PLANNING AGENDA

Tuesday, 29 September 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
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 of enter into dialogue with Councillors, Officers or other speakers.

- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered

- Confine your points to Planning issues: Don’t refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.

- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers

- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.
AGENDA

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. DECLARATION OF INTEREST/PREDETERMINATION
5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED
6. LIST OF CURRENT APPEALS AND INQUIRIES
   (Copy herewith)
7. OTHER REPORTS
8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
   None
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
   (A) N/2015/0782 - INSTALLATION OF SECONDARY GLAZING. HOME FARM, EAGLE DRIVE
   (Copy herewith)
10. ITEMS FOR DETERMINATION
    (Addendum attached)
    (A) N/2015/0334 - ERECTION OF A TWO STOREY NEW PRIMARY SCHOOL WITH EXTERNAL PLAY AREAS AND CAR PARK. MALCOLM ARNOLD ACADEMY, TRINITY AVENUE
    (Copy herewith)
    (B) N/2015/0421 - SINGLE STOREY EXTENSION TO CAFÉ. PARK CAFE ABINGTON PARK, WELLINGBOROUGH ROAD
    (Copy herewith)
(C) N/2015/0705 - DEMOLITION OF CHURCH ROOMS AND ERECTION OF 5 NO. TOWN HOUSES. ABINGTON CHRISTIAN CENTRE, LEA ROAD

(Copy herewith)

(D) N/2015/0706 - DEMOLITION OF CHURCH AND ERECTION OF 5 NO. TOWN HOUSES. GOSPEL HALL, ADNITTT ROAD

(Copy herewith)

(E) N/2015/0845 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2014/0629 (ERECTION OF 54 DWELLINGS AND NEW FOODSTORE) TO ALLOW PROPOSED CHANGES TO ELEVATIONS AND CONFIGURATION OF RETAIL STORE AND CAR PARK/SERVICE AREAS. FORMER W GROSE GARAGE SITE, KINGSTHORPE ROAD

(Copy herewith)

(F) N/2015/0865 - VARIATION OF CONDITION 6 OF PLANNING PERMISSION N/2013/0620 (CHANGE OF USE TO YOUNG PERSONS' DROP IN CENTRE) TO ALLOW ADDITIONAL OPENING HOURS BETWEEN 9:30AM TO 9:30PM ON SATURDAYS, ANCILLARY BUILDING IN ABINGTON PARK, WELLINGBOROUGH ROAD

(Copy herewith)

(G) N/2015/0933 - TWO-STOREY REAR EXTENSION AND CHANGE OF USE TO TWO SELF-CONTAINED FLATS. RETROSPECTIVE APPLICATION. 58 GRAY STREET

(Copy herewith)

(H) N/2015/0952 - FORMATION OF HARD STANDING AND ERECTION OF SIDE/FRONT BOUNDARY WALL (PART RETROSPECTIVE). 24 LITTLE GULL CLOSE

(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:-
PRESENT: Councillor Oldham (Chair); Councillors Aziz, Birch, Davenport, Golby, Haque, Hill, Lane, Larratt and McCutcheon

OFFICERS: Steve Boyes (Director of Regeneration, Enterprise and Planning), David Hackforth (Interim Head of Planning), Rita Bovey (Development Manager), David Rowen (Development Management Team Leader) Ben Clarke (Senior Planning Officer) and Jason Field (Solicitor).

1. APOLOGIES
Apologies for absence were received from Councillor Lynch.

2. MINUTES
The minutes of the meeting held on the 28th July 21015 and the reconvened meeting on the 4th August 2015 were agreed and signed by the Chair.

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/2015/0624
Mrs Neelam Aggarwal-Singh DL

N/2015/0647
Mr Arthur Newbury
Mr John Pentland
Mr Thomas Bode

N/2015/0750 & N/2015/0749 & N/2015/0755
Mr Ifty Choudary

N/2015/0811
Ms Elaine Jones
Mrs Janice Tapp
Mr Tim Hadland
Mr Tad Dobraszczyk

N/2015/0864
Mr Bob Smart
4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Golby declared a personal non pecuniary interest in Item 10e – N/2015/0647, as a County Council Cabinet Member for Learning, Skills and Education.

Councillor Aziz declared a personal non pecuniary interest in Item 10e – N/2015/0647 as the Ward Councillor.

Councillor McCutcheon declared a personal non pecuniary interest in Item 10d – N/2015/0624 as a County Councillor for the Headlands Ward.

Councillor Larratt declared a personal non pecuniary interest in Item 10e – as a County Councillor but not related to Education.

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

None.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was noted that the Planning Inspectorate had agreed with the Council’s decision with regards to application N/2014/0772 and the appeal had been dismissed.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) LOCAL VALIDATION REQUIREMENTS

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was explained that the revised draft Local Validation List needed to be reviewed every 2 years and since it was adopted in September 2013, it was necessary for a review to be carried out in accordance with Planning Legislation. In response to questions asked, it was explained that travel plan was very detailed and would normally require developers to monitor modal movement.

RESOLVED: That the revised draft Local Validation List be APPROVED.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None
10. **ITEMS FOR DETERMINATION**

**(A) N/2014/1163 - ERECTION OF 44 APARTMENTS WITH ASSOCIATED PARKING AND LANDSCAPING. VICTORIA BUSINESS PARK, ST JAMES PARK ROAD**

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration and elaborated thereon. It was explained that the development was for the erection of 18 one bed units and 26 two beds apartments (not 25 as in the report). It was noted that if the scheme be approved there would be no affordable housing provided on site as it had been demonstrated that this would render the scheme unviable.

In response to a question, it was confirmed that an obligation to fund improvements to Victoria Park could be justified; however, this would need to be the subject of further viability assessments. Accordingly, it was recommended that delegated authority be given to the Director of Regeneration, Enterprise and Planning to continue discussions with the applicant in order to ascertain whether such a contribution is possible.

The Committee discussed the report.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to conditions and the matters in paragraphs 1.1 and 1.2 of the report. In addition, Delegated authority be given to the Director of Regeneration, Enterprise and Planning to continue discussions with the applicant in order to ascertain whether a contribution towards improvement to Victoria Park is possible.

**(B) N/2015/0473 - VARIATION OF CONDITION 17 OF PLANNING APPLICATION N/2013/1143 TO INCREASE THE MAXIMUM AMOUNT OF FLOORSPACE THAT MAY BE OCCUPIED BY LIMITED ASSORTMENT DISCOUNT FOODSTORE TO 2,800 METRES. GAS HOLDER SITE, TOWCESTER ROAD**

The Senior Planning Officer submitted a report submitted by the Director of Regeneration, Enterprise and Planning. Member’s attention was drawn to the additional information that was provided in the addendum. The recommendation was for the approval in principle of the application with amended recommendation as contained in the addendum.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and prior finalisation of a S106 agreement to secure the previously agreed appropriate financial contribution towards improvements of the pedestrian environment in the form of enhanced paving to Horsemarket.

Delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any additional issues raise in comments received not dealt with in
the report and issue planning permission after the consultation period has expired, following the completion of the S106 agreement.

(C) N/2015/0611 - CHANGE OF USE OF LAND FOR ERECTION OF DECKING IN ASSOCIATION WITH BAR/RESTAURANT (RETROSPECTIVE APPLICATION MIDSUMMER MEADOW, BEDFORD ROAD

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

The Committee discussed the report.

RESOLVED:

That the application be APPROVED subject to conditions and reasons set out in the report.

(D) N/2015/0624 - ERECTION OF 2NO PORTACABINS; ONE TO BE USED AS VISITORS CENTRE AND ONE FOR ADMIN/MEETING SPACE. WESTON FAVELL PARISH HALL, BOOTH LANE SOUTH

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning. It was explained that the report was for recommendation for approval subject to conditions set out in the report.

Mrs Neelam Aggarwal Singh (DL) addressed the Committee as the Chair of the Indian Hindu Welfare Organisation and spoke in favour of the application. She stated that the temporary portacabins would be beneficial as it would allow a number of activities to be established, which had been put on hold due to the lack of facilities.

The Committee discussed the report.

RESOLVED:

That APPROVAL be granted subject to the conditions and reasons set out in the report.

(E) N/2015/0647 - OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS (FROM PENFOLD CLOSE/NORTHFIELD WAY) FOR RESIDENTIAL DEVELOPMENT OF UP TO 195 DWELLINGS, PUBLIC OPEN SPACE AND ASSOCIATED ACCESS. FORMER KINGSTHORPE MIDDLE SCHOOL SITE, NORTHFIELD WAY

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The Members were asked also to refer to further information contained within the addendum. Members were also informed that comments had been received from the Lead Local Flood Authority and that a further condition related to the maintenance of the drainage system was recommended. The heads of terms that would be secured following the Section 106 Legal Agreement was listed.
Mr Arthur Newbury addressed the Committee as a Kingsthorpe resident and spoke against the application. He cited overdevelopment as a reason for his objection and impact on traffic and insufficient infrastructure. In response to questions asked, Mr Newbury stated that he had no issue with development on the land, but the impact on the current infrastructure would be untenable.

Mr John Pentland as a representative of Kingsthorpe Middle School Residents Association spoke against the application stating that minor adjustments to the number of dwellings would not satisfy the needs of local residents. He estimated that there would be an extra 400 road movement per day as a consequence.

Mr Thomas Bode (agent) spoke in favour of the application. He stated that it was a re-submission of a previous application. He confirmed that the site has not been used since 2007 and was surplus to educational needs. He commented that there would be no residual problem with traffic as the site would allow residents to use a vast array of transport services such as cycle –paths.

In response to questions asked, the Senior Planning officer explained that the section 106 money would deliver wide ranging services including roundabouts and traffic lights which had been assessed by the Highways Authority. It was noted that a Section 106, could only secure money to mitigate the impacts of the development and therefore funds could not be secured for general community spending. Nonetheless, a financial contribution would be secured in order to fund improvements to the surrounding open space and sports facilities.

In response to questions, the Chair confirmed that the Local Highway Authority should be contacted to seek possibility that Highway Officers to attend Planning Committee meetings in the future.

The Committee discussed the report.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the conditions set out in the report and the addendum and the matters in paragraphs 1.1 to 1.4 of the report and subject to consultation with the adjacent allotment association. Delegated authority was given to the Director of Regeneration, Enterprise and Planning to resolve any issues arising from this additional consultation.

(F) N/2015/0750 & N/2015/0749 & N/2015/0755 - CHANGE OF USE FROM RETAIL (A1) TO RESTAURANT/CAFÉ (A3) INCLUDING OUTDOOR SEATING AREA AND REDECORATION OF SHOP FRONT. DISPLAY ILLUMINATED FASCIA SIGN AND ILLUMINATED PROJECTING SIGN. DISPLAY ILLUMINATED LETTERING AND ILLUMINATED PROJECTING SIGN - ALL AT 24 MARKET SQUARE

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. Members’ attention was drawn to the information provided within the addendum. It was explained that whilst there was one
agenda item, three applications had been submitted, which needed to be considered together; however, three separate decisions would need to be made.

Mr Ifty Choudary, spoke in favour of the application and remarked that the application would improve the area and bring much needed employment, with the creation of 25 to 30 jobs.

The Committee discussed the report.

RESOLVED:

That application N/2015/0750 be APPROVED subject to the conditions and reasons set out in the report.

That application N/2015/0749 be APPROVED subject to Standard Advertisement Conditions.

That application N/2015/0755 be APPROVED subject to Standard Advertisement Conditions.

(G) N/2015/0811 - ERECTION OF DETACHED 3-BED DWELLING AT THE REAR TOGETHER WITH PARKING SPACES AND WIDENING OF EXISTING VEHICULAR ACCESS. RE-SUBMISSION OF PLANNING APPLICATION N/2015/0275. 279 MAIN ROAD, DUSTON

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning. It was noted that the officer’s recommendation was for the refusal of the application. The Development Management Team Leader also pointed out that there was an error in the report paragraph 6.2 in that an objection was submitted by 96 Park Lane and not 279 Main Road.

Mrs Elaine Jones spoke in favour of the officer recommendations and stated that she was concerned about its proximity to other dwellings and the invasion of privacy.

Mrs Tapp spoke in favour of the officer recommendations for refusal and commented that the application was not in keeping with the surrounding area and questioned whether the dwelling could end up with a loft conversion.

Mr Hadland, the applicant, spoke in favour of the application and explained that it was on an area of his garden currently overgrown with vegetation. He explained that he intended to live in his current property for as long as possible and that the property was being built to let. In response to questions asked, Mr Hadland explained that there were other back land developments in the area and along Main Road; there were four houses that had been permitted to build in the gardens, some being two and a half floors high.

Mr Dobraszczyk, as the architect, spoke on behalf of the applicant. He stated that there was no prohibition of back land development and explained that the bungalow would be sustainable and would not have an impact on the local amenities. When asked why they had not appealed the previous refusal for the dormer bungalow, Mr
Dobraszczyk explained that it was unnecessary as they had addressed the issue that
had been raised.

The Committee discussed the application.

