



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **PLANNING AGENDA**

**Tuesday, 17 February 2015**

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

6:00 pm

**Members of the Committee**

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

**Councillors:** Iftikhar Choudary, Nazim Choudary, Penny Flavell, Michael Ford,  
Matthew Golby, Jamie Lane, Lee Mason, David Palethorpe and  
Mohammad Aziz Rahman

**Chief Executive** David Kennedy

If you have any enquiries about this agenda please contact  
[democraticservices@northampton.gov.uk](mailto: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 837722
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- By email to: [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) (if no acknowledgement is received please telephone)

### When Do I Speak At The Meeting

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

### How Long Can I Speak For?

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

### Other Important Notes

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

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.  
on Tuesday, 17 February 2015  
at 6:00 pm.

**D Kennedy**  
**Chief Executive**

**AGENDA**

**1. APOLOGIES**

**2. MINUTES**

(Copy herewith)

**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**

(Copy herewith)

**7. OTHER REPORTS**

**(A) VIABILITY ASSESSMENT IN RELATION TO THE S106 PLANNING OBLIGATIONS FOR PLANNING APPLICATION N/2014/0629 FOR THE ERECTION OF 54 DWELLINGS AND A NEW FOODSTORE AT THE W GROSE LIMITED SITE, KINGSTHORPE ROAD**

(Copy herewith)

**(B) N/2014/1427 - APPLICATION FOR A PERMANENT DIVERSION OF A FOOTPATH - UNIVERSITY SITE, NUNN MILLS ROAD**

(Copy herewith)

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None

**(A) N/2014/1454 - RELOCATION OF ADVERTISING COLUMN (RETROSPECTIVE) - ABINGTON STREET**

(Copy herewith)

**10. ITEMS FOR DETERMINATION**

- (A) N/2014/0316 - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS (FROM PENFOLD CLOSE / NORTHFIELD WAY) FOR A RESIDENTIAL DEVELOPMENT COMPRISING 230 DWELLINGS AND PUBLIC OPEN SPACE -FORMER KINGSTHORPE MIDDLE SCHOOL, NORTHFIELD WAY**

(Copy herewith)

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

(Copy herewith)

- (C) N/2014/0911 - CHANGE OF USE FROM RESIDENTIAL CARE HOME (USE CLASS C2) TO 20NO. RESIDENTIAL FLATS (USE CLASS C3) LAKEVIEW HOUSE OLD PERSONS HOME - 88 CHURCHILL AVENUE**

(Copy herewith)

- (D) N/2014/1160 - ERECTION OF 51 DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING - STUDLAND ROAD**

(Copy herewith)

- (E) N/2014/1209 - THE ERECTION OF A PEDESTRIAN FOOTBRIDGE TO CROSS THE BROOK - LAND ADJ TO THE MALTINGS WESTBRIDGE MOTORS, ST JAMES ROAD**

(Copy herewith)

- (F) N/2014/1269 & N/2014/1331 - RESERVED MATTERS APPLICATION FOR THE APPROVAL OF DETAILS OF THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF FOUR ACADEMIC BUILDINGS INCLUDING TWO MULTI USE GAMES AREAS AND A FLOOD LIT SPORTS PITCH CAFÉ /BAR AND ASSOCIATED LANDSCAPING/PUBLIC REALM WORKS PURSUANT TO OUTLINE PLANNING PERMISSION N/2013/0912 UNIVERSITY SITE, NUNN MILLS ROAD AND RESERVED MATTERS APPLICATION FOLLOWING OUTLINE APPROVAL N/2013/0912 FOR THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF PEDESTRIAN AND CYCLE BRIDGE LINKING BECKETT'S PARK WITH THE NEW UNIVERSITY CAMPUS - UNIVERSITY SITE, NUNN MILLS ROAD**

(Copy herewith)

- (G) N/2014/1346 - CHANGE OF USE OF RETAIL UNIT (USE CLASS A1) TO NAIL SALON (SUI GENERIS) 70 ST GILES STREET**

(Copy herewith)

- (H) N/2014/1423 - REPLACEMENT OF SHOP FRONT - 60 ST GILES STREET**

(Copy herewith)

- (I) N/2014/1452 - CHANGE OF USE OF 13/15 GUILDHALL ROAD TO 13-BED HOTEL WITH CAFÉ, RESTAURANT AND RETAIL INCLUDING DEMOLITION AND RECONSTRUCTION OF REAR EXTENSION AND INSTALLATION OF FUME EXTRACTION FLUE AND REAR DORMERS - 13/15 GUILDHALL ROAD**

(Copy herewith)

- (J) N/2015/0001 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2013/1304 TO ALLOW THE CAR WASH TO OPERATE FOR A FURTHER TWO YEARS - COMMERCIAL STREET SURFACE CAR PARK**

(Copy herewith)

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

**13. EXCLUSION OF PUBLIC AND PRESS**

THE CHAIR TO MOVE:

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

**SUPPLEMENTARY AGENDA**

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



## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Wednesday, 28 January 2015

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

Steven Boyes, Director of Regeneration, Enterprise and Planning;  
Rita Bovey, Development Manager (Acting); David Rowen,  
Development Management Team Leader (Acting); Andy Holden,  
Principal Planning Officer; Ben Clarke, Senior Planning Officer;  
Theresa Boyd, Solicitor; Emma Powley, Democratic Services Officer

#### 1. APOLOGIES

Apologies for absence were received from Councillors Lane, Palethorpe and Flavell.

#### 2. MINUTES

The minutes of the meeting held on 16<sup>th</sup> December 2014 were agreed and signed by the Chair subject to the following amendments:

That Councillor Ford had cited ventilation issues, loss of seating and phase 3 electrics as being his reasons for speaking against the application reference :N/2014/1131. It was further noted that since he had declared a personal and pecuniary interest in the item, he had left the meeting for the duration of the debate and returned once voting had been concluded.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

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

##### **N/2013/0338**

Mr Bell  
Mr Peas  
Councillor Hill

##### **N/2013/1035 & N/2013/1063**

Mr Crean QC  
Councillor Larratt  
Councillor Nunn  
Dr Leads  
Mr Boulter  
Mr Brice  
Councillor Eldred

Councillor Hill

**N/2014/1207**

Mr Ansell  
Mrs Stone  
Mr Seamark

**N/2014/1290**

Mr Kilsby  
Councillor Meredith

**N/2014/1291**

County Councillor Hallam  
Mr Moore  
Mr Walston

**N/2014/1293**

Mr Kilsby  
Councillor Meredith

**N/2014/1309**

Mrs Slinn  
Miss Redley  
Councillor Hadland  
Mrs Wootton

**N/2014/1354**

Councillor Nunn

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Oldham declared a personal, non-pecuniary interest in Item 10a N/2013/1035 & N/2013/1063 as a substitute member of the West Northants Joint Strategic Planning Committee.

Councillor Golby declared a personal, non-pecuniary interest in Item 10a N/2013/1035 & N/2013/1063 as a member of the West Northants Joint Strategic Planning Committee.

Councillor Ford declared a personal, non-pecuniary interest in Item 9c N/2014/1338 as Ward Member.

Councillor Larratt declared a personal, non-pecuniary interest in Item 10a N/2013/1035 & N/2013/1063 as a member of the West Northants Joint Strategic Planning Committee



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

None.

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

The Director of Regeneration, Enterprise and Planning submitted a List of Current Appeals and Inquiries. The Development Manager introduced the written report and elaborated thereon. She noted that there were no updates other than the Hearing date for the appeal of application N/2013/1263 had been set for the 28<sup>th</sup> April 2015.

**RESOLVED:** That the report be noted.

**7. OTHER REPORTS**

**(A) N/2013/0338 - RATIFICATION OF REASONS FOR REFUSAL OF OUTLINE PLANNING APPLICATION - LANDIMORE ROAD AND NEWPORT PAGNELL ROAD, HARDINGSTONE.**

The Director of Regeneration, Enterprise and Planning submitted a report which sought the Planning Committee's ratification of the refusal reasons, detailed in the report, following a Committee resolution to refuse the development proposals on 6th May 2014. It was noted that the application was currently subject of an appeal to be dealt with by Public Inquiry and Queens' Counsel, acting on behalf of the Council had advised that the refusal should be confirmed by the Planning Committee.

The Chair commented that he had exercised his discretion to allow Councillor Hill to address the Committee as he was Ward Councillor for the neighbouring Ward. He further noted that only Members who had considered the application on 6 May 2014 should take part in the ratification of the reasons for refusal and by reason of which Councillor Ford was excluded.

Mr Bell addressed the Committee and commented that he was in support of the recommendation to ratify the refusal.

Mr Peas commented that there was a need for developments in sustainable areas and asked the Committee to ratify the refusal of the SUE.

Councillor Hill stated that he hoped the Committee would ratify the refusal and that it be dealt with expediently.

The Committee discussed the report.

**RESOLVED:**

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.

## **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

## **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**

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

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

### **(B) (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**

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 conditions set out in the report and the addendum.

It was explained that whilst it was listed as one agenda item, there were two separate 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 application N/2014/1328 be **APPROVED IN PRINCIPLE** subject to:

- a) the application 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

**RESOLVED:** That application N/2014/1329 be **APPROVED IN PRINCIPLE** subject to:

- a) the application 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

**(C) N/2014-1388 - ERECTION OF A 6M FLAG POLE AND FLAG. DELAPRE PARK, LONDON ROAD**

The Principal Planning Officer presented the report of the Director of Regeneration, Enterprise and Planning. 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 **APPROVED** subject to the conditions set out in the report.

**(D) N/2014/1389 - ERECTION OF 6M A FLAG POLE AND FLAG. ABINGTON PARK, PARK AVENUE SOUTH**

The Principal Planning Officer presented the report of the Director of Regeneration, Enterprise and Planning. 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 **APPROVED** subject to the conditions set out in the report.

**(E) N/2015/0005 - PRIOR NOTIFICATION FOR THE DEMOLITION OF FORMER BUS STATION. GREYFRIARS BUS STATION, GREYFRIARS**

The Development Management Team Leader presented the report of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

The Committee discussed the report.

**RESOLVED:** That the Authority's Prior Approval was not required for the method of demolition and proposed restoration of the site for the following reason:

The demolition and the proposed restoration of the site were 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.

**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 SPACE, CAR PARKING, SUSTAINABLE DRAINAGE SYSTEMS (INCLUDING FLOOD RISK BETTERMENT) AND INFRASTRUCTURE (INCLUDING HIGHWAY IMPROVEMENTS). LAND SOUTH OF ROWTREE ROAD AND WEST OF WINDINGBROOK LANE.**

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

Councillor Larratt declared a personal, non-pecuniary interest in Item 10a N/2013/1035 & N/2013/1063 as a substitute member of the West Northants Joint Strategic Planning Committee.

Councillor Larratt, as the Ward Member addressed the Committee and spoke against the application citing highway issues as a major concern and flooding was also a concern, commenting that the development would serve Milton Keynes and commuters more than Northampton residents.

Councillor Nunn declared a personal, non-pecuniary interest as a member of the West Northants Joint Strategic Planning Committee, Director of Brackmills BID and the Assistant Cabinet Member for Regeneration, Enterprise and Planning. He addressed the Committee as a Parish Councillor for East Hunsbury, and spoke against the application citing the impact the development would have on local amenities and risk of flooding and urged the Committee to refuse the application.

Dr Leads, as a member of Wootton Brook Action Group, spoke against the application and stated that it would be unethical to develop on land in an area where pollution levels were so high and the lack of 5 years housing land supply not a reason for approving the applications.

Mr Boulter, as a member of the Hunsbury and Collingtree Residents Alliance, spoke against the application stating that the impact on health should be considered and questioned whether a school should be built in an area with such high pollution.

Mr Brice, Chairman of Collingtree Parish Council, spoke against the application and asked for the Committee to refuse it on health grounds, partly due to the noise and air pollution levels already being above the legal levels. Flood was a concern and mitigation not sufficient. Traffic modal shift not enough.

Councillor Eldred, as the Ward Councillor, addressed the Committee and spoke against the application and stated that the local amenities would not cope with the

influx of people with local service such as doctor's surgeries and schools being unable to keep up with demands. The golf course would be affected with no driving range and shortening of course.

Councillor Hill, as the Ward Councillor for Nene Valley, spoke against the applications and stated that the Phase 1 development with 378 dwellings would be bigger than Collingtree Village and concerned about school provision, also commented that due weight had to be given to the Council resolution passed on the 19<sup>th</sup> January 2015 and the least amount of weight on West Northants Joint Strategic Planning Committee who put the interests on Northampton last.

Mr Crean QC addressed the Committee and spoke in favour of the application. He stated that the concerns expressed prior to his address were subjective and that all issues raised had been considered objectively by statutory bodies. The reason why Planning Officer recommended approval was that the matters such as flooding, traffic, air quality have been rationally assessed. He stated that if the applications were refused, the applicants would appeal, the costs of which would be passed on to the Council and ultimately it would be granted on appeal by the Secretary of State.

In response to questions asked by the Committee, Mr Crean QC stated that the application had been supported by statutory bodies. He also commented that the rationale had been assessed and considered and agreed heads of terms for the Section 106 agreement.

In response to a question from a Committee Member regarding the Council's resolution, the Development Manager commented that 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. She also noted that the Development Plan for the purposes of the applications comprises the West Northamptonshire Joint Core Strategy and the Northampton Local Plan. The resolution of the Full Council on 19<sup>th</sup> January 2015 was a material consideration. The applications were supported by up to date technical information and therefore Members needed to consider what appropriate weight should be given in making decisions.

It was explained that whilst there was one agenda item, two applications had been submitted, one of which was the outline application for the Northampton South Sustainable Urban Extension and a full application for 378 dwellings, which needed to be considered together; however, two separate decisions would need to be made.

The Committee discussed the report.

**RESOLVED:** That the application N/2013/1035 be **REFUSED** for the following reasons:

- (1) The proposed development is contrary to the resolution of Northampton Borough Council on 19<sup>th</sup> January 2015 to confirm an objection to the identification of the site for the development of 1,000 dwellings in Policy N5 (Northampton South SUE) of the West Northamptonshire Joint Core Strategy.

- (2) The highway mitigation measures proposed fail to demonstrate that this major development would not have a residual cumulative impact on the A45 trunk road and associated junctions including local highway network such that the cumulative impacts of the development would be severe. These adverse highway impacts would lead to a detrimental impact on the wider Northampton highway network thereby adversely affecting the prospects for economic growth and regeneration in Northampton. The proposed development would therefore be contrary to the objectives of the National Planning Policy Framework and Policy C2 of the West Northamptonshire Joint Core Strategy.
- (3) The proposed development would introduce unacceptable impact on residential and general amenity due to the increase in traffic on the local highway network contrary to the objectives of the National Planning Policy Framework and Policy S10 of the West Northamptonshire Joint Core Strategy.
- (4) The proposed development site is located within close proximity of the M1 motorway. The noise and air quality mitigation measures proposed fail to demonstrate that a satisfactory residential environment could be created for the future residents of the proposed development detrimental to residential amenity contrary to the objectives of the National Planning Policy Framework and Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.
- (5) Due to the proximity of Village 1 and the historic settlement of Collingtree Village, the proposed development would fail to safeguard the setting of Collingtree Village and Collingtree Village Conservation Area, contrary to the objectives of the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy.

**RESOLVED:** That the application N/2013/1063 be **REFUSED** for the following reasons:

- (1) The proposed development is contrary to the resolution of Northampton Borough Council on 19<sup>th</sup> January 2015 to confirm an objection to the identification of the site for the development of 1,000 dwellings in Policy N5 (Northampton South SUE) of the West Northamptonshire Joint Core Strategy.
- (2) The highway mitigation measures proposed fail to demonstrate that this major development would not have a residual cumulative impact on the A45 trunk road and associated junctions including local highway network such that the cumulative impacts of the development would be severe. These adverse highway impacts would lead to a detrimental impact on the wider Northampton highway network thereby adversely affecting the prospects for economic growth and regeneration in Northampton. The proposed development would therefore be contrary to the objectives of the National Planning Policy Framework and Policy C2 of the West Northamptonshire Joint Core Strategy.

- (3) The proposed development would introduce unacceptable impact on residential and general amenity due to the increase in traffic on the local highway network contrary to the objectives of the National Planning Policy Framework and Policy S10 of the West Northamptonshire Joint Core Strategy.
- (4) The proposed development site is located within close proximity of the M1 motorway. The noise and air quality mitigation measures proposed fail to demonstrate that a satisfactory residential environment could be created for the future residents of the proposed development detrimental to residential amenity contrary to the objectives of the National Planning Policy Framework and Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.
- (5) Due to the proximity of Village 1 and the historic settlement of Collingtree Village, the proposed development would fail to safeguard the setting of Collingtree Village and Collingtree Village Conservation Area, contrary to the objectives of the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy.

**(B) N/2014/1027 - DEMOLITION OF EXISTING DWELLING AND ERECTION OF REPLACEMENT TWO STOREY DWELLING WITH GARAGE. 41 CHURCH WAY**

The Development Management Team Leader outlined the report that had been submitted by the Director of Regeneration, Enterprise and Planning. It was noted that this was an item that had been deferred from the Planning meeting on the 16<sup>th</sup> December 2014 to allow for a further site visit. The applicant had since submitted a further application which is currently under consideration.

The Committee discussed the report.

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

**(C) N/2014/1207 - SINGLE STOREY EXTENSION TO CAFÉ. PARK CAFÉ, ABINGTON PARK, WELLINGBOROUGH ROAD**

The Development Management Team Leader elaborated on the report submitted by the Director of Regeneration, Enterprise and Planning. The members were informed that further information was included in the addendum. It was noted that the recommendations was for approval subject to the conditions set out in the agenda.

Mr Ansell, declared a discloseable pecuniary interest in the item as the leasehold owner of the application site, the applicant and also a Ward Councillor for Abington. He spoke in favour of the application and noted that he had invested his own money and time into running the successful business which would be improved if planning permission be granted to erect the extension.

Mr Ansell then left the room for the duration of the debate.



Mrs Stone spoke as the County Councillor against the application and cited a number of concerns including the design of the extended building and the removal of a sound tree.

Mr Seamark spoke against the application and commented that the setting of the Abington Abbey should be considered and questioned whether permission should be granted to a Councillor making an application to a Council building.

In response to questions asked by the Committee, the Development Management Team Leader stated that he could not give a definitive number of trees that would be planted as a result of the removal of one, but noted that it would be more than like for like and the applicant would be requested to submit further details.

The committee discussed the report.

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

**(D) N/2014/1290 - CHANGE OF USE FROM DWELLING (C3) TO HOUSE OF MULTIPLE OCCUPATION FOR 7 PEOPLE (SUI GENERIS). 175 GREATMEADOW**

The Senior Planning Officer elaborated on the report that had been submitted by the Director of Regeneration, Enterprise and Planning. The recommendation was for the approval of the application subject to the conditions set out in the report.

Councillor Meredith, spoke against the application due his concerns that there would be a loss of a potential family home and that there would be extra rubbish as a result which would have a detrimental effect on the local area.

Mr Kilbsy, the applicant's agent, spoke in favour of the application and noted that there it would not adversely affect the character of the surrounding area and that only one other property in the area was a HIMO.

In response to questions asked, it was noted that a condition could be added that would allow a larger facility for the secure storage of refuse.

The Committee discussed the report.

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

- Notwithstanding the details submitted further details of a larger facility for the secure storage of refuse 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.

**(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**

The Senior Planning Officer elaborated on the report that had been submitted by the Director of Regeneration, Enterprise and Planning. It was explained that the original application had previously been refused Planning Permission by the Committee in June 2014 and an appeal since lodged but the applicant had submitted a revised application. The recommendation was for the approval in principle, subject to the prior completion of a Section 106 Agreement to secure the planning obligations set out in the report and the conditions set out in the report. Members were also notified of further information contained in the addendum.

Mr Hallam spoke as the County Councillor, and spoke against the application. He thanked the developers for having discussed the application with him and local residents but raised concerns about the location and the high volume of traffic on the roundabout.

Mr Moore, on behalf of the applicant spoke in favour of the application and noted that the development would be 100% affordable housing and that there would be extensive benefits to the community, from the scheme.

In response to questions asked by the Committee, Mr Moore confirmed that they had appealed against the refusal of the previous application, but this would be withdrawn should the current application be approved and would be happy to work with officers and the highways agencies.

Mr Watson, the agent, spoke in favour of the application and stated that they had worked hard to overcome the reasons for the previous refusal, with a reduction in numbers of units from 38 to 35 and a pro rata reduction in parking spaces.

The Committee discussed the report.

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

**(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**

The Senior Planning Officer elaborated on the report that had been submitted by the Director of Regeneration, Enterprise and Planning. The recommendation was for the approval of the application subject to the conditions set out in the report.

Councillor Meredith spoke against the application.

Mr Kilsby spoke in favour of the application.

The Committee discussed the report.

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

**(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**

The Development Management Team Leader elaborated on the report that had been submitted by the Director of regeneration, Enterprise and Planning. The Committee's attention was also drawn to the circulated addendum.

Councillor Hadland spoke on behalf of the Ward Councillor, and expressed concern that extended opening hours would have a detrimental effect on local residents and cited parking issues as a concern.

Mrs Wootton, a neighbour, spoke against the application and commented that parking issues had become more apparent and local amenities had suffered as a result of the original application being granted which would be further exacerbated should the application for extended hours be agreed. In response to questions asked by the Committee, she confirmed that noise was not an issue and that she was aware of customers being at the building outside of the agreed hours.

Mrs Slinn spoke as a customer who used the facilities and spoke in favour of the application. She commented that parking was not an issue and she had never overlapped with another customer. Responding to a question of the Committee it was noted that Mrs Slinn did not live in the area.

Miss Redley, the applicant, spoke in favour of the application and said that she had had the kerb dropped to ensure that there were limited traffic/parking problems and an extension to her hours would allow her to increase her client base.

Members discussed the report

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

**(H) N/2014/1354 - CHANGE OF USE FROM RETAIL (USE CLASS A1) TO ESTATE AGENTS (USE CLASS A2). 3 TUDOR COURT, WOOTTON HOPE DRIVE**

The Senior Planning Officer elaborated on the report that had been submitted by the Director of regeneration, Enterprise and Planning. The Committee's attention was also drawn to the circulated addendum.

Councillor Nunn, as the Ward Councillor, and expressed concern that there would be a loss of local amenities. However, he noted that it would be of a bigger concern should the unit be left vacant.

Committee discussed the report.

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

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

The meeting concluded at 9.37pm

Directorate: Regeneration, Enterprise and Planning  
 Director: Steven Boyes



**List of Appeals and Determinations – 17<sup>th</sup> February 2015**

**Written Reqs Procedure**

Application	DEL/PC	Description	Decision
<b>N/2014/0709</b> APP/V2825/A/14/2228854	DEL	Substation EME, Countess Road. Erection of a 20m tower with 1m dish and associated works.	<b>AWAITED</b>
<b>N/2014/1025</b> 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	<b>AWAITED</b>
<b>N/2014/0642</b> APP/V2825/A/14/3001170	DEL	7 Manor Road. Two storey side / rear extension and single storey rear extension and new porch	<b>AWAITED</b>
<b>N/2014/0898</b> 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)	<b>AWAITED</b>
<b>N/2014/0780</b> APP/V2825/D/14/2229938	DEL	4 Toulouse Close - First floor side extension, single storey rear extension and garage conversion to living accommodation (as amended 12/09/14)	<b>AWAITED</b>
<b>N/2014/0987</b> APP/V2825/W/15/3002420	DEL	Variation of condition 4 of planning application N/2013/0131 to extend the opening times from 0730-2000 to 0700-2200, new Co-op Store, Main Road, Duston	<b>AWAITED</b>

**Public Inquiry**

<b>N/2013/0338</b> 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 – <b>exact date and venue of the Public Inquiry to be confirmed by the Planning Inspectorate</b>	<b>AWAITED</b>
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**Hearing**

<b>N/2013/1263</b> 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 – hearing to take place on Tuesday, 28 <sup>th</sup> April 2015 at The Guildhall, St Giles Square, Northampton.	<b>AWAITED</b>
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**Enforcement Appeal**

<b>02/2014</b>		Installation of 3No. roller shutters and associated boxes to the frontage of 24-28 Wellingborough Road	<b>AWAITED</b>
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The Address for Planning Appeals is: Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.	Appeal decisions can be viewed at - <a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a>
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed	Author and Contact Officer Mrs Rita Bovey, Development Manager (Acting) Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE



**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015

**DIRECTORATE:** Regeneration, Enterprise and Planning

**DIRECTOR:** Steven Boyes

**REPORT TITLE:** Assessment of viability of in respect of Planning Application N/2014/0629 and amendments to conditions – Erection of 54 dwellings and a new foodstore including access and parking at former Grose Garage site, Kingsthorpe Road

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## 1. RECOMMENDATION

1.1 That the Committee **AGREE** to vary the Section 106 Heads of Terms to reduce the level of affordable housing provision to 26% and to agree to the revised schedule of conditions.

## 2. BACKGROUND

2.1 The application for full planning permission was reported to Committee on the 30<sup>th</sup> September 2014, where members resolved to approve the application subject to the prior completion of a Section 106 Legal Agreement that would secure 35% of the development for use as affordable housing, in addition to financial payments towards the provision of off-site open space provision; primary school provision; secondary school provision; health care; highway improvements; the maintenance of new bus shelters; and construction worker training opportunities.

