



NORTHAMPTON
BOROUGH COUNCIL

PLANNING AGENDA

Tuesday, 30 June 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: Jane Birch, Julie Davenport, Matthew Golby, Anamul Haque (Enam), James Hill, Jamie Lane, Phil Larratt, Arthur McCutcheon, Dennis Meredith and Mohammad Aziz Rahman

Chief Executive David Kennedy

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837587

PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 9 June, 30 June, 28 July, 2 September, 29 September, 27 October, 24 November and 17th December 2015 and 19 January, 16 February, 15 March, 12 April, 10 May, 14 June 2016.

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 (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, 30 June 2015

at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS / PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 6. LIST OF CURRENT APPEALS AND INQUIRIES**
Report of Head of Planning (copy herewith)
- 7. OTHER REPORTS**
(A) VARIATION OF S106 AGREEMENTS PURSUANT TO PLANNING PERMISSIONS N/2004/0930 HARVEY REEVES ROAD AND N/2004/0931 SOUTHERN DEVELOPMENT LINK ROAD
(Copy herewith)
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
None
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
(A) POND EXCAVATION AND TWO SHALLOW SCRAPES, LINKED IN SEQUENCE BY SHORT DITCHES WITHIN THE FIELD. WETLAND HABITAT SITE, DUSTON MILL LANE
(Copy herewith)
- 10. ITEMS FOR DETERMINATION**
ADDENDUM
(A) N/2014/1272 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPANCY FOR FOUR PEOPLE (USE CLASS C4) 84 TURNER STREET
(Copy herewith)

(B) N/2014/1291- ERECTION OF 34 NEW DWELLINGS COMPRISING 10NO. 1 BED FLATS, 14NO. 2 BED HOUSES AND 10NO. 3 BED HOUSES AND ASSOCIATED ACCESS ROADS. DEVELOPMENT LAND BETWEEN TALAVERA WAY AND BOOTH RISE.

***THIS ITEM HAS BEEN WITHDRAWN**

(C) N/2015/0282 - CHANGE OF USE TO 3NO ONE-BED APARTMENTS TOGETHER WITH TWO STOREY REAR EXTENSION. 15 BEACONSFIELD TERRACE

(Copy herewith)

(D) N/2015/0431 -LAYING OF HARD SURFACE AND CREATION OF SEATING AREAS WITH ASSOCIATED LANDSCAPING TO FORM MEMORIAL GARDEN. TOWCESTER ROAD CEMETERY, TOWCESTER ROAD

(Copy herewith)

(E) N/2015/0555 - PROPOSED SINGLE STOREY EXTENSION TO REAR, TWO-STOREY FRONT EXTENSION, A NEW FIRST FLOOR WINDOW IN SIDE ELEVATION, ALTERATIONS TO FIRST FLOOR REAR WINDOWS AND FRONT PORCH (PART-RETROSPECTIVE). 14 WOODLAND AVENUE

(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

Tuesday, 9 June 2015

PRESENT: Councillor Oldham (Chair); Councillor Lynch (Deputy Chair); Councillors Aziz, Birch, Davenport, Golby, Haque, Hill, Larratt and Meredith

Steven Boyes (Director of Regeneration, Enterprise and Planning), David Hackforth (Interim Head of Planning), Rita Bovey (Development Manager), David Rowen (Development Management Team Leader), Andrew Holden (Principal Planning Officer), Theresa Boyd (Solicitor) and Peter Storey (Democratic Services Officer).

1. APOLOGIES

Apologies for absence were received from Councillors Lane and McCutcheon.

2. MINUTES

The minutes of the meeting held on 24 March 2015 were agreed and signed by the Chair, with the addition of the application details at minute 5, the reason for approval at 10b and the additional condition at 10c.

The Development Manager updated the Committee on application N/2014/1160 for the erection of 51 dwellings at Studland Road, as agreed at the previous meeting. The viability assessment had indicated that the site was more viable than previously thought and the applicant had agreed to make a financial contribution of £85K towards education and health facilities. The officers will continue to process the S106 agreement.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2015/0415

Mr Richards
County Councillor Hallam

N/2015/0275

Mrs Tapp
Mrs Jones
Mr Dobraszcyk

N/2015/0329 & N/2015/0330

Councillor Stone

Mr Hadland, who had registered to speak on application N/2015/0275, was not present. Mrs Wishart, who had registered to speak on applications N/2015/0329 and N/2015/0330, indicated that she did not wish to speak.

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Larratt declared a personal, non-pecuniary interest in item 8a (N/2015/0415) as a member of Northamptonshire County Council.

Councillor Meredith declared a personal, non-pecuniary interest in item 8a (N/2015/0415) as the Ward Member.

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

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. She drew attention to the dismissed appeal for N/2014//0987, Co-op Store, Main Road, Duston where the Inspector had stated that the applicant had not demonstrated that any extension to the opening times would not adversely affect neighbouring properties. She stated that the applicant could make a further submission with a noise assessment included. The public inquiry for the Northampton South Sustainable Urban Extension (SUE), applications N/2013/1035 and N/2013/1063, was expected to be held in December 2015 and members would be informed when a date was received.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 (AS AMENDED)

The Development Manager presented a report on recent changes to the Town and Country Planning (Use Classes) Order 1987 (as amended) and elaborated thereon. She drew attention to the change whereby betting offices and pay day loan shops would now be required to apply for planning permission for change of use.

RESOLVED: That the report be noted.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

(A) N/2015/0415 - CONSTRUCTION OF A 2.5 KILOMETRE DUAL CARRIAGEWAY (A43 BYPASS) AND ASSOCIATED LANDSCAPING, DRAINAGE AND INFRASTRUCTURE WORKS - CONSULTATION BY

NORTHAMPTONSHIRE COUNTY COUNCIL. LAND TO THE EAST OF MOULTON VILLAGE

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the Council was a consultee and that the decision would be made by the County Council. Attention was drawn to the comments on the application contained in the Addendum.

Mr Paul Richards, a local resident and committee member of the Thorpeville Residents Association, spoke against the application. He was not against dualling the A43 per se but expressed concern that Thorpeville would be used as a “rat run”, with noise, dust, dirt and vibration from vehicles, and at the small amount of consultation with local residents. He stated that many local residents objected to the proposals because of the impact they would have on Thorpeville. In answer to a member’s question, Mr Richards stated that there had been a large exhibition on the proposals but no personal consultation with residents by Northamptonshire County Council.

County Councillor Hallam, representing Boothville and Parklands Division, spoke in favour of the application. He stated that he was in favour of dualling the A43 and was expressing residents’ concerns that Thorpeville would become a “rat run.” Discussions had taken place with the County Council regarding possible traffic calming measures at the Round Spinney roundabout to deter traffic from travelling through Thorpeville. He asked the Committee to express strong concerns to the County Council about the likely effect of the proposals on Thorpeville.

The Committee discussed the report.

In response to the points raised by the speakers and by members of the Committee the Development Management Team Leader stated that the following points could be made to the County Council as concerns of the Committee when responding to the application:

- Concerns that Thorpeville would be used as a “rat run” as a result of the proposals;
- Billing Lane becoming a “rat run” and any future development there;
- The future care and maintenance of roads closed to vehicular traffic under the proposals;
- That the County Council notify the Committee when the application is to be reported to its Planning Committee.

In answer to a question the Development Management Team Leader stated that neighbouring local authorities consulted the Council on applications in their areas which bordered the Borough, and the recent application for 2,000 dwellings for Northampton North SUE at Moulton was considered by the Committee as a fringe area consultation.

RESOLVED:

1. That no objections be raised to the principle of the application, subject to the matters set out in the report and the addendum.
2. That, although outside the scope of the application, the Committee's concerns detailed in the preamble above be expressed to the County Council:
3. That the final comments be agreed with the Director of Regeneration, Enterprise and Planning in consultation with the Chair before sending to the County Council.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2015/0586 - PRIOR NOTIFICATION APPLICATION FOR DEMOLITION OF BUILDING, LINNELLS MOTORS, FETTER STREET

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

The Committee discussed the report.

RESOLVED: That Prior Approval was not required for the method of demolition and proposed restoration of the site for the reason stated in the report.

10. ITEMS FOR DETERMINATION

(A) N/2015/0275 - ERECTION OF DETACHED 3-BED DWELLING AT THE REAR TOGETHER WITH PARKING SPACES AND WIDENING OF EXISTING VEHICULAR ACCESS- 279 MAIN ROAD, DUSTON

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The Team Leader advised the Committee that references in the report to Larch Close should read Larch Lane. In addition the objections of the occupier of 5 Larch Lane were reported.

Mrs Tapp, adjoining resident, spoke against the application. She stated that the property was out of scale and would be out of keeping with surrounding properties. There would be over looking, loss of privacy, loss of enjoyment of her garden, and noise and disturbance from the access. She referred to another property which had previously been built on the site.

Mrs Jones, adjoining resident, spoke against the application. She stated that the property would have two floors and would not blend in with existing properties. There would be air and noise pollution and she would be unable to enjoy the amenity of her garden. She considered that no consideration had been given to neighbours or wildlife.

Mr Dobraszcyk, the architect, spoke in favour of the application, stating that only ten new properties had been built on Main Road, Duston in recent years and of these seven were of a similar type to the application. He believed the gardens of adjoining properties were public space and the owners would not be prevented from enjoying the gardens by the construction of the property. In answer to members' questions Mr Dobraszcyk stated that there would be overlooking of the gardens but this would

provide security for them as public open spaces. He had not consulted residents on the application as this would not be usual practice on such an application.

A comment regarding land ownership was not considered to be a material planning consideration.

The Committee discussed the report.

RESOLVED: That the application be **REFUSED** for the reasons set out in the report.

(B) N/2015/0329 & N/2015/0330 - HYBRID APPLICATION INCLUDING OUTLINE PLANNING APPLICATION FOR THE DEMOLITION OF THE FORMER INFIRMARY, FORMER SCHOOL AND FORMER NURSES' ACCOMMODATION BUILDING AND THE ERECTION OF RETIREMENT VILLAGE AND SPECIALIST CARE FACILITIES, ALL MATTERS RESERVED EXCEPT ACCESS AND SCALE. FULL PLANNING APPLICATION FOR THE CONVERSION AND EXTENSION OF THE FORMER WORKHOUSE BUILDING TO COMPRISE CARE APARTMENTS AND CAR PARKING. FORMER ST EDMUNDS HOSPITAL, WELLINGBOROUGH ROAD AND LISTED BUILDING APPLICATION FOR DEMOLITION OF FORMER SCHOOLHOUSE, FORMER NURSE'S ACCOMMODATION BUILDING AND INFIRMARY BUILDING ALTERATIONS AND EXTENSIONS TO MAIN WORKHOUSE BUILDING. FORMER ST EDMUNDS HOSPITAL, WELLINGBOROUGH ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. In addition the comments from 66 Ethel Street were reported. He stated that the Committee were being asked for agreement in principle and that a viability assessment would be required to provide justification for the development, together with a revised flood risk assessment. He asked that an additional recommendation be considered, to delegate authority to the Director of Regeneration, Enterprise and Planning regarding the timescale for the listed building to be restored.

Councillor Stone, Ward Member, spoke in favour of the application. She stated that the site had been an eyesore for many years and local residents wanted to see the site developed. They could accept the loss of buildings on the site if the workhouse was retained. Local residents wanted to see the surrounding area enhanced as part of the development. She also expressed a wish for support to be given to the local community to develop community facilities through S106 monies.

The Committee discussed the report.

In answer to a member's question the Interim Head of Planning stated that using S106 agreements to link enabling development to the restoration of a listed building were quite frequent. The agreement would not lapse over time once works had commenced.

