthermore, there are no significant variations in housing densities between the Booth Rise and Thorpeville areas.

- 7.8 It is accepted that the site is surrounded by roads; however, the section of Booth Rise to the west is comparatively narrow and little used. As a consequence the presence of the road does not serve as any significant form of barrier to residents of the proposed development linking with existing parts of the community. Furthermore, there are pedestrian crossings in Booth Rise and Talavera Way (approximately 150m and 65m respectively away from the site's main entrance), which provides further ready access to the wider area. As a consequence, it is considered appropriate for the site to be developed for housing.
- 7.10 The development would secure the provision of at least 35% of the development for affordable housing, which assists in creating a mixed community and addressing a need for such housing within Northampton. In order to ensure that a mixture of house types are made available on affordable tenures, the legal agreement would ensure that the provision of affordable houses is representative of the overall composition of the development.

Design and appearance

- 7.11 In response to the prevailing characteristic in Booth Rise and Thorpeville, the proposed dwellings are arranged in a linear form, which also ensures that buildings have a reasonably harmonious relationship with the established and prominent dwellings in Booth Rise. The proposal has been reduced in scale from 38 to 35 dwellings, which ensures that the proposed development has a lesser impact upon the character of the surrounding area, which would enable the more spacious, suburban feel of the vicinity to be maintained. In individual siting of the buildings ensures that all residents would have a suitable level of light, outlook and privacy for both the residents of existing properties and those that would occupy the proposed dwellings.
- 7.12 The dwellings are constructed of a traditional form and are of two storeys in height. This includes the apartment blocks (which were of three storeys in the preceding application) that are located adjacent to the southern boundary of the site. As a consequence of this, the development would not appear unduly prominent within the streetscene due to the similarities between building types. The design of the proposed buildings are heavily influenced by the prevailing vernacular and in particular the proposed dwellings include a traditional palate of materials (predominantly red brick and render), which is replicated on a number of the surrounding properties within the vicinity. Conditions are recommended that would ensure that the Council approves the final building material, which would provide certainty regarding this impact.
- 7.13 The design of the proposed buildings has also been enhanced through the inclusion of a number of traditional architectural details, such as porches, hipped roofs and chimneys.

These design cues have been taken from the surrounding buildings within Booth Rise and Thorpeville and ensure that the proposed development has maintained the quality of the built environment.

- 7.14 All of the proposed houses (25) have private rear gardens, which would ensure a satisfactory level of amenity space for the future residents of these units. This is considered to be a necessity on account of this element of the development being for the provision of family housing. It is accepted that the one bedroom flats do not have private garden space; however, given the likely profile of the future residents (e.g. generally single people or couples) it is considered that this arrangement is acceptable. Furthermore, the site is in close proximity to existing areas of public open space. It should also be noted that provision has been made within the submitted scheme for the provision of refuse and cycle storage to serve these flats. As a consequence, suitable provision has been made to address the likely needs arising from the occupiers of these units.
- 7.15 It is recognised that the site is currently undeveloped; however, for the reasons discussed previously, this reason is not sufficient to justify retaining the site in its current form. In order to provide some mitigation, there would be increased new planting adjacent to Booth Rise, which would further reduce the impact of the development on the streetscene. In addition, the existing planting in the northern and eastern sections of the site would be retained. This would ensure that views of the development from northern areas (including the Round Spinney roundabout of the development) would have a neutral impact upon this vista.

Air quality, noise and contamination

- 7.16 The applicant has submitted an air quality assessment, which has concluded that the air quality surrounding the application site is sufficient to ensure a satisfactory standard of residential amenity for the future residents of the development. The advice of the Council's Environmental Health section is that the development be permitted subject to a condition requiring that the recommendations of the applicant's noise mitigation strategy are implemented in order to ensure a satisfactory level of residential amenity. As part of their submission, the applicant has investigated the potential for contamination on the site. As a consequence of this and due to the potential residential use of the site, a number of conditions are recommended that would secure the remediation of naturally occurring contamination.

Drainage

- 7.17 There were initial objections to the proposal from the Environment Agency; however, the developer has revised the scheme to address these comments, which, subject to conditions, have been sufficient to allow the Environment Agency to remove their objections to the proposal and there are now no planning reasons as to why the scheme should not progress on these grounds.
- 7.18 In order to mitigate the impacts of the proposed development, it is recommended that a condition be attached to any approval that would require the submission of a Construction Environmental Management Plan. This would include details pertaining to the phasing of the development, hours in which construction works would take place and methods for the suppression of construction noise and dust.

Archaeology

- 7.19 There is some potential for items of archaeological interest to be found during the development process; however, due to the pattern of development within the surrounding area, it is likely that such deposits would be significantly truncated. Accordingly, a condition requiring the further investigation of matters of archaeological interest is appropriate and in line with the specialist advice that the Council has received on this matter.

Highway considerations

- 7.20 The applicant has proposed the inclusion of 45 car parking spaces, which is an average of 1.3 spaces per dwelling. As the development includes 10 single bedroom dwellings, it is considered that sufficient car parking has been provided to prevent any unauthorised car parking on the public highway. Although it is accepted that the site is located towards the periphery of the town, it does feature good access to public transport routes and other local facilities. As a consequence, it is likely that residents of the development would not be reliant upon private cars as their sole means of transport.
- 7.21 During the application process, the applicant has revised the siting of the car parking for one of the dwellings (plot five), in order to ensure adequate visibility for vehicles entering and exiting these spaces. All of the car parking spaces within the development would benefit from natural surveillance and as a consequence are likely to be safe and attractive to use, thus avoiding ad hoc parking, which could be detrimental to highway safety.