2.2 In addition to these matters, the Committee resolution agreed a schedule of conditions that would be applied to any approval of planning permission. A copy of these conditions is appended to this document for information.

2.3 In assessing matters relating to viability, the National Planning Policy Framework (NPPF) is of particular importance. In particular, paragraph 173 states that in order to ensure viability, the costs of any required

infrastructure; such as requirements for affordable housing, should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.

- 2.4 Weight should also be given to the Council's adopted Planning Obligations Supplementary Planning Document which states that in instances where the applicant has demonstrated that there is a valid case on development viability grounds, due consideration will be given to such cases in order to ascertain the best way to mitigate the impacts of a scheme without compromising its effective delivery.

### **3. APPRAISAL**

#### **Viability matters**

- 3.1 The applicant has indicated that the provision of 35% (19 units) of the residential section the development would render the scheme unviable and therefore there are questions as to the deliverability of this section of the development. The reasons for this include high abnormal costs relating to the remediation of the site to make it habitable; the installation of sewers, addition roads and drainage; and the introduction of services necessary for residential accommodation. These figures when combined with the necessary mitigation that needs to be provided (such as education and health care) and the likely receipts arising from the sale of the market housing mean that the expected returns for the developer are substantially less than industry standards.
- 3.2 In order to support their position, the applicant has undertaken a full viability appraisal. The Council has engaged independent consultants to vigorously review this document. This independent assessment has concluded that the assessment made by the applicant is correct and as a consequence the development would be unviable, which therefore raises concerns that the current proposal would not be deliverable in its entirety, which would not be conducive to securing a good standard of development.
- 3.3 As a consequence of this, it is considered necessary and reasonable to reduce the level of affordable housing from the previously identified 35% to 26% (14 dwellings). Given that there is a significant need for new houses of both market and affordable tenures and the fact that this site makes a contribution to the required five year housing land supply that all local authorities should demonstrate and is not currently available within Northampton, it is therefore considered that the overall delivery of the development should not be compromised.
- 3.4 It should also be noted that the development would still provide the previously requested financial contributions towards the provision of primary and secondary school education; healthcare; the highways system; open space; and construction worker training opportunities. As

a consequence of this, the impacts of the development would be fully mitigated and sufficient infrastructure would be provided to support the residents of the development.

### **Conditions**

3.5 The committee resolution included a schedule of 36 conditions that were agreed by the Committee. Whilst the majority of these conditions remain necessary and reasonable; discussions have taken place between the applicant, the Environment Agency and Officers that have established that Condition 4, which is set out below can be deleted.

3.6 *“No development shall take place until a scheme has been submitted to and approved in writing by the Local Planning Authority detailing the installation of underground tank(s). The scheme shall include the full structural details of the excavation, the tank(s), tank surrounds, associated pipework and monitoring system. The scheme shall be fully implemented prior to the first use of the development hereby permitted and retained thereafter.*

*Reason: To protect controlled waters in accordance with the requirements of the National Planning Policy Framework.”*

3.7 The reasoning for this deletion is that the scheme has been revised to avoid the installation of any underground storage tanks and as a consequence, such a condition is no longer required. The applicant has also additional submitted details of hard and soft landscaping relating to the retail development and land levels. These details have been assessed and are considered acceptable. As a consequence, conditions 7 and 15 can be amended to:

*7. The development hereby permitted shall be carried out in accordance with the details contained on drawing 17192-5-100a.*

*Reason: In the interests of residential and visual amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.*

*15. The hard and soft landscaping in respect of the retail development shall be carried out in accordance with the details included on drawings Y11A48-P003, Rev. B and 5458/ASP005*

*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.*

## **4. CONCLUSION**

4.1 It has been demonstrated that the development would not be viable if 35% of the development would be made available for affordable housing. As it is considered desirable to see this site come forward for residential accommodation, it is considered reasonable to amend the



level of affordable housing to 26%. The alterations to the proposed conditions are of a minor nature and do not affect the overall principle of the scheme.

## **5. BACKGROUND PAPERS**

- 5.1 N/2014/0629 and Item 10(c) from the Committee Agenda from the meeting held on the 30<sup>th</sup> September 2014.

## **6. LEGAL IMPLICATIONS**

- 6.1 None

## **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.

## **Appendix – Schedule of previously considered conditions on 30<sup>th</sup> September 2014**

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 ensure conformity with the Planning Application.

3. No development shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority:

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

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

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

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

installation of underground tank(s). The scheme shall include the full structural details of the excavation, the tank(s), tank surrounds, associated pipework and monitoring system. The scheme shall be fully implemented prior to the first use of the development hereby permitted and retained thereafter.

Reason: To protect controlled waters in accordance with the requirements of the National Planning Policy Framework.

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

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

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

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

Reason: To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration. Soakaways should not be located in areas of potential contamination. This is to ensure accordance with the requirements of the National Planning Policy Framework.

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

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

8. No development shall take place until further details of the site access to Kingsthorpe Road has been submitted to and approved in writing by the Local Planning Authority. The further details shall provide

particulars of the new pedestrian crossings, signalised junction; improvement works on Kingsthorpe Road, details of the bus stops and shelters, and details of any retaining structures. The development shall be carried out in accordance with the approved details in accordance with a programme of implementation that is subject to the written approval of the Local Planning Authority.

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

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

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

10. Notwithstanding the details submitted, full details of the surface treatments to the car park, access roads and pedestrian routes serving the retail unit shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development hereby permitted being first brought into use and retained thereafter.

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

11. Prior to the first occupation of the retail development hereby permitted, the following works shall be fully implemented:
  - Footway connections and vehicular access between the store and Kingsthorpe Road in accordance with drawing 17192/10001C; and
  - The car park circulating aisles, the car parking spaces and parking spaces for those with disabilities and parent and child priority.

All vehicle parking spaces, access roads, circulation space and footways shall be fully implemented prior to the first use of the retail unit hereby permitted and retained for their designated use throughout the life of the development.

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

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

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

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

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.

14. Full details of the method of the treatment of the external boundaries of the retail unit shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the unit 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.

15. 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 retail unit and associated car park, manoeuvring spaces and access road. 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.

16. All planting, seeding or turfing comprised in the approved details of landscaping approved pursuant to Condition 15 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

17. Notwithstanding the details submitted, any external plant and equipment serving the retail unit shall meet  $L_{Aeq}$  of at least 6dB below the minimum background level ( $L_{A90, 1 \text{ hour}}$ ).

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

18. The acoustic noise barriers as shown on drawings 17192/1001c and 17192/100 shall be fully constructed prior to the first occupation of the retail unit hereby permitted and retained thereafter.

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

19. Notwithstanding the information submitted, full details of the proposed cycle storage to serve the retail unit shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the store hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policies E20 and E40.

20. Notwithstanding the details submitted, full details of CCTV covering the retail unit site shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development hereby permitted being first brought into use and retained thereafter.

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

21. Notwithstanding the details submitted, full details of the position and specification of the proposed external lighting (including hours of usage) for the retail unit shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

22. Prior to the first occupation of the retail unit 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.

23. The retail unit hereby permitted shall only be open to customers between the hours of 8am and 10pm on any day on Mondays to Saturdays and 10am and 5pm on Sundays.

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

24. Deliveries shall only be made to the retail unit hereby permitted between the hours of 6.30am and 10pm on any one day on Mondays to Saturdays and 8.30am and 5pm on Sundays.

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

25. The net sales area of the retail store shall be limited to a maximum of 1,140 square metres. Of this floor space, no more than 912 square metres shall be used for the display and sale of convenience goods and no more than 228 square metres shall be used for the display and sale of comparison goods.

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

26. The retail store hereby permitted shall not be sub-divided to form more than one retail unit.

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

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

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

28. Details and/or samples of all proposed external facing materials for the residential units 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.

29. Full details of the method of the treatment of the external boundaries and individual plot boundaries of the residential development shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the development 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.

30. Prior to the first occupation of the residential development hereby permitted, the following works shall be fully implemented:
- Footway connections and vehicular access between the store and Kingsthorpe Road and Studland Road in accordance with drawing 17192/10001C.



All vehicle parking spaces, access roads, circulation space and footways shall be fully implemented prior to the first use of the residential development hereby permitted and retained for their designated use throughout the life of the development.

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

31. 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, including surface treatments for roads, parking areas and driveways for the residential development. 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.

32. All planting, seeding or turfing comprised in the details of landscaping approved pursuant to Condition 31 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

33. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the northern elevation of the proposed units on Plots 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44 as shown on drawing 17192/10001c.

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

34. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional

windows shall be installed in the southern elevation of the proposed units on Plots 2 and 3 as shown on drawing 17192/10001c.

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

35. Notwithstanding the details submitted, full details of the refuse storage of the flats (Plots 24 and 25 as shown on drawing 17192/10001c) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and shall be fully implemented prior to the first occupation of Plots 24 and 25 and retained thereafter.

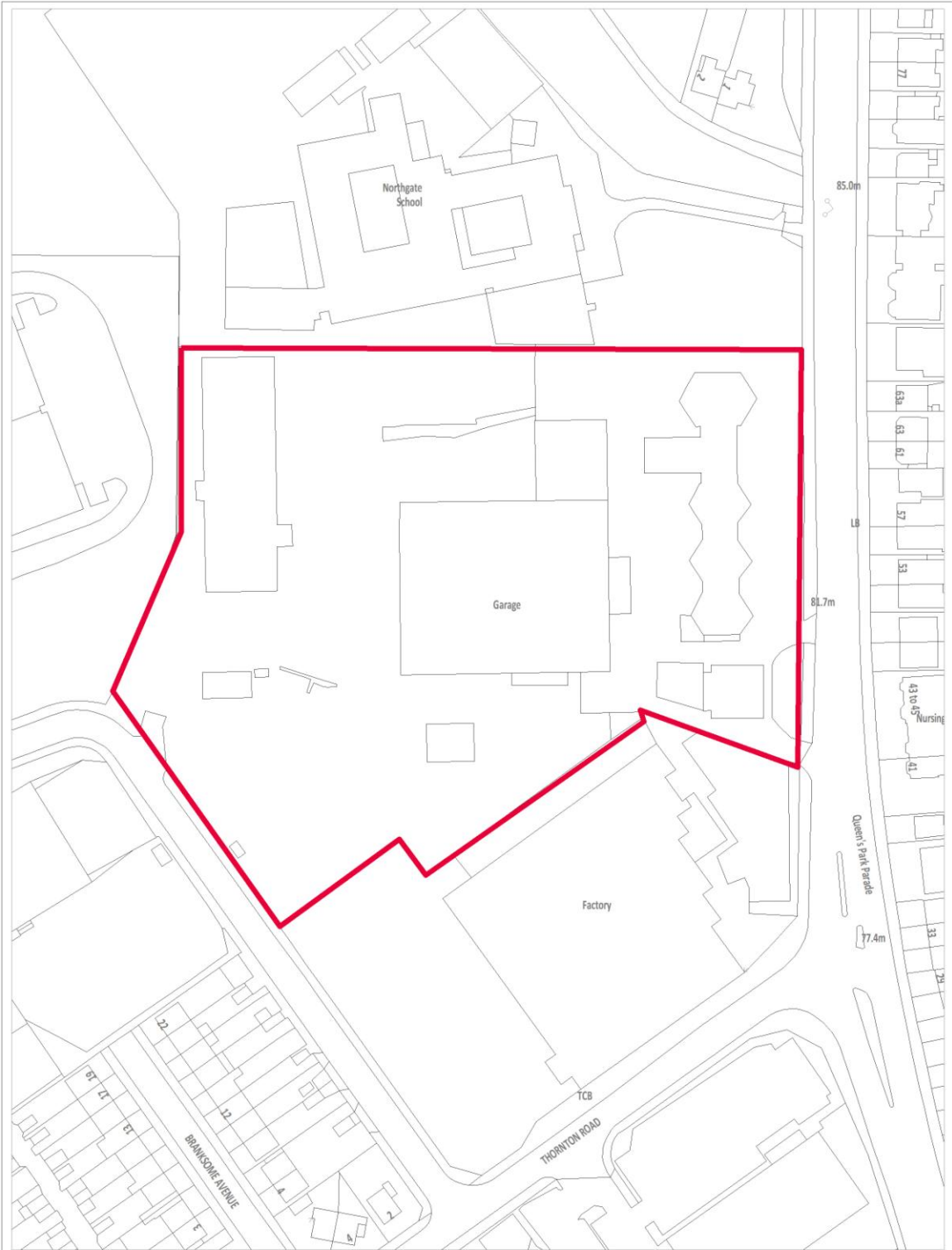
Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

36. Notwithstanding the details submitted, full details of the type of glazing and ventilation to Plots 42, 43, 44, 45, 46 and 47 (as shown on drawing 17192/10001c) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, shall be fully implemented prior to the first occupation of the relevant dwellings and retained thereafter.

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

Informative Notes:

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



Name: Location Plan  
 Date: 15th September 2014  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

Title  
**W Grose Ltd, Kingsthorpe Road**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1427:** Application for the permanent diversion of a footpath at the site of the new Waterside Campus, Nunn Mills Road, Northampton

**WARD:** Delapre and Briar Hill

**APPLICANT:** The University of Northampton  
**AGENT:** Mills and Reeve LLP

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Application requires agreement to make a Footpath Diversion Order

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

1.1 That an Order be made pursuant to Section 257 of the Town and Country Planning Act 1990 in respect of a proposal to permanently divert part of the Public Footpath (HW28) on the site of the new Waterside Campus, Nunn Mills Road.

### **2. THE PROPOSAL**

2.1 The applicant has applied to the Council to permanently divert an existing footpath in order to construct the new university campus, permitted under outline planning permission N/2013/0912.

2.2 The matter of access to the development was considered as part of the outline application and assessed the various entry and exit points of the development and deemed these to be acceptable. As a consequence, the purpose of this application is not to revisit the potential or provided linkages with the surrounding area. Instead there

is a narrow focus that the Council should be satisfied that the diversion order is necessary to enable development to be carried out

- 2.3 If approved, the path would deviate from its existing route adjacent to the Avon building and follow a south easterly direction being following a southern route adjacent to the previously approved site access route. The path would re-join its current route at the southern boundary of the site.

### **3. SITE DESCRIPTION**

- 3.1 The site is located on the south eastern edge of Northampton town centre, on the south side of the River Nene and opposite Beckett's Park and is predominantly level in nature. Road access to the site is available from Bedford Road, which crosses the River Nene and terminates adjacent to the Avon building. A pedestrian right of way runs alongside this road (known as HW28); however, this continues across the new university site in a south westerly direction, before crossing the disused railway line and traversing the currently vacant Ransome Road site. At this point, the path joins other routes, including those accessing the grounds at Delapre Abbey.
- 3.2 Whilst the current path is of a generally uniform width; it is, in parts overgrown, unlit and of varying qualities of surfacing. These factors do serve to diminish the attractiveness of the path to pedestrians.

### **4. PLANNING HISTORY**

- 4.1 N/2013/0912 – Outline planning permission for redevelopment of the site as a new campus for the University of Northampton, including site clearance and enabling works comprising remediation and re-levelling of the site, demolition of all buildings on the site (except the Grade II listed structures). The proposal includes up to 40,000m<sup>2</sup> university floorspace; up to 15,000m<sup>2</sup> university expansion floorspace; up to 35,000m<sup>2</sup> commercial (B1-offices) floorspace; up to 3,550m<sup>2</sup> of retail floorspace (up to 1,800m<sup>2</sup> of A1, up to 150m<sup>2</sup> of A2, and up to 1,600m<sup>2</sup> A3/A4); up to 1,500 beds of student accommodation; up to 760 car parking spaces for University use; up to 1,100 car parking spaces for commercial / leisure use; a hotel of up to 7,000m<sup>2</sup> (up to 150 bedrooms); sports hall and floodlit sports facilities; reuse of listed locomotive shed (520m<sup>2</sup>) and curtilage listed office building; an energy centre of up to 600m<sup>2</sup>; a new road bridge and junction on to Bedford Road including reconfiguration of Midsummer Meadow car park; a new pedestrian foot/cycle bridge connecting the site to Beckett's Park; and retention of the existing road access – Approved.

### **5. PLANNING POLICY**

#### **National Policies**

- 5.1 Paragraph 6 of the National Planning Policy Framework (NPPF) states the purpose of the planning system is to ensure the creation of sustainable development, which is elaborated upon within Paragraph 17, which states that planning decisions should encourage the fullest use of more sustainable means of transport, such as walking. Paragraph 29 also states that sustainable means of travel is of benefit to wider sustainability and health objectives.

### **West Northamptonshire Joint Core Strategy (JCS)**

- 5.2 Policy S10 requires that developments are used to facilitate more sustainable means of transport, whilst Policy C2 states that new developments should mitigate any impacts on the transport system.

### **Northampton Central Area Action Plan (CAAP)**

- 5.3 Policy 4 of the CAAP requires the creation of new developments that include sustainable linkages between Green Infrastructure. Furthermore, Policy 28 – which is specifically linked to this site – requires the maintenance of linkages between Bedford Road, the site and Delapre Park, in addition to delivering the suitable regeneration of the site.

## **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 As part of the consideration of the application, initial consultations have been carried and a summary of the comments received are listed below. In the event that members consider the proposal acceptable, a period of more detailed public consultation would take place as part of the Order making process.
- 6.2 **Highway Authority** – Recommend that the route of path HW30 is revised to join up with the new route of path HW28. It is requested that the existing paths within the vicinity of the site are kept clear (or suitable diversions provided) during the construction process.
- 6.3 **Ramblers Association** – No objections to the proposed diversion; however, it is requested that alterations are made to other paths within the vicinity in order to provide increased accessibility.
- 6.4 **Delapre Park Management Committee** – Request that remediation works are carried out in respect of the path south of the site.

## **7. APPRAISAL**

- 7.1 As discussed previously, the relevant test to be applied for an application of this type is whether the proposed division is necessary to enable development to be carried out (i.e. the diversion order must be necessary in the sense that without the order the development could not be carried out). Outline planning permission has been granted for the development of a new university campus on this site,

which would assist in the promotion of Northampton through the development of new and improved education facilities within the town and also deliver regeneration in a key and prominent location.

- 7.2 The outline application included an indicative master plan, which detailed that a building would be constructed on the current route of the path
- 7.3 In order to deliver this objective, it is imperative that a distinctive and attractive campus is provided. The Council is in receipt of Reserved Matters applications for the first stages of the development (comprising a number of academic buildings and an access bridge), which are to be considered at this Committee meeting. It is the view of officers that the scheme is broadly in conformity with the parameters established at the outline stage and that the proposed design are of a good quality that assists in the promotion of visual amenity and a good standard of development.
- 7.4 As a consequence of this, it is considered that in order to implement the acceptable planning permission and to ensure the maintenance of good pedestrian links between Bedford Road and Ransome Road/Delapre a diversion of the path is necessary.
- 7.5 Whilst it is accepted that the new section of the path would have a length of approximately 304m, which would be an increase of 34m over the diverted section, it is considered that the revised route of the path would not increase any inconvenience to pedestrians, as taken as proportion of the total length of the path the increase is not significant. Furthermore, the revised path would provide an enhanced environment for pedestrians through hard surfacing, lighting and a uniform width of 4m. These arrangements are likely to increase the attractiveness of the path to pedestrians irrespective of the increase in length.
- 7.6 Within their consultation response, the Highway Authority and the Ramblers Association have suggested that Footpath HW30, which runs alongside the southern bank of the River Nene be extended to join up with the path that is the subject of the application. In response, it should be noted that such works would fall outside of the scope of this application as matters pertaining to access were included within the outline planning application, which has already been assessed by the Council and deemed acceptable. Furthermore, there is a pathway running alongside the northern bank of the river, which joins the agreed University access. As a consequence, it is considered that there are sufficient opportunities to encourage walking on an east-west route to and from the site.
- 7.7 It is noted that requests have also been received for the carrying out of remedial works to the path south of the University site to Ransome Road. As these works fall outside of the specific site under consideration they cannot be given consideration within this application. Nonetheless, officers will ensure that they are addressed

during discussions with prospective developers of the Ransome Road site. This proposal would also have a neutral impact upon other paths in the vicinity and a Construction Environment Management Plan was secured as part of the outline permission to ensure that the impacts of the development upon the surrounding area could be mitigated.

## **8. CONCLUSION**

- 8.1 It has been demonstrated that the diversion of the path is necessary to implement a development that would bring significant benefits to the wider Northampton area. As it has also been demonstrated that pedestrians would not be unduly impacted by this diversion, it is considered appropriate for a diversion Order to be drawn up under the provisions of Section 257 of the Town and Country Planning Act 1990.

## **9. BACKGROUND PAPERS**

- 9.1 N/2013/0912

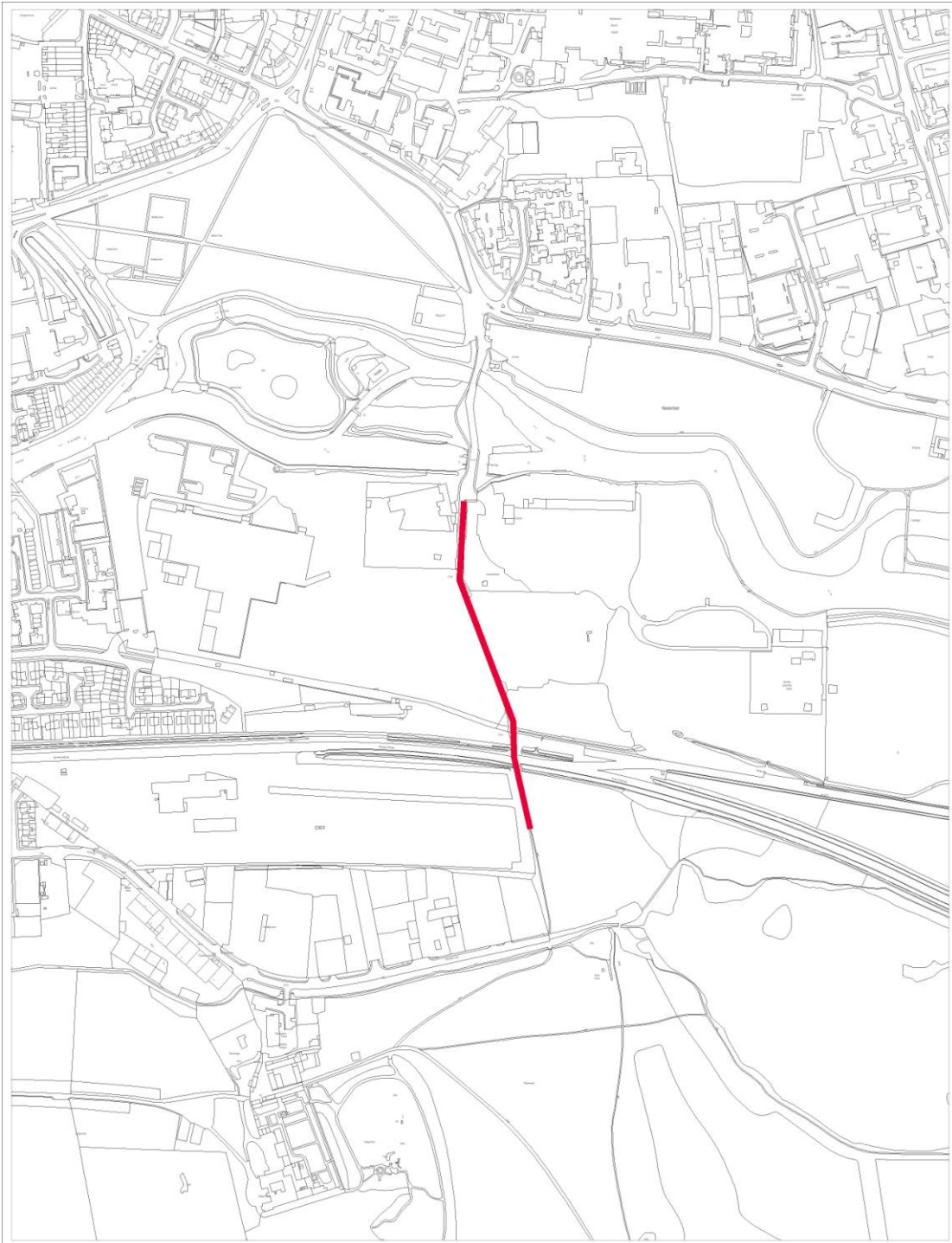
## **10.1 LEGAL IMPLICATIONS**

- 10.1 None.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

- 11.1 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: **6th February 2015**  
Scale: **1:5000**  
Dept: **Planning**  
Project: **Planning Committee**

Title

## **Footpath, Waterside Campus, Nunn Mills Road**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1454:** Relocation of advertising column (retrospective) at Abington Street

**WARD:** Castle

**APPLICANT:** Northampton Borough Council  
**AGENT:** None

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

**REASON:** Borough Council application

**DEPARTURE:** NO

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

### **2. THE PROPOSAL**

2.1 Permission is sought for the retrospective relocation of an advertising column in Abington Street, following the recent highway improvement scheme.

### **3. SITE DESCRIPTION**

3.1 The column has been relocated adjacent to 75b Abington Street, close to the intersection with St. Giles Terrace. It was previously sited at the top of Abington Street.

### **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).

## **5.2 National Policies**

National Planning Policy Framework (NPPF) – Paragraph 67 states that applications for advertisement consent should only be considered in terms of the impacts on 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 2014**

The JCS provides an up to date evidence base and has been prepared in full conformity with the NPPF. The JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee in December 2014. Following adoption, the JCS forms part of the Development Plan and carries significant weight when considering planning applications.