RESOLVED: That the applications be **APPROVED IN PRINCIPLE**, subject to the criteria set out in the report, and with the following extra criterion for application N/2015/0329:

- c) That delegated authority be granted to the Director of Regeneration, Enterprise and Planning to secure a planning obligation by way of a S106 agreement to ensure that the development works for the workhouse building are carried out in accordance with a timescale to be agreed with the Local Planning Authority.

11. ENFORCEMENT MATTERS

There were no items.

12. ITEMS FOR CONSULTATION

There were no items.

The meeting concluded at 7:56 pm.

Directorate: Regeneration, Enterprise and Planning
 Director: Steven Boyes



List of Appeals and Determinations – 30th June 2015

Written Reqs Procedure			
Application	DEL/PC	Description	Decision
N/2014/0772 APP/V2825/W/15/3011903	PC	Erection of two detached houses with vehicular crossovers at land adjacent to 8 Quinton Road, Wootton	AWAITED
N/2014/0823 APP/V2825/W/15/3003640	DEL	Erection of a 1-bed dwelling.(Fronting Elizabeth Street) at land rear of 74 Lower Thrift Street	DISMISSED
N/2014/1054 APP/V2825/W/15/3028094	DEL	Listed Building Application for new balcony to front elevation at first floor at 15 Albion Place	AWAITED
N/2014/1055 APP/V2825/W/15/3008861	DEL	New balcony to front elevation at first floor at 15 Albion Place	AWAITED
N/2014/1123 APP/V2825/W/15/3002726	DEL	Application to vary condition 4 of planning permission N/2010/0887 to allow opening hours of Sunday to Thursday 1200 to 2300 and Friday to Saturday 1200 to 0100 at 200 Wellingborough Road	AWAITED
N/2014/1292 APP/V2825/D/15/3017293	DEL	Proposed conservatory at 16 Lanercost Walk	AWAITED
N/2015/0211 APP/V2825/X/15/3063787	DEL	Lawful Development Certificate for an existing single storey rear extension at 69 Raeburn Road	AWAITED
Public Inquiry			
N/2013/0338 APP/V2825/A/14/2228866	PC	Site at Land to East of Hardingstone, North of Newport Pagnell Road - Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road – Public Inquiry to begin on the 16th of June and schedule to last for two weeks at Franklin Gardens, Weedon Road	AWAITED
N/2013/1035 APP/V2825/W/15/3028151	PC	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, land south of Rowtree Road and west of Windingbrook Lane – Date of Public Inquiry and venue to be confirmed by the Planning Inspectorate	AWAITED
N/2013/1063 APP/V2825/W/15/3028155	PC	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 - Date of Public Inquiry and venue to be confirmed by the Planning Inspectorate	AWAITED

Hearing			
		None	
Enforcement Appeal			
		None	

<p>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.</p>	<p>Appeal decisions can be viewed at - www.planningportal.gov.uk</p>
<p>Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed</p>	<p>Author and Contact Officer Mrs Rita Bovey, Development Manager Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE</p>



PLANNING COMMITTEE: 30th June 2015

DIRECTORATE: Regeneration, Enterprise and Planning

DIRECTOR: Steven Boyes

REPORT TITLE: Variation of s106 agreements pursuant to planning permissions N/2004/0930 Harvey Reeves Road and N/2004/0931 Southern Development Link Road

1. RECOMMENDATION

1.1 That the Committee **agree** to delegate authority to the Director of Regeneration, Enterprise and Planning to vary the Section 106 agreements to amend and expand the location of the off-site habitat mitigation area and allow the remaining CCTV funds to be utilised on either the implementation and/or subsequent maintenance of the off-site habitat mitigation.

2. BACKGROUND

2.1 As part of planning applications N/2004/0930 and N/2004/0931, for the development of the Harvey Reeves Road and Southern Development Link Road respectively, the developer entered into two legal agreements in order to mitigate the adverse impacts of the development.

2.2 Both the Section 106 agreements were completed on 15th March 2005 between Northampton Borough Council, the Wildlife Trust for Bedfordshire, Cambridgeshire, Northamptonshire and Peterborough, the developer the Homes and Communities Agency (HCA) and Northampton Rugby Football Club.

2.3 Under the terms of the first agreement pursuant to the Harvey Reeves Road planning application (N/2004/0930) the developer (Commission for the New Towns now the Homes and Communities Agency) paid £380,000 for the provision of CCTV on the land and £255,000 toward subsequent maintenance.

- 2.4 The agreement also made provision for development of an off-site ecological mitigation area, the boundaries of which were detailed in the agreement. A payment of £320,000 was also made to enable implementation of this scheme.
- 2.5 Under the provisions of the second Section 106 Agreement dated 15th March 2005, pursuant to the Southern Development Link Road planning application (N/2004/0931), following the commencement of works the Homes and Communities Agency paid £120,000 for the provision of CCTV along the route of the SDLR and £60,000 toward subsequent CCTV maintenance.
- 2.6 In the event that the cost of any of the CCTV works are less than the CCTV contribution or the contributions are not required for the purpose identified, then the Council are required to repay the unexpended balance back to the HCA. The CCTV capital works have been completed at a reduced cost and a surplus remains. The CCTV maintenance contributions have also been expended in full.
- 2.7 The implementation of the off-site habitat mitigation scheme has been delayed as, following early studies, it was realised the site proposed was not an entirely suitable site for the type of habitat required.
- 2.8 Consequently, an options appraisal was commissioned and completed by Halcrow in July 2013 in consultation with s106 agreement signatory partners. Four site options were considered including the original site. The report concluded that the preferred alternative site would create the greatest impact on improving biodiversity and have the most cost effective source of water. Since July 2013 the implementation of a scheme at this alternative site has been pursued and resulted in the submission of the planning application N/2015/0389 at Duston Mill Lane (the Item to be considered in Agenda Item 10), however the cost of implementation and future maintenance has increased.

3. PROPOSED VARIATION

- 3.1 Discussion have taken place with the Homes and Communities Agency in order to find a solution and implement the off-site habitat mitigation scheme.
- 3.2 The proposal is to vary both s106 agreements to amend and expand the location of the off-site mitigation area and allow the remaining CCTV funds to be utilised on either the implementation and/or subsequent maintenance of the off-site habitat mitigation. The amended scheme will, it is anticipated, achieve the mitigation as planned into the original scheme, albeit with an amended design, at a more appropriate location.

4. CONCLUSION

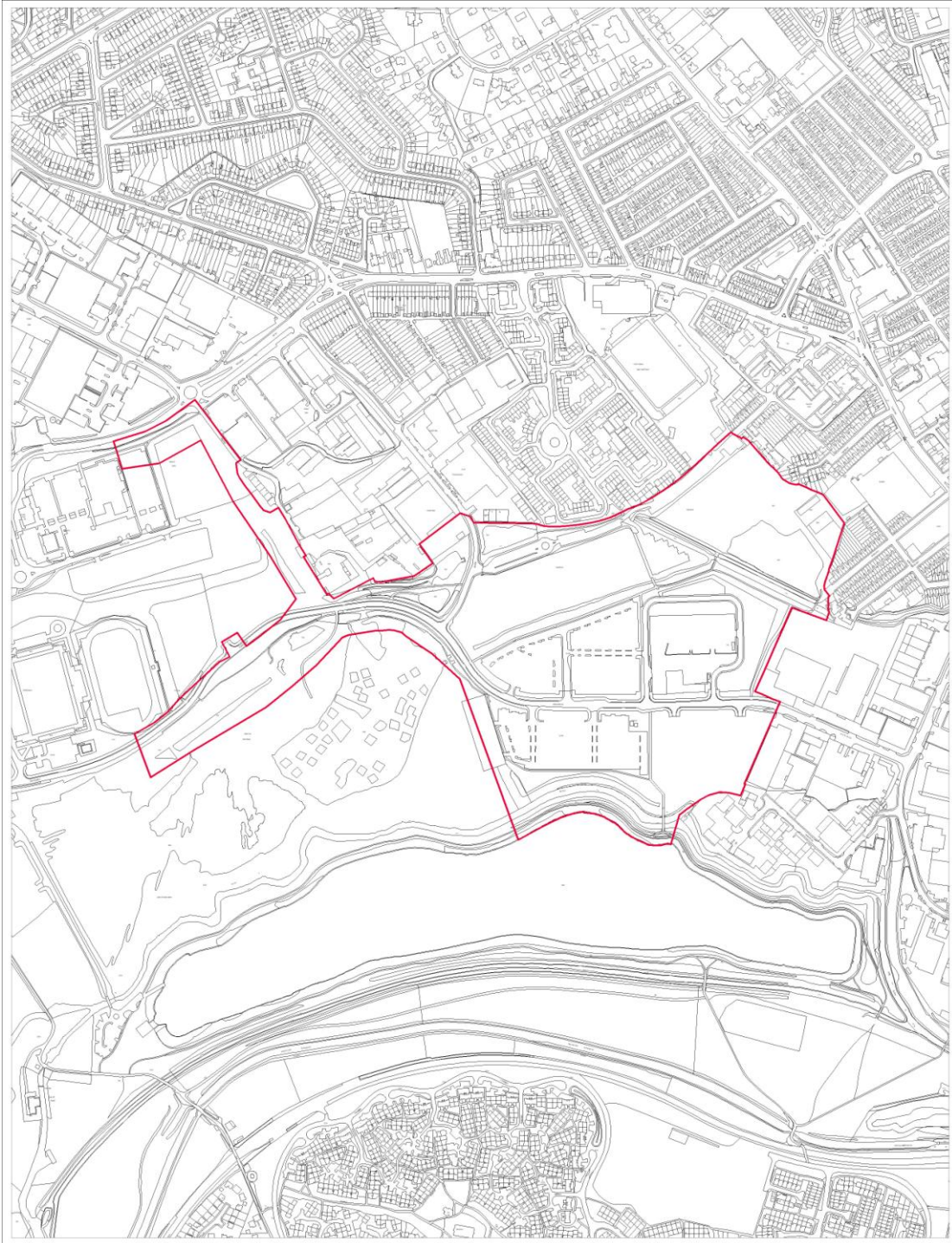
- 4.1 The revised scheme will achieve the mitigation proposed by the initial agreement and in fact proposes to achieve a higher level of mitigation. Members are requested to agree the variations as detailed above to facilitate the variation of the site boundary and alternative use of CCTV contributions.

5. LEGAL IMPLICATIONS

- 5.1 As set out in the report.

6. SUMMARY AND LINKS TO CORPORATE PLAN

- 6.1 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: **18th June 2015**
Scale: **1:7000**
Dept: **Planning**
Project: **Planning Committee**

Title

Harvey Reeves Rd and Southern Development Link Rd

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PLANNING COMMITTEE:	30th June 2015
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
N/2015/0389:	Pond excavation and two shallow scrapes, linked in sequence by short ditches within the field at wetland habitat site, Duston Mill Lane
WARD:	Delapre and Briar Hill
APPLICANT:	Northampton Borough Council
AGENT:	Northampton Borough Council
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	Council is the applicant and Council owned land
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would lead to a net increase in biodiversity, would off-set ecological impacts associated with the historic construction of the Southern Development Link Road from Upton Way to St James Mill Road and would not increase flood risk in the area. The proposal is in accordance with policies BN1, BN2 BN7, BN8 and S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the requirements of the NPPF.

- 1.2 As the consultation period will not expire until the 8th of July, 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 and issue planning permission after the consultation period has expired.