- 7.22 The application site is in close proximity to two existing bus stops that are located to the south of the site. These stops are approximately 175m and 220m away from the site's main entrance. This provision ensures that there is adequate access to such facilities, which would encourage the use of public transport. The pedestrian crossing (which is necessary to access south bound services) features a refuge within the middle of the carriageway, which eases crossings.
- 7.23 Notwithstanding this assessment, it is likely that the level of road usage would increase within the surrounding environs. By reason of the scale of the development, any such increase is likely to be of a relatively small amount and therefore the impact upon the flow of traffic within the vicinity would not be significant. Nonetheless, the applicant will be entering into a Section 106 Agreement that would fund improvements to Booth Rise between the Round Spinney roundabout and the roundabout at the junction of Booth Rise and Kettering Road North. These works would also include upgrades to the junction between Booth Rise and the Round Spinney roundabout. These works would join up with the ongoing works being carried out by the Highway Authority to upgrade this roundabout.
- 7.24 The Highway Authority has also confirmed that as part of this work, there will be a review of pedestrian crossings in Booth Rise. Accordingly, the wording of this legal obligation has been phrased in such a manner to allow the financial payment to be used for this purpose if required.
- 7.25 In order to encourage more sustainable means of transport, the Section 106 Agreement would also secure new bus shelters for the existing bus stops in proximity to the site. This would provide a more attractive facility for passengers and would encourage usage. This could potentially reduce the number of car journeys emanating from the proposal and would support the creation of a sustainable development as required by the NPPF. A condition is also recommended that would require the submission of a travel plan. These measures would assist in mitigating the impacts of the development and directly relate the type and scale of the proposal.

Legal Agreement

- 7.26 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.

- 7.27 As discussed previously, 35% of the development would be utilised for the provision of affordable housing. 70% of these dwellings would be utilised for social or affordable rent and 30% intermediate ownership. This would ensure that the development provides a mixture of housing to provide a varied community in line with the requirements of national and local planning policies. This would be addition to the transport infrastructure that would be secured and described with paragraphs 7.23 to 7.25.
- 7.28 It is recognised that the development would provide a comparatively high number of family accommodation units. However, it is noted that the closest primary school (Boothville Primary) currently is currently operating at 95% capacity in six of its seven year groups. The County Council will be undertaking a programme of expansion at this school (including the provision of new permanent classrooms) in order to alleviate some the pressure for school places. In terms of secondary school education, the site would be served by the Northampton Academy, of which four out of the five year groups are operating at over 95% capacity. As a consequence of the nature of the development and the fact there are programmes in place that would directly mitigate the impacts of the development, financial contributions towards education provision are necessary and reasonable.
- 7.29 By reason of the nature of the development (i.e. predominantly family residential accommodation), it is likely that demand for and usage of public open space would increase. Open space within the Borough was surveyed as part of the process which culminated in the adoption of the Developer Contributions Supplementary Planning Document. Within the area surrounding the application site, it was concluded that there were deficiencies in the quality and quantity of allocated open space, with these deficiencies projected to exist in the future. Accordingly, and in line with the requirements of the Developer Contributions SPD and JCS Policy INF2, it is recommended that an obligation be included as part of the Section 106 Agreement to fund improvements and/or enhancements to open space within the vicinity of the application site in order to ensure that the future residents of the development have suitable access to such facilities.
- 7.30 The development will also make a payment and provide opportunities for the provision of construction worker training, which would be secured by the legal agreement in accordance with adopted policy.
- 7.31 The County Council has also requested a payment for the provision of the fire services and libraries. There is no adopted development plan policy support for these requests and it is not clear what facilities would be secured needs would be addressed by this obligations. 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 as part of the planning process.

- 7.32 It is likely that the development would increase the demand for community facilities within the vicinity by reason of the increased population. As a consequence, a Section 106 obligation is to be entered into that would provide funding to undertake enhancements to the nearby Boothville Community Centre.

8. CONCLUSION

- 8.1 The fact that Northampton does not currently have a five year housing land supply carries significant weight in the determination of this application. In line with the requirements of the NPPF, the key determining factor is whether the proposal represents sustainable development. As the site has ready access to existing facilities and good public transport links, which would be combined with a good quality design and a neutral impact upon the neighbouring properties. It has also been demonstrated that the development would not unduly impact upon the ecology of the site. Mitigation would be secured through conditions and a legal agreement. For these reasons, it is considered that the proposed development is sustainable and accordingly should be granted planning permission. By reason of the level of mitigation that would be secured (which would now also include an additional contribution towards enhancements towards a local community centre) and the reduction in the density of the scheme when compared to the previous scheme, it is considered that the development is acceptable.

9. CONDITIONS

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

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

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

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

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

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

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

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

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 BN2 of the West Northamptonshire Joint Core Strategy.