## **5.4 Northampton Central Area Action Plan 2013 (CAAP)**

Policy 1: Promoting Design Excellence – create uncluttered streets lined by active building frontage or public open space, in order to provide a vibrant and safe street scene for everyone in society, including vulnerable groups.

## **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 **Highway Authority** – no observation to make.

## **7. APPRAISAL**

7.1 As set out in Paragraph 5.2 above, the Advertisement Regulations require that decisions be made only in the interests of amenity and, where applicable, public safety.

7.2 This advertisement column is 5.3m high and approximately 3m wide. There is a similar column across the street, with a seat attached.

7.3 The column has been relocated from another position on Abington Street. It is considered that this column does not detrimentally impact upon visual amenity of the street scene and would not create unnecessary street clutter and the impact is therefore neutral. It is not considered that there will be any impact on public safety.

## **8. CONCLUSION**

8.1 As this column will not cause detriment to visual amenity, and the Highway Authority has not raised concerns in respect of public safety, it is recommended that this application be approved.

## **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**

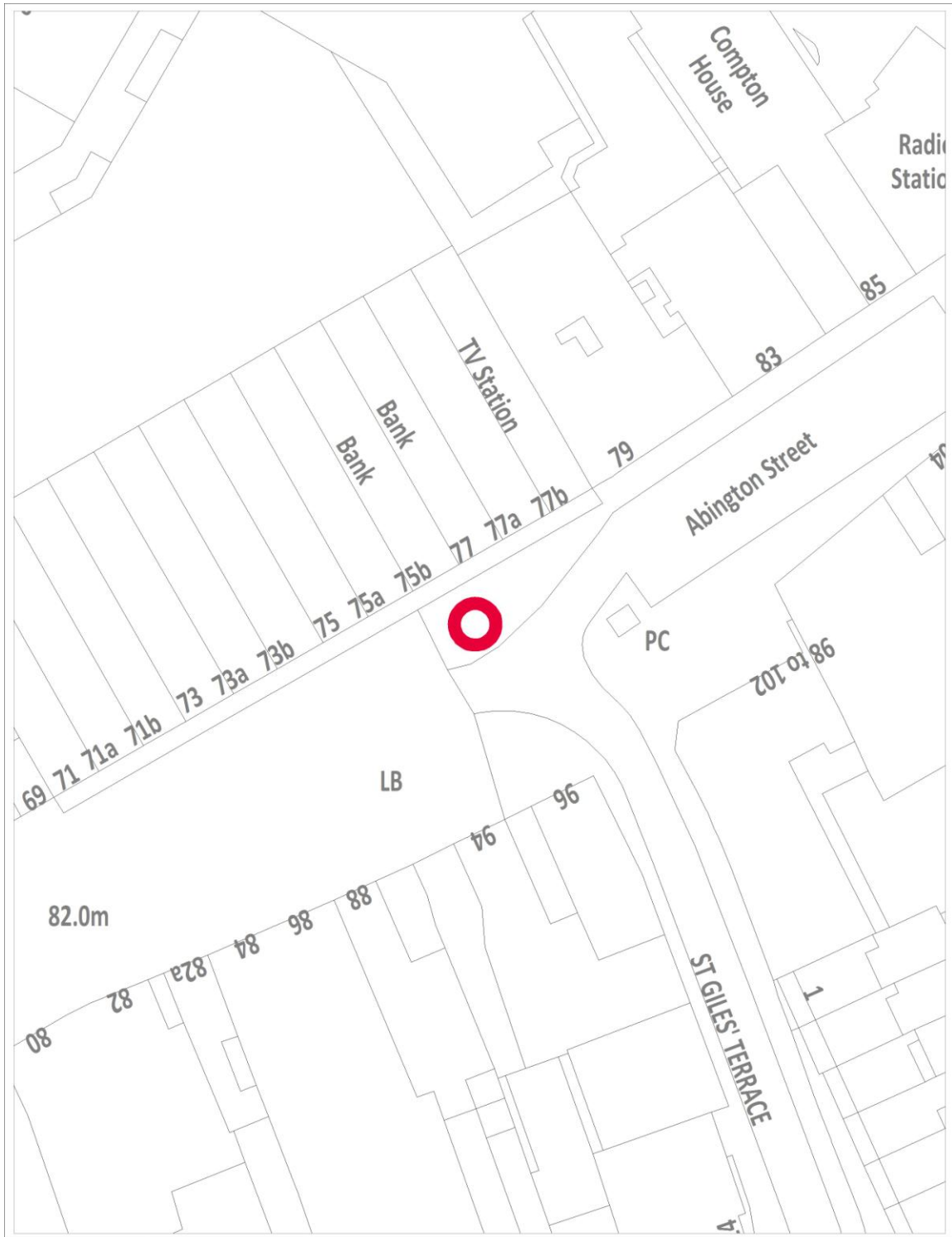
- 10.1 None.

## **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: 6th February 2015  
 Scale: 1:500  
 Dept: Planning  
 Project: Planning Committee

Title  
**Advertising Column, Abington Street**

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## Addendum to Agenda Items Tuesday 17<sup>th</sup> February 2015

### 7. OTHER REPORTS

7A

N/2014/0629

Viability Assessment in relation to the S106 Planning Obligations for Planning Application N/2014/0629 for the erection of 54 dwellings and a new foodstore at the W Grose Limited Site, Kingsthorpe Road

No update.

7B

N/2014/1427

Application for a permanent diversion of a footpath  
University Site, Nunn Mills Road

No update.

### 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9A

N/2014/1454

Relocation of advertising column (retrospective)  
Abington Street

No update.

### 10. ITEMS FOR DETERMINATION

10A

N/2014/0316

Outline planning application with all matters reserved except access (from Penfold Close / Northfield Way) for a residential development comprising 230 dwellings and public open space  
Former Kingsthorpe Middle School, Northfield Way

Paragraph 1.2 ix) should read:

ix) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

10B

N/2014/0772

Erection of two detached houses with vehicular crossovers  
Land adj to 8 Quinton Road

The Council's **Arboricultural Officer** has re-iterated that there are no arboricultural reasons why this application should be refused.

10C

N/2014/0911

Change of use from residential care home (Use Class C2) to 20no. residential flats (Use Class C3)

Lakeview House Old Persons Home  
88 Churchill Avenue

505 and 64 name petitions have been received from Lakeview Residents Association objecting to the application.

Paragraph 1.1 (1) should read:

Finalising of a S106 agreement to secure the provision of 35% affordable housing on site and the Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

**10D**

**N/2014/1160**

**Erection of 51 dwellings with associated access, parking and landscaping  
Studland Road**

Paragraph 1.1 a) should read:

a) The prior finalisation of a S106 agreement to secure:

- the provision of 100% on site affordable housing;
- and the provision of construction training, and
- The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

Further to Paragraph 7.35, the applicants have been requested to provide further justification as to why the requested contributions would render the scheme unviable and work is now being carried out on a formal viability assessment. If received prior to the Committee meeting, as is anticipated, this report will be given initial consideration, which will be reported verbally to the Committee. However, in order to allow for a full analysis, It is recommended that authority be delegated to the Director of Regeneration, Enterprise and Planning to consider whether the viability assessment demonstrates that payment of these contributions should not be required.

**10E**

**N/2014/1209**

**The erection of a pedestrian footbridge to cross the brook  
Land adj to The Maltings Westbridge Motors, St James Road**

**Additional condition:**

(3) The footbridge hereby permitted shall be removed on or before 30 April 2017 and the land restored to its former condition.

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

**10F**

**N/2014/1269**

**Reserved matters application for the approval of details of the appearance, landscaping, layout and scale of four academic buildings including two multi use games areas and a flood lit sports pitch café /bar and associated landscaping/public realm works pursuant to outline planning permission N/2013/0912**

**University Site, Nunn Mills Road**

**and**

**N/2014/1331**

**Reserved matters application following outline approval N/2013/0912 for the appearance, landscaping, layout and scale of pedestrian and cycle bridge linking Beckett's Park with the new university campus**

**University Site, Nunn Mills Road**

Additional comments have been received ~~41~~ from the Council's **Arboricultural Officer**, which

consider that the soil volumes in respect of the Liquidambar trees on the main east-west route should be increased in order to give these trees the greatest chance of becoming established.

In response, it is noted that the assessment submitted with this application disagrees with this assessment and this document carries some weight in the consideration of the application. In addition, a condition of the outline permission requires the replacement of any tree that becomes diseased or dies within the first three years. As a consequence of this, it is considered that there are sufficient measures in place to prevent this matter from affecting the overall success of the development.

The applicant has revised the scheme in order to delete the photovoltaic cells that were to be included on the roofs of some of the buildings. This is following the development of an updated energy strategy. This has demonstrated that due to the combined heat and power generations and enhanced thermal buffer storage combined with enhancements to the design and construction of the buildings, additional 'bolt on' photovoltaic cells are not required to deliver a scheme that is BREEAM 'Excellent'.

**10G**  
**N/2014/1346**  
**Change of use of retail unit (use class A1) to Nail Salon (Sui Generis)**  
**70 St Giles Street**

No update.

**10H**  
**N/2014/1423**  
**Replacement of shop front**  
**60 St Giles Street**

No update.

**10I**  
**N/2014/1452**  
**Change of use of 13/15 Guildhall Road to 13-bed hotel with café, restaurant and retail including demolition and reconstruction of rear extension and installation of fume extraction flue and rear dormers**  
**13/15 Guildhall Road**

Further information has been submitted by the applicant with regard to servicing and deliveries. The **Highway Authority** are satisfied with this but recommend a further condition below,

**Additional Condition 9):**

9) Before development commences, a scheme for the storage and disposal of construction materials, equipment and waste shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed scheme.

Reason: To safeguard the enhanced public realm in the vicinity of the site in the interests of highway users to accord with the requirements of the National Planning Policy Framework.

**10J**  
**N/2015/0001**  
**Variation of Condition 1 of planning permission N/2013/1304 to allow the car wash to operate for a further two years**  
**Commercial Street Surface Car Park**

No update.





**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/0316**                      **Outline planning application with all matters reserved except access (from Penfold Close/Northfield Way) for a residential development comprising 230 dwellings and public open space at former Kingsthorpe Middle School site, Northfield Way**

**WARD:** Spring Park

**APPLICANT:** Mr D. Smith Northamptonshire County Council  
**AGENT:** Mr T. Bode Atkins

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

**REASON:** Major development requiring a legal agreement

**DEPARTURE:** Yes

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**APPROVAL IN PINCIPLE** subject to conditions and for the following reason:

The proposed development would result in the satisfactory reuse of this previously developed site on account of the proposal representing a sustainable residential development that would address the established need for housing within Northampton. Furthermore, the proposal has established a number of acceptable design parameters that would ensure that the proposed development would be of a satisfactory scale and design whilst ensuring a neutral impact upon the site's mature trees and neighbour amenity. The proposal is therefore in compliance with the National Planning Policy Framework, Policies BN2, BN3, C2, H1, H2, S1, S3, S10, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Policies E20, T12 and H17 of the Northampton Local Plan.

1.2 That delegated authority is given to the Director of Regeneration, Enterprise and Planning to negotiate and secure the necessary mitigation in the form of financial and non-financial planning obligations through the completion of a Section 106 Legal Agreement. The Legal Agreement will secure the following heads of terms:

- i) 35% on site affordable housing;
- ii) A payment towards primary and secondary education provision;
- iii) A payment towards the provision of health care facilities;
- iv) A payment towards the provision of and/or enhancements and maintenance of public open space
- v) The provision of at least 0.8ha of on-site open space and for this space to be continually maintained and made available for public access;
- vi) A payment towards the provision of highway improvements within the vicinity of the site;
- vii) A payment to fund improvements to bus shelter provision within the vicinity of the site and their ongoing maintenance;
- viii) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and
- ix) 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 that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework

## **2. THE PROPOSAL**

2.1 The application seeks outline planning permission for the erection of up to 230 dwellings. All matters are reserved with the exception of access. Vehicular access to the development would be provided by an access situated at the junction between Penfold Close and Northfield Way. This is in addition to a pedestrian access that would be situated in Liddington Way.

2.2 As the application is in outline form, no finalised layouts have been submitted; however, the submitted documentation details that the resultant residential buildings would be between one and three storeys on site, with the dwellings having between one and four bedrooms. The development would also include areas of public open space.

## **3. SITE DESCRIPTION**

- 3.1 The application site was originally developed to form a school in order to serve the surrounding residential accommodation, much of which was constructed around the same time of the school. However, the reorganisation of school provision within Northampton meant that this school was deemed surplus to requirements and has been vacant since late 2007. A comparatively small proportion of the site was developed (in 2009) to form a children's centre. This land is excluded from the current application.
- 3.2 The immediate surroundings of the site are predominantly residential in character, with many of the surrounding dwellings being constructed since the 1970s. Despite this prevailing characteristic, the site lies between the Kingsthorpe Recreation Ground (to the east) and allotments (to the west). The application site is served by Northfield Way, which is a comparatively short road of approximately 145m running from Welford Road and also serving a number of culs-de-sac.
- 3.3 Welford Road serves as one of the main routes into the town from the north-west and is also served by a number of public transport services. The application site is also approximately 700m from the allocated Kingsthorpe Centre, which contains an array of commercial and leisure facilities as well as additional public transport links.

#### **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 adopted West Northamptonshire Joint Core Strategy and Northampton Local Plan 1997 saved policies.

##### **National Planning Policy Framework (NPPF)**

- 5.2 Of particular note is that Paragraph 49 requires 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 uses (paragraph 17).

- 5.4 The NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant new developments on sites that are sustainable.
- 5.5 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layout are required which minimise conflicts between pedestrians, cyclists and traffic.
- 5.6 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. The NPPF also requires that new developments be of a good quality design (paragraph 56).

#### **West Northamptonshire Joint Core Strategy (JCS)**

- 5.7 Policy S1 of the JCS states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. Policy S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period and Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.
- 5.8 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing. 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.
- 5.9 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure.

- 5.10 In assessing applications where there may be an impact upon 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.

#### **Northampton Local Plan**

- 5.11 Due to the significant age of the Local Plan, the amount of weight that can be attributed to its policies is substantially diminished; however, Policy L2 allocates this site as an education establishment and states that planning permission to redevelop the site should only be granted in instances where it can be demonstrated that the land or facilities is not needed in the long term of recreation or leisure purposes and that the site should not have any significant amenity or landscape value; that the scheme retains provides adequate outdoor or indoor recreational facilities for public use; and that any existing sports and recreation facilities can be retained or enhanced.
- 5.12 Policy E20 states that new buildings should be of an appropriate design; and Policy T12 necessitates that new developments have sufficient manoeuvring space for commercial vehicles. In addition, Policy H17 requires the provision of a suitable level of housing for people with disabilities.

#### **Supplementary Planning Guidance**

- 5.13 Affordable Housing  
Developer Contributions  
Parking  
Planning out Crime

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

Comments received are summarised as follows:

- 6.1 **Anglian Water** – Request a condition relating to the implementation of the proposed drainage system.
- 6.2 **Arboricultural Officer (NBC)** – No objections in principle, but highlights a number of matters for the developer to consider when devising their reserved matters application.
- 6.3 **Archaeology Advisor (NCC)** – Request a condition relating to the investigation of archaeology.
- 6.4 **Construction Futures** – Request that in the event that the application is approved, the legal agreement secures training opportunities and appropriate funding for new construction workers.

- 6.5 **Development Management (NCC)** – Request Section 106 obligations to fund improvements to primary and secondary school provision; the fire and rescue service; and the libraries service.
- 6.6 **Environmental Health (NBC)** – Raise concerns regarding the potential impact of the development upon the air quality in Harborough Road and due to the potential for contamination on the site, appropriate investigations should be carried out prior to the commencement of development.
- 6.7 **Highways Agency** – No objections.
- 6.8 **Highway Authority (NCC)** – The development is likely to have an effect on the surrounding highway system, which can be mitigated through a Section 106 obligation. The legal agreement should also secure improvements to bus shelters in the area and the provision of travel cards for future residents of the development. The proposal layout/entry points are acceptable.
- 6.9 **Northamptonshire Police Crime Prevention Design Advisor** – No objections in principle, but make a number of recommendations for the developer to implement when finalising the design.
- 6.10 **Sport England** – Raise concerns regarding the loss of the site’s playing fields; however, it is accepted that Sport England are not a statutory consultee in respect of this application and the impacts of the development can be mitigated through the Section 106 Agreement, in line with the Council’s adopted Developer Obligations SPD.
- 6.11 **Urban Designer (NBC)** – Suggest revisions to the parameters plans in order to establish a more detailed framework for the preparation of the reserved matters application.
- 6.12 **27 letters of objection** have been received. Comments can be summarised as:
- The surrounding road network cannot cope with the level of traffic associated with the proposed development.
  - Congestion in the area is already high, which will be added to through other planned developments.
  - Further improvements to the road system are needed, such as additional mini-roundabouts.
  - The scale of the proposed development is out of keeping with the prevailing character.
  - Three storey buildings would be detrimental to the quality of the landscape and could potentially lead to a loss of privacy and light for existing residents.
  - The development would adversely impact the security of existing properties.

- The pedestrian access to Liddington Way would be a source of noise.
- The development has the potential to adversely affect drainage.
- The Kingsthorpe area does not have sufficient infrastructure to accommodate the proposed development (e.g. school places and health care).
- During any construction works, there should be measures in place to prevent any loss of amenity for residents.
- Other uses would be a more appropriate use of the land.

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 It is accepted that the site is allocated as a school site; however, it is noted that the school has been vacant for a significant period of time following the reconfiguration of school provision in Northampton and the associated school buildings have since been demolished. As a consequence, there does not seem to be a realistic possibility that the site could be used for educational purposes within the foreseeable future. Policy L2 is of specific relevance; however, as the site does not have any significant landscape value or facilities that could be used for sports or leisure uses, it is considered that this policy has not been breached. Therefore it is reasonable to consider the merits of alternative uses for the site.
- 7.2 It should be also be recognised that the Local Plan is exceedingly dated and as a consequence, more recent policy documents carry a significant amount of weight. In particular, the adopted JCS recognises that there is a substantial need for delivering new housing, which can only be delivered through the redevelopment of sites contained within the existing built area. In addition, the NPPF requires that local authorities demonstrate a five year supply of housing land. The bringing forward of this site for residential uses would contribute towards addressing these issues.
- 7.3 As discussed previously, it is incumbent upon local authorities to demonstrate a five year housing land supply. Currently, Northampton does not have such a provision. In instances where this cannot be demonstrated any relevant local plan policy cannot be considered to be up to date and that, in line with the requirements of the NPPF, any application should be determined based upon whether it represents sustainable development.
- 7.4 By reason of the site's positioning adjacent to an existing residential area and relative proximity to an allocated centre containing a mix of leisure and commercial facilities. It is therefore likely that future residents of the development would have relatively easy access to facilities and services. In addition, the site's environs features good public transport links and has generally good accessibility to schools

and open space within the area. It is therefore considered that the proposal represents sustainable development and is therefore acceptable. The sustainable nature of the proposal is further emphasised by the fact that the development would result in a previously used site being brought back into a productive use.

- 7.5 Of the provided dwellings, 35% would be secured for use on affordable tenures and a minimum of 10% of the development would be constructed to the Council's mobility standards. These factors when combined with the mix of dwellings in terms of houses and apartments and the likely variation in bedrooms means that a development would be provided that would include a significant amount of choice in terms of house type, which would be in conformity with the aims and objectives of the NPPF.
- 7.6 It is noted that the Council's Environmental Health section has made some observations regarding the potential impact of the development upon the Air Quality Management Area within Harborough Road. Whilst these points are noted, it is considered that as the site has a historic use that would have potentially generated a significant amount of traffic, combined with the design of the development, which includes significant pedestrian links to the surrounding area, the overall impact upon air quality of this area would not be significant. The Section 106 Agreement would secure some practical works (such as improvements to bus shelter provision) to reduce the impact of the development upon air quality.
- 7.7 Whilst the site was undeveloped prior to the construction of the school facilities there is the possibility of naturally occurring contaminants being present at the site in addition to potential contamination emanating from the school's (now removed) heating system. As a consequence of this, conditions are recommended that would ensure that these matters are properly investigated in addition to a condition covering the remediation of any unsuspected contamination.
- 7.8 Prior to the area being developed for the school and housing, crop marks indicating archaeological features were observed. Furthermore, there have been archaeological finds of interests from the prehistoric, Roman and medieval periods within the wider area. As a consequence, there is the potential for remains of matters of archaeological interest to be present on the site, albeit truncated by modern activity. As a consequence of this, a condition is recommended that would ensure that this possibility is fully investigated prior to the first implementation of the permitted development.
- 7.9 The application has been assessed by the Environment Agency and Anglian Water and all concerns previously received have now been satisfactorily addressed, subject to conditions relating to drainage provision.

### **Design and appearance**



- 7.10 As this is an outline application, there are no details submitted in respect of the design of the proposed dwellings and the submitted layouts are only indicative at this stage. Nonetheless, the submitted plans demonstrate that a development of the scale proposed could be accommodated within the application site without significant detriment to the occupiers of neighbouring properties or the character and appearance of the locality as it has been demonstrated the a suitable level of open space, private gardens and separation distances could be accommodated. It is accepted that the likely number of units would result in a relatively high density scheme; however, this would not appear incongruous given the character of the site's environs.
- 7.11 The indicative layout includes the provision of a centrally located area of public open space, which is necessary to ensure that the future needs of occupiers of the development are satisfactorily addressed. As this is an outline application, the final position and design of this space would be considered during the reserved matters stage. However, in order to provide some certainty, it is recommended that the associated Section 106 Agreement includes the provision of a minimum level of space (0.8ha) and for this space to be maintained and be available for public access in perpetuity. The proposed indicative layout also includes a reasonable amount of landscaping within public areas, which is sufficient to create a strong sense of place and a distinct identity for the proposed development.
- 7.12 The applicant has responded to the observations of the Council's Urban Designer by amending the scheme to provide parameters regarding buildings heights. This would ensure that the taller buildings are located adjacent to the main entrance to the site (from Northfield Way) and surrounding the proposed area of public open space. This approach would add suitable architectural features at key points in the development and assists in creating a strong sense of identity.
- 7.13 In addition, there would be a varied road hierarchy containing a primary route across the development with secondary roads and shared surfaces leading from this. These spaces would therefore have a much more residential character, such as landscaping and different surface treatments, which would ensure a varied and more distinctive development.
- 7.14 The development also includes a pedestrian route to Liddington Way, which would assist in creating a sustainable and inclusive form of development by promoting non-car journeys to the surrounding area.

### **Impact upon neighbouring properties**

- 7.15 As the application is made in outline form, the position of dwellings is not fixed; however, the submitted parameters plans indicate that the quantum of development could be accommodated on site without resulting in a significant loss of light, outlook and privacy. In order to

provide further assurances, a condition is recommended that would ensure that the resultant reserved matters are in conformity with the submitted building heights parameter plan. This would ensure that the highest buildings (of between 2.5 and 3 storeys in height) would be located the maximum distance from existing residential properties, with the exception of those buildings that would be directly adjacent to the site's main entrance. In this case, these buildings would provide a suitable entrance feature, whilst their position parallel to existing building and adjacent to a junction would minimise any impact upon amenity.

- 7.16 It is accepted that the carrying out of the development is likely to create some noise and disturbance during construction works. In order to counteract this, a condition is recommended that would require the submission of a Construction Environment Management Plan (CEMP) prior to the carrying out of any development. This plan would cover, but would not be limited to, matters such as the hours in which buildings works would take place, strategies for the suppression of dust and noise and facilities for the washing of wheels of construction vehicles.

### **Highway impacts**

- 7.17 The site's former use is material to the outcome of this application. Due to the scale of the site; a significant number of journeys would have been made to and from the school, which would have had an impact upon the highway system. Therefore, the proposed development is unlikely to result in any significant increase from this starting point. The matter of access has not been reserved for future consideration, with the applicant proposing a single entrance point located at the junction between Penfold Close and Northfield Way. This arrangement is considered to be acceptable as the road network at this point was designed to carry the traffic generated by the former school.
- 7.18 Notwithstanding this assessment, it is recognised that the development is likely to increase usage of the general road network within the wider area, when compared to the current situation. In order to mitigate this and in line with the request from the Highway Authority, a Section 106 Agreement is to be entered into which would secure funding to contribute to the Authority's improvement programme for the corridor between the Harborough Road and Regent Square.
- 7.19 During the application process, there have been revisions to the priority junction at the main entrance of the development. This means that traffic entering and leaving the development would have priority over traffic exiting Penfold Close. This is considered necessary as the numbers of journeys to and from the proposed development are likely to exceed those from Penfold Close. This amendment therefore adds clarity to the highway system and is likely to prevent significant undue traffic congestion with the vicinity of the site. The application has also been revised in order to alter the design of the access points of the site to improve visibility and to enable the safe movement of vehicles. These revisions would therefore ensure that the proposed access is safe and

of an appropriate design to address the likely demands of the proposed development.

- 7.20 The indicative layout shows that the internal roadways would be reasonably sinuous and would, in key sections, feature shared surfaces. These arrangements are considered sufficient to maintain relatively low vehicle speeds and ensure pedestrian safety.
- 7.21 The highway authority has requested a Section 106 obligation for the provision of new bus shelters (including a payment to fund their on-going maintenance). This is considered to offer some mitigation from the impacts of the development in the form of encouraging more sustainable forms of travel. This would also contribute to improving air quality within the vicinity of the site as discussed within paragraph 7.6.