2. THE PROPOSAL

- 2.1 Planning permission is sought for the excavation of a pond and two shallow scrapes, linked in sequence by short ditches within a site known as Duston wetlands.

- 2.2 The proposal would involve the excavation of a standing water pond and shallow scrapes. Shallow scrapes are depressions in the land with gently sloping edges, which seasonally hold water; they create wetland features that are very attractive to wildlife.
- 2.3 It is proposed to place the excavated spoil on top of the existing flood banks within the application site. The height increase of the flood banks would be nominal; however it would make a small contribution towards reducing the existing discrepancy between the top of the flood bank level and the 1 in 200 year flood level.
- 2.4 The project is an off-site mitigation scheme arising from a planning obligation imposed on the Northampton Southern Development Link Road from Upton Way to St James Mill Road. The obligation required the Homes and Communities Agency (HCA) to contribute funding towards ecological improvements in the river valley, which included 'Off-site mitigation on land South of Duston Flood Reservoir and north of the Northampton Arm of the Grand Union Canal (Duston Wetland).
- 2.5 The wetland will be fed by precipitation, as well as ground water and topped up from the River Nene during very high flows through a new offtake structure (Tilting Weir). The tilting weir would accurately control the flow of water taken from the river, passing water firstly into the pond then into the first shallow scrape followed by the second shallow scrape.

3. SITE DESCRIPTION

- 3.1 The application constitutes an area of unmanaged grassland, with some animal grazing, between the River Nene and the Grand Union Canal. The site is located to the east of the A5076, Upton Way and has an area of approximately 5.5ha.
- 3.2 The site is bounded by the Kislingbury branch of the River Nene to the west, the Duston flood Relief Channel to the north-west, Public Right of Way HW39 to the north east and the Northampton branch of the grand Union Canal to the east and south.

4. PLANNING HISTORY

- 4.1 There has been no recent 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), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 103: Seeks to ensure that development does not increase flood risk elsewhere.

Paragraph 109: Seeks to conserve and enhance the natural environment through various means including recognising the wider benefits of ecosystems, providing net gains in biodiversity where possible and establishing coherent ecological networks.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (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. Policies of particular relevance are:

Policy BN1 – Green Infrastructure Connections – Green Infrastructure Corridors of sub-regional importance will be recognised for their important contribution to sense of place and conserved, managed and enhanced.

Policy BN2 – Biodiversity – Development which will deliver a net gain in biodiversity will be supported.

Policy BN7 – Flood Risk – Development proposals must comply with flood risk assessment and management requirements set out in national and local policy to address current and future flood risks with appropriate climate change allowances.

Policy BN8 – The River Nene Strategic River Corridor – Proposals for new development and habitat enhancement should demonstrate an understanding of the importance of the River Nene for biodiversity within and beyond the plan area.

Policy S10 – Sustainable Development Principles – requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximise water efficiency and promote sustainable drainage, conserving and enhancing the natural environment.

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 – New development – The policy seeks to secure development which has an acceptable design, layout and achieves acceptable standards of amenity.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 **NBC Environmental Health:** No objections.

Natural England: Have no comments to make regarding this application.

Environment Agency: No objection subject to a condition regarding flood mitigation measure.

Canal & River Trust: Awaiting comments.

The development has been advertised by way of press notice, site notice and neighbour letters, no representations have been received from members of the public at the current time.

7. APPRAISAL

Principle of the development

7.1 The purpose of the development is to provide a wetland habitat to off-set the ecological impacts associated with the historic construction of the Southern Development Link Road from Upton Way to James Mill Road, and to enhance the local landscape and biodiversity by creating wetland habitats including wet grassland, pools/scrapes and other features associated with fluvial wetlands. The proposal would promote the biodiversity of the greenspace, in an area of limited biodiversity value.

7.2 The site is part of the Sub-Regional Green Infrastructure Corridor the Nene (Newham Northampton Corridor) and is also close to the connecting Local Green Infrastructure Milton Keynes Northampton Grand Union Canal Spur. Policy BN1 of the West Northamptonshire Joint Core Strategy recognises the importance of Sub-Regional Green Infrastructure Connections. The policy states that measures to provide new green infrastructure provision should make prudent use of natural resources; should mitigate and adapt to the effects of climate change including through improved flood risk management; have a high quality design; reflect local character and be supported by a long-term management strategy.

7.3 The proposal would make prudent use of the land by enhancing the existing land use and delivering a net gain in biodiversity. In terms of flood risk management the Environment Agency have not objected to the proposal subject to condition. The scheme has been appropriately designed to have minimal impact on the landscape and would be in keeping with the character of the area. The site would be monitored and managed by a site manager. It is considered that the proposal would be acceptable in principle and would accord with the key criteria set out in policy BN1 of the West Northamptonshire Joint Core Strategy.

Flood Risk

7.4 A Flood Risk Assessment (FRA) has been submitted in support of the application. The Environment Agency have been consulted and raise no objection to the proposed development as detailed in the FRA subject to a planning condition stating that works are carried out in accordance with the details set out in the submitted FRA and the mitigation measure relating to the tilting weir is implemented.

- 7.5 The development would allow controlled flow of water into the site at times of high flow in the River Nene.
- 7.6 The proposal would result in a net gain in available flood storage volume. This will have a beneficial impact, albeit small, within the overall catchment. It is proposed to use the excavated spoil to raise the existing flood defences by placing it on top of the existing flood banks within the application site. The height increase of the flood banks would be nominal; however it would make a small contribution towards reducing the existing discrepancy between the top of the flood bank level and the 1 in 200 year flood level.
- 7.7 It is considered that the proposed development would be acceptable and would not increase flood risk in the area subject to a condition relating to mitigation measures set out in the FRA in accordance with policies BN7 and BN8 of the West Northamptonshire Joint Core Strategy and the NPPF.

Biodiversity

- 7.8 One of the objectives of the scheme is to reconnect the floodplain to the river through linear features; this application seeks to connect the River Nene to the application site. This would be achieved by the management of water levels through the pond and the shallow scrapes. The aim is to create continuity between the river and the new habitats, with exchange of species between the two at wet times of the year and to maintain the presence of fluvial habitats on the floodplain into drier times of the year.
- 7.9 Natural England have been consulted and have no comments to make on the application. The Wildlife Trust designates the whole site under three separate designations, Potential Wildlife Sites (PWS), these being 1. Duston Mill Fields, 2. Duston Mill Fields South and 3. Swan Valley Meadow. The Council have worked closely with the Wildlife Trust to draft an appropriate proposal.
- 7.10 As the proposal seeks to enhance the biodiversity of the site and particularly encourage wetland nesting areas, following advice from the Wildlife Trust the development will not encourage public access into the area. It is also considered that increasing the boggy nature of the ground will discourage public access.
- 7.11 The proposal would deliver a net gain in biodiversity in accordance with Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy and the NPPF.

Visual Amenity

- 7.12 It is considered that the proposed development would be in keeping with the character and appearance of the area. The tilting weir, flood gate and maintenance steps would represent minor works to facilitate the development and would not appear unduly obtrusive in relation to the site or the surrounding area. The introduction of the pond and shallow scrapes would have a positive impact on the visual amenity of the landscape.
- 7.13 The proposal is considered to be in accordance with policy BN1 of the West Northamptonshire Joint Core Strategy and policy E20 of the Northampton Local Plan.

Neighbour Amenity

- 7.14 The proposed development would be located approximately 118m from the nearest residential properties and would be separated from the residential area by the Grand Union Canal. It is considered that the proposal would not have any significant detrimental impacts on residential amenity; it has already been established that the proposal would not pose any increased flood risk. The proposal would enhance the biodiversity of the local area to the benefit of the community.
- 7.15 The proposed development is considered to be in accordance with policy E20 of the Northampton Local Plan and the NPPF.

8. CONCLUSION

- 8.1 It is considered that the proposal would be in accordance with planning policies. The development would enhance the local landscape and biodiversity and would make a minor contribution to reducing flood risk in accordance with policies BN1, BN2, BN7, BN8 and S10 of the West Northamptonshire Joint Core Strategy and the NPPF.
- 8.2 The development would not have any significant impacts on the visual or residential amenity of the site or the surrounding area in accordance with policy E20 of the Northampton Local Plan and the NPPF.

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: DW-200 (Site Boundary and Access); DW-202 (Constraints Plan); DW-203 (Site Longitudinal Section); DW-206 (Sluice Details); DW-204 Rev C (Carrier Ditch Route River Intake Structure Details 1 of 2); DW-205 Rev B (Carrier Ditch Route River Intake Structure Details 2 of 2).

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

- (3) The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment and the following mitigation measure: The tilting weir should be set no lower than 61.0mAOD. The mitigation measure shall be fully implemented prior to first use and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: To ensure that flows are maintained in the main river channel so as not to affect the water transfer scheme located just upstream of the proposed works.

10. BACKGROUND PAPERS

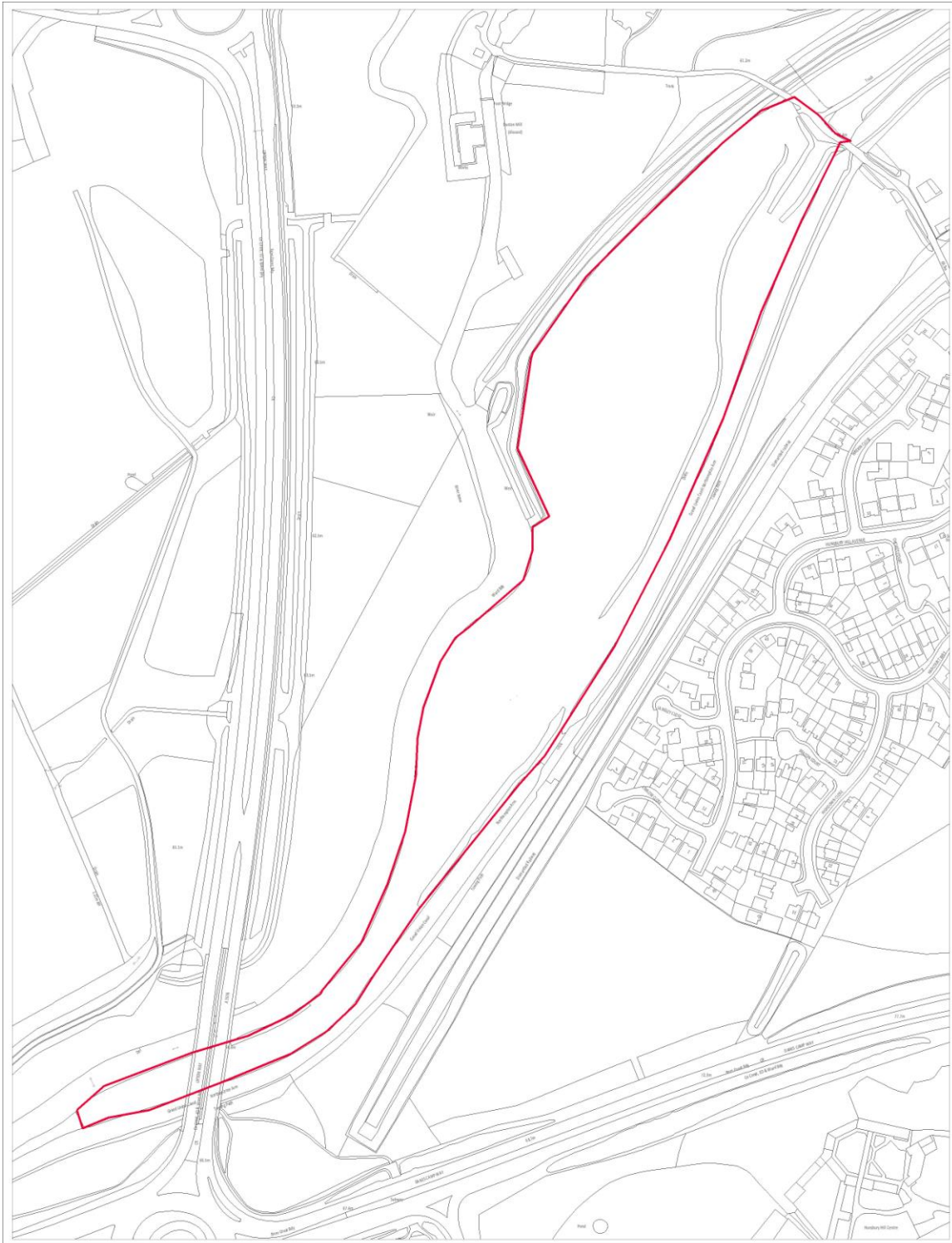
- 10.1 N/2015/0389

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: 15th June 2015
 Scale: 1:3000
 Dept: Planning
 Project: Planning Committee

Title
Wetland Habitat site, Duston Mill Lane

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Addendum to Agenda Items Tuesday 30th June 2015

5. MATTERS OF URGENCY

N/2015/0415

Construction of a 2.5 kilometre dual carriageway (A43 Bypass) and associated landscaping, drainage and infrastructure works – Consultation by Northamptonshire County Council

Land to the east of Moulton Village

Further to the Committee resolution on 9th June 2015 in relation to the above proposal additional information has now been received from the County Council regarding this.