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

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

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

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

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

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

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

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

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

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

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

12.Noise mitigation measures for individual plots, which covers glazing and ventilation specifications, shall be carried out in accordance with the details contained within noise assessment dated the 6th November 2014 (reference: 1628 Northampton – Booth Rise, Rev. A) prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

13. Prior to the first occupation of the development hereby permitted, the air quality mitigation measures as specified within the submitted assessment (reference 33787r7, dated 6th November 2014) shall be fully implemented 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.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

15.Notwithstanding the details submitted, full details of the cycle storage to serve the flats shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

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

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

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

- i. The control of noise and dust during the development process;
- ii. Traffic management and signage during construction;
- iii. Phasing;
- iv. Provision for all site operatives, visitors and construction vehicles
- v. loading, parking and turning within the site during the construction period;
- vi. Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- vii. The safe means of access of construction traffic to the site;
- viii. Routing agreement for construction traffic; and
- ix. 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.

18. 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.

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

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

20. The parking and roadways shall be provided in accordance with the details shown on drawing 7771/044B prior to the first occupation of the development hereby approved.

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

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

The scheme shall also include:

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

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

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

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

10. BACKGROUND PAPERS

10.1 N/2013/1263 and N/2014/1291

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 January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title

Development Land between Talavera Way and Booth Rise

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1293: Change of use from dwelling (Use Class C3) to house of multiple occupation (Sui Generis) for 7 people at 16 Hopmeadow Court

WARD: Talavera

APPLICANT: Mr Sam Maddrell
AGENT: Mr Rod Kilsby

REFERRED BY: Cllr D Meredith
REASON: Overbearing development not in keeping with the area

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would provide accommodation of a suitable standard and have a neutral impact upon the character and appearance of the area, neighbour amenity and highway safety. The development is therefore in accordance with the requirements of the National Planning Policy Framework, Policy H5 of the Adopted West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan and the Houses in Multiple Occupation Interim Planning Policy Statement.

2. THE PROPOSAL

- 2.1 The application seeks planning permission to change the use of the building to a house in multiple occupation for seven people. The application is submitted retrospectively as the use is existing although not all rooms are currently let. The property has been previously occupied as a HiMO not exceeding 6 persons. No external changes have been made to facilitate the change of use.

3. SITE DESCRIPTION

- 3.1 The application site comprises a mid-terraced three storey property located within the eastern district. The property has a front garden facing onto a green area which is surrounded by similar dwellings and a rear garden shared with no. 15 Hopmeadow Court. No 15 already has planning permission for use as a HiMO for 7 occupants. Half of the rear garden is block paved and half is laid to lawn with a large shed occupying part of the garden. Rear access leads onto to Nether Jackson Court with public parking lay-bys located to the rear.

4. PLANNING HISTORY

- 4.1 Planning permission N/2014/0924 was granted in October 2014 for 15 Hopmeadow Court to be used as a house in multiple occupation for 7 people.

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 adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

NPPF – National Planning Policy Framework

Paragraph 17 requires that new developments be of a good standard of design and secure a good standard of amenity.

Paragraph 47 requires that an evidence base is used to meet the full and objectively assessed housing needs of an area.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy H5 of the JCS (Managing the Existing Housing Stock) states that the existing housing stock will be managed by:

- Restricting the loss of existing dwellings to other uses
- Securing the re-use of empty dwellings for residential use
- Allowing houses in multiple occupation (HIMOS) where they would not adversely affect the character and amenity of existing residential areas.

5.4 **Northampton Local Plan 1997 (Saved Policies)**

E20 – New development should have an acceptable layout

H30 – houses in multiple occupation should be of sufficient size and have a neutral impact on the character of an area and should not create a substantial demand for on-street parking in areas judged to be experiencing local difficulties in this respect.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Houses in Multiple Occupation - IPPS November 2014 – provides principles for determining such applications.

5.6 **Other Material Considerations**

Emerging growing Together Neighbourhood Development Plan

On 11 September 2013, Northampton Borough Council's Cabinet designated Growing Together as a Neighbourhood Forum, and the estates of Blackthorn, Goldings, Lings and Lumbertubs as a Neighbourhood Area for the purposes of preparing a Neighbourhood Plan. The Neighbourhood Plan builds upon the lottery funded Big Local programme. A pre-submission Neighbourhood Plan is expected to be published in Spring 2015. Recent community consultation has identified the following priorities to be addressed through the Neighbourhood Plan:

- Tackling crime and making the area feel safer;
- Improved facilities, activities and opportunities for children and teenagers;
- Improving and tidying up the local environment ;
- Supporting elderly and disabled residents.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Public Protection (NBC)** – Confirm that there are no noise complaints listed at this address.
- 6.2 **Private Sector Housing (NBC)** – Originally commented that there were not enough cooking facilities in the property to meet standards. Following the submission of amended plans increasing the number of cookers to two, Public Sector Housing state that the facilities would meet their standards.
- 6.3 **Highway Authority (NCC)** – No objection. It is noted that the proposed site meets the general requirements laid down within the draft HIMO Interim Planning Policy Statement, being located within 400m of a regularly served bus stop, which provides access to a number of very frequent services, and also providing segregated / covered cycle parking in the form of a cycle shed.