The Interim Head of Planning advised that the Committee would need to be clear
about the reasons for approval, if they were minded to grant planning permission.
Given the decision to refuse permission earlier in the year, the Committee would
need to specify what is now different and why a previous reason for refusal is no
longer considered to be relevant. The Committee might, for example, consider that,
with the removal of the dormer windows, one of the previous reasons for refusal had
been overcome and that, on balance, any remaining harm from “backland”
development would be outweighed by the benefit of securing an additional residential
property.

**RESOLVED:**

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

With the removal of the dormer windows previously refused the development would
have a satisfactory relationship with neighbouring properties in terms of amenity and
the harm caused by the backland nature of the development would be outweighed by
the benefit of the creation of a dwelling and its contribution to the Borough's five year
housing land supply

In addition, delegated authority being granted to the Director of Regeneration,
Enterprise and Planning in consultation with the Chair of the Planning Committee to
formulate appropriate planning conditions with the planning permission.

(H)  N/2015/0816 - ERECTION OF FRONT PORCH. 14 WOODLAND AVENUE

The Development Manager submitted a report on behalf of the Director of
Regeneration. Enterprise and Planning and elaborated thereon. Members noted that
the application was for approval.

The Committee discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons set out in
the report.

11.  **ENFORCEMENT MATTERS**

None.
12. ITEMS FOR CONSULTATION

(A) N/2015/0864 - OUTLINE APPLICATION FOR UP TO 41 DWELLINGS, ESTATE ROAD, OPEN SPACE AND ASSOCIATED WORKS. LAND AT WELFORD ROAD, BOUGHTON.(CONSULTATION BY DAVENTRY DISTRICT COUNCIL)

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

The Committee discussed the report.

RESOLVED:

The Northampton Borough Council OBJECT to the principle of the development as it is unacceptable in advance of adequate highway infrastructure being provided to serve the north-west of Northampton

The meeting concluded at 9.13pm
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<thead>
<tr>
<th>Application</th>
<th>DEL/PC</th>
<th>Description</th>
<th>Decision</th>
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<tbody>
<tr>
<td>N/2014/1123 APP/V2825/W/15/3002726</td>
<td>DEL</td>
<td>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</td>
<td>DISMISSED</td>
</tr>
<tr>
<td>N/2014/1239 APP/V2825/W/15/3006056</td>
<td>DEL</td>
<td>Change of use of ground floor from retail (use class A1) to juice bar at 7 The Parade</td>
<td>AWAİTED</td>
</tr>
<tr>
<td>N/2015/0211 APP/V2825/X/15/3063787</td>
<td>DEL</td>
<td>Lawful Development Certificate for an existing single storey rear extension at 69 Raeburn Road</td>
<td>AWAİTED</td>
</tr>
<tr>
<td>N/2015/0364 APP/V2825/D/15/3133232</td>
<td>DEL</td>
<td>Part two storey and part single storey front extension, garage conversion to habitable accommodation and formation of hardstanding at 30 Thrupton Drive</td>
<td>AWAİTED</td>
</tr>
<tr>
<td>N/2015/0470 APP/V2825/W/15/3127982</td>
<td>DEL</td>
<td>Erection of detached machinery store including access and retaining wall. (Resubmission of planning application N/2014/1180) at Pearces Bungalow, 2 Wellingborough Road</td>
<td>AWAİTED</td>
</tr>
<tr>
<td>N/2015/0530 APP/V2825/D/15/3132925</td>
<td>DEL</td>
<td>Front dormer extension with extension to existing rear dormer at 27 Grayhurst Close</td>
<td>AWAİTED</td>
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**Public Inquiry**

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<tr>
<td>N/2013/0338 APP/V2825/A/14/2228866</td>
<td>PC</td>
<td>Site at Land to East of Hardingsstone, 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 1,200 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 ended on 30th July at Franklin Gardens, Weedon Road</td>
<td>AWAİTED</td>
</tr>
<tr>
<td>N/2013/1035 APP/V2825/W/15/3028151</td>
<td>PC</td>
<td>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 – Public Inquiry to begin on the 1st of December at Franklin Gardens, Weedon Road</td>
<td>AWAİTED</td>
</tr>
<tr>
<td>N/2013/1063 APP/V2825/W/15/3028155</td>
<td>PC</td>
<td>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 - Public Inquiry to begin on the 1st of December at Franklin Gardens, Weedon Road</td>
<td>AWAİTED</td>
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<td>Hearing</td>
<td>None</td>
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<tr>
<td>Enforcement Appeal</td>
<td>None</td>
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The Address for Planning Appeals is:
Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at -
www.planningportal.gov.uk

Local Government (Access to Information) Act 1985
Background Papers
The Appeal Papers for the appeals listed

Author and Contact Officer
Mrs Rita Bovey, Development Manager
Telephone 01604 837237
Planning and Regeneration
The Guildhall, St Giles Square, Northampton, NN1 1DE
PLANNING COMMITTEE: 29th September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0782: The installation of secondary glazing at Home Farm, Eagle Drive
WARD: Delapre & Briar Hill
APPLICANT: Northampton Borough Council
AGENT: N/a
REFERRED BY: Director of Regeneration, Planning and Enterprise
REASON: Property is owned by Northampton Borough Council
DEPARTURE: No

APPLICATION FOR DETERMINATION BY:

1. RECOMMENDATION

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

The proposed works would not result in the loss of the historic fabric or harm to the significance of the heritage asset and is in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application is for listed building consent for the installation of secondary glazing to the existing timber windows of the Grade II listed farmhouse to improve the overall efficiency of the building and improve living conditions. The proposal includes the repair and refurbishment of the existing windows and doors which are currently in poor condition. These works do not require listed building consent being considered a repair. The existing glazing within the windows would be retained.

3. SITE DESCRIPTION

3.1 Home Farm is a Grade II listed farmhouse with an associated equestrian business and buildings located to the west of the A45 Brackmills Interchange situated in a semi-rural area accessed via Eagle Drive. A hotel is located on the
land to the north and Delapre Golf Course located to the west of the site. The property is owned by the Council.

4. **PLANNING HISTORY**

4.1 91/0978 – Conversion of farmhouse to bed and breakfast. Approved 19.02.92.

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).

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 131 advises on the desirability of sustaining and enhancing heritage assets.

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 BN5 seeks to ensure designated heritage assets and their settings are conserved and enhanced.

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **NBC Conservation** – Home Farm is a Grade II listed building built between 1830 and 1855 and is a good example of regency architecture. The principle of secondary glazing is acceptable but it is important that the method of installation respects window features both internally and externally. It is important for the existing internal shutter to be operable following the fitting of secondary glazing. A condition is recommended to require further details of the means of installation, particularly for those windows with vertically sliding shutter boxes, where a new frame is to be mounted inside the window.