Members will recall that an objection was raised in respect of the proposed re-connection of Thorpeville to the existing alignment of the A43 and the possibility of this becoming a 'rat-run'. In response to this a further plan has been produced indicating the following measures:

- Gateway features incorporating a reduction in speed limit to 30 mph with village signing and roundels at either end of the bypassed A43;
- Four alternating priority/give way buildouts, with raised pedestrian crossings where appropriate; and
- A raised table at the junction of the existing A43, Ashley Lane and The Avenue.

It is considered that these measures are welcome and may make Thorpeville less attractive as a 'rat-run'. However the potential for this still exists.

In addition a further plan has also been submitted indicating the phasing of the whole scheme. The County Council has also confirmed that Parishes, Councillors and the contributing neighbours including the Thorpeville Resident Association have been notified of the additional information.

It is recommended that the Committee **note** these proposals and the County Council is to be informed that the concerns expressed previously regarding this element of the scheme remain in place.

7. OTHER REPORTS

Variation of S106 Agreements pursuant to planning permissions N/2004/0930 Harvey Reeves Road and N/2004/0931 Southern Development Link Road

No update.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9a

N/2015/0389

Pond excavation and two shallow scrapes, linked in sequence by short ditches within the field

Wetland Habitat site, Duston Mill Lane

River and Canal Trust: No objection.

Revised Recommendation:

As the only outstanding consultee River and Canal Trust has now responded to the consultation, the recommendation as stated in paragraph 1.1 of the report can now be changed to **APPROVAL** subject to conditions.

10. ITEMS FOR DETERMINATION

10a

N/2014/1272

**Change of use from dwelling (Use Class C3) to house in multiple occupancy for four people (Use Class C4)
84 Turner Street**

No update.

10b

N/2014/1291

**Erection of 34 new dwellings comprising 10no. 1 bed flats, 14no. 2 bed houses and 10no. 3 bed houses and associated access roads
Development land between Talavera Way and Booth Rise**

Withdrawn from agenda.

10c

N/2015/0282

**Change of use to 3no one-bed apartments together with two storey rear extension.
15 Beaconsfield Terrace**

Councillor Danielle Stone - object on the grounds of overdevelopment and the fact this area is already saturated with HIMOs.

Officer's Comments:

In respect of this objection, it should be noted that the application is for a change of use to 3 no. apartments, rather than to a House in Multiple Occupation.

10d

N/2015/0431

**Laying of hard surface and creation of seating areas with associated landscaping to form memorial garden
Towcester Road Cemetery, Towcester Road**

No update.

10e

N/2015/0555

**Proposed single storey extension to rear, two-storey front extension, a new first floor window in side elevation, alterations to first floor rear windows and front porch (part-retrospective)
14 Woodland Avenue**

A further 12 letters of objection from **3, 5, 6, 7, 8, 10, 11, 13, 15, 16, 19 and 21 Woodland Avenue** have been received from neighbours, summarised as follows:

- Application almost identical to that previously refused;
- Application does not address reasons for refusal of previous application, and with only minor alterations;
- The extensions exceed what was granted in the first application and overshadow/overbear neighbours at nos. 12a and 16;
- The developer had the opportunity to appeal the previous planning decision;

- Development would alter the character of the area, particularly if multiple occupancy emerged as the ultimate objective;
- Application should be rejected for the same reason as previous application, owner should comply with committee's ruling;
- Previous objections still apply;
- Owner has been working on property without planning permission, expect that some enforcement of the decision that has been made;
- Plans of approved application were not followed;
- Applicant appears to be just trying to wear down the committee so that they will give in and say yes;
- Proposed front porch window will afford overlooking to front bay window of no.16.
- The Local Planning Authority should decline to accept the application as one similar application has already been refused.

Officer's Comments:

In addressing the issue of overlooking from the proposed porch window to adjoining property, a porch is not classed as a habitable room (where occupants spend significant periods of time), and therefore the issue of overlooking is not considered significant and warrant a refusal of the application. Other issues raised above are taken into account within the main Committee Report.

As regard to the issue on why the Planning Authority accepted the application, the current proposal is materially different from the previous scheme and only one other scheme was previously refused by the Council. The Local Planning Authority has a duty to determine each valid planning application according to its merits.



PLANNING COMMITTEE: 30th June 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1272: Change of use from dwelling (Use Class C3) to house in multiple occupancy for four people (Use Class C4), 84 Turner Street

WARD: Abington

APPLICANT: Mr P Shah
AGENT: Mr P Dooley, Architectural Solutions

REFERRED BY: Councillors Markham and Smith
REASON: Cumulative impact of HIMOs and pressure on services

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development proposed would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact on the character and appearance of the property, the street scene, nor would the proposal have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed by condition and is in accordance with the requirements of Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement 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 84 Turner Street from a single dwelling house to a House in Multiple Occupation (HIMO) for four people. There would be a bedroom, lounge, kitchen and shower/wc on the ground floor and three bedrooms and a bathroom on the first floor.

- 2.2 Originally the application proposed a five person HIMO but the number of occupants has been reduced to four only.

3. SITE DESCRIPTION

- 3.1 84 Turner Street is a terraced property within a street of such dwellings.

4. PLANNING HISTORY

- 4.1 None 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) and Northampton Local Plan (1997) saved policies

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 17 - Core Principles - seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 - Housing applications considered with presumption in favour of sustainable development.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 56 - Good design is a key aspect of sustainable development.

5.3 West Northamptonshire Joint Core Strategy – Adopted December 2014

The West Northamptonshire Joint Core Strategy (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. Policies of particular relevance are:

Policy H1 - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the

most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 (New development): The policy seeks to secure development which has an acceptable layout.

Policy H30 (Multi occupation within a single dwelling): Houses in multiple occupation will be supported subject to the property being of a sufficient size, the development not being detrimental to the character of the area to the detriment of neighbouring residents, in addition the proposal should not create substantial demand for on street parking in areas judged to be experiencing difficulties in this respect.

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards SPG 2003

5.6 Other material planning considerations

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs should:

- Result in balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material change or adverse impact on the character of the area; or more than 15% of HIMOs within 50m radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking.
- Ensure adequate refuse provision and storage.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor Smith** has raised concerns regarding the number of existing HIMOs and the impact which another property would have in terms of fly-tipping and anti-social behaviour and the burden on Environmental Services.
- 6.2 **Councillor Markham** has raised concerns regarding the cumulative impact of HIMOs within the area and the development not being in keeping with the area.
- 6.3 **NBC Private Sector Housing** do not object to the application as space and amenities provided are satisfactory.
- 6.4 **NCC Highways** comment that the development could result in the need for two on-street car parking spaces. This needs to be balanced against the existing car parking requirement from the dwelling which on average in Abington is one car per dwelling. Given the pressures for car parking in the area they advise that the applicant should carry out a car parking survey after 18:00 to establish of spaces are available.
- 6.5 **Five objections** from local residents have been received to the application for a four person HIMO. These are on the following grounds: Impact on the character of the street; setting of a precedent; impact on car parking and highway safety; loss of a family home; detrimental impact on residential amenity; increase in noise and disturbance; does not comply with residential standards, no cycle storage and problems of refuse, fire safety and lack of consultation by the applicant.
- 6.6 14 letters of objections were received regarding the originally submitted application relating to five persons.

7. APPRAISAL

Principle

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.
- 7.2 The surrounding area is predominantly residential in character. It would appear from Council records that there is not a significant concentration of HIMOs in the surrounding area, with no established HIMOs within a 50 metre radius of the property. This would clearly fall within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.
- 7.3 The proposal could be conditioned to restrict the use of the premises to a maximum of four occupants, the impact of which would not be significantly different to that of a conventional family home. It is therefore considered that the proposal would not lead to an over-concentration of HIMOs within the locality and that there would not be a significant impact on the character and amenity of the area as a result.

Amenity

- 7.4 Policy H30, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HMOs to be of sufficient size to accommodate the proposed use. The application has been amended from five proposed residents to four, to the satisfaction of the Council's Private Sector Housing Team. The property is considered to be of sufficient size for the proposed use and a condition restricting the use to a maximum of four people would ensure the level of communal and bathroom/toilet facilities proposed is suitable.
- 7.5 Bin storage is proposed in the rear yard of the property, which replicates the current arrangements for the dwelling.

Highways

- 7.6 The Highway Authority have identified that there could be the demand for an additional on street car parking space as a result of the development and recommend that a car parking survey should be carried out by the applicant due to existing on-street car parking pressures in the area.
- 7.7 Given that the likely demand would be for one additional space, and given the relatively sustainable location of the site within walking distance of the services and facilities of Wellingborough Road, combined with the potential for above average car ownership at the existing dwelling, it is considered that the impact on car parking would not be unduly significant or adverse. To require the applicant to carry out the recommended survey is therefore considered unnecessary.

8. CONCLUSION

- 8.1 It is considered that the development would not lead to an unacceptable concentration of HMOs within the locality that would adversely impact on the character or amenity of the area or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed by condition and is in accordance with policy and guidance requirements and therefore the application is recommended for approval.

9. CONDITIONS

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plan: 14/S236/1d.

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

- 3) Notwithstanding the submitted details the property shall be occupied by no more than four persons.