- 6.4 **Blackthorn/Goldings Residents Association** – No comments received.
- 6.5 **Councillors D Meredith** - Requests that the application be determined by the Planning Committee due to an overbearing occupation not in keeping with the area.

7. APPRAISAL

Principle of use

- 7.1 The site is located within an allocated residential area as defined in the Northampton Local Plan therefore a house in multiple occupation is in keeping with the existing land uses. The building includes seven bedrooms, 3 bathrooms and a kitchen/living room. The bedrooms have a satisfactory level of light, outlook and privacy which ensures that a suitable level of residential amenity has been secured for residents of the development.

Policy Implications

- 7.2 Policy H30 of the Northampton Local Plan can be given some weight in the determination of this application due to its general conformity with the NPPF. However, due to the age of the policy, it may not reflect up to date evidence of housing need. Policy H5 of the JCS is up to date and therefore relevant.
- 7.3 Whilst Policy H30 is dated, it is considered that as the room sizes and facilities provided are satisfactory this policy has been complied with. Initial objections from the Council's Private Sector Housing related to the provision of only one cooker. These objections have been overcome by the submission of amended plans showing the provision of two cookers. This was observed to be installed during a site visit which also confirmed the provision of a satisfactory standard of accommodation.
- 7.4 Policy H5 of the JCS states that Houses in Multiple Occupation will be permitted in instances where they would not adversely affect the character and amenity of the surrounding areas. Council records indicate that of the 43 properties in this street, 4 are in use as HiMOs. It is not considered that the character of this area would be significantly affected due to overconcentration of such a use. Whilst the development provides accommodation for 7 people it should be recognised that this figure is not substantially higher than the number of people that could occupy the building as a single dwelling. As a consequence of this it is considered the development has a neutral impact on the area's character.
- 7.5 The Interim Planning Policy Statement sets out 4 principles for determining HiMo applications as follows:
1. To create support and maintain a balanced, mixed and inclusive community and to protect the neighbourhood and streetscene character
 2. To secure the provision of adequate facilities and amenities and minimise flood risk
 3. To promote the use of public transport, cycling and walking and to secure the provision of adequate parking
 4. To ensure adequate refuse provision and storage

It is considered that Principles 1 and 2 have been complied with as discussed in the paragraphs above. Principles 3 and 4 are discussed below.

Neighbouring Amenity

- 7.6 No external changes are proposed to the property which ensures that the development has a neutral impact upon the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy.
- 7.7 Other issues that may affect neighbouring amenity usually associated with HiMOs are problems with refuse storage and disturbance due to noise and the intensified use of the site. The applicant has confirmed that the property is managed by a letting agency who regularly visit the site to ensure standards are maintained. Points to note during the site visit were that an enclosed 'bin' cupboard is sited adjacent to the front door. The site also has a garden to the rear with an area for bin storage. Details of refuse collection days were posted on a notice board by the front door.
- 7.8 In terms of potential noise disturbance, it is not considered that the proposed maximum of 7 no. occupants would represent substantial intensification in comparison to how the property could be used as a family home. No noise complaints have been received by the Environmental Health Department relating to this property. A condition is recommended that would ensure that the number of residents occupying the property does not exceed seven. Given the scale of the building and the fact that a satisfactory standard of amenity can be secured, this figure is not considered to be excessive.

Parking

- 7.9 It is accepted that the proposal does not include any allocated off street car parking however there are several parking bays immediately adjacent to the site that can be used by residents and the Highway Authority have no objections to the proposal. The site is located within 400m of a regularly served bus stop which provides access to a number of frequent services and it also provides cycle parking. The proposal therefore complies with the Houses in Multiple Occupation Interim Planning Policy Statement. As a consequence, the lack of off street car parking does not render the application unacceptable.

8 CONCLUSION

- 8.1 It is considered that this application is in accordance with planning policy. The property is large enough for 7 people; there is no over-concentration of similar uses in the area which would result in a detrimental impact upon amenity and the character of the area. The site lies in a sustainable location and the development does not create an adverse impact upon the surrounding highway system.
- 8.2 The proposed use is of a residential nature within a residential area and is compliant with the guidance contained within the NPPF and Policies H5 of the JCS, Policy H30 of the Northampton Local Plan and advice contained within interim Planning Policy Statement, Houses in Multiple Occupation. The application is therefore recommended for approval.

9. CONDITIONS

- (1) The development hereby permitted shall be implemented fully in accordance with the approved plan 14-205 Rev B.

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

- (2) The maximum number of occupiers shall not exceed 7 at any time.

Reason: To prevent over-development to accord with the NPPF and Policy H30 of the Northampton Local Plan.