7. **APPRaisal**

7.1 The main issue for consideration is the impact of the installation of secondary glazing on the historic fabric, character and appearance of the listed building.
7.2 The proposed secondary glazing would be installed within the reveals of the existing timber windows. The existing window openings are large with a high proportion of glass. The installation of secondary glazing would enhance the energy efficiency of the property and improve living conditions for the occupants.

7.3 The proposed works would assist in ensuring that the listed building remains habitable and in continual use assisting in the preservation of this heritage asset. The proposed repairs would enhance the overall appearance of the building and, subject to agreeing the specific details of the installation of the secondary glazing by condition, it is considered that there would be no significant harm to the overall fabric and character of the listed building.

8. CONCLUSION

8.1 The proposed works are considered to be in accordance with the requirements of both national and local planning policy and would not result in the loss of historic fabric or harm to the significance of this heritage asset. The application is therefore recommended for approval.

8.2 As the application site is owned by the Council, in accordance with planning legislation requirements, the application would need to be referred to the Secretary of State for works to a Grade II listed building.

9. CONDITIONS

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, drawing nos. 60589-001 & 002, Schedule of External Repairs to External Doors and Windows, submitted Selectaglaze details and additional details received 20/08/15.

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

(3) Notwithstanding the submitted details prior to the installation of the secondary glazing hereby permitted a detailed Method Statement for the means of installation of the secondary glazing shall be submitted for approval in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure the fabric and significance of the heritage asset is maintained in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework. It is a pre-commencement condition to ensure details are submitted in a timely manner.

10. BACKGROUND PAPERS

10.1 N/2015/0782
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.
9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9a
N/2015/0782
Installation of secondary glazing
Home Farm, Eagle Drive

No update.

10. ITEMS FOR DETERMINATION

10a
N/2015/0334
Erection of a two storey new primary school with external play areas and car park
Malcolm Arnold Academy, Trinity Avenue

The applicant has been in contact with the Council expressing concern that if the application is approved in principle subject to the finalisation of a S106 Agreement then there would be a significant delay in the issue of planning permission, resulting in the applicant not able to deliver the school building on time. There would then be a risk that the primary school would have to close.

Officers Response:

Having consulted with the Highway Authority on the matter it is now considered that the necessary highway improvements including public consultation on the improved pedestrian facilities can be secured by planning conditions. The application is now recommended for APPROVAL subject to the following amended and additional planning conditions.

Amended Condition 4:

A scheme shall be submitted to and approved in writing by the Local Planning Authority that specifies the external sources of noise on the site and the provisions to be made for its control. The approved scheme shall be implemented prior to the development coming into use and the applicant shall demonstrate that the scheme approved has achieved its design criteria.

Reason: In the interests of the amenity of adjoining occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Amended Condition 8:

A detailed hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority, including surface treatments for roads and parking areas for the development hereby permitted. 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.

Amended Condition 10:
Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be occupied until full engineering, drainage and constructional details of the highway works currently shown indicatively on plan ref: 616417/SK07 Rev A appended to the July 2015 report have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted.

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

**Amended Condition 11:**

Notwithstanding the submitted information, the development hereby permitted shall not be occupied until a scheme for improving pedestrian facilities and an associated parking scheme on Trinity Avenue has been consulted upon with the local community (with the consultation process to be agreed in writing by the Local Planning Authority prior to being undertaken), following consultation the scheme shall be submitted to and approved in writing by the Local Planning Authority and thereafter fully implemented prior to the occupation of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

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

**Additional Condition 25:**

Notwithstanding the submitted information, the development hereby permitted shall not be occupied until a scheme for alterations to the signals at the junction between Trinity Avenue and St. Georges Avenue has been submitted to and approved in writing by the Local Planning Authority and thereafter fully implemented prior to the occupation of the development hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

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

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<tr>
<th>10b</th>
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<tr>
<td>Single storey extension to café.</td>
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<td>Park Cafe Abington Park, Wellingborough Road</td>
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<td>Item WITHDRAWN from agenda.</td>
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<td>Abington Christian Centre, Lea Road</td>
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<td>Councillor D Stone wishes to bring to the attention of the Committee that she objects to the application.</td>
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**Officers Response:**

Councillor Stone's objections have been summarised within the Committee report.

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<td>Demolition of church and erection of 5 no. town houses</td>
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<tr>
<td>Gospel Hall, Adnitt Road</td>
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<tr>
<td>Councillor D Stone wishes to bring to the attention of the Committee that she objects to the application.</td>
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**Officers Response:**

Councillor Stone’s objections have been summarised within the Committee report.

One additional objection has been received from the owner of **123 Adnitt Road** making the following comments:

- The development would be too close to 123 Adnitt Road;
- Have a prescriptive right of light for the three side windows;
- Will take out an injunction against the land owner to prevent any building close to these windows.

**Officers Response**

The impact of the development on 123 Adnitt Road is discussed in the committee report. Prescriptive right to light and an injunction are legal matters and would not warrant reasons for refusal of the application.

### 10e

**N/2015/0845**  
Variation of Condition 2 of planning permission N/2014/0629 (erection of 54 dwellings and new foodstore) to allow proposed changes to elevations and configuration of retail store and car park/service areas  
Former W Grose garage site, Kingsthorpe Road

No update.

### 10f

**N/2015/0865**  
Variation of Condition 6 of planning permission N/2013/0620 (Change of use to young persons’ drop in centre) to allow additional opening hours between 9:30am to 9:30pm on Saturdays  
Ancillary Building Abington Park, Wellingborough Road

No update.

### 10g

**N/2015/0933**  
Two-storey rear extension and change of use to two self-contained flats. Retrospective application  
58 Gray Street

**Councillor D Stone** wishes to bring to the attention of the Committee that she objects to the application.

**Officers Response:**

Councillor Stone’s objections have been summarised within the Committee report.

### 10h

**N/2015/0952**  
Formation of hard standing and erection of side/front boundary wall (part retrospective)  
24 Little Gull Close

**Councillor D Meredith** – no objections regarding boundary wall and drive and asked whether the application could be determined under delegated decision.
PLANNING COMMITTEE: 29th September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes
N/2015/0334: Erection of a two storey new primary school with external play areas and car park at Malcolm Arnold Academy, Trinity Avenue
WARD: Trinity
APPLICANT: Mr Gary McGinty
AGENT: Gotch, Saunders and Surridge
REFERRED BY: Cllr J. Birch
REASON: Impact on traffic congestion and safety of existing and proposed pupils
DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would result in the satisfactory reuse of this previously developed site on account of the proposal representing a sustainable development that would address the established need for primary schools within Northampton. The proposed development would be of a satisfactory scale and design and would not unduly impact on the character and appearance of the area. With the proposed mitigation measures, the proposal would not adversely impact on highway safety. The proposal is therefore in compliance with the National Planning Policy Framework, Policies C2, E6, H2, S10, B7, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Policies E20, L2 and T22 of the Northampton Local Plan.