### **Trees and ecology**

- 7.22 The trees adjacent to the south eastern boundary (within Kingsthorpe Recreation Ground) are of importance due to their positive impact upon the character of the surrounding area. As a consequence of this, conditions are recommended that would require details to be submitted with the Reserved Matters application detailing the root protection measures to be implemented and associated method statements in order to prevent the development from having a negative impact upon these trees. These details would be sufficient to ensure that the development of the site is compatible with the requirements of the JCS.
- 7.23 The submitted ecology assessment has not established any evidence regarding the presence of bats and badgers. Evidence of amphibians was extremely limited as only a single common toad was identified on site. As a consequence of this, it is considered that the redevelopment of the site would not pose any undue adverse impacts on ecology.
- 7.24 The redevelopment of the site could bring forward some ecological benefits in terms of enhancements to landscaping (such as in the use of native species) and would offer some mitigation by replacing existing planting that may be attractive to nesting birds; however, these are matters that would be addressed during the reserved matter stage. The submitted ecology assessment recommends that prior to any development commencing additional surveys into the presence of badgers (particularly as there is a tendency for these to be a transitory species) and bats are carried out in order to ensure that such species are not harmed as a result of this development coming forward.

### **Open space and sports facilities**

- 7.25 It is noted that comments have been received from Sport England with regards to the fact that the development involves construction works on land that has formerly been used for playing pitches; however, given that these pitches have not been used for a period in excess of five

years; Sport England's comments are not made in any statutory capacity, which lessens the weight that can be attributed to them.

- 7.26 In any event, it is considered that as the site was formally a school, public access would have been limited. Furthermore, it is acknowledged that there are some alternative facilities within the general area. It is recognised that the demand for such facilities is likely to increase as a result of there being a larger population present within the vicinity. In order to mitigate, a legal obligation will be entered into to provide a financial contribution to fund enhancements to existing open space and sports facilities within the environs of the application site.

### **Legal agreement**

- 7.27 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.
- 7.28 As discussed previously, 35% of the development would be utilised for the provision of affordable housing. 70% of these dwellings would be utilised for social or affordable rent and 30% intermediate ownership. This would ensure that the development provides a mixture of housing to provide a varied community in line with the requirements of national and local planning policies.
- 7.29 In order to provide sufficient infrastructure for the residents of the residential development, the Section 106 Agreement would also secure payments towards improvements to public open space, the health service and construction worker training opportunities. These matters address on going shortages of provision within the vicinity of the application site that would be further exacerbated if this development to proceed without the legal obligations.
- 7.30 Development of this type would ordinarily secure, via the Section 106 Agreement, payments towards education provision. Although the proposed composition (in terms of unit types) of the development is unknown at this stage, it is reasonable to assume that a significant proportion of the development would be in use as family accommodation. As a consequence of this, it is likely that the development would place a greater pressure on school provision within the area. Therefore and with reference to the legal tests as described previously, an obligation to secure enhancements to primary and secondary education is necessary and reasonable.

- 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 does not need to be replicated as part of the planning process. As a consequence, the aforementioned legal tests have not been complied with.
- 7.32 The Section 106 agreement would also secure payments towards the provision of new bus shelters within the vicinity of the site, which would assist in the promotion of more sustainable means of travel. In addition, as discussed within paragraph 7.18, an obligation would be secured to fund improvements to the surrounding highway system. The Highway Authority has requested funding to enable each household of the development to be provided with a temporary travel card in order to promote the use of public transport. Whilst the aims of this suggestion are laudable, it is extremely doubtful that the proposal would have lasting mitigation in terms of enabling a modal shift in travel patterns.

## **8. CONCLUSION**

- 8.1 The proposed development represents the efficient and sustainable reuse of this previously developed site and in addition the proposal would contribute towards addressing the established need for housing within the Borough. The applicant has submitted a number of indicative parameters, which are sufficient to ensure that the resultant development would have a neutral impact upon the character and appearance of the locality and neighbour amenity

## **9. CONDITIONS**

- (1) Approval of the details of the appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development 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 reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

- (3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later,

before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

- (4) The development hereby permitted shall be carried out in accordance with the following approved plans schedule.

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

- (5) The development hereby permitted shall be for a maximum of 230 dwellings.

Reason: For the avoidance of doubt and to ensure conformity with the National Planning Policy Framework.

- (6) The development hereby permitted shall be carried out in accordance with the submitted Building Heights Parameter Plan.

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

- (7) A phasing plan for the implementation of the residential development 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.

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

- (8) The access arrangements with Northfield Way and Penfold Close as shown on drawings 5125794.TP.MT.01; 5125794.TP.GA.002; 5125794.TP.GA.004; and the Access and Movement Parameter Plan shall be constructed prior to the first occupation of the development hereby permitted and retained thereafter.

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

- (9) Prior to the commencement of each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.

- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

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

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

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

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

- (12) No hard-standing areas shall be constructed until the works have been carried out in accordance with the submitted surface water strategy (as contained within the Flood Risk Assessment – Level 2, dated October 2014) have been fully implemented.

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

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

1. Detailed surface water calculations to ensure adequate surface water drainage facilities on site all events up to and including 0.5% (1 in 200) plus climate change.
2. Sustainable drainage system (SuDS) features on site to be in accordance with Table 12.1 of the Northampton Level 2 Strategic Flood Risk Assessment.
3. An assessment of overland flood flows. Overland floodwater should be routed away from vulnerable areas. For acceptable depths and rates of flow, please refer to Environment Agency and Defra document FD2320/TR2 “Flood Risk Assessment Guidance for New Development Phase 2”.
4. Maintenance and adoption arrangements for every element of the surface water drainage system for the lifetime of the development.

Reason: To ensure that a satisfactory drainage system is provided in accordance with the National Planning Policy Framework.

- (14) Prior to the first occupation of each phase of the development 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 phase 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.

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



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

- (16) The development hereby permitted shall be carried out in accordance with the recommendations contained within paragraphs 5.6 and 5.7 of the submitted ecological appraisal dated January 2014, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

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

- (17) 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.

- (18) The pedestrian/cycle route with Liddington Way as shown on drawing 02 shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

- (19) Any subsequent reserved matters applications shall include arboricultural impact assessment that details any trees to be retained as part of the final layout; a plan identifying the location and specification of fences to be installed for the protection of the retained trees; an arboricultural method statement detailing any works to be carried out within the root protection areas of the retained trees.

Reason: In the interests of securing a good standard of development in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

10.1 N/2014/0315

## **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 Map  
Date: 15th September 2014  
Scale: 1:3000  
Dept: Planning  
Project: Planning Committee

Title

## Former Kingsthorpe Middle school

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**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

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

**WARD:** Wootton & East Hunsbury

**APPLICANT:** Mr David Corley

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

**DEPARTURE:** NO

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 REFUSAL** for the following reason:

The development would result in the loss of the open and spacious nature of the site which would be to the detriment of the character and appearance of the area and adversely affect the setting of the Wootton Conservation Area. This would be contrary to Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

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

- 2.2 The two proposed dwellings would be located slightly forwards of the front elevation of the existing dwelling and would be approximately one metre higher.
- 2.3 The application was originally due to be reported to the 19<sup>th</sup> November meeting of the Planning Committee but was withdrawn due to an issue of the red line application boundary encroaching onto highway land. The red line boundary has subsequently been amended and a new site plan submitted which also clarifies the car parking provision for each new dwelling. In addition better quality elevation drawings of the proposed dwellings have also been submitted.

### **3 SITE DESCRIPTION**

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

### **4 PLANNING HISTORY**

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

### **5 PLANNING POLICY**

#### **5.1 Development Plan**

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

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

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

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

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

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

### **5.3 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. 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 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 H1 Housing Density and Mix and Type of Dwellings encourages housing development to make the most efficient use of land having regard to location and setting of the site; character of the surrounding area; living conditions for residents and residential amenity.

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

### **5.5 Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Wootton Conservation Area Re-appraisal and Management Plan 2010

## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NCC Highways** have no objection and made the following comments:

After reviewing the revised plan and the proposal carefully, the LHA is aware that numbers of concerns have been raised by the local residents on the proposal for the erection of two detached houses with vehicular crossovers. We have reviewed and taken into account the comments and the concerns as they rose.

Having reviewed this particular application with respect to:

- a) The proximity of the bend
- b) The Highway's and Pedestrian safety
- c) Past accident data
- d) Existing parked cars and
- e) The current traffic on that specific stretch of the road

the LHA is still of the opinion that the above two dwellings with crossovers are in line with our standing advice document for the planning authorities and the same will not have any detrimental impact on highway's and the pedestrian's safety. Moreover the LHA is also satisfied that the cars from the above two dwelling will have enough room within their site to carry out manoeuvre in order to come out in the forward gear.

With regards to the proximity of the bend at the junction with Berry Lane, High street and Quinton road is concerned, the LHA is quite confident that the above bend will not have any significant or the detrimental impact on these proposed dwellings as far as the visibility and the speed on the road are concerned. The required vehicular visibility splay for the above dwellings are 2m x 43m and both these dwellings are well within the required visibility splay.

For example, if the above vehicular crossovers were to fall within the opposite side of the road then it would have been a different scenario and in which case required visibility would have been hindered by the bend.

As far as the issue of parked cars is concerned, it is our understanding that they are parked there for relatively very short period of time and obviously most of the time during the school term time only. Therefore the above application is in line with the other applications within Northampton close to the school site.

With regards the accident data is concerned, the LHA have been informed by their Accident and Investigation officer that there has not been any accident recorded within the last 2 years from the date of this letter.

As far as the existing traffic on the Quinton Road is concerned, the LHA is satisfied that two or more cars from the above development especially during the morning and evening peaks will not have any detrimental impact on Highway's and pedestrian safety.

- 6.2 **NBC Environmental Health** recommend a condition concerning contaminated land.
- 6.3 **NBC Arboricultural Officer** has no arboricultural reasons why this application should be refused.
- 6.4 **NBC Heritage and Built Environment** object to the application in principle due to the adverse impact on the setting of the Wootton Conservation Area. There seems to be no clear architectural style that has influenced the design of the buildings and the dormers which are positioned part on the roof and part on the front wall are not in keeping with the designs of any properties in the area and do not reflect the local identity of the area.
- 6.5 **Councillor J Nunn** objects as the development will add to the risks of road traffic incidents due to the speed of traffic and the proximity of the site to a bend.
- 6.6 **Councillor M Hill** objects as an additional access on to Quinton Road at this point will be a potential traffic hazard.
- 6.7 **Wootton Parish Council** objects due to insufficient detail being given to the access; limited visibility will make access and exit difficult and exacerbation of existing parking and pedestrian safety problems.
- 6.8 **66 letters of objection** received from local residents. These comments can be summarised as follows:
  - Detrimental impact on vehicular and pedestrian safety;
  - Lack of car parking facilities resulting in on-street car parking;
  - Existing character is large plots;
  - Overdevelopment;
  - Loss of/impact on trees;
  - Impact on stone wall;
  - Poor quality of submitted plans;
  - Loss of garden area/green space;



- Impact on amenity due to overshadowing/loss of light/privacy;
- Out of character with surrounding area;
- Poor quality design:
- Impact on wildlife;
- Should concentrate on reusing empty homes rather than inappropriate new development;
- Impact on amenities and infrastructure;
- Construction traffic;
- Impact on adjacent Conservation Area and listed building;
- Impact on ground conditions/stability.

## **7. APPRAISAL**

### **Principle**

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

### **Design and Appearance**

- 7.2 The application site and its immediate surroundings are characterised through the provision of large dwellings, set back from Quinton Road by a significant distance. Existing dwellings are also surrounded by proportionate levels of garden space. The exception to this is Clare Cottage, however, due to the historic significance of this building it forms a landmark feature in its own right and read as being part of the historic core of Wootton and not part of the suburban street scene that characterise the application site.
- 7.3 The proposed development by reason of the introduction of two large scale dwellings would erode this character through the removal of the landscaping contained within the site's garden. Furthermore, the siting of the proposed dwellings would further harm visual amenity by reason of the close proximity of the buildings to Quinton Road, which would further erode one of the defining characteristics of the locality.

- 7.4 The appearance and character of the site would be altered by the proposed development and would lose its current appearance of being a spacious plot. It is considered that this change in the appearance of the site would be to the detriment of the appearance of the area and would, in particular, adversely affect the setting of the Wootton Conservation Area.
- 7.5 Concerns have been expressed by NBC Conservation regarding the design of the front elevations of the dwellings with half dormered windows at first floor level. However it is not considered that these are unacceptable bearing in mind the mix of housing design in the area.

### **Trees**

- 7.6 There are a number of trees within and adjacent to the site which needs to be considered. Two trees in the garden of the neighbouring property, Clare Cottage, overhang the application site and are classed as being within the conservation area. One of the proposed dwellings would be within the root protection zone of one of these trees. It is considered that a condition requiring details of foundation design would adequately address this issue. The other tree would be unaffected by the development, although this would cause some shadowing to the rear of the new house. Measures could be imposed during the construction period to provide protection to the trees.
- 7.7 A number of trees/hedges within the site would be removed to facilitate the development, including a mature Scot's Pine on the site frontage. It is not considered that these trees are of a sufficiently high quality to warrant a Tree Preservation Order or as a reason to preclude the development.

### **Amenity**

- 7.8 The development would introduce different relationships between the site and neighbouring properties, in particular those located to the rear, with the potential for overlooking. This could be exacerbated by the difference in land levels. However with the position of the windows on the rear elevations of the proposed dwellings, the limited parts of the gardens of the adjacent properties which would be within 10 metres of these windows and the existing planting combined with the potential to secure additional planting to the boundaries, it is considered, albeit finely judged, that these relationships are acceptable.
- 7.9 There is also the issue of the relationships between the existing dwelling within the site and the development to be considered. At present the dwelling has first floor side windows which would face towards the two proposed dwellings. In the case of the dwelling to

the north, this window would face towards the gable wall of the dwelling. More significantly the window on the southern gable would directly overlook the rear garden of the other proposed dwelling. A condition would have been required to ensure that this window is changed to obscure glass.

### **Highways**

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

## **8. CONCLUSION**

- 8.1 It is considered that the development would not have an unacceptable impact on residential amenity or highway safety and would contribute to the Borough's five year housing supply. However it is also considered that the development would adversely impact on the character of the area and the setting of the Conservation Area through the loss of the open and spacious nature of the site and consequently, on balance, it is recommended to refuse planning permission.

## **9. BACKGROUND PAPERS**

- 9.1 N/2014/0772.

## **10. LEGAL IMPLICATIONS**

- 10.1 None.

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

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



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

**Title**  
**Land Adjacent 8 Quinton Road**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/0911:** Change of use from residential care home (Use Class C2) to 20no. residential flats (Use Class C3), Lakeview House Old Persons Home, 88 Churchill Avenue

**WARD:** Eastfield

**APPLICANT:** Mr Ahmed Fouda  
**AGENT:** Wilbraham Associates Ltd.

**REFERRED BY:** Councillor M. Hallam  
**REASON:** Concerns over car parking and impact on existing environment

**DEPARTURE:** NO

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## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

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

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

The proposal is for a residential development within an existing residential area and is therefore acceptable in principle, the development would have no adverse impact on the character of the area, the amenities of adjoining occupiers or the highway network and the alterations proposed would not impact on the street scene, The proposal therefore complies with Policies H1, H2, C2, S1, S3 and S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

- 1.2 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the 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 affordable housing requirement not being secured in order to make the proposal acceptable in line with the requirements of Policy H2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 1.3 It is also recommended that, because of the particulars of the scheme, delegated authority be given to the Director of Regeneration, Enterprise and Planning to accept an equivalent financial contribution in lieu of on-site provision of affordable housing, should this prove necessary due to the particular circumstances of the proposal.

## **2. THE PROPOSAL**

- 2.1 Change of use of existing former residential care home (Use Class C2) to 20 residential flats (Use Class C3), including the provision of 20 parking spaces. These parking spaces would be within two car parking areas, one comprising 12 spaces accessed from Churchill Avenue in part of what is currently the garden of the property and a further eight spaces accessed directly from Appleby Walk to the east of the building.

## **3. SITE DESCRIPTION**

- 3.1 The site comprises a two storey residential care home located approximately 3 miles from the town centre. The care home is no longer in use and has been vacant for some time.
- 3.2 The site is located within a predominantly residential area with local shops located to the south and residential properties to the east, west and north. There are two trees which are the subject of Preservation Orders in the north east corner of the site, along with other areas of landscaping around the boundary.

## **4. PLANNING HISTORY**

- 4.1 The development of the estate, including the care home, was originally approved in 1965, with details approved in 1966 and 1967.
- 4.2 An application for the change of use of the premises to a hostel (Sui Generis Use) was submitted in April 2013 and subsequently withdrawn.
- 4.3 Planning permission (ref: N/2013/0925) was refused in November 2013 for change of use from residential care home (Use Class C2) into 28no. residential flats (Use Class C3) and provision of on-site car parking spaces. An appeal against this refusal was dismissed in April 2014.

## **5. PLANNING POLICY**

### **5.1 Development Plan**

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

## 5.2 National Policies

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.

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).

## 5.3 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.

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.

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.

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.

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

Although substantially dated and in the main replaced by the JCS, Policy E20 is relevant to this application. Policy E20 states that developments should be of a satisfactory standard of design.

#### 5.5 **Supplementary Planning Documents**

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

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

6.1 **Highway Authority (NCC)** do not object to the application on the basis of additional information supplied by the applicants.

6.2 **NBC Arboricultural Officer** requires the protected trees to be protected throughout building works.

6.3 **NBC Strategic Housing** welcome the provision of 35% affordable housing but have some concerns over on-site delivery.

6.4 **Northamptonshire Police** have no objections.

6.5 **Councillor Hallam** objects to the application due to the application being too similar to that previously considered; concerns over car parking and how it fits into the existing environment.

6.6 **Michael Ellis MP** objects as the provision of a number of flats in a quiet area with elderly residents would change the nature of the area to the detriment of existing residents; the number of bedrooms is now higher than previously; increase in traffic on a busy road; increase in disturbance and noise nuisance and lack of car parking.

6.7 **93 letters of objection** received from local residents on the grounds of:

- Overdevelopment of the site and out of character with its surroundings;
- Impact on road safety due to an increase in traffic and car parking combined with the existing use and nature of Churchill Avenue;
- Noise and disturbance;
- Impact on trees and loss of landscaping; and
- Contrary to Planning Policy; and
- No changes since appeal dismissed.

6.8 **One letter of support** received due to:

- The application is in keeping with the area;
- Affordable accommodation is to be provided; and
- Good car parking provision

### 7. **APPRAISAL**

7.1 The issues to consider are the acceptability of the use in principle, the impact on the character of the area, highway and pedestrian safety and the amenities of



adjoining and nearby residents including the impact on the street scene of the physical changes proposed and the impact on trees. The previous appeal decision must also be taken into account.

### **Principle**

- 7.2 The application is for a change of use from a care home (Use Class C2) to a general residential use (Use Class C3). In policy terms, the building is within a Primarily Residential Area and therefore a residential use of the site is considered broadly acceptable subject to the details of the scheme. Indeed the Inspector when considering the previous appeal accepted the principle of the conversion for residential purposes.
- 7.3 The contribution which the development would make towards the Borough's five year housing supply and the weight which the NPPF gives to this would also support the principle of the development.

### **Character/Appearance**

- 7.4 The application site, due to its position and scale, forms a significant feature within the area. At present the site appears as disused and somewhat dilapidated and is detrimental to the appearance of the wider area. The external appearance of the building is not to be significantly affected by the development, however bringing the building back into effective use could have a significant positive improvement for the appearance of the site and the wider area.
- 7.5 The area around the site is predominantly residential in nature and as such the use of the site for residential purposes would seem to be consistent with this residential character.

### **Residential Amenity**

- 7.6 The residential nature of the development is not considered likely to generate a level of activity, noise or disturbance which would have a significant adverse impact on the amenity of nearby residents. The previous use of the site as a care home would have generated a level of activity in its own right. The Inspector when considering the previous appeal for 28 flats considered that, "increased activity at the site would not in itself be unduly intrusive".

### **Highway Safety/Car Parking**

- 7.7 A number of the letters received from local residents raise concerns regarding the impact which the development would have on road safety given the existing levels of traffic and pedestrians on Churchill Avenue and the location of the site on a bend and with the access close to the position of a bus stop. The Highway Authority have however raised no objections with regards to this.
- 7.8 The Highway Authority have also raised no objection with regard to the proposed level of car parking. There would be one car parking space per flat which conforms with the requirements of the Council's Car Parking SPG. In terms of the creation of on-street car parking it should be remembered that when the building was in use as a care home, with staff, visitors and servicing, there was no on-site parking provision. There is also a public car park adjacent to the site serving the small shopping arcade.

- 7.9 The site is in close proximity to local amenities in the form of shops, with the area also being well served by buses into the town centre. The proposal includes also 20 cycle spaces and a condition requiring the retention of these is proposed. The site can therefore be viewed in planning terms as a sustainable location, in which future residents can take advantages of means of transport other than the private car and also access services locally.

### **Trees**

- 7.10 The protected trees within the site are within an area which the applicant has indicated would be unaffected by and building operations. In the longer term these trees would form part of the landscaping around the site. Conditions are recommended, should Members be minded to grant permission, to protect the trees during building work and in the longer term.

### **Appeal Decision**

- 7.11 The previous decision of the Inspector in relation to the scheme for 28 flats must also be considered. As indicated previously the Inspector considered the principle of the development to be acceptable and the level of activity to be generated acceptable. However it was identified that the level of car parking to be provided would leave insufficient space for landscaping and there would be a loss of on street car parking.
- 7.12 The previous application proposed 10 car parking spaces which would have been accessed directly from Shap Green to the north of the site. These spaces have now been removed and this area could be landscaped. It is therefore considered that this reason for the appeal being dismissed has been overcome.
- 7.13 The Inspector also made reference to the car parking which would have been accessed from Appleby Walk. Car parking is still proposed in this area. However the road way here is used to access garaging and car parking and it is not considered unreasonable for further car parking to be formed from this.

## **8. CONCLUSION**

- 8.1 It is considered that overall the development complies with the relevant planning policies and would contribute to the Borough's five year housing supply, while bringing a prominent and significant building back into use and not having an unduly adverse impact on road safety, residential amenity or the protected trees within the site. In addition it is considered that the reasons for dismissing the appeal identified by the Inspector have been reasonably overcome. The recommendation is therefore to grant planning permission.

## **9. CONDITIONS**

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2014/C003/04 (Rev A received 29 September 2014), 2014/C003/05, 2014/C003/06, 2014/C003/07 and 2011/C003/08.

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

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

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

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

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

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

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

(6) Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no change of use of any of the individual flats hereby permitted to a use falling within Class C4 (Houses in Multiple Occupation) shall take place unless formally approved in writing by the Local Planning Authority.

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

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

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

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

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

(9) No development shall commence until full details of protection measures in accordance with BS5837:2012 *Trees in relation to design, demolition and*

*construction – Recommendations* for the trees to be retained on site have been submitted to and agreed in writing by the Local Planning Authority. The submitted details shall include a plan showing the location and root protection areas of all those trees to be retained, the location and details of protective fencing and a method statement for the carrying out of work. The development shall only be carried out in accordance with the agreed details.

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

(10) Before development commences details of the vehicular access/egress from Churchill Avenue shall be submitted to and agreed in writing by the Local Planning Authority. The submitted details shall demonstrate the visibility splays and pedestrian inter-visibility splays which can be achieved and the method of surfacing. The development shall only be carried out in accordance with the agreed details with the visibility splays and pedestrian inter-visibility splays to be retained thereafter.