10. BACKGROUND PAPERS

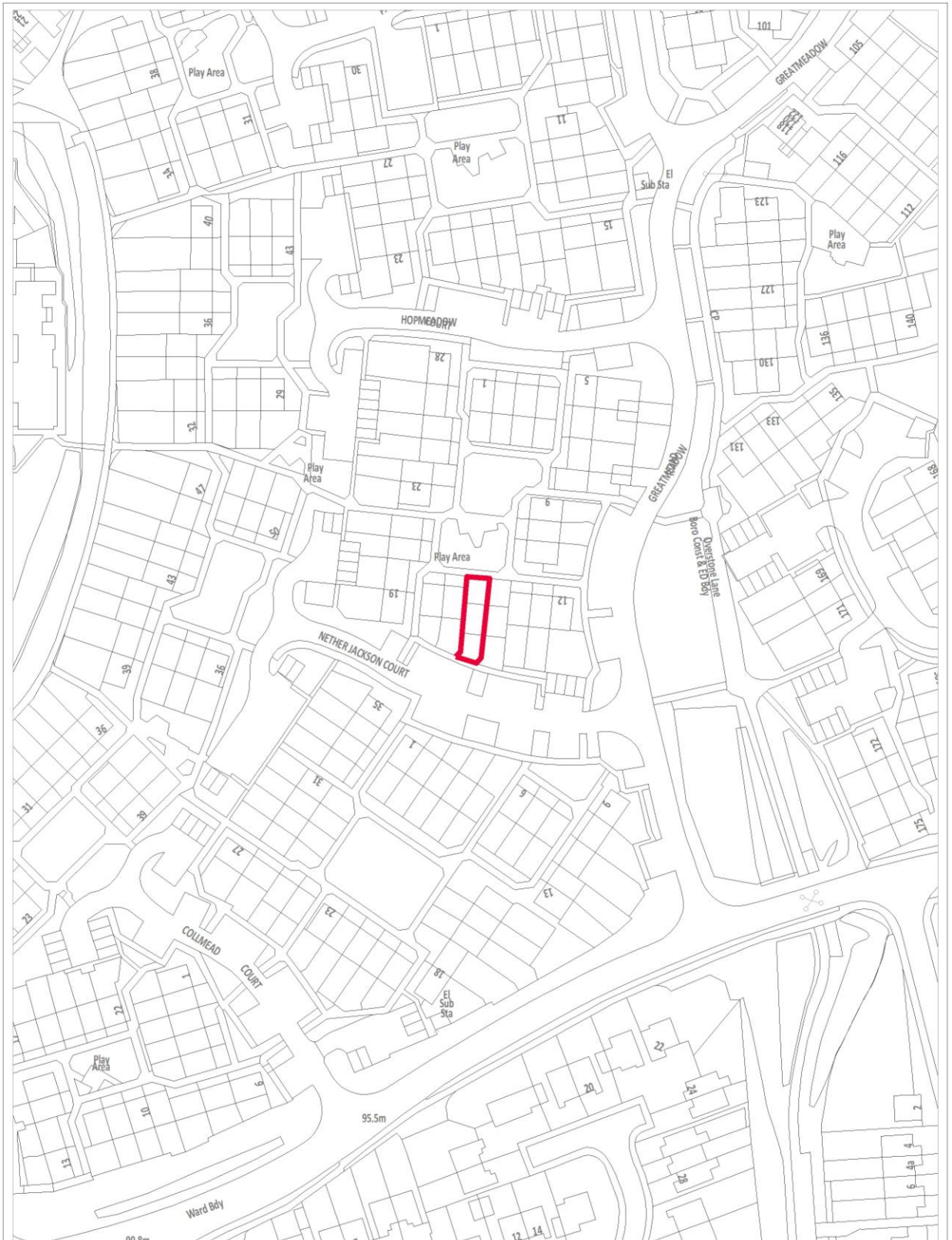
- 10.1 N/2014/1293.

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 January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
16 Hopmeadow Court

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1309: Variation of Condition 4 of planning permission N/2013/0242 to extend the opening hours to 09:30 - 17:30 Monday to Friday and 09:00 - 12:00 on Saturday, 22 Woodhill Road

WARD: New Duston

APPLICANT: Miss Lisa Redley
AGENT: None

REFERRED BY: Cllr. Suresh Patel
REASON: Concerns about residential amenities and the impact on local neighbours

DEPARTURE: NO

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

By reason of the small scale and non-intrusive nature of the business, it is considered that the proposed increase in opening hours will not cause significant loss of amenity to neighbouring residents nor impact on highway safety, and is therefore in accordance with Policy B20 of the Northampton Local Plan, Policy S10a of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. BACKGROUND AND THE PROPOSAL

2.1 Planning permission N/2013/0242 was granted in April 2013 for the proposed extension and change of use of the garage at 22 Woodhill Road to a home-based beauty salon. Condition 4 of the planning permission stipulates that the beauty salon shall only operate between the hours of 10:00 to 15:00 Monday to Friday. The permission has since been implemented.

- 2.2 The current application seeks permission to vary Condition 4 to extend the opening hours of the beauty salon to 09:30-17:30 Monday to Friday and 09:00-12:00 noon on Saturday.

3. SITE DESCRIPTION

- 3.1 A semi-detached dwelling located in a residential area. The property has a detached building in the rear garden (formerly a single garage) which has been converted to accommodate a home-based beauty salon business (approval received under planning permission ref. N/2013/0242). The property has hard standing to the front to accommodate off-street parking for three vehicles.

4. PLANNING HISTORY

- 4.1 N/2013/0242 - Extension of garage and conversion to beauty salon – 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 adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, and emerging Neighbourhood Development Plans where relevant.

5.2 National Policies

National Planning Policy Framework (NPPF) – paragraph 17 supports sustainable economic development to deliver business and thriving local places that the country needs.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2015

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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy S10a – Sustainable Development Principles: achieve the highest standards of sustainable design incorporating safety and security considerations and a strong sense of place.