Reason: In the interests of the amenity of the surrounding area in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

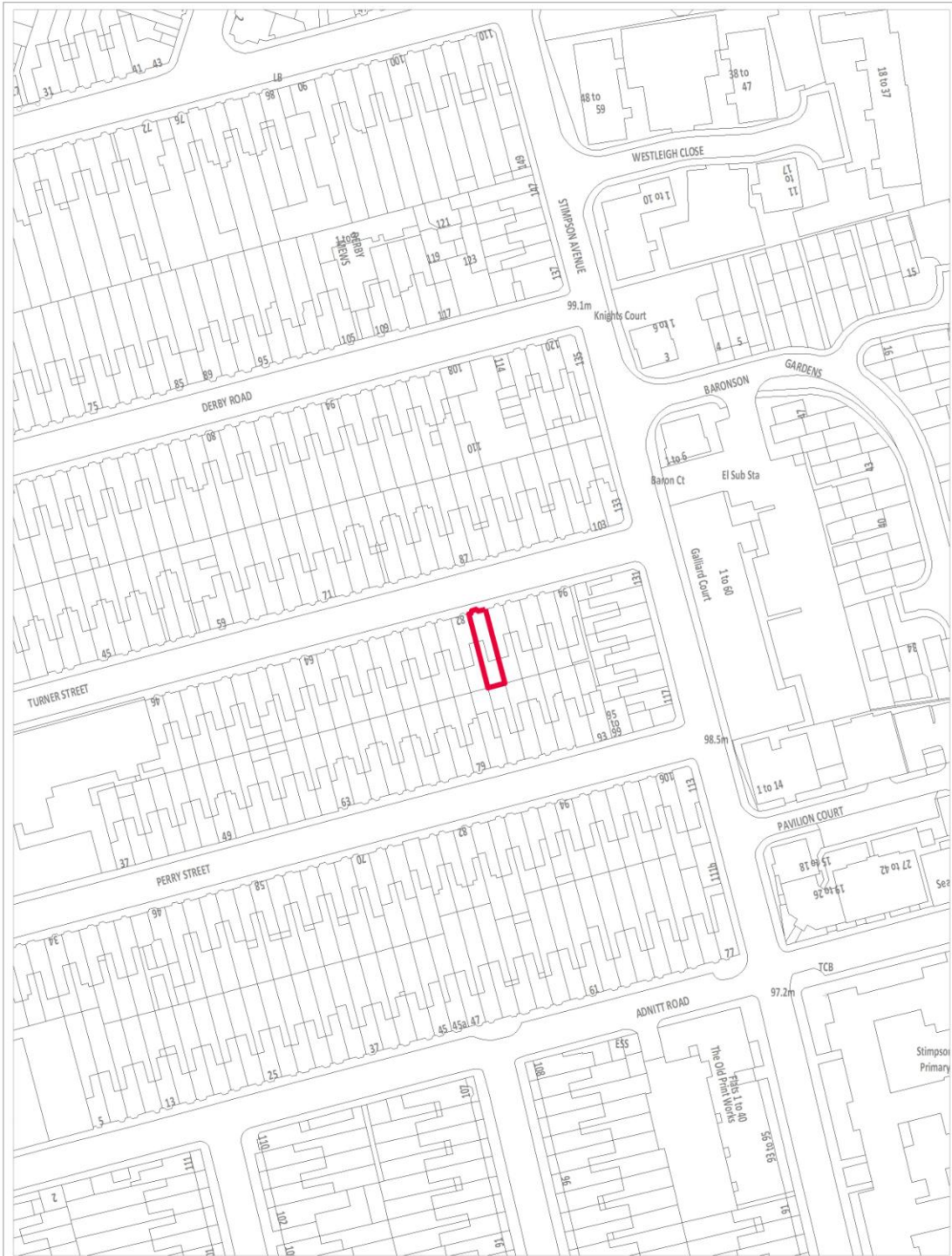
10.1 N/2014/1272

11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



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

Title
84 Turner Street

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PLANNING COMMITTEE: 30th June 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/1291: Erection of 34 dwellings comprising 10 one bedroom flats, 14 two bedroom houses; and 10 three bedroom houses with associated access roads at land between Booth Rise and Talavera Way, Northampton

WARD: Boothville

APPLICANT: Westleigh Partnerships Ltd
AGENT: RG+P

REFERRED BY: Director of Regeneration, Enterprise and Planning

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

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

1.2 The prior completion of a Section 106 Legal Agreement to secure:

i) 35% of the development to be used for affordable housing;

ii) A financial payment to fund the provision, improvements to connections and/or enhancements to areas of public open space within the vicinity of the site;

iii) A financial payment to fund highway improvement works within the vicinity of the site;

iv) A financial payment to fund the provision of two bus shelters and their ongoing maintenance within the vicinity of the site;

v) A financial payment to fund the provision of primary (at Boothville Primary School) and secondary school education (at Northampton Academy) within the vicinity of the site;

vi) A payment towards the provision of and/or improvement to and/or maintenance of facilities at Boothville Community Centre; and

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

- 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 Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account of the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Northampton Local Plan Policy E19 and the National Planning Policy Framework.

2. BACKGROUND

- 2.1 A similar proposal for the erection of 35 dwellings on this site was considered at the Planning Committee meeting held in January 2015, where it was resolved to approve the application in principle, subject to the prior completion of a Section 106 Legal Agreement to secure a number of areas of mitigation; including affordable housing, highway works, education provision, open space enhancements and improvements to Boothville Community Centre.

- 2.2 Negotiations in respect of the Section 106 Agreement are ongoing; however, in the interim, the applicant has undertaken further survey works on site. These have revealed that a larger sewer easement than previously envisaged is required. This has necessitated some reconfiguration to the site layout and the removal of one unit from the scheme as shown in the current submitted revised application.

3. THE REVISED PROPOSAL

- 3.1 The applicant has amended the application and now seeks permission to erect 34 new dwellings comprising 10 one bedroom flats; 14 two bedroom houses; and 10 three bedroom houses. These buildings would all be of two storeys in height. The proposed

dwelling would be surrounded by landscaping, which would be a combination of existing and new planting.

- 3.2 The development would be accessed via the original section of Booth Rise, which lies to the west of the existing alignment. A new junction would be created; however, it would utilise an existing turning head.

4. SITE DESCRIPTION

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

- 4.2 The surrounding area is characterised by the presence of residential accommodation of traditional design, which has been developed in a ribbon form alongside Booth Rise and Thorpeville. These dwellings, which are typically of one and two storeys, play a significant role in defining the character of the area. Also within the area are a number of more modern housing developments, which provide a greater degree of variety in terms of building heights as some units within the Booth Park development (to the east of the application site) and the flats at 69-71 Booth Rise are of three storeys in height. As a consequence, there is a varied streetscene.

- 4.3 Although the application site is undeveloped, it has no allocation within any local planning policy document. The areas to the north of Talavera Way have also been developed for residential accommodation in a similar density and style to Booth Rise. As discussed, the site is adjacent to Booth Rise, which serves as one of the main routes into Northampton from Kettering. The site is also adjacent to the Spinney Hill roundabout, which forms a junction between Booth Rise, Thorpeville and Talevera Way, in addition to access to the Stone Circle Road Industrial Estate.

5. PLANNING HISTORY

- 5.1 N/2013/1263 – Erection of 38 no. new dwellings comprising 12 no. flats and 26 no. houses with associated parking and installation of new access road – Refused.

6. PLANNING POLICY

Development Plan

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

National Policies

- 6.2 The National Planning Policy Framework (hereafter referred to as the NPPF) requires that all planning applications are determined in accordance with the requirements of the Development Plan unless material considerations indicate otherwise. Of particular note to this application is that Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.
- 6.3 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

West Northamptonshire Joint Core Strategy (JCS)

- 6.4 The JCS provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. The JCS has now been adopted by the West Northamptonshire Joint Strategic Planning Committee and therefore carries full weight. As part of the development plan, consistent with Section 38(6) it carries significant weight when considering planning applications.
- 6.5 Of particular note is that Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period. Policy H1 provides further detail regarding the location of these buildings by stating that they should be constructed through a combination of specifically planned Sustainable Urban Extensions and development within the existing built fabric. The same policy states that new developments shall provide for a mixture of house types, sizes and tenures in order to meet varying needs of the community. Applications for residential developments will be assessed against the location and setting of the site; the existing character of the area; the accessibility to services and facilities, including the proximity to public transport routes; the living conditions provided for future residents; and the impact upon the amenities of surrounding properties.

- 6.6 Policy H2 encourages the creation of varied communities that should be ensured through the provision of affordable housing, which in Northampton would represent 35% of the total development.
- 6.7 Policy S10 encourages sustainable development through incorporating measures to increase safety and security. To further encourage sustainable development, Policy C2 requires that new developments maximise opportunities for travel choices. This is in order to facilitate a modal shift.
- 6.8 In assessing applications relating to biodiversity, it is necessary to give weight to Policy BN2, which requires that development management decisions will reflect the hierarchy of biodiversity and appropriate weight should be given to the status of the site. Policy BN3 states that the retention of existing trees would be supported unless it can be demonstrated that the loss of trees would be outweighed by the need and benefits of the development.
- 6.9 Policy INF2 states that new development should only be permitted in instances where the necessary infrastructure has either been provided or that there is a reliable mechanism (such as a Section 106 Agreement) to ensure the delivery of such mitigation.

Northampton Local Plan

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

Supplementary Planning Guidance

- 6.11 Affordable Housing
Developer Contributions
Parking
Planning out Crime

7. CONSULTATIONS/REPRESENTATIONS

- 7.1 **Environmental Health (NBC)** – No objections to the proposed amendments. The wording of Condition 11 should be revised in order to reflect the conclusions of the updated noise assessment.
- 7.2 At the time of preparing this report, the consultation period in respect of the proposed amendments had not completed; therefore any further comments will be reported to the Committee by means of the addendum, which will be circulated prior to the commencement of the meeting.

8. APPRAISAL

Principle of the development

- 8.1 The planning policy context has not changed since the initial consideration of this application in January of this year and as a consequence it is considered that the development is acceptable in planning policy terms. Furthermore, it is acknowledged that the development would contribute to achieving a five year supply of housing land in line with the requirements of the NPPF. The policy position of the JCS is that the projected demand for housing can only be addressed through the development of sites that are within the existing urban fabric (in addition to specially planned Sustainable Urban Extensions).
- 8.2 The over-riding principle of the NPPF is that in instances where a Local Plan is out of date, the greatest weight should be given to the matter of providing sustainable developments. By reason of the site's location adjacent to a major route, proximity to public transport links and employment sites and neutral impact upon ecology, the proposed development is sustainable and in line with national planning policies.
- 8.3 It is accepted that the site currently serves as a landscaped buffer between Booth Rise and Thorpeville, however, it was agreed at the January Committee meeting that the development of this site was appropriate. Given that the proposed revision would not significantly erode the level of remaining undeveloped space, it is considered that the proposal remains acceptable.

Design, layout and highway considerations

- 8.4 The design of the dwellings and materials palette is unchanged from the previous consideration of this application. This design approach is suitable given the traditional form of the surrounding properties. Although there has been a reconfiguration in the arrangement of some dwellings (i.e. there are now a greater number of semi-detached houses and a reduction in terraces of three dwellings); however, due to the variety of house types within the area and the lack of a prevailing trend, it is considered that this arrangement is acceptable.
- 8.5 The houses are of two storeys in height, whilst the flats would have height of three storeys. As with the previously considered scheme, it is likely that positioning and scale of the properties would not lead to a loss of light, outlook or privacy to the occupiers of the surrounding properties in line with the requirements of national and local planning policies.
- 8.6 It is recognised that due to the varied topography of the site, it would be necessary to carry out some alterations to the site's levels. In order to ensure that these works do not harm the amenity of existing residents, a condition is recommended that would ensure that these works are approved by the Council prior to any works commencing.
- 8.7 The layout of the section of the development surrounding the flats is also unchanged. This arrangement is likely to encourage the usage of this facility due to the more attractive location and greater security.

This promotes more sustainable means of travel. This is in accordance with the NPPF and Local Plan Policy E40.

- 8.8 The residential development includes 44 car parking spaces. This provides an average provision of approximately 1.3 spaces per dwelling. The provision is consistent with the ratios of dwellings to spaces deemed acceptable in January. Furthermore, the site is in close proximity to a bus stop in Booth Rise and cycle storage has been provided for the flats. Therefore, the proposal has addressed the likely parking needs arising from the development. The proposed parking spaces are either situated within the curtilages of dwellings or in areas that would be habitually overlooked and benefit from natural surveillance. The access road that would serve the development is unchanged from the previous scheme.