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

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

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

## **10. BACKGROUND PAPERS**

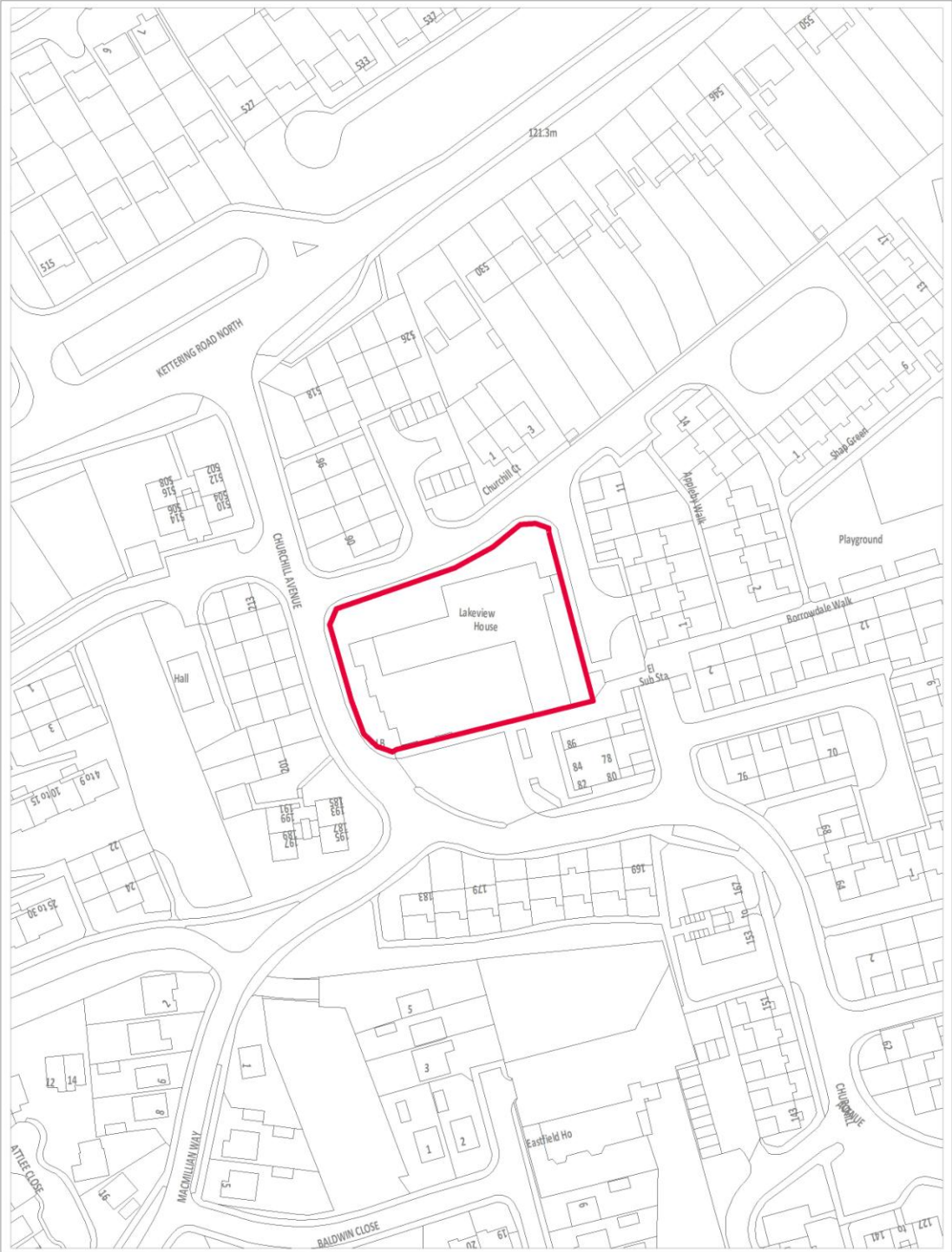
10.1 N/2014/0911

## **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: Site Location Plan  
 Date: 3rd February 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

Title  
**88 Churchill Avenue**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1160:** Erection of 51 dwellings with associated access, parking and landscaping at AT Toolcentre Ltd, Studland Road

**WARD:** Semilong

**APPLICANT:** Orbit Homes  
**AGENT:** Lifespace Design

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

**REASON:** Major application requiring S106 legal agreement

**DEPARTURE:** YES

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

a) The prior finalisation of a Section 106 agreement to secure:

- 100% on site affordable housing;
- and the provision of construction training; and
- The Council's monitoring fees.

b) The conditions below and for the following reason:

The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would be in keeping with the character and appearance of the area and would enable the rationalisation and improvement of the area by removing a conflicting commercial use adjacent to residential dwellings. The development

would provide for 100% affordable housing, for which there is a recognised need. The development would contribute towards the Borough's 5 years housing land supply. The development would therefore be in accordance with Policies H2, S1, S4, S10 and INF1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

- 1.2 As the consultation period has not expired at the time this report is prepared, it is recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any additional issues raised in comments received not dealt with in the report.
- 1.3 It is also recommended that in the event that the S106 legal agreement is not secured within three 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.

## **2. THE PROPOSAL**

- 2.1 The proposal is for the demolition of all on site buildings and the construction of 51 dwellings which would be 25 two bedroom houses, 11 three bedroom houses and 15 one bedroom apartments. The apartments would be in two separate blocks at the north-east and north-west corners of the site whilst the houses would occupy the remainder of the site. Access would be taken from Studland Road, Bembridge Drive and Branksome Avenue.

## **3. SITE DESCRIPTION**

- 3.1 The site currently accommodates a commercial building, now vacant, and associated car parking.
- 3.2 The site is surrounded on three sides by roads, and on the fourth southern side is adjacent to a residential area. Beyond the roads to the north and west are commercial premises whilst to the east is another formerly commercial site, the Grose Motors site, which has recently been granted planning permission in principle, subject to the finalisation of a S106 agreement, for a residential development together with a supermarket.

## **4. PLANNING HISTORY**

- 4.1 Planning history relates to the original erection of a factory on the site in 1951, and subsequent extensions and related applications, which are not of direct relevance to the current application.

## **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).

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

The NPPF states at paragraph 49 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.

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).

### **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. As part of the development plan, consistent with Section 38(6) it carries significant weight when considering planning applications.

Policy S1 of the JCS states that new developments should be concentrated primarily in and adjoining the existing principal urban area of Northampton.

Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment.



Policy S10 sets out sustainable development principles and requires that new developments will achieve the highest standard of sustainable design.

Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures.

Policy H2 sets out the requirements for affordable housing and requires that at least 35% of developments of 15 or more dwellings should be made available for this purpose.

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

Many policies of the Local Plan have now been superseded by the Joint Core Strategy, however Policy B14 remains in force and seeks the retention of allocated business sites for employment purposes (Use Classes B1, B2 and B8) unless it can be demonstrated that the proposed redevelopment would generate significant employment and community benefits.

Policy E20 also remains relevant and states that new buildings should be of an appropriate design.

#### 5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

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

Comments received can be summarised as follows:

- 6.1 **NHS England** – The development will result in additional GP registrations and therefore a contribution towards the cost of additional facilities is requested.
- 6.2 **Northamptonshire County Council** – Contributions are requested towards the cost of education, fire and rescue, libraries and broadband.
- 6.3 **Anglian Water** – No assets of Anglian Water are within the site boundary, there is capacity for the waste water and foul sewage which would be generated. Surface water disposal should be via a SUDS system. A condition is requested for an alternative strategy.
- 6.4 **Environmental Health** – Conditions are requested for a Construction Environmental Management Plan, Site Investigation and noise mitigation scheme.

- 6.5 **Environment Agency** – Conditions are required in respect of site investigation, remediation and verification of the results, and in respect of foul water drainage.
- 6.6 **National Grid** - National Grid has plant in the vicinity and should be contacted before work is carried out.
- 6.7 **Western Power Distribution** – No objections
- 6.8 **Highways Agency** – The proposed development is not expected to have a material impact on the closest strategic route, the A45.
- 6.9 **Local Highway Authority** - revised drawings are acceptable, no observation to make subject to a Section 184 licence being applied for, for the new vehicular crossover. Additionally, the Local Highway Authority confirmed in response to an objection that Branksome Avenue is of sufficient width to cater for the development.
- 6.10 **Police Crime Prevention Design Adviser** – No objections.
- 6.11 **Construction Futures** – A contribution and construction training will be required.
- 6.12 The application was notified to adjoining occupiers and representations were received from 10 neighbouring occupiers in **Branksome Avenue** as well as one in **Bembridge Drive** and one in **Motspur Drive**, and from **Michael Ellis MP** in support of residents, which can be summarised as follows:
- Object to opening up of Branksome Avenue for access to the site – should remain as a cul-de-sac and access should be taken from Studland Road. Branksome Avenue is not of sufficient width to serve the whole development.
  - Car parking on Branksome Avenue is congested already.
  - Too many dwellings / oversaturation of the site.
  - Concerned about deliveries to the site.
  - If shared ownership occupiers will have less respect for the properties – will affect house values.
  - New residents will require medical services, will affect existing surgery.
  - Concerned about properties abutting boundary as would prevent access for maintenance.
  - Concerned about capacities of foul and storm water drains.
  - Amended plans have done nothing to allay concerns.

- Concerned about proximity of houses.
- Over-development of a very tight, small parcel of land
- Layout appears contrived and totally out of character with the existing dwellings in Branksome Avenue and Bembridge Drive.
- High density has resulted in the site having a sea of parking courts.
- Fails to achieve aims and objectives of planning policies.
- The property is vacant so there would be no reduction in traffic.

## 7. APPRAISAL

- 7.1 The issues to consider are the principle of the proposal, the impact of the proposed development in visual terms, the impact on neighbouring occupiers, living conditions for future occupiers and parking.

### **Principle of Residential Development**

- 7.2 The application site is in an area designated as an Employment Area in the Northampton Local Plan. As set out above, Policy B14 of the Local Plan states that the site should be retained for employment purposes, unless it can be shown that the proposed development would generate employment or community benefits.
- 7.3 The site is currently occupied by a vacant commercial building, which has remained vacant since 2010. Some evidence was provided at the pre-application stage that the site had been marketed for commercial use and that this was not successful.
- 7.4 In considering the policy position in respect of this site, it must be recognised that the Local Plan is now very dated and has been largely superseded by the Joint Core Strategy. In addition, the NPPF states that a plan cannot be considered as being up to date unless a five year housing supply can be demonstrated. This cannot be demonstrated in the Borough.
- 7.5 It is additionally considered that the site's designation as an employment area has always been somewhat anachronistic, given the fact that the site directly adjoins residential properties. This designation has therefore been under reconsideration by Planning Policy and is considered to be no longer appropriate.
- 7.6 Taking into account all of the above, the principle of residential use of this site is therefore considered to be acceptable.

### **Impact on the street scene**

- 7.7 The site is currently occupied by large commercial buildings, which are typical of their type.

- 7.8 However, these buildings are located adjacent to modest two storey residential dwellings to the south, and this results in a somewhat discordant appearance. It is therefore considered that in principle, buildings of a domestic scale would be more in keeping with the location.
- 7.9 The adjacent site at the former Grose Motors site is currently under development, and the design of this future development has been taken into account in the design of the proposals for this site, in terms of the general design of the proposed properties particular by continuing the pedestrian link which runs through the adjacent site thereby providing pedestrian access for future residents through to the supermarket.
- 7.10 The wider surrounding area to the north of the site is occupied by commercial development whilst to the south the area is more residential in character and comprises of terraced and some semi-detached houses generally of two-storey height, the residential development of this site would therefore be much more in keeping with this character and would provide a more logical break, in visual terms, between the commercial and residential elements of the area.
- 7.11 The proposed houses would all be two-storeys in height as would the smaller block of flats, providing 6 flats. The larger of the block, providing 9 flats, would be three storeys. Given the context of the immediate area, which consists of buildings of varying size and height it is considered that this scale of development would be in keeping.
- 7.12 In the longer term, it is possible that further proposals would come forward for the redevelopment of other commercial premises around the site, which would of course have to be judged on their merits. However, it is considered that the design of the current proposal would allow for such redevelopment as the scheme has been designed not to be inward facing.

### **Impact on adjoining occupiers**

- 7.13 The application site is adjacent to residential properties in Branksome Avenue, and is separated from commercial properties fronting Bembridge Drive and Studland Road.
- 7.14 Access to the site would be taken from all of these roads, with 25 dwellings accessed from Studland Road, 15 from Bembridge Drive and 11 from Branksome Avenue. This is an amendment to the originally submitted plans which indicated 21 dwellings accessed via Branksome Avenue, in response to the large number of objections received from neighbouring residents, focussing primarily on the use of Branksome Avenue for access. Some of these objections appear to be made in the belief that Branksome Avenue is intended as the only or main access, which was never the intention. Although this previous arrangement was acceptable to the Local Highway Authority, it was considered

preferable for this amendment to be undertaken to lesser impact on the existing residents.

- 7.15 Objections nevertheless remained, stating that in their views that no access should be taken via Branksome Avenue.
- 7.16 As it stands, Branksome Avenue is a cul-de-sac which ends at the edge of the site at the boundary fence of the existing factory with no turning head. This road was developed up to this point in the 1930s, almost certainly with plans at that time that it would be continued. However, this did not ultimately take place.
- 7.17 The access through this road would provide for only an additional 11 properties, with 22 parking spaces provided for these. It is considered that the access for these additional 22 vehicles, along with any visitors for whom there is space available on the street, would not have a detrimental impact on the residents of Branksome Avenue due to traffic movements. Given the level of parking spaces which would be provided it is further considered that this would not result in any adverse impact on existing residents in terms of additional demand for parking within Branksome Avenue, which it is acknowledged can become congested. It can also be noted that many of the properties on Branksome Avenue have garages to the rear accessed from Studland Road.
- 7.18 Furthermore, the proposals are considered to be an improvement on the existing situation by extending the road and providing a turning head in particular for emergency vehicles which would be useable by the existing residents of this road as well as the occupiers of the new dwellings.
- 7.19 There are also existing residential properties fronting onto Bembridge Drive, which would be adjacent to new dwellings on this road. It is considered that these residents would not be significantly affected by traffic movements as Bembridge Drive is already a through road linking on to Studland Road and leading to commercial premises beyond this.
- 7.20 In terms of the relationship between neighbouring properties, the two existing neighbouring houses to the site, at the end of Branksome Avenue, have side walls which face towards the site, each of which has a single obscure glazed window at first floor level. These windows do not serve a habitable room and would not, therefore, be affected by the neighbouring new dwellings, which would in any event be 11m away from these windows so would not result in any loss of light.
- 7.21 The end house in a similar position at 20 Bembridge Drive has a blank gable wall with no windows facing towards the rear of the neighbouring new house, which is also 11m away. The occupier of this particular property has objected on the basis that there would be no access to the side wall of their property following the development. Whilst such access is currently available, this is over the private parking area of the

existing commercial premises and this access could be restricted at any time. It is not considered that it would be reasonable to effectively require an access strip to be provided over part of the site for this neighbour. Access for maintenance would still be possible by agreement with the new occupiers of the neighbouring house.

- 7.22 It is not considered that the redevelopment of the site would affect the remaining commercial operators close to the site, which may be the subject of complaints about noise from the new occupiers, as any such impact would be mitigated by the proposed noise conditions as required by Environmental Health.

### **Design of the scheme / living conditions for future occupiers**

- 7.23 The layout of the development has been designed to provide for an acceptable residential environment in close proximity to remaining commercial premises, and in this respect the dwellings to the north of the site have been set away from this boundary of the site, to provide better separation from the premises across this road.
- 7.24 The houses fronting onto Bembridge Drive have been laid out in a more conventional manner, which is considered to be an acceptable arrangement as the buildings towards which these houses would face are offices which would not have a detrimental impact on future residents.
- 7.25 Within the site, the houses have been laid out in a complimentary style to the adjacent recently approved site, and it is considered that the layout of the site and the separation provided between neighbouring properties is acceptable and would provide a satisfactory living environment for future occupiers.
- 7.26 Although the site is in relatively close proximity to commercial premises, advice from Environmental Health is that the impact of this can be satisfactorily mitigated.

### **Parking and Highway Issues**

- 7.27 Parking spaces would be provided at a ratio of two per dwelling for each of the houses on site, generally adjacent to the individual houses, with parking courts to the north end of the site only. For the two blocks of flats, one space would be provided per flat, with 6 visitor spaces for the larger block of 10 flats and 3 visitor spaces for the smaller block of 3 flats. These would be provided in an individual car park for each block. It is considered that this represents an appropriate level and arrangement of parking provision.
- 7.28 The level of vehicle movements associated with the former commercial use of the site has been assessed in the transport assessment, which accompanied the application, as has the projected level of vehicle movements from the proposed residential use. From this assessment it

has been estimated that the redevelopment would reduce traffic movement by between 50 to 60%, during peak periods and throughout the day and will also reduce the number of heavy goods vehicles in the vicinity of the site, in comparison to the former use of the site, which could be recommenced.

- 7.29 As referred to above, the neighbouring site, the former Grose Motors site, has recently been granted planning permission in principle for a residential development. This site has its vehicular access directly onto Kingsthorpe Road, rather than Studland Road. In terms of the cumulative impact of the two developments, it should be noted that given that the current proposal would actually reduce vehicle movements, such impact would in fact be less than if the site was brought back into active commercial use.

### **Contamination of site**

- 7.30 A desktop study in respect of contaminated land was included with the application, however the work for this has not been completed. This does show, however that the site is capable of being remediated and conditions are proposed requiring the completion of this work.

### **Section 106 Contributions**

- 7.31 Comments from the County Council Development Management Section request financial contributions for fire and rescue, libraries and broadband. There is no policy basis for such payments and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122.
- 7.32 The County Council has also requested a financial payment towards the provision of primary school education within the vicinity, whilst a request has been made by NHS England for a contribution towards increased healthcare facilities.
- 7.33 It is considered that these requests would normally satisfy the tests as set out above if the development were to be a conventional private sector development. However, in this case the scheme proposed is not a private development but rather provides entirely affordable accommodation.
- 7.34 Therefore, whilst the houses will be occupied by persons who will require healthcare and by children, who will require education, the new occupiers will be drawn from existing housing waiting lists and therefore these will be persons already making use of healthcare provision and children already in education in the Borough and in need of more suitable housing. There will, therefore, be no net gain in the requirement for healthcare or education provision as a result of these people being relocated within the Borough into more suitable residential accommodation.

- 7.35 Furthermore, the applicants have indicated that the healthcare contribution requested would render the scheme unviable, which would therefore mean that this much needed affordable housing would not be provided.
- 7.36 Consequently, provided that the applicant enters into a legal agreement to ensure that the entire development would be retained for affordable housing in perpetuity it is not considered that the healthcare or education payments would be necessary. Therefore it is recommended that the legal agreement secures 100% affordable housing rather than the normal 35% requested.
- 7.37 A further requirement is for the provision of construction training and the Council's monitoring fees.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed development would represent an enhancement to the street scene and the area in general by providing a rationalisation of land uses by removing a commercial use adjacent to residential properties.
- 8.2 The use of Branksome Avenue to provide access to a limited part of the site is also considered to be an enhancement, as this would provide a turning head which is not available at present, and would not result in any significant impact due to increased vehicle movements.
- 8.3 Overall, the scheme would result in the removal of a commercial use, which whilst in an area designated as use in a residential area, in the form of a derelict warehouse, and would have no detrimental impact on adjoining occupiers.
- 8.4 The proposal would provide for much needed affordable housing, making use of grant funding and contribute towards the Borough's housing land supply.

## **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: LSD56-02, LSD56-03B REVB, LSD56-03.01 REVA, LSD56-03.02 REVA, LSD56-03.03 REVA, LSD56-03.04, LSD56-03.05 REVA, LSD56-03.06, LSD56-03.07, LSD56-03.08, LSD56-03.09, LSD56-03.10, LSD56-03.11, LSD56-03.12, LSD56-04B REVB, LSD56-05 (Site Plan)REVA, LSD56-05 (Street Scenes)REVA, Lighting Plan.



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

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

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

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

- (6) No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason: To protect the quality of controlled waters in accordance with the National Planning Policy Framework.

- (7) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason To ensure that any remediation required at the site is verified as completed to agreed standards, to ensure the protection of controlled waters in accordance with the National Planning Policy Framework.

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

Reason: To ensure that any unforeseen contamination encountered during development is dealt with in an appropriate manner in accordance with the National Planning Policy Framework.

- (9) No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where

it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration in accordance with the National Planning Policy Framework.

- (10) 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 water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details hereby approved. 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 in accordance with the National Planning Policy Framework.

- (11) Prior to the commencement of each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

- (12) No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval. Any site investigation found to be required shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval. All remedial works found to be required shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase). In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

- (13) Where the night time internal noise level in any bedroom exceeds the night time WHO 1999 standard of LAeq,8 hour 30 dB, with the window open, a noise insulation scheme shall be submitted to the Local Authority for written approval that protects those rooms, and will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather. Development shall be carried out in accordance with the approved details.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with the advice contained in the National Planning Policy Framework.

- (14) No infiltration of surface water drainage into the ground at the site is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable

risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure that infiltration systems such as soakaways do not increase the potential for contaminant migration in accordance with the advice contained in the National Planning Policy Framework.

- (15) 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 water drainage on and off site has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the details hereby approved. 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 in accordance with the advice contained in the National Planning Policy Framework.

- (16) No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

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

- (17) A minimum of 10% of the 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.

- (18) Full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site. Development shall be carried out in accordance with the approved details.

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

- (19) Notwithstanding the submitted plans, further details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the 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.

- (20) 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 dwellings hereby permitted at Plots 9 to 20 as shown on the approved plans shall take place without the prior written consent of the Local Planning Authority.

Reason: To protect the amenities of adjoining residential occupiers in accordance with Policy E20 of the Northampton Local Plan.

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

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

## **10. BACKGROUND PAPERS**

- 10.1 Application File N/2014/1160.

## **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: Site Location Plan  
 Date: 9th February 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

Title  
**Studland Road**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1209:** The erection of a pedestrian footbridge to cross the brook at land adjacent to The Maltings, Westbridge Motors, St James Road

**WARD:** St James

**APPLICANT:** Mr Nicholas Brocklehurst

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

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

The proposal would assist in improving the parking facilities available for an established business and would not adversely impact on existing flood conditions in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

### **2. THE PROPOSAL**

2.1 The application proposes the erection of a timber pedestrian bridge across the brook to the rear of Westbridge Motors extending across to the opposing embankment and existing steps and land owned by the Council. The applicant is in discussion with the Council regarding leasing the adjacent land on a temporary basis to provide additional car parking for employees and the bridge is required to provide access to the land.

### **3. SITE DESCRIPTION**

3.1 Westbridge Motors is located on the edge of the town centre and occupies part of The Maltings, a commercial building occupied by various business uses. To the rear of the site is a brook beyond which is an area of disused land owned by the



Council. The surrounding area is predominantly commercial in character with St James Mill Road industrial park located to the south.

3.2 The site lies within Floodzones 2 & 3.

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

4.1 There is no relevant planning history.

#### **5. PLANNING POLICY**

##### **5.1 Development Plan**

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

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

NPPF – National Planning Policy Framework

The NPPF supports economic growth and seeks to ensure that investment in business is not over-burdened by planning policy expectations. Paragraph 103 advises that in determining planning applications Local Planning Authorities should ensure flood risk is not increased elsewhere.

##### **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 BN7 – all new development will need to demonstrate that there is no increased risk of flooding.

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

E20 – New development should be in keeping with the character of the surrounding area.

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

6.1 **NBC Asset Management** – no comment.

6.2 **The Environment Agency** – no objection.

#### **7. APPRAISAL**

## **Principle of development**

- 7.1 The proposed footbridge is required in association with an existing established business to improve the provision of facilities for employees and is considered in accordance with the aims of the NPPF.
- 7.2 Due to the siting and scale of the bridge the structure would not be visually prominent within the surrounding and the appearance is considered acceptable.

## **Flood Risk**

- 7.3 The application site and brook is situated within Floodzone 2 & 3 and within a few metres of a controlled sluice gate leading to the main river.
- 7.4 The submitted details advise that the open appearance of the bridge has been designed to allow any surge of water during a flood to pass through the bridge in accordance with the recommendations of the Environment Agency.
- 7.5 The Environment Agency has no objection and the proposal would not lead to any increase flood impact in accordance with policy requirements.

## **8. CONCLUSION**

- 8.1 The proposal would assist in improving facilities for the existing business and would not increase the risk of flooding within the area in accordance with policy requirements and is therefore recommended for approval.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan & DRH.91814 Sections and Elevations.

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

## **10. BACKGROUND PAPERS**

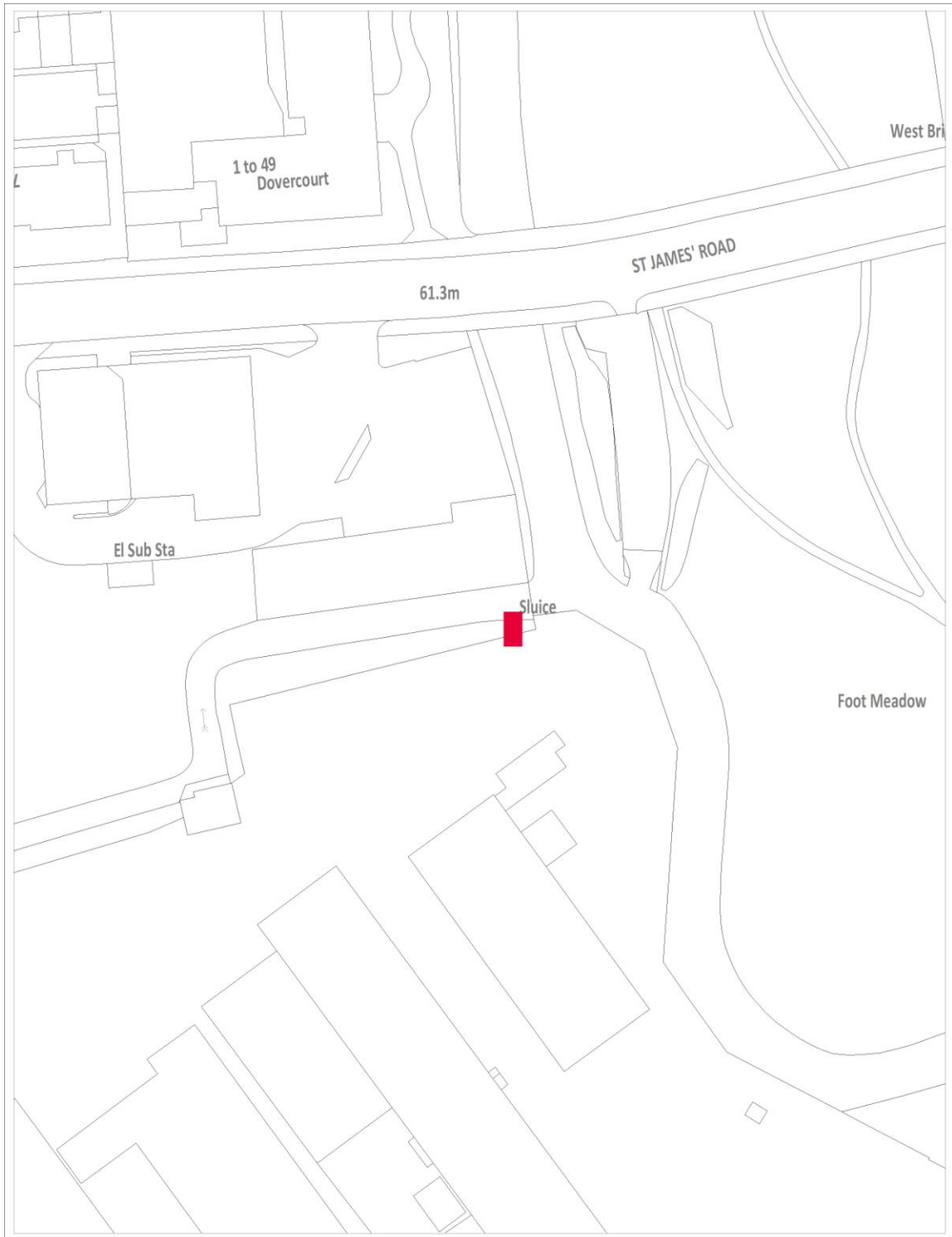
- 10.1 N/2014/1209

## **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: Loction Plan  
Date: 6th February 2015  
Scale: 1:750  
Dept: Planning  
Project: Planning Committee

Title  
**Pedestrian Footbridge, Land adj The Maltings**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1269:** Reserved matters application for the approval of the appearance, landscaping, layout and scale of four academic buildings; two multi use games areas and a flood lit sports pitch; café/bars and associated landscaping/public realm works pursuant to Outline Planning Permission N/2013/0912, University Site, Nunn Mills Road

and

**N/2014/1331:** Reserved matters application for the appearance, landscaping, layout and scale of pedestrian and cycle bridge linking Beckett's Park with the new University Campus pursuant to Outline Planning Permission N/2013/0912, University Site, Nunn Mills Road

**WARD:** Delapre and Briar Hill

**APPLICANT:** University of Northampton  
**AGENT:** Savills

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

**REASON:** Major applications relating to a key development site

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 APPROVAL OF RESERVED MATTERS APPLICATION N/2014/1269**  
subject to the conditions as set out below and for the following reason:

The submitted details demonstrate that the appearance, landscaping, layout and scale of this phase of development are acceptable and in conformity with the requirements of the National Planning Policy Framework; Policies BN1, BN8, E6, N1 and S10 of the West Northamptonshire Joint Core Strategy and Policies 1, 3, 4, 5, 8, 9, 28 and 29 of the Northampton Central Area Action Plan.