5.4 Northampton Local Plan 1997 (Saved Policies)

Policy B20 – working from home: planning permission will be granted provided that home working is carried out by those who live in the same residential unit; there is no loss of amenity to neighbouring residents; the use reverts to residential once the home working ceases; and there is no loss of a residential unit. If the scale of the business use expands to conflict with the residential character of the area, the Council will pursue enforcement action.

5.5 Other Material Considerations

Pre-submission Duston Neighbourhood Plan (reg. 14)

Duston Parish Council has published a pre-submission Neighbourhood Plan. Some limited weight can be given to the policies of this pre-submission stage plan subject to the extent to which there are unresolved objections and the degree of consistency with the policies in the NPPF. A review of the policy context concluded that the emerging Neighbourhood Plan was unlikely to conflict with the JCS which has been prepared in full conformity with the NPPF.

The following policies are relevant to the determination of this proposal:

Policy B2: Making provision for self-employment and working from home (objective 6).

B. Proposals for new houses or residential extensions which provide dedicated space for home working will be supported provided that they do not:

- create noise or nuisance for adjoining residents;
- create local parking or congestion problems;
- conflict with other policies in this Neighbourhood Plan for infill housing and residential extensions or for identified character areas.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Duston Parish Council** – should full planning permission be granted, the committee would like to see a covenant added that restricts operating hours to those stated on the application and make the consent personal to the applicant.
- 6.2 **Environmental Health** – no record of any complaints received about the current use of the site between 10:00 and 15:00 Monday to Friday. On this basis, officers from this section have no objection to the proposed extension in hours. In order to prevent intensification of the use, it is recommended that any consent remains personal to the applicant.
- 6.3 **Councillor S. Patel** – called in application as concerns about residential amenities and the impact on local neighbours.
- 6.4 **Highway Authority** – no observations.
- 6.5 **Petition** signed by 13 residents at Woodhill Road objecting to the extending of the opening hours.
- 6.6 **20, 24 and 37 Woodhill Road** – objecting for the following reasons:
- Unhappy extended hours will add to traffic/parking congestion, as off street parking is often taken up by their own car(s) and visitors park on the road. Makes pulling out of drive difficult/hazardous.

- Woodhill Road is a quiet residential street with limited through traffic, increased business would increase volume of traffic and congestion.
- Residential street is no place for a full-time business, feel hours should be kept to present level.
- Deeds of property prohibit business being carried out at property.
- Noise disturbance, very intrusive to residential amenity.
- Why can't applicant rent a shop in an appropriate location.

7. APPRAISAL

- 7.1 The original application ref. N/2013/0242 permitted the change of use/alteration to the former garage for use as a beauty salon, with opening hours of 10:00 to 15:00 Monday to Friday.
- 7.2 This application proposes an increase in hours from 25 hours over 5 days, to 43 hours over 6 days (09:30 – 17:30 Monday to Friday and 09:00 – 12:00 Saturday). The main issue to consider is whether the increase in operational hours would have an adverse impact upon residential amenity and highway safety.
- 7.3 The applicant states that the increased hours will offer her clients the option of more flexible and convenient times. As the applicant is the only person operating the busy and she attends to her customer one at a time, it is unlikely that there would be substantial increase in the number of people attending the premises.
- 7.4 Neighbours' objections largely centre around traffic/parking congestion problems, and the associated noise disturbance. It is noted that the Highway Authority has no concerns regarding traffic congestion along this street, and no objection has been received from the Environmental Health Officer to the proposal on the basis that they have not received any complaints of noise disturbance.
- 7.5 In assessing the issue of traffic congestion that may result from the proposal, it is noted that only one vehicle may be arriving at a time at varying intervals throughout the operating time. With three off-street parking spaces available at the site, it is considered that the increased hours would not add substantially to parking congestion along the street.
- 7.6 In assessing the potential for increased noise and disturbance that may result from increased opening hours, this could only potentially arise from customers coming and going in vehicles. Given the essentially quiet nature of the use and the scale of the business with no additional employees, the impact is unlikely to be significant that warrants a refusal of the planning application.
- 7.7 The restrictions in the Deeds on business use are not material planning considerations and therefore cannot be taken into account in the assessment of this application.

8. CONCLUSION

- 8.1 The conditions placed on the earlier permission for this home-based business restrict the use to be operated by the applicant only, with no additional staff to be employed in the beauty salon. These conditions will remain.

No objections have been received from Environmental Health or the Highway Authority in regard to noise disturbance or parking congestion.

- 8.2 The proposed extra hours on Monday to Friday (0.5 hour in the morning and 2.5 hours in the afternoon), and 3 hours on a Saturday morning are not considered to be significant that would severely impact on residential amenity and highway safety, and on this basis the application is recommended for approval.

9. CONDITIONS

- (1) This permission shall enure for the personal benefit of Ms. Lisa Redley for the use of the converted/extended garage as a beauty salon and shall not enure for the benefit of the land. If Ms. Redley ceases to occupy the property, the use of the premises shall revert back to a domestic garage.

Reason: The development proposed would not normally be appropriate in this location but is allowed solely on the personal grounds of the applicant in accordance with Policy B20 of the Northampton Local Plan.