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

i) improving pedestrian facilities on Trinity Avenue;
ii) the upgrade of the signal control at the Trinity Avenue/St Georges Avenue junction; and
The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. **THE PROPOSAL**

2.1 The application seeks planning permission to erect a new primary school within the grounds of the Malcolm Arnold Academy (MAA) a secondary school located on Trinity Avenue. The proposed school will be a 2 form entry primary school for 420 pupils aged 4 - 11 years. The proposal is for the erection of a two storey building with hard and soft play areas, car parking for 32 cars and an area of landscaping.

2.2 The application is supported by:

- Acoustic Design Report
- Ground Investigation Survey
- Sub Site Survey and Topography
- Tree Survey and Arboricultural Method Statement
- Ecological Appraisal
- Transport Assessment and Travel Plan

2.3 A public consultation event was undertaken by the applicant’s agent prior to the submission of the planning application. A public consultation report collating feedback from the event has been submitted.

3. **SITE DESCRIPTION**

3.1 The site is approximately 0.83 hectare in size and is located on the west side of Trinity Avenue and forms part of the Malcolm Arnold Academy. The site lies to the south of the existing secondary school building and consists of a grassed area and hardstanding. To the south and west of the site are buildings forming Northampton University. To the east of the site on the opposite side of Trinity Avenue are residential properties and Bethany Homestead. Also located on Trinity Avenue to the north east of the site is Fairfield School.

4. **BACKGROUND**

4.1 The proposed application site is located within the site of Malcolm Arnold Academy Secondary School. In 2005 Northamptonshire County Council granted consent for the demolition of school buildings (Trinity Upper School) and the new build of a school (formerly Unity College, now Malcolm Arnold Academy). The application site was originally occupied by buildings used by the school prior to its demolition. The buildings comprised a swimming pool and a teaching block (the
Pearson Building) dating from the 1960s. These buildings were demolished in around 2012.

4.2 Malcolm Arnold Prep School (MAPS) opened in September 2014 operating from classrooms within Malcolm Arnold Academy (MAA). 60 reception pupils were accommodated and another 60 pupils joined in September 2015. It is proposed that 60 pupils will join in each forthcoming year until the school fills its capacity of 420 pupils. Whilst the school will operate from the Malcolm Arnold Academy for the next academic year, it does not have the physical space available to sustain this situation. The application for the erection of the schools own premises has therefore been submitted.

4.3 RELEVANT PLANNING HISTORY

N/2014/0634 – Erection of 2no. temporary portacabins - Approved subject to conditions.

72/1080 – Construction of a swimming pool - Deemed granted.

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 states that planning decisions should

- seek to secure high quality design and a good standard of amenity for all existing and future occupiers
- take into account the different roles and character of different areas
- encourage the effective use of land by re-using land that has previously developed
- Manage growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are sustainable
• Deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 32 states that developments that generate significant amounts of movement should be supported by a Transport Statement or Assessment and development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 34 states that plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 36 states that all developments which generate significant amounts of movement should be required to provide a Travel Plan.

Paragraph 56 strengthens the requirement for good design and states that it is important to plan positively for the achievement of high quality individual buildings and public and private spaces. A further consideration is paragraph 60 which states that planning decisions should not attempt to impose architectural styles or particular tastes.

Paragraph 61 requires that planning decisions address the connections between people and places and the integration of new developments with the environment.

Paragraph 72 states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that would widen choice in education and they should give great weight to the need to create, expand or alter schools.

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:

SA – Presumption in favour of sustainable development – Local Authorities will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework.

C2 – New Developments – states that new development should maximise travel choice from non-car modes and should be supported by a transport assessment and travel plan.

E6 – Education, Skills and Training – states that the new educational facilities will be encouraged and should be developed at sites which are accessible by sustainable transport modes.

S10 – Sustainable Development Principles – requires high standards of sustainable design and accessibility.
BN7 – Flood Risk – development will comply with flood risk assessment and all new development will need to demonstrate that there is no increased risk of flooding.

BN9 – Planning for Pollution Control – proposals for new development will need to demonstrate that they minimise and reduce pollution issues.

INF1 – Approach to Infrastructure Requirements – requires that developments provide sufficient infrastructure to mitigate the impacts of development.

INF2 – Contributions to Infrastructure Requirements – requires a reliable mechanism for the provision of infrastructure.

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:

L2 – seeks to retain school sites for educational purposes.

E20 – states that new buildings should be of an appropriate design.

T22 – provision for suitable access and parking for people with disabilities.

5.5 Supplementary Planning Documents

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

6. CONSULTATIONS/ REPRESENTATIONS

The application was advertised by site notice and press notice. In addition consultation with neighbours and consultees has been undertaken. Additional consultation has been carried out as further information has been submitted. The consultation period for the final round of re-consultation has not expired at the time of writing this report. Any further comments will be reported to Committee in the Addendum to this agenda.

Comments are summarised as follows:

6.1 Arboricultural Officer (NBC) – Original comments - There are no arboricultural reasons why this application should be refused. The Arboricultural Impact Assessment highlights that construction work is likely to affect above and below ground parts of the retained trees and highlights the requirement for adequate protection. The proposed tree protection measures are acceptable but should be installed before any construction work starts on site. Requests that a more detailed Arboricultural Method Statement is provided.

Following the submission of an updated Tree Survey the Arboricultural Officer confirms that the information is sufficient to ensure the protection of retained trees.

6.2 Conservation (NBC) – The new building has been designed to complement the existing school building using similar materials, form and bulk. Although it results
in a new building being located closer to the listed building this is unlikely to impact upon its setting which has already been compromised by other structures.

6.3 Environment Agency – Suggest conditions regarding contamination and details of mains foul water drainage.

6.4 Public Protection (NBC) – requests conditions regarding contamination and external sources of noise.

6.5 Highway Authority (NCC) – Original comments - Considers information submitted is inadequate and requires further information with regard to:

Potential trip generation, impacts on parking, the operation of the site access and locally affected junctions, safe access to and from the site for pedestrians.

Following the submission of additional information confirm they have no objection to the proposal subject to the imposition of conditions and a planning obligation towards improving pedestrian facilities on Trinity Avenue and the upgrade of the signal control for pedestrian/cycle crossing at St Georges Avenue/ Trinity Avenue junction.