**1.2 APPROVAL OF RESERVED MATTERS APPLICATION N/2014/1331**  
subject to the conditions as set out below and for the following reason:

The submitted details demonstrate that the appearance, landscaping, layout and scale of the proposed footbridge are acceptable and in conformity with the requirements of the National Planning Policy Framework; Policies E6, N1 and S10 of the West Northamptonshire Joint Core Strategy and Policies 1, 3 and 29 of the Northampton Central Area Action Plan.

**2. THE PROPOSAL**

2.1 This report covers two separate applications for the approval of reserved matters following the approval of Outline Planning Permission in 2014 for the development of a new university campus. By reason of these two applications being intrinsically linked, one report has been prepared although two separate decisions will need to be taken.

2.2 The first application (reference: N/2014/1269) seeks permission for the appearance, landscaping, layout and scale of the four academic buildings. These buildings have been termed the Creative Hub, which is located to the north west of the site; the Learning Hub, which is located adjacent to the river and next to the existing Avon building; the Research and Enterprise Hub, which would be situated to the south of the Avon building; and the Sports Hub, which is proposed to be adjacent to the Research and Enterprise Hub but separated by the site's access road.

2.3 The proposed outdoors sports facilities comprising multi use games areas and a flood lit sports pitch would be located to the east and south east of the Sports Hub building. The outline planning permission included the provision of commercial buildings, which would be located in the north eastern section of the site. At this point, a developer for the commercial buildings has yet to be identified and therefore, landscaping is proposed for this section of the site pending the construction of the commercial buildings.

2.4 The remainder of the areas covered by this landscaping would be a combination of landscaping, pathways and some car parking. Separate applications will come forward in the future to address the other elements of the scheme.

- 2.5 The second application (reference: N/2014/1331) is for the installation of a pedestrian/cycle bridge over the River Nene. This would run from Beckett's Park to the campus site adjacent to the aforementioned Creative Hub building. The principle of constructing a bridge in this location was deemed appropriate during the outline approval and therefore consideration of the proposal is limited to its appearance, landscaping, layout and scale.

### **3. SITE DESCRIPTION**

- 3.1 The wider site is approximately 25 hectares in area and is located on the south eastern edge of Northampton town centre, on the south side of the River Nene and opposite Beckett's Park. Midsummer Meadow, Nene Meadows and Barnes Meadow form areas of largely green open space and are located in reasonably close proximity to the application site. The site is level in nature.
- 3.2 The majority of the previous uses of the site were predominantly industrial in nature and included now demolished manufacturing facilities for Avon; a power station (of which only the northern façade remains, although this is to be demolished to enable the construction of the new university) and various railway lines.
- 3.3 The site includes a Grade II Listed former railway engine shed with separate associated office building. This is excluded from the current application; however, separate proposals for these buildings are currently under consideration by the Council.
- 3.4 The southern boundaries of the site are adjacent to the disused Northampton-Bedford railway line. Beyond this is the Ransome Road site, where redevelopment for residential accommodation is envisaged.
- 3.5 Midsummer Meadow, Nene Meadows and Barnes Meadow form areas of largely open space and are located to the north across the site over the River Nene. Nene Meadows is also located within the Nene Valley Nature Improvement Area (NIA). The NIA is an interconnected network of wildlife habits intended to re-establish thriving wildlife populations and to help species respond to climate change

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

- 4.1 N/2013/0912 - Outline planning permission for redevelopment of the site as a new campus for the University of Northampton, including site clearance and enabling works comprising remediation and re-leveling of the site, demolition of all buildings on the site (except the Grade II listed structures). The proposal includes up to 40,000m<sup>2</sup> university floorspace (all floorspace is GEA); up to 15,000m<sup>2</sup> university expansion floorspace; up to 35,000m<sup>2</sup> commercial (B1) floorspace; up to 3,550m<sup>2</sup> of retail floorspace (up to 1800m<sup>2</sup> of A1, up to 150m<sup>2</sup> of A2, and up to 1600m<sup>2</sup> A3/A4); up to 1,500 beds of student accommodation; up to 760

car parking spaces for University use; up to 1,100 car parking spaces for commercial / leisure use; a hotel of up to 7,000m<sup>2</sup> (up to 150 bedrooms); floodlit sports facilities; reuse of listed locomotive shed (520m<sup>2</sup>) and curtilage listed office building; an energy centre of up to 600m<sup>2</sup>; a new road bridge and junction on to Bedford Road including reconfiguration of Midsummer Meadow car park; a new pedestrian foot bridge connecting the site to Becket's Park; a new secondary substation (adjacent to existing substation); and retention of the existing access via Nunn Mills Road – Approved.

N/2014/1072 - Reserved matters application pursuant to application ref N/2013/0912 - details of the appearance, layout and scale of the southern section of the North-South access road on the new Waterside University Campus – 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 West Northamptonshire Joint Core Strategy and the Central Area Action Plan.

#### **National Planning Policy Framework**

- 5.2 The National Planning Policy Framework (hereafter referred to as the NPPF) should be read as single document; however, the following sections are of particular relevance.
- 5.3 Paragraph 17 states that planning decisions should seek to secure high quality decisions and a good standard of amenity for all existing and future occupiers. Planning decisions should also take into account the differing roles of spaces. The same paragraph states that planning should contribute towards the conservation and enhancement of the natural environment, whilst ensuring that brownfield sites are effectively developed.
- 5.4 The requirement to secure good design is strengthened by paragraph 56, which confirms that design is a key aspect of sustainable development, which is indivisible from good planning. It is therefore important to plan positively for the achievement of high quality individual buildings as well as public and private spaces. Separate to this requirement, paragraph 60 states that planning decisions should not attempt to impose architectural styles or particular tastes.
- 5.5 A further consideration is that paragraph 61 requires that planning decisions address the connections between people and places and the integration of new developments with the environment.

- 5.6 It is incumbent upon planning decisions (as identified in paragraphs 100 and 103) to ensure that development is not sited in areas that would increase the flood risk for future occupiers of the site or in other areas.
- 5.7 Paragraph 118 states that when determining planning applications, decisions should aim to conserve and enhance biodiversity through the application of adequate mitigation or through encouraging the incorporation of biodiversity into new developments.

### **West Northamptonshire Joint Core Strategy**

- 5.8 Policy E6 of the West Northamptonshire Joint Core Strategy (JCS) states that the educational role of the University of Northampton should be supported through planning decisions. In addition, Policy S10 establishes a framework for the provision of sustainable development; which includes the provision of a strong sense of place, promoting walking and cycling and promoting the creation of green infrastructure.
- 5.9 The importance of green infrastructure is elaborated within Policy BN1, which states new developments should incorporate existing and future networks and be designed sensitively to ensure a good appearance, access provision and biodiversity enhancement and protections. The importance of biodiversity is strengthened through Policy BN8, which states that new developments should demonstrate an understanding of the importance of the River Nene within and beyond the plan area.
- 5.10 Policy N1 is also material to this application for it seeks to develop Northampton's Central Area providing high quality design and public realm works, whilst protecting the heritage assets through managed change.

### **Northampton Central Area Action Plan**

- 5.11 Policy 1 of the Central Area Action Plan (CAAP) requires that new developments positively contribute to an area with regards to the existing urban grain, scale, massing, materials and architectural scale of surrounding buildings. In addition, new developments should contribute to the provision of logical and coherent links to and from destinations in order to promote accessibility to and around the Central Area. In achieving these objectives, weight should also be given to Policy 3, which requires improvements to the public realm. The policy requirements to promote green infrastructure as discussed previously are reinforced by Policy 4.
- 5.12 Policy 8 identifies a safeguarded route for public transport along the route of the disused railway line between Castle Station and Brackmills. The need to improve sustainable means of transport is identified in Policy 9.
- 5.13 More specific to this application is Policy 28, which requires the use of the site for educational purposes, with the provision of taller landmark



buildings in key parts of the site in order to create a gateway into Northampton's Central Area. The redevelopment of this site should include a continuous riverside path, which should incorporate new river crossings. Access to Delapre should also be encouraged. In delivering this, schemes should have the flexibility to allow for crossings of the former railway line.

5.13 Beckett's Park, which is to the north of the site should be improved through enhanced pedestrian and cycle routes are required by Policy 29.

5.14 Policy 5 requires that new developments consider that new developments consider the likely impacts, including those arising from climate change, on flood risk.

## **6. CONSULTATIONS/REPRESENTATIONS**

### **Representations received in respect of N/2014/1269**

6.1 **Arboricultural Officer (NBC)** – On the whole selection of tree species is acceptable and will create an appealing and visually attractive landscape particularly during the autumn by the use of some striking species. However, some concerns exist about the use of Aspen to form the single row of trees to form the screen opposite Avon. The main issue is ensuring successful establishment, strong early growth and longevity of the landscaping. This is reliant on providing a suitable rooting environment. Therefore soil types should be given further consideration.

6.2 **Conservation (NBC)** – The wider response to the historic built form that either remains or has been removed is limited; however, this could be overcome through increased linkages with the Grade II Listed Building (NB. Officers notes: this has been achieved through the submission of a revised scheme).

6.3 **Environment Agency** – Request details of the proposed site levels.

6.4 **Environmental Health (NBC)** – It is noted that the specific plant equipment has not yet been selected. The overall strategy and general main plant locations have been identified, but the makes and models of the various items of equipment will not be selected for some time.

6.5 **Highways Agency** – No objections.

6.6 **Highway Authority (NCC)** – Request that details of surface treatments is secured and recommends a Construction Environment Management Plan is devised.

6.7 **Natural England** – The submitted great crested newt survey is acceptable. The additional commentary provided within the revised Ecology Strategy provides a more detailed assessment of the quality of existing and proposed habitats. As a consequence, it can be concluded

that only certain parts of the brownfield site are of significant ecological value. Therefore, it can be concluded that the proposed development will provide an overall benefit to biodiversity.

- 6.8 **Nene Valley Nature Improvement Area** – Broadly satisfied with the submitted (revised) ecology strategy and believes it adds clarity to the ecological plans for the new university site.
- 6.9 **Sport England** – Comments are made in a non-statutory function, but provide guidance for the design and layout of the site’s sports facilities.
- 6.10 **Urban Designer (NBC)** - The Research and Enterprise Hub will make a positive contribution to the campus – the design and access statement makes a clear rationale for how it has ended up being designed as it proposed. The Creative Hub building provides an active space fronting the bridge/waterfront at ground level which is positive. The Learning Hub will play a major role in redefining how the university is experienced by students, staff and visitors. The nature of the spaces within the building will encourage the blurring of boundaries between the varying functions. This building provides a positive frontage to the waterside. The Sports Hub has been located to define a key corner on approach into the campus from the new proposed access road at Nunn Mills. Whilst the building use is largely sports facilities which will require a specific architectural design layout and detail, the northern elevation could be enhanced.

It is understood and recognised that in the campus environment that a large emphasis will be placed (as is currently the case at Park Campus) on a high quality landscaped environment. To this end the landscaping and particularly the use of trees has the ability to provide a positive asset to the proposed development. There is scope to create a more appealing environment along the north-south pedestrian routes.

- 6.11 **Wildlife Trusts** – As it is proposed that some parts of the site will be developed as part of the latter phases of the scheme, these cannot be included within any proposed mitigation strategies. The great crested newt survey is acceptable and the species list recorded within the invertebrate has not identifies anything of high interest that would need to be included in any future management plan for the site area.

The brown and green roofs are a useful additional to on-the-ground mitigation measures; but they should not be used in isolation. These need to have variation in topography and aspect where possible.

- 6.12 The above responses highlight some matters that need further consideration by the applicant. In these instances, the applicant has either submitted revised information or is formulating a response. Any further updates will provided to members via the addendum, which will be circulated prior to the committee meeting commencing.

#### **Representations received in respect of N/2014/1331**

- 6.13 **Environment Agency** – It is considered that the proposed development would not increase the risk of flooding either within the vicinity of the proposal or other area. The bridge will not impede the movement of boats on the river.
- 6.14 **Highway Authority (NCC)** – Require details of how the development would be constructed in order to ensure the safety of users within Beckett's Park and the likely traffic management plans for Bedford Road.
- 6.15 **Natural England** – No objections.
- 6.16 **Northamptonshire Police Crime Prevention Design Advisor** – No objections in principle, but would greater details of security bollards should be submitted. It is understood that the lighting and CCTV details will be submitted as part of the wider strategy for the development.
- 6.17 **Urban Designer (NBC)** – The vision is for a vibrant, waterside destination is achieved along a part of the waterfront around the Beckett's bridge area.

## **7. APPRAISAL**

### **Scope of the applications**

- 7.1 As outline permission has been granted for the university development, the principle of the development has been accepted. This application also considered the key access points to the development. As a consequence of this, the application does not need to revisit these matters. Therefore, the appearance, scale and siting of the submitted buildings needs to be assessed, in addition to the proposed landscaping and the details of the proposed sports facilities.
- 7.2 As discussed previously, four separate buildings have been proposed, in addition to the bridge. These items have been assessed separately and cumulatively as discussed below.

### **Creative Hub**

- 7.3 This building is of five storeys in height, although the fourth floor would only be utilised for the installation of plant and equipment. The remainder of the building would contain various academic functions, in addition to a café located on the northern side of the ground floor. This arrangement, combined with the significant amount of glazing and a number of entrances situated on this elevation would ensure a significant amount of activity within proximity to the riverbank, which would create an attractive and functional space. In addition, the presence of this café facility in close proximity to the siting of the new footbridge would assist in attracting users of this facility from a wider area.

- 7.4 The design of the building features a number of curved elevations, apparently to represent the erosion of materials by water. This is an appropriate design response given the proximity of the building to the River Nene. Of greater significance is that this approach has resulted in a building that is of an interesting design and is prominently located to form a gateway feature into the development. In order to ensure a good standard of development and a positive impact on visual amenity, a condition is recommended that would require the submission of details relating to building materials to the Council prior to construction work taking place.
- 7.5 The design of the building also includes substantial areas of glazing, which adds interest to the development through the various activities that would be glimpsed through the fenestration. This is of particular merit on the ground floor of the building, where there would be significant interaction between the building and the riverside walk. Although there are existing residential properties within the general area of this building (such as those within Lion Court, to the west of the site), the overall separation distances are such that there would be no undue detrimental impact upon neighbour amenity as a result of considerations such as light, outlook, privacy and noise.
- 7.6 In order to promote environmentally sustainable forms of development, the building would include a variety of measures including photovoltaic panels and has been designed to minimise energy and heating requirements.

### **Learning Hub**

- 7.7 It is envisaged that this building would be the primary focus of the new campus as it contains the bulk of the academic accommodation. As a consequence of this, the building is of significant proportions of up to six storeys. The height of this building is considered acceptable due to the proximity of this building to the existing Avon building, which has a significant height and the proximity of this particular element of the site to the riverbank, Beckett's Park and Bedford Road.
- 7.8 By reason of this height, in addition to the building's significant footprint, the design approach has been to break down the building into various sections. As a consequence, the building features a variety of architectural detailing including such as by including fenestration arrangement comparable to that used on the Avon building on the eastern elevation, which also enables a reasonable relationship to be formed between the two sites. Other approaches taken on this building include the addition of brise soleils on other elevations, which adds interest and also assists in the creation of a more practical internal environment. Other sections of the buildings (such as those in the southern and western sections) feature a significant amount of glazing that assists in creating a relationship between this building and the surrounding circulation space. It is proposed that the building feature a palette of materials that are of similar colours to local materials. In order

to ensure that the various elements of the building are coherently bought together, the Council will approve building materials prior to commencing construction works.

- 7.9 The building would maintain the principle of sustainable development through the use of combined heat and power generation and the installation of photovoltaic cells, in addition to two sections of green roofs.

### **Research and Enterprise Hub**

- 7.10 The building is of five storeys in height and as with other building maintains the commitment towards sustainable development through the roof mounted photovoltaic cells. By reason of the positioning of the building, the eastern elevation would be of particular prominence by reason of the availability of views from Bedford Road and the adjacent areas of open space. As a consequence of this, the varied roof form of the building adds interests to the development and promotes a good sense of visual amenity.

- 7.11 Legibility has been added to the building through the introduction of a 6m high colonnade that clearly marks the positioning of the building's entrance and creates a suitable feature in close proximity to the site's main entrance. In addition, the building has been orientated in such a way that the entrances are located on the eastern and western elevations, which ensures that the building satisfactorily relates to the main pedestrian route across the campus as well as the other proposed academic buildings.

- 7.12 The approach to building materials differs from the aforementioned buildings is that the primary building material would be the use of precast stone cladding, the colour of which would replicate the tone and appearance of those used on historic buildings within the locality. This approach assists in creating a building that is of a distinctive nature, which is considered to be of importance due to the proximity of the siting to the new road bridge from Bedford Road, which is likely to serve as the main entrance to the development.

### **Sports Hub**

- 7.13 Buildings of this type can be of a functional appearance; however, the applicant has counteracted this through the enhancement of the western elevation, which features a significant amount of glazing that enables views to and from indoors sports facilities, the gymnasium and academic features. This arrangement, combined with the entrance being located on the western elevation ensures that there is a strong relationship between this building and the Research and Enterprise Hub, which is in close proximity to this building and the main pedestrian route across the site.

- 7.14 The northern elevation of the building is somewhat unembellished, which is of concern due to the prominence of this elevation when

viewed from the access road or Beckett's Park. It is appreciated that the situation is somewhat temporary as there is outline approval for the erection of commercial buildings on the area to the south of the River Nene; however, this is unlikely to come forward at the same time as the University campus. Officers have held a number of discussions with the applicant regarding possible enhancements to this elevation and it is understood that there are limitations regarding the form of this elevation due to the presence of significant fenestration on the western elevation in order to create a relationship with the Research and Enterprise Hub. As a consequence, it has been agreed that the applicant will provide feature lighting and further decoration to the northern elevation, which would be secured by condition.

- 7.15 The building is to be constructed from a combination of brick work, cladding and aluminium panels, which ensures that the uniform proportions of the building would be suitably mitigated.

### **Assessment of general approach to buildings**

- 7.16 It is acknowledged that the approach taken by the developer has been to give each of the buildings a distinct identity rather than seek a homogenous design solution for the entirety of the development. This is considered an appropriate design solution due to the large quantum of the development that would take place on this site that is outside of the scope of the current application, but has outline planning permission arising from the 2014 decision. The details relating to the submitted development are broadly in conformity with the indicative parameters submitted with the outline application.
- 7.17 The wider development will also include a variety of functions including student residences, commercial buildings and a hotel. This variety of uses will naturally result in buildings of varying form rendering differing design approaches acceptable. This approach can be further justified by the presence of existing buildings within the site and its environs, which are of varied and distinct forms of architecture. This includes such varied building as the modern Avon building and the Grade II Listed engine shed, which dates from the 1870s.
- 7.18 The design of the buildings, which in particular feature a number of active frontages at ground floor level, ensures a good level of natural surveillance of public and communal areas which promotes a strong sense of place and safety. This is in addition to strategies relating to the provision of CCTV and lighting that were secured as part of the approval of the outline application.
- 7.19 The varied design approach also enables notable and distinctive buildings to be created at this key gateway site, which serves to enhance the visual amenity of the locality.
- 7.20 By reason of the prominence and importance of the site, it is considered that consideration should be given to the appearance of the development at night. In order to give full consideration to this matter, a

condition is recommended that would ensure the submission of a lighting strategy for the development. It is anticipated that the approach taken across the development would vary in that there is likely to be a different response to the predominantly glazed Creative Hub when compared to the very different Sports Hub; however, such a condition would assist in the creation of a distinctive development.

- 7.21 Comments have been received from the Council's Environmental Health section, which comment upon the need to see details relating to flues and extraction equipment by reason of the mixture of uses proposed within this application and the future proximity of student residences. In response, it should be noted that a condition of the outline approval was that a strategy for these works should be submitted prior to development coming into use. This condition therefore gives the Council adequate opportunity to confirm that these works are of the required standard to mitigate the impacts of the development in addition to ensure that the design ethos of the entire development is not compromised.

### **New bridge**

- 7.22 As discussed previously, a separate phase of the development seeks permission for the installation of a new pedestrian and cycle bridge over the River Nene running from Beckett's Park to the new campus. The span of the bridge would feature two gentle curves, which would be somewhat unusual and distinctive. This would add interest for users of both the new campus and Beckett's Park.
- 7.23 The principle of a bridge in this location is established within the CAAP and the outline planning permission and as consequence; it is considered that there would be no undue detrimental impact on the amenities of this location. Whilst it is accepted that this would necessitate the removal of some trees within Beckett's Park, this would be offset by the significant planting that would take place within the new campus. No objections have been received from the Council's Arboricultural Officer with regards to this matter.
- 7.24 In terms of the appearance of the bridge, the applicant has assessed a variety of proposed materials against the need to provide an attractive structure that can be readily maintained, is durable and is practical to construct. As a consequence, the bridge would be constructed from weathering steel. This ensures that the above issues are addressed, whilst the colour of the bridge would be comparable to the palate of materials used within some of the campus buildings thereby ensuring a satisfactory relationship between the built structures.
- 7.25 It is accepted that the bridge would not benefit from a significant amount of a natural surveillance by reason of the necessary span; however, the proposal would include some lighting (which would be designed so as not to cause disturbance to wildlife). In addition, the bridge would be covered by CCTV. These are matters that are subject to conditions of the outline planning permission. As a consequence of

this, it is considered that the bridge would be safe for users and anti-social behaviour would be deterred. The application specifies that bollards are proposed to prevent unauthorised use of the bridge by motorcyclists and a condition is recommended to ensure their provision.

- 7.26 The new bridge has been assessed by the Environment Agency, which has confirmed that the structure would not increase flood risk at the site or elsewhere. Furthermore, the bridge has been designed in such a manner so as not to impede the passage of boats along the River Nene.
- 7.27 By reason of the position of this section of the development, there would be some challenges in its construction as access would need to be made through the park from Bedford Road. As a consequence, it is likely that there would need to be some careful traffic management to facilitate this. This is in addition to a need to ensuring the users of Beckett's Park are not unreasonably disadvantaged during the construction process. Therefore, and in response to the comments of the Highway Authority, a condition is recommended that would require the submission of and adherence to a construction management plan.

#### **Landscaping and ecology**

- 7.28 Whilst the site has previously featured a variety of commercial and industrial uses, it should be recognised that the site has been colonised by a number of species, which therefore contribute to the level of biodiversity within the locality. A number of these habitats would be lost as a result of the redevelopment of the site, although the relative value of these spaces is comparatively low as a consequence of the general proliferation of buddleia and scrub. Notwithstanding this approach, the applicant has prepared a mitigation strategy to counteract this and whilst it is accepted that the overall potential for mitigation is somewhat compromised by the quantum of development that is to be carried out on this site (and which benefits from outline planning permission), the submitted strategy details a number of approaches that are to be incorporated into the wider development.
- 7.29 In particular, the areas adjacent to the riverbank will include the removal of redundant physical structures adjacent to the riverbank, the planting of meadow grassland (which would be attractive to bats and foraging birds) and the installation of artificial otter holts and passes.
- 7.30 The areas to the west of the site and the surroundings of car parks would contribute towards this strategy through the retention of any unaffected grasslands, the removal of some inappropriate, low value hedges, the seeding of these areas with native grass and flower mixes and the planting of new native trees, including birch, alder and oak. In addition to these measures, the existing orchid colony has been relocated to the nearby Beckett's Park Island.