Landscaping and Ecology

- 8.9 A number of trees are present on this site; however, it is understood that these are generally poor specimens and not necessarily of good species or health. Therefore their removal would not be contrary to the requirements of Local Plan Policy E11. As the site is undeveloped, the applicant has undertaken a full ecological assessment. This assessment concludes that there are no species of any particular significance in the site.

Air Quality, Noise and Contamination

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

Legal Agreement

- 8.12 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.

- 8.13 As with the previous consideration, 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.
- 8.14 In addition to these matters, the Section 106 Agreement would secure payments towards the provision of primary and secondary education; open space; highways works; and bus shelters. The development will also make a payment and provide opportunities for the provision of construction worker training.

9. CONCLUSION

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

10. CONDITIONS

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

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

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

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

3. The development hereby permitted shall be constructed using Grey Marley Modern roof tiles and Ibstock Village Blend bricks, with red engineering bricks below Damp Proof Course.

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

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

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

5. Prior to the first occupation, a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing hard and soft landscaping for the site. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

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

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

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

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

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

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

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

9. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in

accordance with the approved details and fully implemented prior to the construction of all hard standing areas and retained thereafter.

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

10. The approved remediation scheme as submitted on the 26th May 2015 (and dated May 2015) must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

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

11. Noise mitigation measures for individual plots, which covers glazing and ventilation specifications, shall be carried out in accordance with the details contained within noise assessment dated the 16th June 2015 (reference: 1628 Northampton – Booth Rise) prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

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

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

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

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

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

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

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

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure that the development is carried out without detriment to amenity and no details relating to these matters have been submitted with the planning application.

16. The development hereby permitted shall be carried out in accordance with the submitted Written Scheme of Archaeological Investigation (reference: 15-205).

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

17. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details. This condition is required in order to ensure that the development is carried out without detriment to amenity and no details relating to these matters have been submitted with the planning application.

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

18. The parking and roadways shall be provided in accordance with the details shown on drawing 7771/0441 prior to the first occupation of the development hereby approved.

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

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

The scheme shall also include:

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

Reason: To prevent the increased risk of flooding, both on and off site in accordance with the National Planning Policy Framework. This condition is required in order to ensure that the development is carried out without detriment to flood risk and no details relating to these matters have been submitted with the planning application.

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

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with the National Planning Policy Framework. This condition is required in order to ensure that the development is carried out without detriment to flood risk and no details relating to these matters have been submitted with the planning application.

11. **BACKGROUND PAPERS**

- 11.1 N/2013/1263

12. **LEGAL IMPLICATIONS**

12.1 None

13. SUMMARY AND LINKS TO CORPORATE PLAN

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



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

Title

Development land between Talavera Way and Booth Rise

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PLANNING COMMITTEE: 30th June 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0282: Change of use to 3no. one-bed apartments together with two storey rear extension at 15 Beaconsfield Terrace

WARD: Castle

APPLICANT: Mr M Hughes
AGENT: Architectural Solutions

REFERRED BY: Former Borough Councillor Winston Strachan
REASON: Congestion due to on-street-parking – too many vehicles already in the street with insufficient parking accommodation

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would have no adverse impact on the character of the street or conservation area, would not result in significant additional demand for parking and would not affect the amenities of adjoining occupiers. The proposal thereby conforms with Policies S1 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20, H6, H21, H23 and H24 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal relates to the change of use of the premises to three one bedroom apartments, together with a two storey rear extension.

3. SITE DESCRIPTION

3.1 The site comprises a two storey terraced property, which the applicants have stated is in use as a house in multiple occupation for up to five occupiers. The existing layout consists of two bedrooms and a kitchen on the ground floor, and

three bedrooms and a bathroom on the first floor, with the cellar used for storage. No off-street parking spaces are provided.

- 3.2 The site falls within the boundary of the Boot and Shoe Quarter Conservation Area.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Development Plan

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

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 17 - Core Principles – seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraph 49 - Housing applications considered with presumption in favour of sustainable development.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 56 - Good design is a key aspect of sustainable development.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (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. Policies of particular relevance are:

Policy S1 – Distribution of Development – States that development will be concentrated primarily in and adjoining principal urban area of Northampton.

Policy H1 – Housing Density & Mix & Type of Dwellings – States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

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

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

E20 – New Development – The design of a new building or extension should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and be designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

H6 – Housing Development - Planning permission for residential development will be granted except where the development would be at a scale and density which would be detrimental to the character of the surrounding area or would result in an over intensive development of the site, would not comply with highway design or parking standards, would be piecemeal in character or result in the loss of facilities for which there is a need, or trees or land of significant amenity value.

H21 – Conversion to flats – This policy states that “Planning permission will not be granted for the conversion of a house into flats where it is considered that the introduction of or increase in the number of conversions would prejudice the character or amenity of a particular locality, irrespective of whether or not the house is suitable for conversion”.

H23 – Conversion to flats – States that “Planning permission will not be granted for the conversion to flats of a dwelling with a combined ground and first floor area (measured internally) of 100 square metres or less and with a frontage (measured internally) of less than 4.7 metres.”

H24 – Conversion to flats – This policy states that “Planning permission for flats wholly or partly in basement areas will be granted only where adequate self-contained access is provided and there is adequate natural daylight available in the habitable rooms and where the outlook is not unduly obstructed”.

5.5 **Supplementary Planning Documents**

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Local Highway Authority** – Note that this is not a town centre location and would have concerns with regard to redevelopment from HIMO to flats with no associated parking or cycle parking facilities. Therefore the planning authority

should satisfy itself that the parking pressures that may be associated with the new use are less than or the same as the existing use.

6.2 **Conservation** – No objection subject to conditions covering materials and retention of wooden windows to the front.

6.3 **Former Councillor Strachan** – Concerned about effect in terms of fly tipping and congestion of on-street parking, request the application is referred to Planning Committee.

6.4 Letters of objection received from the neighbouring occupiers at **32 and 44 Watkin Terrace** making the following points in summary:

- The plans contravene planning policy as no. 15 Beaconsfield Terrace is no more than 14 feet wide and is a small 2 / 3 bedroom two storey family house and completely unsuitable for conversion to flats.
- The number of multi occupied properties in Beaconsfield / Watkin Terrace has caused a substantial decline in in the environmental and amenity quality of the road.
- There has been an increase in minor anti-social behaviour.
- Increase in domestic refuse left in the street, result in in high level of vermin in the street.
- Majority of properties are in single family occupation and there is a demand for those types of properties which meet an important social need.
- Beaconsfield Terrace is within the conservation area – there is visual evidence that multi occupied property and flat conversions are externally neglected, having a detrimental effect on the overall street scene.
- The house is a two bedroom family house, it is not a five person house.
- Many houses have been converted into four flats per house which has caused social and environmental problems – need balance for social cohesion.
- Terraced family houses should remain as family houses, once converted into apartments they will never go back.
- Converting HIMO into apartments does cause greater burden on infrastructure because in HIMO few people own cars but people who rent flats do have cars.
- Already have a huge problem with parking, with double parking and cars crammed in.
- Once house are converted into tiny flats, there is nowhere to put rubbish and bags are out on the street all week.

7. APPRAISAL

7.1 The issues to consider are the impact on the street scene and the Conservation Area, on amenities of adjoining occupiers and in respect of highway congestion, as well as the acceptability of the proposed development, in terms of the living conditions of future occupiers.

Principle of Development

7.2 The proposed development is for three flats across the ground and first floors. Flat one will have two rooms, a living room and bedroom at the front of the ground floor and a kitchen in the basement; a second flat occupying the rear of the ground floor and the rear of the first floor, in a duplex arrangement with a living room and kitchen at ground floor and a bedroom and shower room above,

and a third flat at the front of the first floor, consisting of a living room with kitchen facilities to the front, a bedroom behind this and a small shower room.

- 7.3 The saved Policies H21 to H23 of the Northampton Local Plan are relevant.
- 7.4 In respect of Policy H21, which states that planning permission will not be granted where the introduction or increase in the number of flats would prejudice the character of the area. No formal planning permission was ever granted for the change of use to flats within Beaconsfield Terrace, however, it does not mean that there is no flats currently exist. Watkin Terrace is in the same street, and this does include a number of flats, including some recent conversions. It is considered that this gives the street very much the character of a flatted street on the Watkin Terrace side, but not on the Beaconsfield Terrace side. In light of this character, it is considered that the change of use of this one property on the Beaconsfield side would not have any significant impact on this overall character.
- 7.5 Policy H23 refers to the floor area of the property and states that permission for conversion to flats will not be granted if the premises have a ground and first floor area of less than 100 square metres and a width of less than 4.7m. The application premises in this case has marginally less than this area of floorspace without the proposed two storey rear extension, at just under 95 square metres, but has an internal frontage of 4.8m. As the policy clearly refers to both criteria, the proposal is technically in compliance with this policy, and in any event this shortfall in area can be viewed as very much marginal.
- 7.6 Furthermore, it is relevant to note that the pre-amble to the policy refers to the need to preserve such premises for single family occupation. In this case the property is stated by the applicants as not being a single family dwelling but a house in multiple occupation, therefore not available for single family occupation.
- 7.7 It must be clarified that there is no record that the lawful use of the premises is as a house in multiple occupation, however evidence has been provided by the applicants which indicates that it is likely that this is the case.
- 7.8 Additionally, it should be noted that an extension to the building is proposed to accommodate the flats, thereby ensuring adequate space within each flat. It is considered, therefore, that the proposed change of use would not conflict with the aims of Policy H23.
- 7.9 Policy H24 of the Local Plan is also relevant, as this refers to conversion to flats wholly or partly in basement areas. The policy states that adequate self-contained access should be provide and also adequate natural daylight. In this case only the kitchen of one of the flats is proposed to be in the basement area. The flat has a separate living room and bedroom and therefore differs from those cases envisaged in the policy, where the only accommodation would be in the basement. In fact it is considered that the kitchen represents additional space, which could be omitted from the scheme without making it unacceptable, by providing a kitchen area within the living room, as with the other flats.
- 7.10 Policy H1 of the Joint Core Strategy is also of relevance, stating that provision should be made for a mixture of house types, the proposal would provide more flats in an area of largely family housing, and is therefore consistent with this aim.
- 7.11 The conversion of the property into three flats is considered to be of acceptable layout, it includes access to the rear garden by occupiers of all three flats, which

is not normally possible when a property of this type is divided into flats. It is considered that in spite of the small extension proposed, that this would not represent over-development of the site.

Impact on adjoining occupiers

- 7.12 To accommodate the three flats, the proposal includes a two storey rear extension, which would be in matching materials and would project as far as the neighbouring single storey extension. The extension would not affect the neighbouring occupiers in respect of loss of light, overshadowing or overlooking, the immediate neighbour has no rear facing window adjacent to the proposed extension whilst there is no side facing window proposed which could result in overlooking of the garden area of the other neighbour.

Impact on the street scene and conservation area

- 7.13 The only alteration proposed to the front of the building is the insertion of a window to the cellar, to provide light to the basement kitchen. Provided this is constructed in appropriate materials, this would not adversely impact on the street scene or the conservation area. A condition is proposed requiring details of materials, including fenestration to be submitted.