6.6 Sport England – no comments to make.

6.7 Urban Designer (NBC) – The general siting, layout and orientation of the building is acceptable and would provide positive re-use of the existing site. Makes suggestions regarding community use of the building, signage, materials, landscaping and entrance to the building.

6.8 Anglian Water Authority – State that there is available capacity for foul drainage and sewerage.

6.9 Northants Police – external fence line does not comply with Secured by Design best practice guidance and should be replaced with a weld mesh fence. Makes recommendations regarding doors and windows, intruder alarms and car park lighting.

6.10 Planning Policy (NBC) – no objection. The framework clearly expresses the Governments aspiration to ensure choice of school places, whilst the JCS seeks to improve educational attainment. In the context if high local demand for primary school places, the need for additional facilities is understood. The development of a new educational facility at an established school site which is accessible via a range of sustainable modes of travel is likely to accord with Policy L2 of the Northampton Local Plan and Policy E6 of the West Northamptonshire Joint Core Strategy.

6.11 NCC School Services – support the application - consider that having its own premises built on the site of the existing school is the most practical and logical solution. All the pupils attending the school have been allocated spaces on the basis of proximity to their home address. If the school is required to find alternative accommodation it would cause large amounts of disruption to the early education of a significant number of pupils. MAPS offers an additional 60 places per year group within an area of Northampton that is heavily oversubscribed. At present capacity is extremely limited across the primary age-range and there are no places at all within the Foundation and Key Stage 1 phases. Without additional capacity provided by MAPS the County Council would
find it very difficult to fulfil its statutory responsibility of providing school places within this area of town.

6.12 **Councillor Jane Birch** – concerned about traffic congestion and safety of pupils – wishes to call the application in to be heard by the Planning Committee.

6.13 **Councillor Matthew Golby** (Cabinet member responsible for Education at NCC) – supports the application. States that school places are at a premium, especially in central Northampton and this proposal will go some way to meeting this need in an area with a very diverse population. Considers the school will work hard to mitigate any adverse impacts on the immediate community it serves. The school already has a significant amount of temporary accommodation of which the new school will replace with a high quality primary school facility.

6.14 **NCC Surface Water Drainage** – Originally objected to the proposal as it did not include a Flood Risk Assessment (FRA). Following the submission of a FRA remove objection and suggest conditions regarding the submission of a detailed surface water drainage scheme and maintenance scheme.

**Representations**

Letters of support have been received from 137 Kingsley Rd, 135 Colwyn Road, 19 Billing Road, 7 East Park Parade, 27 Murray Avenue, 63 Manfield Road, 14 Norfolk Street expressing what a good standard of education is being provided by the school and the urgent need for suitable and permanent accommodation.

Objections have been received from the occupiers of 6, 8, 10, 12, 14, 22, 28, 38, 42, 44, 46, 52 and 78 Trinity Avenue, 110 Balfour Road expressing concerns about:

- Increase in traffic congestion especially at peak times
- impact on parking
- safety of pupils, cyclists and other pedestrians
- insufficient parking on site
- state that drop off facility inadequate as young children need escorting to a classroom
- staff parking on street instead of using school car park
- no actions taken by the school to mitigate on street parking problems
- existing traffic calming ineffectual
- lack of adequate consultation
- loss of on street parking due to possible parking restrictions
- removal of stretch of hedgerow
- loss of habitats for nesting birds
- new pedestrian entrance unnecessary and potentially dangerous
- major objection to proposed highway improvements - requires improved consultation with residents
- note that none of the supporters live on Trinity Avenue and are therefore not directly affected

Following re-consultation on plans which included additional proposals for pedestrian/parking improvements further objections have been received due to lack of consultation with affected residents and highlighting additional concerns that will be created by the scheme. Whilst many accept the need for a new school
they consider better prepared proposals for pedestrian improvements should be made.

David Ross Education Trust – state that the building work planned for the preparatory school is essential to providing best education. The school has received an extremely favourable DfE free school monitoring visit. More suitable and permanent accommodation would enhance provision even further.

Peterborough Diocese Board of Education – states that the school has made an excellent start in temporary accommodation and that as the school grows it urgently requires its own facilities. States the Primary School places are much needed in Northampton and that MAPS is providing high quality education with a Christian ethos.

Deputy Head of Malcolm Arnold Academy – States that it is vital that that MAPS should get its own building as soon as possible to allow it to expand the excellent educational work and school community it has already begun to develop. Note concerns over traffic and wish to assure neighbours and the Council that they are strongly committed to minimising any potential impacts. State that they liaise and co-ordinate activities and start/finish times to reduce disruption.

Head Teacher of Malcolm Arnold Prep School – submitted a letter asking to consider views of parents and pupils of the school who emphasise the quality of education that their children are receiving. Letter was supported by letters and a signed document with signatures of 65 parents.

A further letter was received from the Head Teacher following a meeting she had with Cllr Birch to discuss residents’ concerns. Stated that in response to the concerns that traffic/parking management measures have been implemented.

7. APPRAISAL

Principle of development

7.1 The National Planning Policy Framework attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. The Framework states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

7.2 The West Northamptonshire Joint Core Strategy recognises the importance of raising educational achievement and the skills base within communities through supporting the development of West Northamptonshire's learning infrastructure (Objective 10). Policy E6 Education, Skills and Training, encourages the development of new educational facilities at sites which are accessible by sustainable transport modes.

7.3 The application site is located within an area formerly occupied by school buildings and within an area demarcated on the Northampton Local Plan Proposals Map as an existing School / College Site. The Northampton Local Plan saved Policy L2 seeks to retain school sites for education uses and is of particular relevance to the application. The application site will not result in the loss of playing fields and there are no objections from Sport England.
7.4 Northampton is experiencing an increase in the number of families with young children through a rising birth rate and high levels of in-migration. In addition, population increase as a result of strategic housing growth (as required by the JCS) is expected to further increase demand for primary school places. The need for additional primary education facilities is therefore acknowledged, along with the government’s aspiration to ensure choice of school places (para. 72, NPPF).

7.5 The application site is accessible by sustainable modes including bus stops located nearby at George Avenue; some cycle connectivity via The Racecourse public open space and within walking distance of residential areas including Kingsthorpe, Queens Park, Spinney Hill, Kingsley and Semilong. The co-location of the neighbouring secondary school may also help to reduce journeys.

Design and Appearance

7.6 The proposed application site comprises an area of 0.83 hectare. The new school will be arranged on two floors with a gross internal floor area of 2,072 square metres. The new building has been set back from Trinity Avenue on the lower area of the site to provide the parking area to the front and allow the area of landscaping, and the majority of trees and hedge planting to the front of the site to be retained. Hard standing play areas will be located to the south east and south west of the building.