- 7.31 There is limited scope to retain any existing vegetation adjacent to the southern boundary of the site on account of the amount of land remediation works that need to be carried out in these areas; however, it has been possible to secure the retention of an ivy clad ash tree adjacent to the disused engine shed. In addition to the ecological benefits of this, this retention also serves to enhance of the setting of the Grade II Listed Building. In addition to this, these areas will include planting of native grasses and flowers and some birch.
- 7.32 The eastern boundary of the site, in addition to those areas adjacent to the main entrance from Bedford Road, will feature the planting of new trees comprising a variety of native species. This will assist in creating a strong sense of place in addition to providing a habitat for common invertebrates and birds.
- 7.33 The scheme includes the provision of a meandering swale that would run along alongside the length of the main pedestrian route running from the pedestrian bridge to the southern boundary. This would offer some drainage of the site; however, the design of the swale is such that it would offer some potential biodiversity gains through the planting of meadow mixes, damp grass mixes and willow planting. A further benefit of this is that it would create an attractive environment for pedestrians and therefore encourage the usage of this route in line with the requirements of the CAAP policy.
- 7.34 Areas on the eastern part of the site would be made available for mitigation, which would also enable research to be carried out regarding the colonisation of such features by plants and invertebrates, which feeds into the wider function of the function of the University, which in turn enhances the reputation of Northampton. It is noted that the southern sections of these works would require some re-levelling of the site and therefore a condition is recommended that would enable the Council to approve the details of the extent and appearance of these works. The outline planning permission makes provision for the installation of interpretation boards on the site and it is anticipated that some of these will be utilised in this location to provide information for visitors.
- 7.35 It should be recognised that some of the areas as described in paragraph 7.34 benefits from outline permission for the erection of commercial buildings; and therefore some of these works would not be available on a permanent basis; however, due to the scope of works provided elsewhere on the site these areas are not key in rendering the wider scheme acceptable.
- 7.36 The applicant has made reasonable attempts to include green and brown roofs within the development. Whilst these areas are limited due to the presence of competing priorities for roofs (such as the installation of roof lights and photovoltaic cells), they will provide mitigation through the provision of meadow and sedum mixes and

lichen reclaimed from elsewhere on the site. The proposed green roofs will also include discretely located log piles to encourage invertebrates.

- 7.37 The remainder of the site will comprise areas of open lawns. The approach taken to these is something of a compromise between biodiversity gains and providing a resilient landscape that is attractive and can withstand use for informal meeting places and the erection of occasional marquees (such as on graduation ceremonies and open days). Nonetheless, the seed mixes will include a mixture of native species.
- 7.38 As part of the outline permission, a condition was included which enables the Council to approve the precise location and plant type in order to secure a satisfactory standard of development.
- 7.39 The applicant has carried out further surveys into the presence of invertebrates and great crested newts on the site, which have revealed that the development would not adversely impact on these protected species.
- 7.40 For the above reasons it is considered that the sufficient measures have been taken by the developer to ensure that the proposed development ensures the provision of suitable mitigation and habitats in line with the requirements of national and local planning policies, whilst ensuring that an attractive campus is provided at the key site as well as providing a series of green walks as required by the CAAP. In reaching this position, the applicant has made a number of revisions to the scheme. These have been assessed by Natural England, which has concluded that the development would provide an overall benefit to biodiversity and supports the assessment provided above. At the time of preparing this report the response from the Wildlife Trusts in respect of this revised documentation was awaited. Any updates in respect of this matter will be reported to Committee via means of the addendum.
- 7.41 As highlighted previously, a significant number of new trees are proposed within the new campus, which assists in the creation of a strong sense of place and environment. The applicant has submitted revised information relating to the planting of these trees in order to address the comments from the Council's Arboricultural Officer and a further update will be provided at the committee meeting.

### **Highways and linkages**

- 7.42 The submitted application includes a number of car parking areas of which the scale and position is in conformity with the parameters deemed acceptable at the outline stage. As a consequence, it is therefore considered that this element of the proposal is acceptable. No objections have been received from the Highway Authority with regards to the layout and operation of these spaces.

- 7.43 The Highway Authority have requested that a Construction Environment Management Plan be submitted in order to monitor the impacts of the construction process on the surrounding network; however, it should be noted that such a document was secured as part of the outline approval and as consequence, there is no need to replicate this process.
- 7.44 In order to secure good standard of development in terms of public safety and visual amenity, a condition is recommended that would secure the submission of a details relating to all proposed surface treatments.
- 7.45 The application has been revised to lengthen the pedestrian routes on north-south alignments so that they reach the southern boundary of the site. It is considered that this is beneficial to ensure that the new campus has the potential to be fully integrated with the potential sustainable transport corridor along the disused railway line and the Ransome Road redevelopment when these come forward.

### **Sports facilities**

- 7.46 This application is part of a number of proposals relating to the establishment of a new campus and the redevelopment of the university's existing facilities. Currently, the university's sports facilities are located at Park Campus, which is to the north of the town. In order to mitigate the redevelopment of Park Campus a condition was included within the Outline permission pertinent to the new campus to include a minimum 6,400m<sup>2</sup> of sports facilities.
- 7.47 In response to this condition, the applicant has proposed internal sports pitches within the Sports Hub that would have dimensions of 34.7m by 20.4m and exceeds the relevant standards of Sport England. In addition to teaching facilities, the building would include a fitness centre and a studio (for use for group exercise classes or dance activity). Outside facilities include the provision of two floodlit multiuse games areas with a combined area of 1,369m<sup>2</sup> and a full size, all weather pitch of 8,030m<sup>2</sup>, which has been designed to meet the relevant standards of FIFA and the IRB. These facilities would also be available for greater public use than what is currently the case on Park Campus.
- 7.48 For these reasons, combined with the minimum threshold of sport facilities as identified within the outline planning permission being substantially exceeded, it is considered that adequate provision has been made. It is recognised that floodlights to the outdoors facilities can have an impact upon amenity and wildlife and as a consequence, a condition is recommended that would enable the Council to approve details of these prior to works being carried out.

### **Impact upon heritage assets**

- 7.49 As discussed previously, the site contains a Grade II Listed Building comprising a former engine shed and a curtilage listed small office

building. Non-designated heritage assets include the presence of a pill box on the banks of the River Nene.

- 7.50 In terms of the impact upon the Listed Building, it should be noted that the proposed buildings are some distance from this particular part of the site and therefore the impacts of the building's setting would be neutral. The Council is in receipt of separate applications relating to the reuse of the Listed Building, which would also include landscaping within its immediate vicinity.
- 7.51 The applicant has revised the scheme to improve the landscaping of the north-south pedestrian routes, which is considered to be of benefit as a more attractive route would increase footfall within the vicinity of the Listed Building. As it is currently proposed that this building will be used as part of the student's union facilities, it is considered that this higher footfall would be of benefit in securing users for the buildings, which would, in turn, assist in securing the building's long term future.
- 7.52 It is proposed that the pill box be retained, with its setting being enhanced through the improved landscaping as discussed previously. Access to the vicinity of the site would be possible through the circular path that is proposed for the site's perimeter. It should also be noted that a condition was included within the Outline Permission, which secured the provision of a number of interpretation boards. It is envisaged that one would be utilised within this area in order to set out the history of this particular structure.
- 7.53 The applicant has considered the possibility of using bricks reclaimed from the façade of the former Nunn Mills power station within the development; however, it is unlikely that this can be achieved due to the general condition of the bricks. In any event, it is considered that this does not erode the satisfactory design ethos as discussed previously.

#### **Boundary treatments**

- 7.54 The proposed layout has been designed to ensure an open space with the maximum level of public access. As a consequence of this, the amount of boundary treatments has been kept to a relatively low level. It is envisaged that security would be provided through a combination of natural surveillance in addition to strategies regarding the provision of lighting and CCTV. This therefore results in a comparatively low amount of boundary treatments.
- 7.55 The development would include section of weldmesh fences to the rear of the Creative Hub, which would screen the service areas of this building from the car park. On account of this arrangement, it is anticipated that there would be no significant impact on visual amenity. Further screen walls are provided to the south of the service arrangements for the Learning Hub. A condition is recommended regarding the submission of further details in respect of this screen wall.

- 7.56 It is noted that some boundary treatments are of a tall nature; such as those surrounding the outdoors sports pitch and chiller units; however, due to the operational needs of such boundary treatments (such as the need to contain sporting activity within the designated areas or to provide screening), it is considered that these approaches are acceptable.

### **Linkages with other areas**

- 7.57 The matter of access was considered during the outline stage and as a consequence, this matter could not be revisited as part of the current application. Nonetheless, officers have held discussions with the applicant regarding increasing the number of access points to the development on an east-west alignment. As a consequence of these discussions, it has been agreed that the development would include an additional pedestrian route to the western boundary to provide a potential link to the existing residential accommodation. This measures, in addition to the linkages approved within the outline application are sufficient to ensure that a development will be provided that it well integrated with the surrounding area and would promote more sustainable means of travel.

## **8. CONCLUSION**

- 8.1 The proposal details the creation of four new buildings and a bridge that are of a good standard of design that would also result in a safe and distinctive development. The proposed buildings would also have a neutral impact upon the amenities of surrounding properties, whilst demonstrating a neutral impact upon biodiversity. Whilst further amendments to the scheme are expected, it is considered that the application is in conformity with national and local planning policies.

## **9. CONDITIONS**

### **9.1 Conditions for N/2014/1269**

1. 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 conform with the planning application.

2. Prior to the commencement of the development, a scheme shall be submitted detailing the phasing of the construction of the development. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development in accordance with the National Planning Policy Framework.

3. Prior to the commencement of each phase, 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 1 of the Central Area Action Plan.

4. Prior to the commencement of each phase, details and/or samples of all proposed surface treatments 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 1 of the Central Area Action Plan.

5. Prior to the commencement of each phase, a decorative lighting strategy, including details of light levels and hours of use shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, and shall be fully implemented prior to the first bringing into use of each phase and retained thereafter.

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

6. Notwithstanding the details submitted, full details of the new landforms, including details of the height and shape to be sited on Area E3 as identified within Figure 4 of the submitted Ecology Strategy (reference: C236-LUC-A00-XX-R3-0003-S2-P2, dated January 2015) 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 in accordance with the requirements of the National Planning Policy Framework.

7. Notwithstanding the details submitted and prior to the commencement of construction works of the Sports Hub; a strategy for the decoration of the northern elevation of the Sports Hub shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

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

8. Notwithstanding the details submitted, prior to the installation of the proposed green roofs a scheme which details the full specification

of these roofs including plant types shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, shall be fully installed prior to the first use of the building hereby permitted and retained thereafter.

Reason: In order to secure a good standard of development in respect of biodiversity in accordance with the requirements of the National Planning Policy Framework.

9. Notwithstanding the details submitted, prior to the installation of the proposed brown roof a scheme which details the full specification of this roof including plant types shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, shall be fully installed prior to the first use of the building hereby permitted and retained thereafter.

Reason: In order to secure a good standard of development in respect of biodiversity in accordance with the requirements of the National Planning Policy Framework.

10. Notwithstanding the details submitted, full details of the appearance of the proposed screening wall as described on page 58 of the Design and Access Statement dated October 2014 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

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

11. Notwithstanding the details submitted, full details of the proposed lighting to the outdoors sports areas including their appearance, light levels and hours of use shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the outdoors sports facilities 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.

12. Notwithstanding the details submitted; full details of a path, including a timetable for delivery, to the development's western boundary in proximity to the river shall be submitted to and approved in writing. Development shall be carried out in accordance with the approved timetable for delivery and retained thereafter.

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

## 9.2 Conditions for N/2014/1331

1. 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 conform with the planning application.

2. Prior to the commencement of development, 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 1 of the Central Area Action Plan.

3. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- a) A Management Plan incorporating the routing of construction traffic, including access from the public highway and any associated traffic management plans;
- b) Measures to avoid disturbance to wildlife and nesting birds;
- c) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms;
- d) Details of the siting of all vehicles of site operatives and visitors;
- e) The unloading and loading arrangements for heavy plant and machinery;
- g) The location, extent and duration of any temporary stockpiling areas; and
- h) Measures to prevent mud being deposited on the surrounding highway; and
- i) A strategy for ensuring the safety of users of Beckett's Park during construction works.

Reason: To minimise the impact of the development during the construction phase in accordance Policy 1 of the Central Area Action Plan and with the National Planning Policy Framework.

4. Notwithstanding the details submitted, full details of the proposed security bollards shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the development hereby permitted and retained thereafter.



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

**10. BACKGROUND PAPERS**

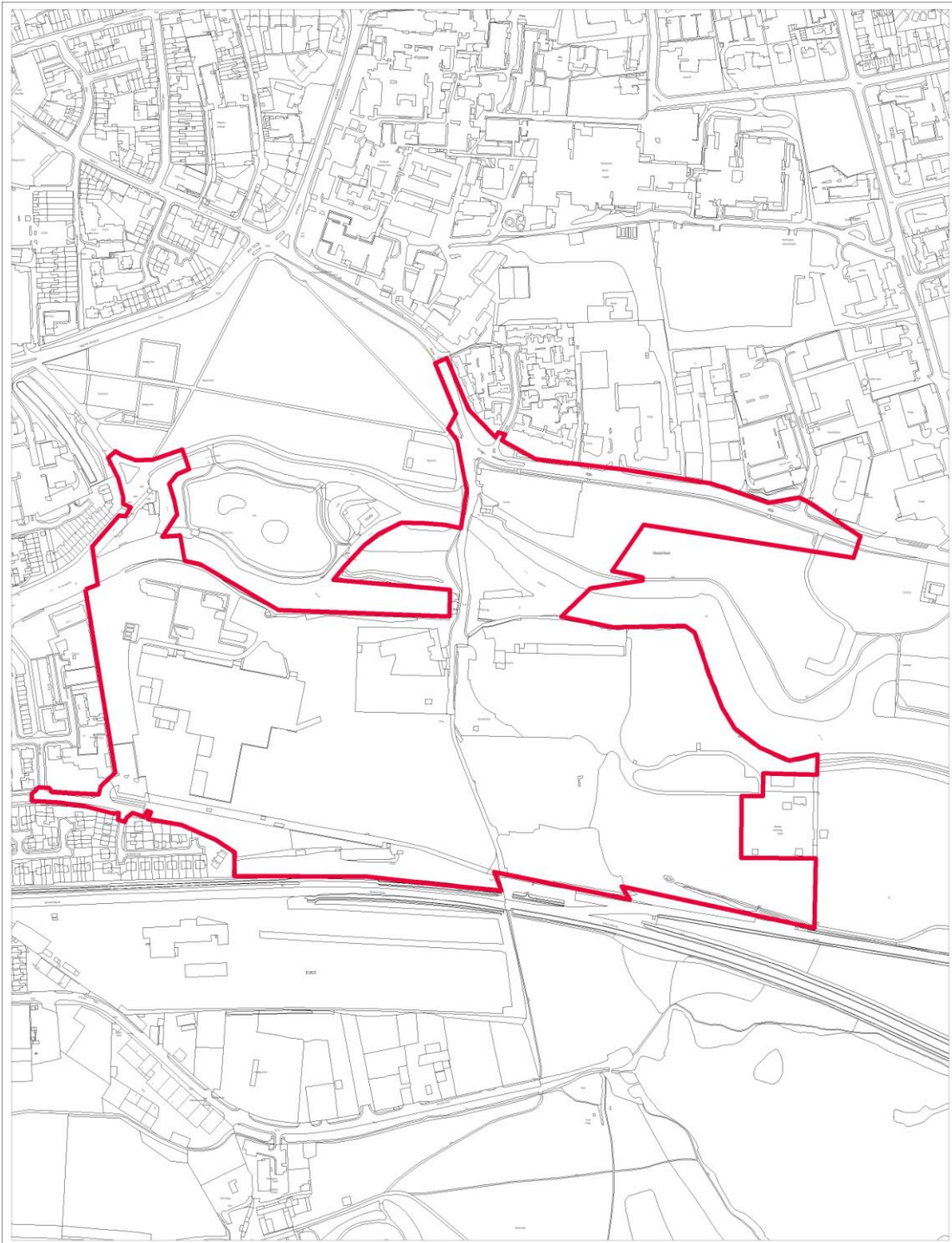
10.1 N/2013/0912; N/2014/1072; N/2014/1269; and N/2014/1331

**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: **4th February 2015**  
Scale: **1:5000**  
Dept: **Planning**  
Project: **Planning Committee**

Title

## **Reserved Matters - University Site, Nunn Mills Rd**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1346:** Change of use of retail unit (use class A1) to nail salon (Sui Generis) at 70 St. Giles Street

**WARD:** Castle

**APPLICANT:** Mr and Mrs P Chuong  
**AGENT:** Mr R Middleton

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Council owned property

**DEPARTURE:** NO

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## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

- 1.1 **APPROVAL IN PRINCIPLE** subject to the conditions set out below and for the following reason:

The proposed change of use will not adversely impact the vitality of the retail offer or active frontage in this area of the town centre and would not be detrimental to the character or appearance of the Derngate Conservation Area in accordance with Policy 13 of the Northampton Central Area Action Plan, Policy E20 of the Northampton Local Plan 1997 (saved policies) and the National Planning Policy Framework.

As the consultation period has not expired at the time of writing this report, it is also recommended that delegated authority be granted to the Director of Regeneration, Enterprise and Planning to resolve issues raised in any further representations received.

### 2. THE PROPOSAL

- 2.1 The proposal is for the change of use from an A1 retail unit to a nail salon, which is a Sui Generis use.

### 3. SITE DESCRIPTION

- 3.1 The site comprises of a vacant shop unit, located within the secondary shopping frontage as identified by the Proposals Map of the Northampton Central Area Action Plan (CAAP).

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

- 4.1 The unit has gone through a number of historic changes of use, from 1975 onwards, from shop to estate agents, back to shop, then from shop to taxi office and also to offices. The last change of use was approved in 1992 and was for a change of use to Use Class A2 (financial and professional services).

#### **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).

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

NPPF – National Planning Policy Framework

Paragraph 19 – Supporting Sustainable Economic Growth

Paragraph 23 – Ensuring the Vitality of Town Centres

Paragraph 129 – Assessing the Impact of Development on Heritage Assets

Paragraph 131 – Sustaining and Enhancing Heritage Assets

Paragraph 132 – Impact on the Significance of Heritage Assets

##### **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.

##### **5.4 Northampton Central Area Action Plan 2013 (CAAP)**

Policy 13 – Improving the retail offer - The policy states that change of use from retail (Class A1) will be allowed where it will not result in a decline in the total length of identified retail frontage falling below 60%. In addition proposals are expected to positively contribute to the character and function of the frontage, provide high quality shop fronts and in the case of non-retail uses provide an active frontage.

##### **5.5 Northampton Local Plan 1997 (Saved Policies)**

E20 – New development.

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

- 6.1 **NBC Conservation** - It is considered that the proposed use as a nail salon will not adversely affect the vibrant commercial character of this part of the Conservation Area. With no external alterations proposed, the proposal would have a neutral affect upon the appearance of the Conservation Area.
- 6.2 **Town Centre Conservation Area Advisory Committee** - Concerned at the loss of a retail unit. Also note that this may not be consistent with the Central Area Action Plan policy which defines this area as Secondary frontage, with no less than 60% retail.
- 6.3 The application was notified to adjoining occupiers and advertised by site and press notices. Representations were received from **14A Castilian Street, 23 Dergate and 62 St Giles Street**, which can be summarised as follows:
- At a recent meeting there was a discussion about the viability of St Giles as a retail area and many businesses expressed their concern at the imbalance between retail and non-retail units.
  - In recent years the area has lost five independent businesses, three of these have been replaced by cafes.
  - There are already 3 cafes adjacent to each other and change away from A1 would mean that out of eleven premises that the council owns in St Giles Street there would remain only 2 retail and 9 non-retail. This is a complete imbalance 20% retail and 80% non-retail.
  - Change of use to nail bar further diminishes the proportionate balance of retail units to service/cafe/restaurant units in direct contradiction to NBC Planning directives.
  - Object to change of use to sui generis which is an open ended classification.

## 7. APPRAISAL

- 7.1 The issues to consider in the determination of this application relate primarily to planning policy and the acceptability of the proposed change of use in this respect.
- 7.2 The premises are in a secondary shopping frontage as identified by the CAAP Proposals Maps. Policy 13 of the CAAP states that within such areas a change of use from retail will not be allowed where this would result in a significant decline of the total length of identified retail frontage below 60%, or where this is already below 60%, further reduce the frontage.
- 7.3 Of the 13 units in this frontage, 4 are currently in non-retail use, therefore 69% of the units are in A1 use. This would be increased to 5 units out of 14 if the recent approval at the former Church's China unit is implemented, as the proposal at Church's China unit proposes a subdivision of the unit also. With the implementation of the Church's China permission this would drop to 65%.
- 7.4 If the change of use proposed in the current application was to take place, together with the permission at Church's China this would reduce the proportion

of A1 to 60%. This would be at the threshold set by the policy, but is nevertheless policy compliant.

- 7.5 It is also necessary to consider the precise use which is proposed in this instance, which is for use as a nail bar. This is a *sui generis* use, but it is considered that this is a use which is similar in character to certain A1 uses, such as a hairdressers. It is considered, therefore, that this use would be complimentary to the vitality of the street and would have the benefit of bringing this vacant unit back into use, which as a rather small unit (40m<sup>2</sup>) would be suited only to a limited range of retail uses.
- 7.6 Concerns have been raised that allowing a sui generis use would create an open ended permission, this is not the case; a sui generis use has no permitted change of use. The planning permission, if approved, would allow for the use of the premises as a nail bar only and would not permit any other sui generis use. Therefore if and when the nail bar use is discontinued any other future use of the premises would require planning permission.
- 7.7 The premises are located within the Derngate Conservation Area, the impact of the development on the character and appearance of the conservation area is a key material consideration in the determination of the application. This proposal does not make any physical alterations to the premises and it is considered that the use in itself would not be detrimental to the conservation area, given that it is considered to be beneficial to the shopping area in wider terms.

## **8. CONCLUSION**

- 8.1 The proposed change of use would result in the retention of at least 60% of the units in the relevant frontage remaining in A1 use and is considered to be complimentary to the shopping character of the area and would not be detrimental to the character or appearance of the Derngate Conservation Area in accordance with in accordance with Policy 13 of the Northampton Central Area Action Plan 2013 (CAAP), Policy E20 of the Northampton Local Plan 1997 (saved policies) and the National Planning Policy Framework.

## **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 Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Existing and Proposed Floor Plan.