- (2) The use hereby approved shall operate only between the hours of 09:30 – 17:30 Monday to Friday and 09:00 – 12:00 on Saturday.

Reason: In the interest of the protection of residential amenity in accordance with Policy B20 of the Northampton Local Plan.

- (3) No additional staff shall be employed to work in the beauty salon to which this permission relates.

Reason: In the interest of the protection of residential amenity in accordance with Policy B20 of the Northampton Local Plan.

- (4) Notwithstanding the provisions of the Town and Country Planning (Control of Advertisements) Regulations 2007 (or any regulations revoking and re-enacting those regulations with or without modification), no notice, sign or advertisement shall be displayed on the land or building without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity and to maintain a satisfactory external appearance of the development in accordance with the advice contained in the National Planning Policy Framework.

10. BACKGROUND PAPERS

- 10.1 N/2013/0242

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 January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
22 Woodhill Road

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PLANNING COMMITTEE: 28th January 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1354: Change of use from retail to estate agents at
3 Tudor Court, Wootton Hope Drive

WARD: Nene Valley

APPLICANT: Connells Residential
AGENT: Mr. A. Creswell; Kemp and Kemp

REFERRED BY: Cllr. J. Nunn
REASON: Due to the detrimental impact upon the retail
offer available to local residents

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would have a neutral impact upon the viability and vitality of the centre and the amenities of surrounding properties. The proposal is therefore in conformity with the requirements of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and Policy R9 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to change the use of the building from a retail unit (currently in use as hairdressers) to estate agents (which falls within Use Class A2). No external alterations are proposed.

3. SITE DESCRIPTION

- 3.1 The application site is located within an area that performs the role of a local centre to the Wootton Fields area (notwithstanding that fact that the area has no formal allocation within any local planning policy document. The surrounding land uses therefore contain a variety of retail facilities (including a reasonably sized Co-operative convenience store), uses falling within Class A2 (including other estate agents), takeaways and a vets. Car parking is provided within the environs of the application site. The surrounding area is characterised by residential accommodation.

4. PLANNING HISTORY

- 4.1 None relevant.

5. PLANNING POLICY

Development Plan

- 5.1 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 West Northamptonshire Joint Core Strategy and the Northampton Local Plan 1997 saved policies

National Policies

- 5.2 Paragraph 17 of the National Planning Policy Framework (hereafter referred to as the NPPF) states that planning decisions should encourage the provision of mixed use communities and deliver sufficient community facilities to meet local needs. Paragraph 23 requires that centres are provided which offer a variety of retail, leisure, commercial, office, tourism, cultural and community facilities.

West Northamptonshire Joint Core Strategy (JCS)

- 5.3 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 JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee. Following adoption the JCS forms part of the development plan and is consistent with Section 38(6) and therefore carries significant weight when considering planning applications.

Policy S10 of the JCS requires that new developments are suitable located to ensure that they are accessible by more sustainable means of transport, such as walking.

Northampton Local Plan

- 5.4 Although substantially dated, which therefore lessens the weight that can be attributed to the document, Policy R9 is of some use in assessing the application as the proposal results in the loss of a retail unit within an area that functions as a local centre. In particular, the policy states that such changes of use would only be permitted in instances where there would not be any undue traffic problems; it would not adversely affect the amenity of the neighbouring properties or there would not be a detrimental impact upon the shopping character of the area.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Cllr. J. Nunn** – Requesting that the application is determined by the Planning Committee due to the detrimental impact upon the retail offer available to local residents
- 6.2 **Wootton and East Hunsbury Parish Council** – Objecting as the proposal would result in the loss of a retail unit, particularly as there are already two estate agents within the centre.
- 6.3 Nine letters of objection have been received. Comments can be summarised as:
- There is insufficient need for a further estate agents
 - The building should be retained for retail purposes to provide competition to other stores in the area
 - The building could be used to provide a better range of facilities

7. APPRAISAL

- 7.1 It is accepted that the proposed development would result in the loss of a retail unit; however, there is no adopted minimum threshold for retail facilities within either local or national planning guidance. As a consequence of this, the application should be assessed on whether the development would result in an unacceptable proportion of the centre being used for non-retail purposes.
- 7.2 Assuming the application were to be approved, of the 10 units located in the centre (not including the office building adjacent to the centre's entrance), three would remain in use for retail purposes; whilst three would be operated for uses falling within Use Class A2 (including the application site); two would be in use as a takeaways; one would be in use as a vets; and one as an office. Bearing in mind that the centre only serves a comparatively small catchment area, it is doubtful that a substantial amount of retailing could be accommodated within the centre.