7.7 The proposed school building will be two storeys high and mainly flat roofed. The highest element is the main hall which will have a sloping metal roof. This higher element breaks the horizontal of the elevations and creates a focal point at the eastern end of the building. The kitchen which adjoins the hall will be single storey with a parapet roof designed to screen rooftop plant. To the rear of the building a canopy will provide sheltered external play space for the reception classrooms.

7.8 The proposed building will complement the MAA and will be built of similar materials. It will be red brick with a white render upper floor designed to echo the upper panels on the MAA. The main hall roof will consist of standing seam aluminium, again to match the adjacent school building. Coloured render will be used above the main entrance to create a focal point. The design of external areas and school signage will ensure that the public entrance is highly visible. In view of these details it is considered that the design of the building is acceptable.

Trees and Ecology

7.9 There are a number of mature trees and a hedgerow on the site. A tree survey was submitted with the application and identified six trees to be removed and how retained trees will be protected during construction. The Arboricultural Officer has been consulted and considers the number of tree removals is acceptable. Five of the trees are graded poor or low quality and the sixth is moderate quality. It would appear that the overall layout has been designed around the good quality trees. Whilst the Arboricultural Officer advised that there was no arboreal reason why the application should be refused, he requested that a more detailed Method Statement be submitted. This has since been submitted and the Arboricultural Officer is satisfied that tree protection measures are acceptable.
7.10 The front boundary of the site is currently enclosed by a black metal fence and a mature hedge almost 60 metres in length. Whilst the majority of this element will be retained it is proposed that a 4 metre section of the hedge will be removed to install a new gate which will serve a new pedestrian entrance. The ecological appraisal submitted with the application identified the hedge as a box hedge which is not classified as important under the Hedgerow Regulations 1997 or as a Habitat of Principal Importance under Section 41 of the Natural Environment and Rural Communities Act 2006. Furthermore the report states that trees and hedgerows on site provide limited bird nesting opportunities for breeding. The new pedestrian entrance was added to the proposal to overcome concerns regarding Highway Safety. Whilst an objection has been received regarding the loss of the hedge it is considered that the positive impact on highway safety outweigh the concerns regarding the loss of hedge in this instance.

7.11 The submitted ecological appraisal has indicated that one tree displayed features with bat roost potential. It was noted however that this tree is to be retained and therefore any bats potentially roosting will not be directly impacted by the proposed development. No badger setts were identified on site although there was evidence of badger foraging on the site. No amphibians were identified on the site. The habitats on site are not considered to be critical to any one species taking into account the availability of similar habitat within the surrounding area. As a consequence of this it is considered that the redevelopment of the site would not pose any undue adverse impacts on ecology.

Impact on neighbouring properties

7.12 The proposed new building has been set back 40 – 50 metres from Trinity Avenue. As stated above the proposal will retain landscaping and the majority of trees and hedge planting to the front of the site. It is not considered that development of the site will result in a significant loss of light, outlook and privacy to neighbouring properties.

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

7.14 Environmental Health Officers have not raised any concerns regarding air quality but have concerns about the level of noise from external sources. They have requested that this is further assessed prior to development.

7.15 The main impact of the proposal on neighbouring residents will be from the increase in vehicles and the impact on traffic congestion and parking. This aspect is covered below.

Highway Impacts

7.16 The vehicle entrance to the site will be via the existing access, off the one way MAA access road from Trinity Avenue. The MAPS car park has been planned to provide a one way loop providing access to staff and visitor parking and the delivery drop off bay. The provision of a separate entrance gate in this location
avoids the need for pedestrians arriving/leaving the school to cross over with vehicles. Following concerns from residents a second pedestrian entrance has been introduced to the south of the site to allow parents travelling on foot from the south to enter the site without having to pass large trees at the southern end of Trinity Avenue and the associated narrower sections of footway.

7.17 A transport assessment and travel plan was submitted with the application however the Highway Authority stated that it was not sufficient to fully assess the traffic and travel impacts of the proposal and requested further information. It also became apparent at this stage that there was strong opposition to the scheme due to the detrimental traffic impacts already encountered by neighbouring residents at peak school times. Their concern was that this situation would be exacerbated by the introduction of a new school with increased traffic and parking demand and increased highway danger for pupils, cyclists, pedestrians and nearby residents and the local Councillor was contacted who requested that the application be referred to Committee for consideration.

7.18 The applicant engaged a traffic consultant and further surveys were carried out following consultation with the NCC Highway Engineer. Following submission of a further traffic assessment and proposals the Highway Engineer has indicated that he does not object to the proposal subject to conditions and mitigation measures being carried out. Mitigation includes the upgrade of traffic controls for the pedestrian/cycle crossing at Trinity Avenue/St Georges Avenue, improvements to the roundabout junction at Trinity Avenue/Stanhope Road/Kingsley Road and pedestrian improvements in the vicinity of the proposed school. In addition “drop off” parking bays are proposed to be provided within the new car park and an additional 8 new car parking spaces are to be created within the existing MAA car park.

7.19 A public meeting was arranged by the local Councillor and attended by representatives of the school, traffic consultants, County Highways and the Planning Officer to explain the proposals. Proposals to introduce a pedestrian crossing and restricted parking bays were considered by residents to create further traffic problems. In addition objections have been received about the lack of public consultation on the proposed crossing in the vicinity of the school itself.

7.20 It is acknowledged that the proposal will attract additional traffic to Trinity Avenue. However it has to be recognised that subject to mitigation being carried out, the Highway Authority has no objection to the proposals and considered that the proposed development would not lead to highway safety problems. It is also recognised that the majority of objectors do not object to the actual school building but to an already unacceptable traffic situation. In the circumstances a condition is recommended (Condition 11) for a further scheme for highway/pedestrian improvements to be submitted and approved. This would provide the opportunity for further consultation with residents regarding how highway improvements could be met in a satisfactory manner. In addition, a S106 agreement would be required to secure all necessary highway improvement works to make the proposal acceptable in highway safety terms.

**Legal Agreement**

7.21 The Local Highway Authority has requested financial contributions towards the improving pedestrian facilities on Trinity Avenue and the upgrade of the signal control at the Trinity Avenue/St Georges Avenue junction. The proposed works
could be secured via a S106 agreement including any associated Traffic Regulation Orders.

**Security and Crime Prevention**

7.22 The Crime Prevention Officer has made suggestions to improve security to the building after hours. Plans have already been submitted indicating that wall mounted lights and CCTV cameras will be attached to the building and a column mounted CCTV camera and light will be erected in the car park. A condition requiring further details regarding lighting, alarms, doors and windows is considered necessary to secure these aspects.