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

## **10. BACKGROUND PAPERS**

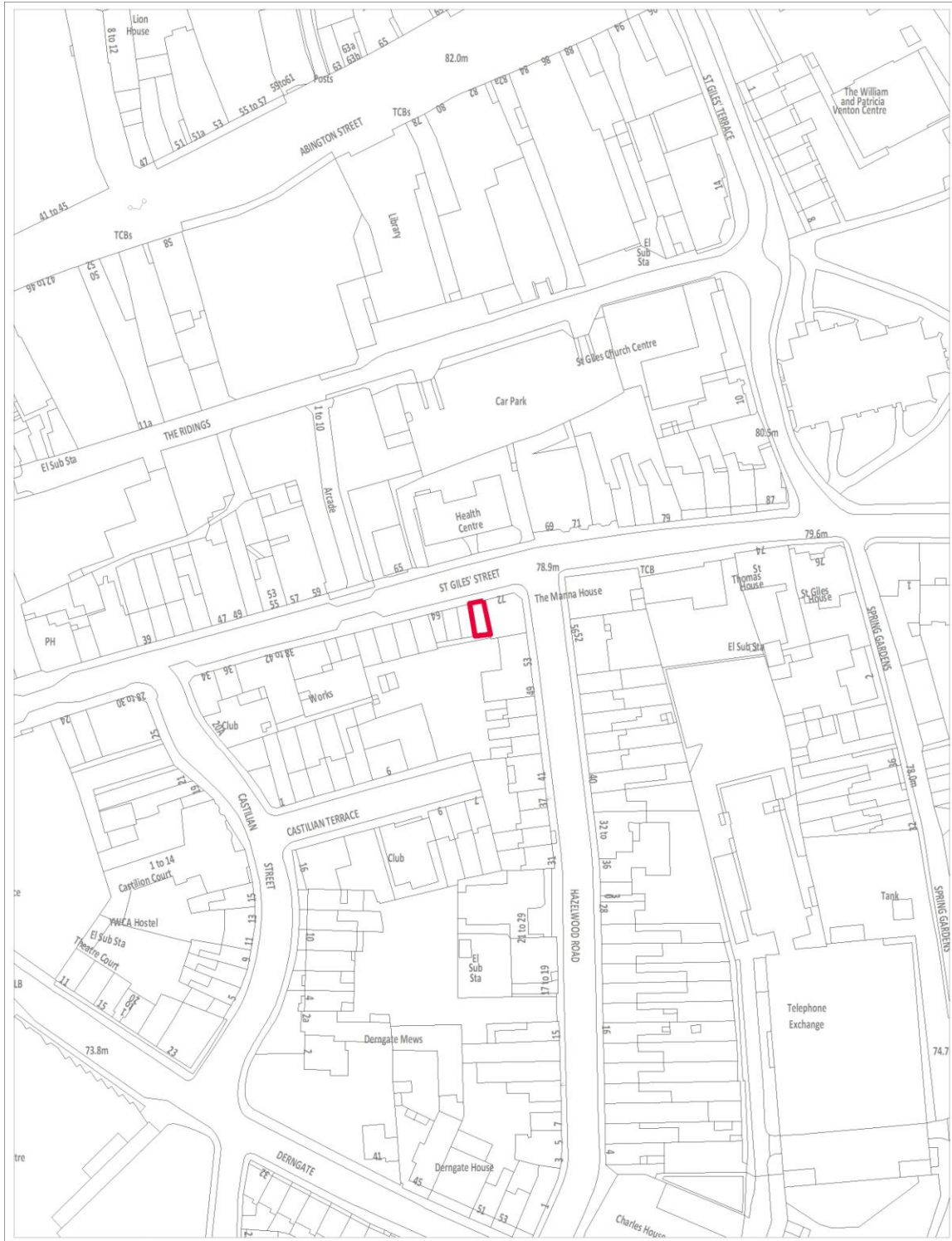
- 10.1 Application File N/2014/1346

## **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: 4th February 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

**Title**  
**70 St Giles Street**

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<b>PLANNING COMMITTEE:</b>	<b>17<sup>th</sup> February 2015</b>
<b>DIRECTORATE:</b>	<b>Regeneration, Enterprise and Planning</b>
<b>DIRECTOR:</b>	<b>Steven Boyes</b>
<b>N/2014/1423:</b>	<b>Replacement of shop front at 60 St Giles Street</b>
<b>WARD:</b>	<b>Castle</b>
<b>APPLICANT:</b>	<b>Ms M Goncalves</b>
<b>AGENT:</b>	<b>None</b>
<b>REFERRED BY:</b>	<b>Director of Regeneration, Enterprise and Planning</b>
<b>REASON:</b>	<b>Council owned property</b>
<b>DEPARTURE:</b>	<b>No</b>

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## APPLICATION FOR DETERMINATION

### 1. RECOMMENDATION

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

The proposed development, with acceptable design and proportions, would not have any undue impact on the appearance and character of the existing shop and Derngate Conservation Area and complies with Policy 1 of the Central Area Action Plan, S10 of the West Northamptonshire Joint Core Strategy, Shop front Design Guide and National Planning Policy Framework.

### 2. THE PROPOSAL

- 2.1 Permission is sought for the replacement of shop front. The existing shop front is in a state of disrepair having been vandalised recently and is in need of replacement. The proposed development comprises three glazed sections with wooden mullions and the design is similar to that of the two adjoining units. The existing shop front fascia and stall riser below the windows would remain in situ as would be for the front entrance door.

### 3. SITE DESCRIPTION

- 3.1 The application site consists of a single storey building used as a café/desserts parlour on St Giles Street. It lies between two existing café uses and is situated within the Derngate Conservation Area. The property is not listed and is a Council owned property.

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

- 4.1 N/2014/0996 Replacement of existing rear crittall windows with UPVC double glazed at 56 -72 St Giles Street – 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 Central Area Action Plan (2013).

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

National Planning Policy Framework (NPPF)

Paragraphs 56 and 57 promote good design and paragraph 64 urges local authorities to reject poor design.

##### **5.3 West Northamptonshire Joint Core Strategy – Adopted December 2014**

The JCS provides an up to date evidence base and has been prepared in full conformity with the NPPF. The JCS has been adopted by the West Northamptonshire Joint Strategic Planning Committee in December 2014. As part of the Development Plan, it carries significant weight when considering planning applications.

S10 Sustainable Development Principles - promotes high quality design and encourages new development to enhance the built environment as well as create a strong sense of place.

##### **5.4 Northampton Central Area Action Plan 2013 (CAAP)**

Policy 1 – Promoting Design Excellence - Details need for good design in new development within the Central Area.

##### **5.5 Supplementary Planning Documents**

Shop Front Design Guide (2011)

Details recent guidance on good design for new shop fronts. Sets out design principles outlining the key requirements and considerations for property owners and Planning Officers

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

Comments received are summarised as follows:

- 6.1 **Built Conservation (NBC)** - No objection. The majority of the shop fronts to this end of the row have a shop front window which is divided into 3 sections. This design is also more suited for the architecture of these shops and therefore this

approach is supported as long as the stall riser and narrow lights at the top of the shop frontage are being retained.

## **7. APPRAISAL**

- 7.1 The main issues to consider are the impact on the appearance and character of the Conservation Area and the existing building.
- 7.2 The proposal involves the replacement of an existing shop front. The proposed development would be similar in design and style to that on the two adjoining units which are also divided by three vertical mullions and therefore would be in keeping with the appearance of the street scene. The proportion and design of the proposed shop front is considered to be in keeping with the character of the existing building.
- 7.3 It is considered that the design would preserve the appearance and character of the Derngate Conservation Area which is a view supported by the Council's Conservation Officers. The fascia and stall riser are to be retained in their current position as is the front entrance to the existing building. This would comply with Policy 1 of the CAAP which promotes good design in new development and aims of the Council's Shop front Design Document which is a material consideration in the determination of planning applications.

## **8. CONCLUSION**

- 8.1 For the reasons provided the proposal is considered acceptable and recommended for APPROVAL subject to the conditions below.

## **9. CONDITIONS**

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

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

- (2) The development hereby approved shall be carried out in accordance with the following approved plans: Site Location Plan, colour photographs of site and elevation.

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

## **10. BACKGROUND PAPERS**

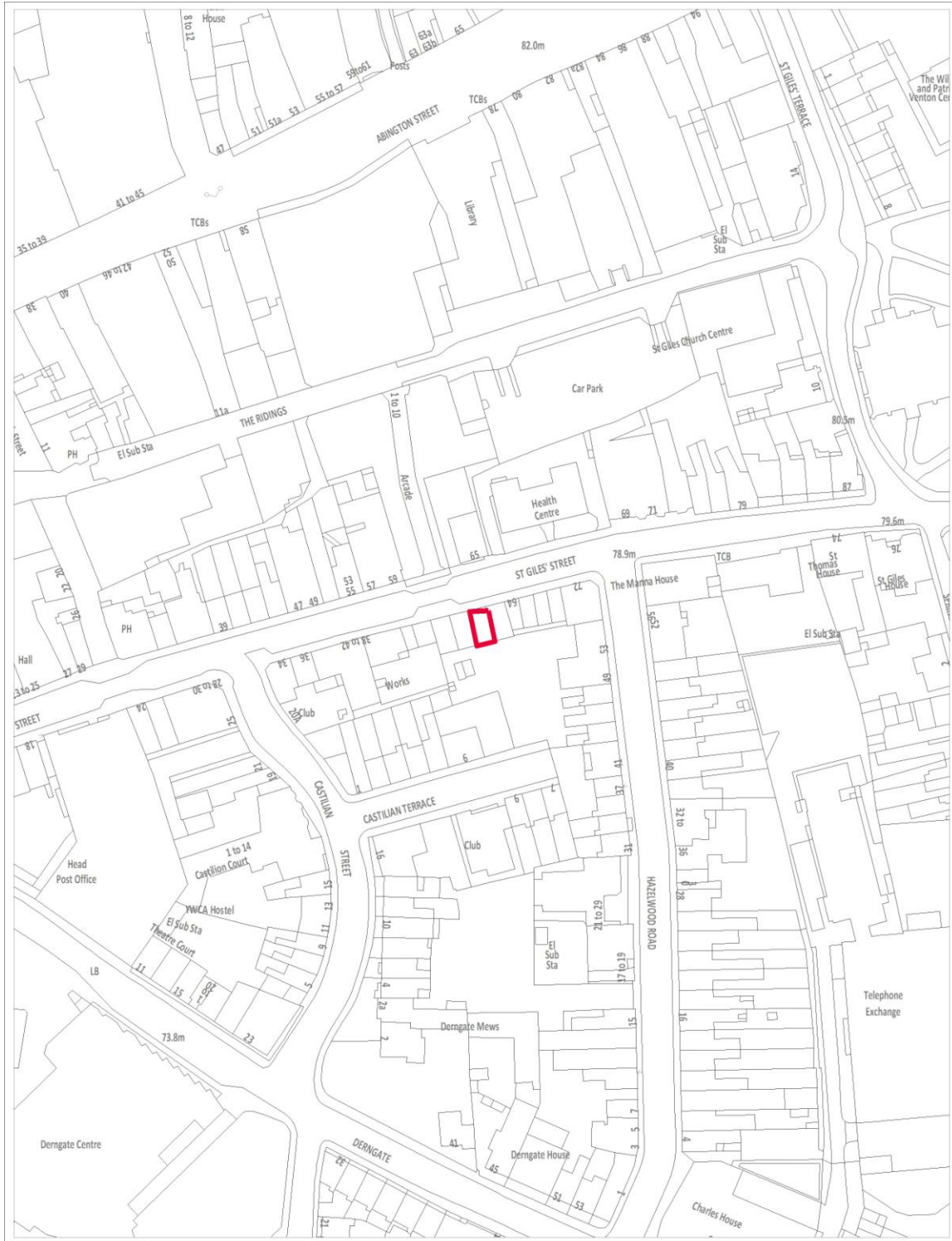
- 10.1 N/2014/1423

## **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: 4th February 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

Title  
**60 St Giles Street**

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**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2014/1452:** Change of use of 13/15 Guildhall Road to 13-bed hotel with café, restaurant and retail including demolition and reconstruction of rear extension and installation of fume extraction flue and rear dormers, 13/15 Guildhall Road

**WARD:** Castle

**APPLICANT:** Guildhall Pension Scheme  
**AGENT:** HDA Architecture

**REFERRED BY:** Director of Regeneration, Enterprise and Planning

**REASON:** Council owned land

**DEPARTURE:** NO

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The development would result in appropriate uses in the town centre, with no undue impact to the Conservation Area, road safety or amenity. This would comply with Policies S9, S10, E7, BN5, BN9, N1 and N2 of the West Northamptonshire Joint Core Strategy, the Strategic Objectives and Policy 1 of the Northampton Central Area Action Plan, Policies E20 and E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The application seeks planning permission to change the use of the two buildings at 13/15 Guildhall Road to a hotel and restaurant with small scale retail element. As part of the proposals there will be the removal of some single storey structures to the rear of the building and the extension of an existing ground floor addition to provide seating for the restaurant. It is also proposed to erect an extraction flue to serve the restaurant kitchen and to install dormer windows to the roof.

### **3. SITE DESCRIPTION**

- 3.1 13 and 15 Guildhall Road are attached three storey buildings located within the Derngate Conservation Area. Originally dwellings, the buildings have more recently been used as offices in the case of 13 and for storage in the case of 15. To the rear of 15 is a reasonably recent ground floor extension while to the rear of 13 are some older single storey outbuildings/extensions and an enclosed yard.

### **4. PLANNING HISTORY**

- 4.1 No history relevant to this application.

### **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**

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 (JCS)**

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 and consistent with Section 38(6) it carries full weight when considering planning applications.

Policy S9 states that retail use should be firstly accommodated within town centre.

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

Policy E7 states that tourism 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 BN9 seeks to maintain and improve air quality.

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 Central Area Action Plan 2013 (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.

#### 5.5 **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

#### 5.6 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004  
Residential Extensions and Alterations Design Guide SPD

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

Comments are summarised as follows:

6.1 **NBC Environmental Health** - no objections but recommend conditions in relation to noise, odour and refuse.

6.2 **Highway Authority (NCC)** - requested additional information regarding servicing arrangements. It is anticipated that an update on this matter will be provided in the Addendum Report.

6.3 **NBC Conservation** - support the principle of the development but raise concerns over the form of the ground floor rear extension, the dormer windows and the treatment of the site frontage.

6.4 **Northamptonshire Police** - raise concerns over the treatment of the site frontage in relation to rough sleepers.

6.5 **One letter** received from neighbouring business asking that environmental safeguards be put in place.

At time of preparing this report the statutory consultation period had yet to elapse. Any further representations received in this period will be reported to Members in the Addendum Report.

## **7. APPRAISAL**

### **Principle**

- 7.1 The principle of the change of use of buildings within the town centre to a hotel and restaurant would seem to broadly comply with the NPPF, the JCS and the CAAP in terms of appropriate uses in such a location and in terms of widening the range of facilities within the town centre.

### **Conservation/ Design & Appearance**

- 7.2 The application would see the two buildings converted and renovated. In the case of No.13 this is currently unused. The development would therefore have benefits for the long term futures of the buildings as well as resulting in improvements to their appearance, and consequently the appearance of the Conservation Area and in particular the Guildhall Road frontage.
- 7.3 The Council's Conservation Team have raised concerns about the dormer windows proposed as well as the single storey rear extensions. It is considered that as these features would be located to the rear of the buildings, and given the enclosed nature of the rear of the site with limited public views, there would be, in this case, no undue harm caused to the wider Conservation Area.
- 7.4 With regard to the treatment of the frontage of the site, and also to reflect the comments of Northamptonshire Police, if planning permission is to be granted this would be subject to a condition requiring details of the frontage treatment to be agreed. A condition would also be proposed requiring details of services to be agreed to minimise the installation of any paraphernalia (e.g. waste pipes/vents etc.) to the Guildhall Road facade of the building.
- 7.5 Potentially the most visible aspect of the development would be the ventilation flue which would be sited in the north east corner of the site and would run up the wall of the adjacent building to eaves level. However this would be masked by the chimney stack of this building and, again, would not be particularly visible from public vantage points.

### **Amenity**

- 7.6 Environmental Health have raised no objections to the application in terms of the impact on amenity. Should planning permission be granted conditions would be imposed regarding noise, odour and refuse.

### **Highways**

- 7.7 The Highway Authority have requested additional information regarding the type and number of vehicles which would be used to service the development. While all servicing would be required to take place from Guildhall Road it is not anticipated that this would be problematic and it is hoped that an update will be provided to Members in the Addendum Report.



- 7.8 No on-site car parking is possible, but given the central location of the site and the proximity of public car parking, as well as the scale of the development, this is not considered to be unacceptable.

## **8. CONCLUSION**

- 8.1 Overall it is considered that the development would result in appropriate uses in the town centre, consistent with the aims of the CAAP, with no unduly significant harm to the Conservation Area or adverse impact on road safety or amenity. It is therefore recommended to grant planning permission.

## **9. CONDITIONS**

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 4064/4A and 4064/5.

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) Before development commences details of the treatment of the frontage of the site at ground/basement level shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented prior to the first use of the development hereby permitted and retained thereafter.

Reason: In the interests of the appearance of the Conservation Area to accord with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- 5) Before development commences a scheme for the provision of services (waste pipes, extract vents etc.) to be installed shall be submitted to and agreed in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed details.

Reason: In the interests of the appearance of the Conservation Area to accord with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- 6) A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site and the provisions to be made for its control and the approved scheme shall be

implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 7) Before the development hereby permitted is first brought into use a scheme outlining the noise to be generated by the ventilation extract system and any methods for its control, shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the aims and objectives of the National Planning Policy Framework.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the aims and objectives of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

- 10.1 N/2014/1452.

## **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: 4th February 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

Title  
**13/15 Guildhall Road**

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**PLANNING COMMITTEE:** 17<sup>th</sup> February 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2015/0001:** Variation of Condition 1 of planning permission N/2013/1304 to allow the car wash to operate for a further two years at Commercial Street Surface Car Park

**WARD:** Castle

**APPLICANT:** Mr Ben Lleshi  
**AGENT:** Dr Richard Post - Architectural Ideas

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

**DEPARTURE:** NO

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## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

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

The proposed development is considered acceptable as a temporary use of the land and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the impact on highway safety in compliance with Policy 1 of the Central Area Action Plan, Policy BN7A of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

### 2. THE PROPOSAL

2.1 Planning permission is sought for the variation of condition 1 of planning permission N/2013/1304. Condition 1 of planning permission N/2013/1304 read:

'The use hereby permitted shall be discontinued and the storage container and canopy shall be removed and the land restored to its former condition on or before the date of one year forward of the date of this permission.'

- 2.2 The submitted proposal seeks to extend the temporary permission for the hand car wash operation together with siting of a storage container and canopy for a further two years. The applicant has amended the original submission from five years to two years.

### **3. SITE DESCRIPTION**

- 3.1 The application site constitutes a small area of the Commercial Street surface car park (approximately 70sqm). The car park is in the ownership of Northampton Borough Council.
- 3.2 The car park is bound by St. Peters Way, which curves the south western side of the site. Commercial Street runs from St. Peters Way and provides an access into the car park.
- 3.3 Planning permission N/2013/1304 allowed the use of 6 no. existing car parking spaces for the car wash and included the siting of a storage container on 1 of the 6 no. existing car parking spaces for storage and staff welfare and addition of a large canopy on a steel frame covering 3 of the parking spaces (including the storage container). The submitted proposal does not seek to alter this arrangement only to extend the time for its continued use.

### **4. PLANNING HISTORY**

- 4.1 N/2013/1304 Change of use of part of car park to hand car wash (Sui Generis) to include the installation of a storage container and canopy - Approved 12/02/2014.

### **5. PLANNING POLICY**

#### **5.1 Development Plan**

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

Paragraph 19 – Supporting economic growth through the planning system

Paragraph 56 – Requiring good design

Paragraph 109 – Protecting and enhancing the environment

#### **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 BN7A – Water supply, quality and wastewater infrastructure.

5.4 **Northampton Central Area Action Plan 2013 (CAAP)**

Policy 1 - Promoting Design Excellence

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

E20 – New development

**6. CONSULTATIONS/ REPRESENTATIONS**

Comments are summarised as follows:

6.1 **NBC Arboriculture:** No objections.

6.2 **NBC Public Protection:** No objections.

6.3 **Anglian Water:** the developer must contact Anglian Water's Catchment Quality Scientist (CQS) for the area, to discuss options for disposing of their used water.

6.4 **Environment Agency:** have no comments to make.

6.5 **NCC Highways:** No objections to the car wash at Commercial Street operating for another two years.

6.6 The application was advertised by site notice and the consultation period does not expire until 11/02/2015. Any comments received prior to the Committee meeting shall be updated to Members via the addendum.

**7. APPRAISAL**

**Principle of the development**

7.1 The application site and the wider car park are located within the town's Enterprise Zone and are therefore could come forward for comprehensive redevelopment in the future.

7.2 In light of this Enterprise Zone status, it is expected that the site will perform an important regeneration role for the town in the forthcoming years. It is therefore important to ensure that any piecemeal development of the site is guarded against in the interests of safeguarding the development opportunity of the wider area. It is therefore considered that any consent for the change of use from car parking to a car wash should be limited to a temporary time period.

**Design & Visual Impact**

7.3 The car wash is currently operational and has been sited away from the boundaries of the car park; this reduces its impact on the visual amenity of the area. The container and canopy constitute installations of a temporary nature, it is therefore considered appropriate that any permission for the development is restricted to a temporary period. This also safeguards the long-term redevelopment opportunities of the site. In addition due to the temporary nature of the container and the canopy, it is considered that the site could be restored to its former condition relatively easily.

- 7.4 It is considered that the car wash has been rationally located in the context of where the accesses to the car park are located, i.e. queuing vehicles would not impede access into the site given the distances involved. To grant a temporary planning permission would also allow the Council to continue to monitor the effects of the scheme upon the circulation of the wider car park.

#### **Neighbour Amenity**

- 7.5 The site is not located within close proximity to any residential or noise-sensitive uses; there are no concerns in a noise context, particularly given the immediate presence of a busy dual-carriageway adjacent to the site. The Council's Environmental Health section have raised no objections to the proposed development.

#### **Drainage**

- 7.6 Anglian Water has requested that the developer contact their Catchment Quality Scientist (CQS) for the area, to discuss the disposal of used water. A suitable informative will be added to any permission for the proposal to advise the applicant to contact Anglian Water. The Environment Agency has confirmed that they have no comments to make as the Environment Agency did not request Condition 1 of Decision Notice N/2013/1304 with regards to the duration of the operation of the car wash.

#### **Tree protection**

- 7.7 The site is positioned adjacent to 2no. mature trees. The Council's Tree Officer has been consulted and raises no objection to the proposal, as the development does not create any detrimental impacts to the adjacent trees.

#### **Highway safety**

- 7.8 The Local Highways Authority has been consulted regarding the application and have raised no objections to the proposal in terms of access, parking or highway safety. During its temporary operating period the Local Highways Authority have not recorded any issues regarding highway safety as a result of the development.

### **8. CONCLUSION**

The proposed development is considered acceptable as a temporary use of the land and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the impact on highway safety in compliance with Policy 1 of the Central Area Action Plan, Policy BN7A of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

### **9. CONDITIONS**

- (1) The use hereby permitted shall be discontinued and the storage container and canopy shall be removed and the land restored to its former condition on or before 28<sup>th</sup> February 2017.

Reason: The proposed development is considered acceptable as a temporary use of the land and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the

impact on highway safety in compliance with Policy 1 of the Central Area Action Plan and the guidance contained within the National Planning Policy Framework.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan & Site Plan (17004-L02 Rev A).

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

### **INFORMATIVES**

The developer must contact Anglian Waters Catchment Quality Scientist (CQS) for the area to discuss disposal of used water.

### **10. BACKGROUND PAPERS**

- 10.1 Application Files N/2015/0001 and N/2013/1304.

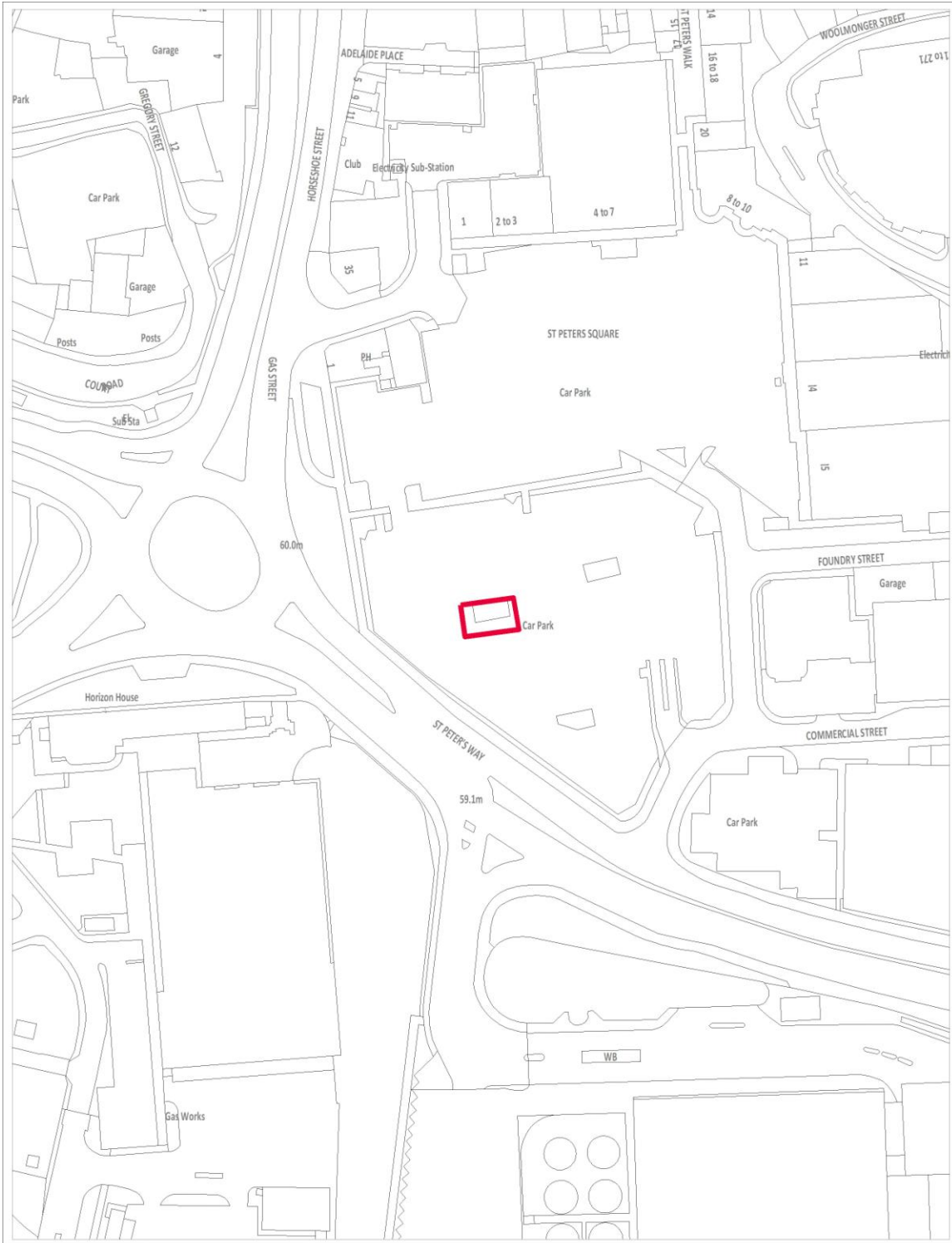
### **11. LEGAL IMPLICATIONS**

- 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: 4th February 2015  
 Scale: 1:1250  
 Dept: Planning  
 Project: Planning Committee

**Title**  
**Commercial Street Car Park Surface**

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