- 7.3 In addition, it should be noted that there is already a sizeable convenience store located within the centre, which is open for comparatively long periods (6am to 11pm). As a consequence, it is likely that this retail unit serves as the venue for the majority of 'top up' shopping that would be the main activity within such a small centre. It is therefore unlikely that a similar store would occupy the application site due to the relatively small catchment area. The floor space of the application site, being of a small level (80m²) also reduces the level of attractiveness to future retailers.
- 7.4 By reason of the lack of external alterations proposed, the proposed change of use would mean that if a retail occupier were to be found for the building the use of the building could revert back to retail purposes relatively easily and without requiring an application for planning permission.
- 7.5 A further consideration is that following changes to the General Permitted Development Order (which governs the type and amount of works that can be carried out without requiring planning permission) in 2013 and 2014, it would be possible to change the use of a retail unit of this size to some uses in Use Class A2 (such as a bank) on a permanent basis or to a use comparable to that sought within this application for a temporary period of up to two years without the Council's formal permission. By reason of this fall back position, combined with the factors described above, it is considered that this application could not be reasonably resisted on the grounds that a retail unit would be lost.
- 7.6 In addition to these points, the centre would retain a number of other uses, including a reasonable provision of retailing and other services such as a vets and takeaways. As a consequence, the development would allow for a varied and vibrant centre to be created, which would meet a number of needs of the local community. The centre is also within easy reach of the surrounding residential properties, which would ensure the promotion of sustainable development.
- 7.7 Due to the presence of car parking at the centre, it is considered that the likely highway impacts of the development could be successfully mitigated without an undue detrimental impact upon the highway system. As there are no external alterations, the impact upon neighbour amenity would be neutral.

8. CONCLUSION

- 8.1 It is considered that the proposed change of use would not unduly the viability and vitality of the centre and would have a neutral impact upon amenity and highway safety. The proposal is therefore in accordance with the requirements of national and local planning policies.

9. CONDITIONS

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

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

10. BACKGROUND PAPERS

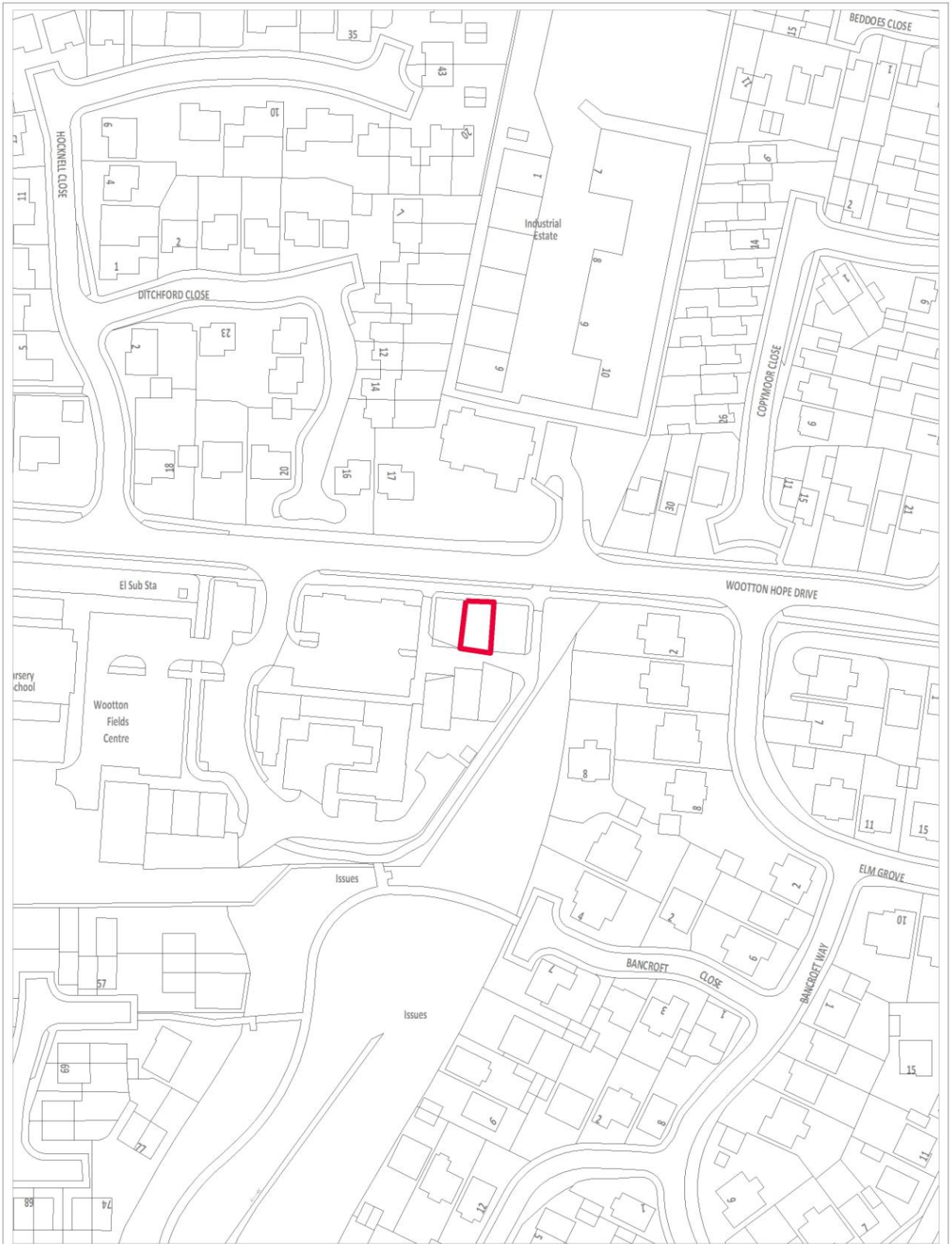
- 10.1 N/2014/1354

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 January 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
3 Tudor Court, Wootton Hope Drive

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