Parking / highway issues

- 7.14 In respect of the potential for increased demand for parking, the current use of the premises, whether a family house or a HIMO, would allow for up to five occupiers (in the case of a house 2 parents and three adult children). Each of these could, in theory, have a car. Each of the proposed flats would have one bedroom, and each bedroom could be occupied by up to two persons. Whilst each of these could have a car, it is not necessarily the case that this maximum occupancy would be reached and it is unlikely that even if reached that all occupants would have their own car. Even if this was to occur, only a maximum of one additional car would be added to the street.
- 7.15 It can also be noted that the site is within a relatively sustainable location, close to some local amenities and bus stops on Barrack Road and also within a reasonable walking distance of many more shops and facilities, and further bus stops, on Kettering Road. In order to promote sustainable travel and reduce the dependency on car use, a condition requiring details of cycle storage is proposed.

Refuse Storage

- 7.16 Reference is made by objectors to the amount of refuse which has been left in the street, although there was no evidence of this during the case officer's site visit. In order to offset the potential for inappropriate depositing of rubbish, a condition for the provision of a bin storage area is recommended. There is sufficient space for this and cycle storage within the rear garden area, and direct access to the rear garden for all flats.

8. CONCLUSION

- 8.1 It is considered that the proposal would not be detrimental to the character of the area or the amenities of adjoining occupiers and would not result in any significant increase in demand for parking, and that adequate refuse storage

could be provided. There would be no adverse impact on the street scene or Conservation Area.

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: 13/H159/1, 13/H159/2.

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, including fenestration, 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) 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. The approved facilities shall be implemented prior to the occupation or bringing into use of the building and thereafter maintained.

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

(5) Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented prior to the occupation of the development and retained at all times thereafter.

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

10. BACKGROUND PAPERS

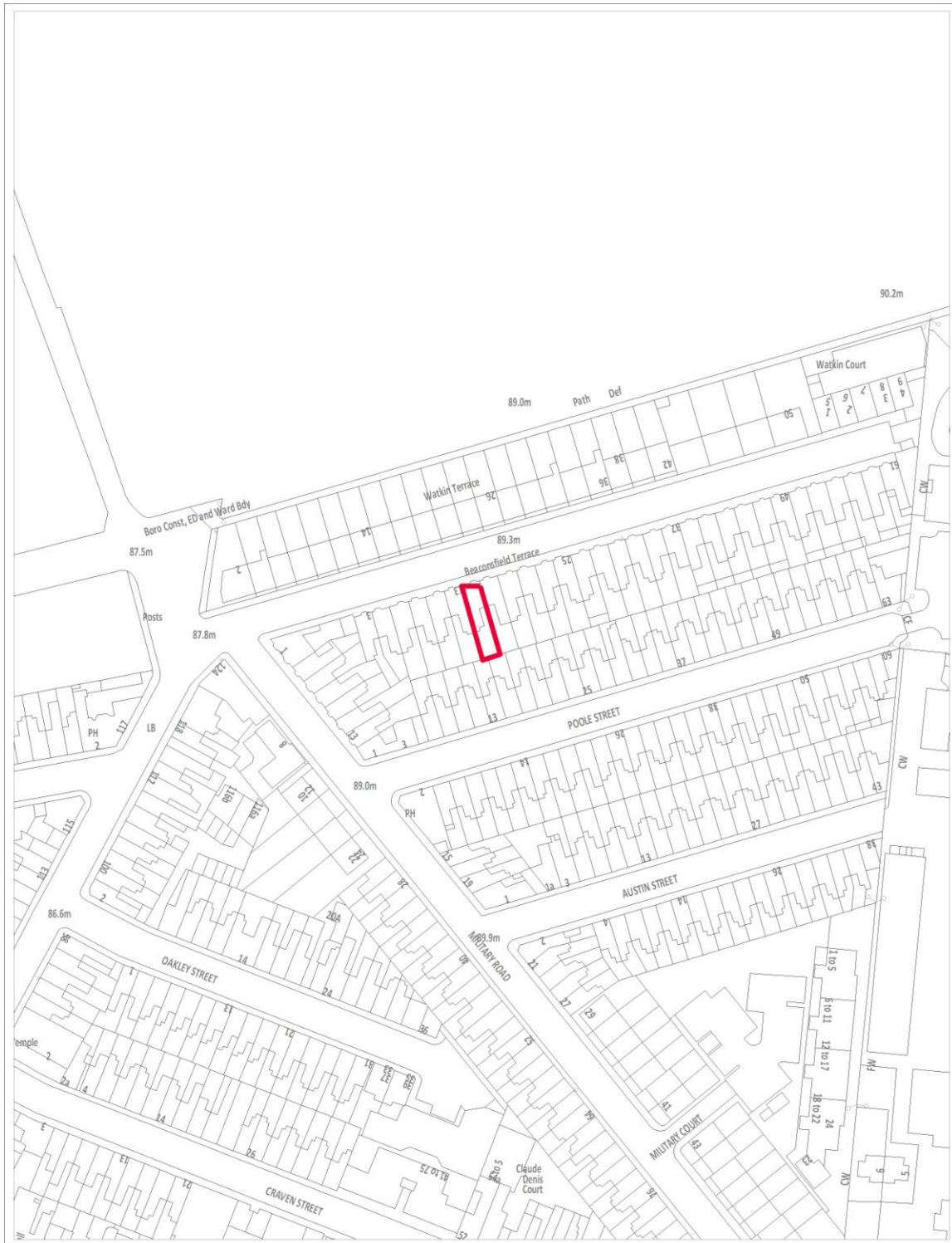
10.1 Application file N/2015/0282

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: 18th June 2015
 Scale: 1:1250
 Dept: Planning
 Project: Planning Committee

Title
15 Beaconsfield Terrace

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PLANNING COMMITTEE: 30th June 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0431: Laying of hard surface and creation of seating areas with associated landscaping to form memorial garden at Towcester Road Cemetery

WARD: Delapre and Briar Hill Ward

APPLICANT: Mrs Vivienne Jameson

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal would be in keeping with the character and appearance of the site and the surrounding area; it would not have a detrimental impact on the setting of the grade II listed building. The proposed development is considered to be in accordance with Policy E20 of the Northampton Local Plan and Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought for the laying of hard surface and creation of seating areas with associated landscaping to form a memorial garden at Towcester Road Cemetery. The memorial garden is intended to provide a quiet grieving area for visitors.

2.2 The memorial garden will incorporate soft planting with low specimen trees and will include bench areas focusing on a central location which will contain a sculpture. This sculpture will be no more than 60cm in height.

2.3 No burials will take place within the boundary of the Memorial Garden.

3. SITE DESCRIPTION

- 3.1 The application site is located to the north eastern side of Towcester Road Cemetery, approximately 135m from the grade II listed Chapel in the centre of the cemetery. Playing fields and residential properties at Friars Court lie to the south and east of the site, with the wider cemetery site to the north and west of the application site.

4. PLANNING HISTORY

- 4.1 There has been no recent 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), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 56: Good design is a key aspect of sustainable development and is indivisible from good planning. Good design should make a positive contribution to making places better for people.

Paragraph 70: Provision should be made for the use of shared space, community facilities and other local services to enhance the sustainability of communities.

Paragraph 131: Local Planning Authorities should take account of new development making a positive contribution to local character and distinctiveness.

Paragraph 132: Consideration should be given to the importance of heritage assets and the significance of the proposed development on the assets conservation.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (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. Policies of particular relevance are:

Policy S10 – Sustainable Development Principles – Development will be expected to achieve the highest standards of sustainable design incorporating safety and security considerations and a strong sense of place, be in a sustainable and protect, conserve and enhance heritage assets and their settings.

Policy BN5 – The Historic Environment and Landscape – In order to secure and enhance the area’s heritage assets and their settings and landscapes.

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

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 – New Development

5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Conservation:** The proposed site of the memorial garden is located close to a grade II listed structure in the centre of the cemetery. Any works proposed in this cemetery will impact upon the setting of this listed building. There are no objections to a memorial garden in this cemetery, however it is advised that new structures are kept to a low level and are softened with planting.

6.2 **Northamptonshire Police:** No objections.

6.3 The development has been advertised by way of site notice, press notice and neighbour letters, no representations have been received.

7. **APPRAISAL**

Principle of the development

7.1 The proposal would provide a memorial garden for grieving families adjacent to an area of the cemetery allocated for the burial of new babies. No burials would take place within the application site. It is considered that the proposal would be in keeping with the character of the wider Towcester Road Cemetery and would not have any significantly detrimental impacts on the continuing use of the cemetery. The proposal would be acceptable in principle and can be viewed as an enhancement of the existing cemetery as it would provide a community facility in accordance with the aims of paragraph 70 of the NPPF.

Impact on the setting of the grade II listed building and visual amenity

7.2 The proposed memorial garden would be located to the north-eastern side of cemetery. It would be a relatively modest development consisting of five benches set out in a circle, surrounded by vertical half sleepers to a height of no more than 1.2m. Specimen trees would be planted between the benches. The benches

would be arranged around a central sculpture figure, which is likely to be a baby in two hands, this sculpture would not exceed 0.6m in height. There would be an inner planting circle surrounding the sculpture and a compacted Breedon gravel path.

- 7.3 It is considered that the proposal would be in keeping with the character and appearance of the site and the surrounding area. The proposal would not be readily visible to neighbouring residential properties due to existing mature planting. The proposed planting to the memorial garden would soften the appearance of the development within the wider area and the mixed planting would provide year round interest.
- 7.4 Conservation Officer stated that any works proposed in this cemetery will impact upon the setting of the listed building. The significance of this impact is a key consideration in the determination of this application. The proposed memorial garden would be located approximately 135m from the listed building and no structures would exceed 1.2m in height and planting would be a prominent feature of the memorial garden. It is not considered that the proposed development would adversely affect the setting of the listed building in accordance with policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and the NPPF.
- 7.5 To ensure an appropriate standard of development, it is considered appropriate to condition further details of the paint finish for the benches and half sleepers and final details of the sculpture, which would be located in the centre of the memorial garden.

Residential amenity

- 7.6 The proposed memorial garden would be located approximately 29m from the nearest neighbouring residential property and would be screened by existing mature planting. Due to the nature of the proposal it is considered that the memorial garden would not cause significant noise or disturbance to neighbouring residential properties.
- 7.7 Northamptonshire Police have confirmed that the cemetery has not had any significant levels of anti-social behaviour in the last twelve months and the local officer has no concerns.
- 7.8 The proposal is considered to be in accordance with policy E20 of the Northampton Local Plan.

8. CONCLUSION

- 8.1 The proposal would be acceptable in principle and would enhance the wider cemetery site by providing a beneficial community facility.
- 8.2 The memorial garden would be in keeping with the character and appearance of the cemetery and would not have a significant impact on the setting of the grade II listed building in accordance with policy E20 of the Northampton Local Plan, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and paragraphs 131 and 132 of the NPPF.
- 8.3 The proposed development would not have any significant detrimental impacts on the amenity or living conditions of nearby residential properties in accordance with policy E20 of the Northampton Local Plan.

9. CONDITIONS

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; D1.1-A, Proposed Garden Layout Plan; D1-A, Proposed Garden Layout Plan.

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

- (3) Prior to the commencement of development, details of the colour finish for the benches and vertical half-sleepers 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 not have a detrimental impact on the setting of the grade II listed building in accordance with Policy E20 of the Northampton Local Plan and Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy. The condition is a pre-commencement condition to allow for the assessment of the final details of the development to ensure that it would not have a detrimental impact on the site or the setting of the grade II listed building.

- (4) Prior to the commencement of development, full details of the proposed sculpture 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 not have a detrimental impact on the setting of the grade II listed building in accordance with Policy E20 of the Northampton Local Plan and Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy. The condition is a pre-commencement condition to allow for the assessment of the final details of the development to ensure that it would not have a detrimental impact on the site or the setting of the grade II listed building.

10. BACKGROUND PAPERS

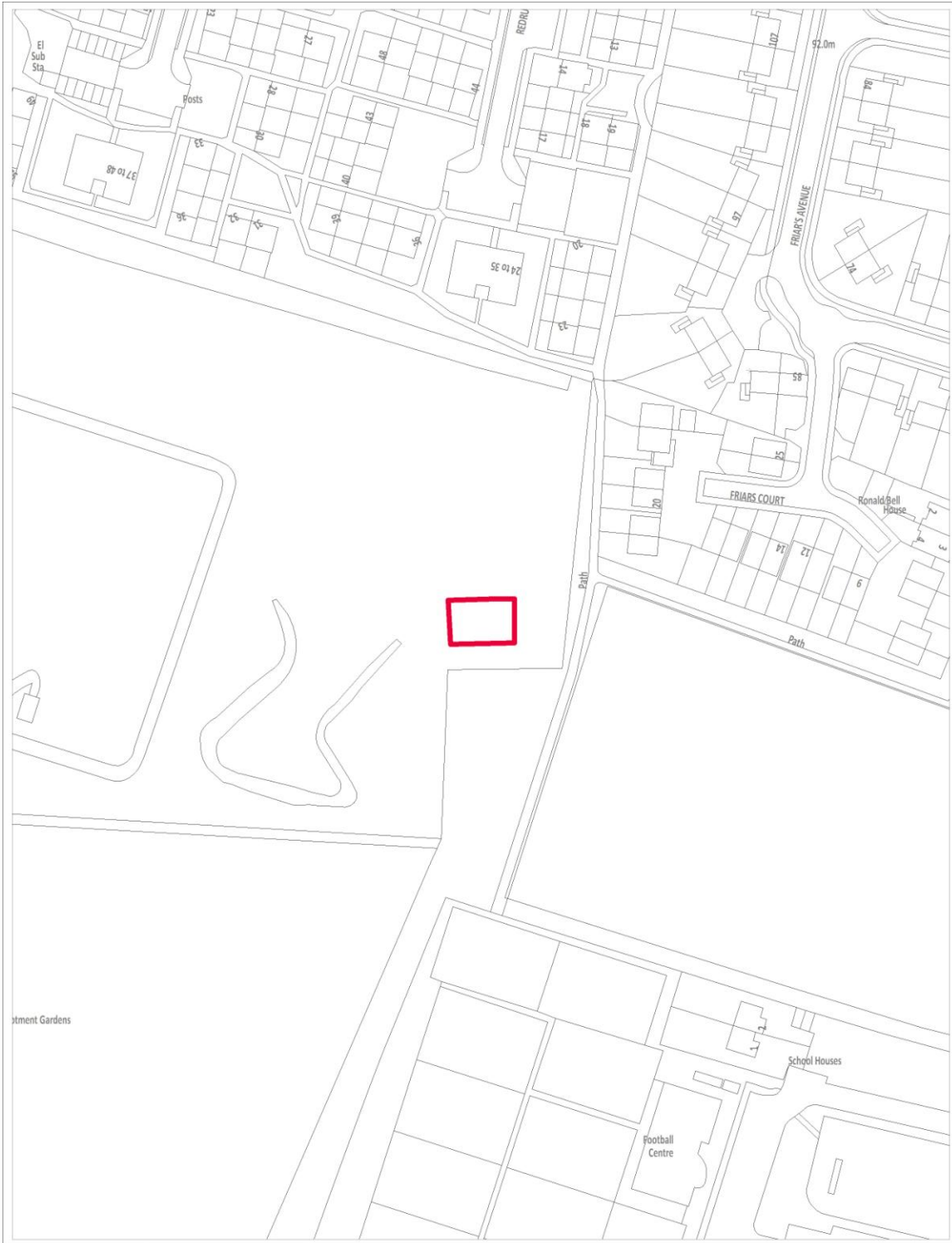
- 10.1 N/2015/0431

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: **15th June 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
Towcester Road Cemetery, Towcester Road

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NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 30th June 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0555: Single storey extension to rear, two storey front extension, new first floor window in side elevation, alterations to first floor rear windows and front porch (part retrospective) at 14 Woodland Avenue

WARD: Phippsville

APPLICANT: Mr. E. McTaggart
AGENT: Mr. I. Flaxman

REFERRED BY: Cllr. A. King
REASON: The proposed development would cause demonstrable harm to the amenities currently enjoyed by the occupiers of neighbouring properties

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development will have no significant undue impact upon the character of the original building, street scene and residential amenity, and is therefore considered acceptable and in accordance with Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for a single storey rear extension, two storey front extension, new first floor window in side elevation, alterations to first floor rear windows and front porch (part retrospective). Although substantially the same as the previously refused scheme, this application includes changes to the design of the front porch i.e. a different design front door and a side window to the proposed porch.

2.2 This application follows the refusal of a previous application ref. N/2014/1264 by the Planning Committee in December 2014 due to the detrimental impact on the amenity of neighbouring residents by reason of overshadowing and loss of light.

3. SITE DESCRIPTION

- 3.1 A 1920's detached dwelling with spacious gardens located in a residential street mostly of similar era dwellings. The street runs north-south, rising slightly to the north, and the application site is on the east side of the road. The dwelling is of a pebble-dash finish with a front gable, turret, and an integral garage. The external alterations to the property are substantially complete.

4. PLANNING HISTORY

- 4.1 N/2013/1054 – single storey front and two storey rear extensions – withdrawn.

N/2014/0311 – single storey rear and two storey front extensions with new first floor side window – approved in May 2014.

N/2014/1264 – single storey rear extension, two storey front extension, new first floor window in side elevation, alterations to first floor rear windows and front porch (part retrospective) – refused in December 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 the saved policies of the Northampton Local Plan (1997).

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following paragraph is of particular relevance to the application:

Paragraph 17 states that high quality design and a good standard of amenity should always be sought for all existing and future occupants of land and buildings.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (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 Policy of particular relevance is:

Policy S10 – Sustainable Development Principles – development will achieve the highest standards of sustainable design and protect, conserve and enhance the natural and built environment.

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 of the Local Plan allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale and appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

Policy H18 of the Local Plan allows for extensions to dwellings provided the design is acceptable and in keeping with the appearance and character of the host dwelling; and the effect upon adjoining properties.

5.6 **Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 Surrounding neighbours and Ward Councillor were notified of the application. At the time of writing this report, responses have been received from nos. 4, 13, 17 Woodland Avenue. Comments are summarised as follows:

- Application does not address reasons for refusal of previous application, and with only minor alterations;
- The extensions exceed what was granted in the first application and overshadow neighbour at no.16;
- The developer had the opportunity to appeal the previous planning decision but chose not to;
- Development would alter the character of the area, particularly if multiple occupancy emerged as the ultimate objective.
- Application should be rejected for the same reason as previous application.

6.2 Councillor Anna King – called-in this application for consideration by the Planning Committee as the proposed development would cause demonstrable harm to the amenities currently enjoyed by the occupiers of neighbouring properties.

7. **APPRAISAL**

Background

7.1 Planning application N/2013/1054 for a single storey front and two storey rear extensions to the property was submitted in October 2013. The application was subsequently withdrawn by the applicant as Officers considered that the proposal was unacceptable due to the potential impact on neighbouring properties.

7.2 A second planning application N/2014/0311 for the two storey front and single storey rear extension was submitted in March 2014. The nearby residents were consulted and a significant number of objection letters received. Following consideration of the submitted proposal against Development Plan Policy, notwithstanding the objections received, the proposal was considered acceptable and the application was determined and approved under delegated powers by Officers, in accordance with the Council's Constitution.

- 7.3 Following the planning approval, the applicant commenced construction work. Unfortunately the development carried out was not fully in accordance with the approved plans, and the applicant submitted application N/2014/1264 to regularise the situation. This application was refused by the Planning Committee in December 2014, against Officer's recommendation. The reason of refusal states:

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

- 7.4 The applicant subsequently appealed against the refusal. However, the appeal was not accepted by the Planning Inspectorate as it was received outside the statutory 12 week time frame.
- 7.5 The current application is a re-submission of the previously refused application N/2014/1264 (which is now largely built) with changes to the design of the proposed front porch (which is not yet built).

Principle of Development

- 7.6 The difference between refused application N/2014/1264 and the originally approved scheme (N/2014/0311) relates to the height of the flat roof rear extension in that the overall height has been increased by 0.4m to 3.5m. This part of the proposal is now substantially complete. The proposed two storey front extension would remain the same in terms of scale and design as that previously approved.
- 7.7 Notwithstanding the increase in height of the rear extension and with the addition of a front porch, it is considered that the principle of development has been established by the previous approval in that the footprint of the rear single storey extension and the two storey front extension remains the same.
- 7.8 Although the proposed development is substantially complete, Members are reminded that retrospective development itself is not a valid reason for refusal of planning permission and each application shall be determined according to its merits base on material planning considerations.

Design and Layout

- 7.9 The proposed front porch has a single-pitch roof and will project 1m beyond the garage frontage, but not beyond the existing bay-window frontage. In design terms this is considered acceptable, as it will not significantly detract from the character and appearance of the host dwelling or the street scene. A double front-door is now proposed, together with a small side window on the north side.
- 7.10 The two storey front extension creates a matching front gable to existing and would provide a balanced feature to the frontage. The proposed roller shutter garage door type is commonly used in dwellings and it is considered that the proposal is acceptable in terms of design and layout.
- 7.11 The rear extension projects 5.8m and has a flat roof with two roof lanterns. Although it is substantial in size, it is not considered to be out of keeping with the host building bearing in mind that the application site is contained within a spacious

plot. Notwithstanding the increase in height by 0.4m, it is considered that the design is acceptable.

Residential Amenity

- 7.12 In terms of neighbour amenity, it is considered that the additional height to the rear extension does not add substantially to impacts of overshadowing or overbearing over that previously approved. This takes into account existing permitted development rights, which permit single storey rear extensions up to 4m high overall, 3m at the eaves, and a 4m projection.
- 7.13 The northeast corner of the rear extension falls within the 45 degree visibility splay from the rear ground floor window at no.16, however, bearing in mind that an outbuilding was previously positioned on the boundary, it is not considered that the extension, which is 1m from the boundary line, would cause unacceptable impact.
- 7.14 The front extension is exactly the same as that previously approved, and it is considered that it does not unduly impact on the residential amenity of neighbouring properties.
- 7.15 It is also considered that the proposed front porch would not cause undue impact upon the residential amenity of neighbouring properties.

Parking

- 7.16 The garage proposed is relatively small as compare with normal size garage but can be used to house a variety of items/vehicles at the property owner's discretion. There will still remain enough space to the front of the property for two vehicles to park off street, and this is considered acceptable and would not have undue impact on highway safety.

8. CONCLUSION

- 8.1 It is considered that the proposed development would be in keeping with the character of the building and the street.
- 8.2 Apart from the proposed porch, the remainder of the proposal remains substantially the same as the previous application which was refused by the Planning Committee. However, it is considered that the additional height of the rear extension is not significant enough to impact on neighbouring properties in terms of overshadowing and overbearing to warrant refusal of this application.
- 8.3 Accordingly, this application is considered to be in line with Development Plan polices and recommended for approval.

9. CONDITIONS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 13/E178/12e, 13/E178/1A.

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

(2) The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extensions harmonise with the existing building in accordance with Policy H18 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 Application files N/2014/0311, N/2014/1264, N/2015/0555

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: **15th June 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
14 Woodland Avenue

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