8. **CONCLUSION**

8.1 Overall, considering the Development Plan Policies and additional supporting information it is reasonable to conclude that the proposed development is acceptable, subject to safeguarding conditions and S106 agreement to make financial contributions and secure highway improvements works. The proposed development represents the sustainable use of this previously developed site. It reflects the character of the adjacent school building and would contribute towards the need for primary schools within Northampton.

9. **CONDITIONS**

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

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

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

   Reason: For the avoidance of doubt and to ensure conformity with the Planning Application.

3. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

   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.

4. Before the development hereby permitted commences a scheme shall be agreed with the Local Planning Authority that specifies the external sources of noise on the site and the provisions to be made for its control. The scheme agreed shall be implemented prior to the development coming into use and the applicant shall demonstrate that the scheme agreed has achieved its design criteria. The scheme agreed and implemented shall be agreed thereafter.
Reason: In the interests of the amenity of adjoining occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required in order to adequately protect neighbouring amenity.

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

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 adequately protect neighbouring and highway amenity.

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

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

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

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

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping, including surface treatments for roads and parking areas for the proposed development. The scheme shall include indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to ensure that these issues are adequately addressed in a timely manner.
9. All planting, seeding or turfing comprised in the details of landscaping approved shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

10. Unless otherwise agreed in writing no development shall take place until full engineering, drainage and constructional details of the highway works currently shown indicatively on plan ref. 616417/SK07 Rev A appended to the July 2015 report have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework. This condition is required in order to ensure that the provisions of such infrastructure in a timely manner.

11. Notwithstanding the submitted information no development shall take place until a scheme for improving pedestrian facilities on Trinity Avenue have been submitted to and approved by the Local Planning Authority and thereafter fully implemented prior to the occupation of the building hereby approved.

Reason: In the interests of securing a satisfactory standard of development in terms of highway safety, in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure that the provisions of such infrastructure in a timely manner.

12. No part of the development shall be occupied until the works outlined on plan ref. 616417/SK07 Rev A and subsequently agreed in detail, subject to any changes arising from the appropriate technical and safety audit process, have been constructed on site and opened to traffic.

Reason: In the interests of highway and pedestrian safety in accordance with the National Planning Policy Framework. This condition is required in order to ensure that the provisions of such infrastructure in a timely manner.

13. No part of the development shall be occupied until the footway link shown on external works plan ref. 90/01 rev D has been constructed and opened for use.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework. This condition is required in order to ensure that the provisions of such infrastructure in a timely manner.

14. No part of the development shall be occupied until a Draft Travel Plan has been submitted to the Local Planning Authority for agreement in writing to include details of proposed measures to encourage sustainable trips to and from the site and measures to actively manage and control car parking both within the site and on street. This should include proposals for the shared use of the current pick
up/drop off bays associated with the current Malcolm Arnold Secondary School site to help minimise on street parking demands. The Draft Travel Plan should also set out the proposed monitoring and management proposals for the ongoing delivery of the travel plan.

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

15. Within 3 months of first occupation the Draft Travel Plan shall be updated to provide a full Travel Plan, including an initial staff and pupil travel survey, to be submitted to and approved by the Local Planning Authority in writing.

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

16. An annual Travel Plan and Parking Monitoring report shall be carried out for no less than 5 years from the first occupation of the school site and submitted to the Local Planning Authority for review.

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

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

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

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

The details for the inputs such as pipeline and manhole schedules. A results of full WinDES modelling or similar, simulating storms through the whole drainage system, with results of critical storms, demonstrating that there is no surging of the system for the 1 in 1 year storm. No flooding of the site for the 1 in 30 year storm, and that any above ground flooding for the 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. These storms should also include an allowance for climate change.

Reason: To reduce the risk of flooding both on and off site in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure that these issues are adequately addressed in a timely manner.
19. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by Local Planning Authority and the maintenance plans shall be carried out thereafter.

Reason: To ensure the future maintenance of drainage systems associated with the development and reduce the risk of flooding both on and off site in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure that these issues are adequately addressed in a timely manner.

20. Notwithstanding the details submitted, 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. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

21. The development hereby permitted shall be carried out in accordance with the recommendations contained within paragraphs 4.4.4 and 4.4.9 of the submitted ecological appraisal dated December 2014, details of which shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure that these issues are adequately addressed in a timely manner.

22. The erection of fencing for the protection of any retained tree shall be undertaken in accordance approved Tree Survey dated July 2015 before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Within the fenced area no alteration shall be made to the existing ground levels, no excavations shall be made, no vehicles shall be driven nor plant sited, no materials shall be stored and no bonfires shall be lit.

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 S10 of the West Northamptonshire Joint Core Strategy.

23. Notwithstanding the details submitted full details of external lighting and intruder alarms shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the of the development hereby permitted. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policy E40.
24. The standard of external doors and ground floor windows shall be made to secure standards certificated to BSPAS24:2012 or equivalent, details to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

10.1 N/2015/0334.

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.
APPLICATION FOR DETERMINATION:

1. **RECOMMENDATION**

1.1 **REFUSAL** for the following reasons:

The extension proposed would result in a building of an excessive scale which would appear as a visually prominent feature to the detriment of the character and appearance of the Abington Park Conservation Area. If permitted this would be contrary to Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. **THE PROPOSAL**

2.1 The application seeks planning permission to erect a single storey extension to the existing café building. This will form a continuation of the existing building providing a kitchen area, office and food store. This would provide the café with a larger kitchen/preparation area and a larger servery and an outdoor furniture store. An extension to the area of hard surfacing in front of the café is also indicated on the plans.

2.2 The application is substantially a resubmission of a previously approved scheme but on a larger scale with the outdoor furniture store being an additional element.

2.3 To facilitate the development a Lime tree would need to be removed.
3. **SITE DESCRIPTION**

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

4. **PLANNING HISTORY**

4.1 January 2015 planning permission granted for single storey extension to café. N/2014/1207.

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

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

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

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

5.3 **West Northamptonshire Joint Core Strategy (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 sets out that development will achieve high standards of design and will protect, conserve and enhance the built and natural environment.

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

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

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

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

5.5 **Supplementary Planning Documents**


5.6 **Other Material Planning Considerations**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development within a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments are summarised as follows:

6.1 **NBC Arboricultural Officer** has commented that there are no arboricultural reasons for refusal subject to conditions.

6.2 **NBC Conservation** confirmed that the application is not supported from a conservation perspective due to the encroachment of the enlarged café into the open park, the visual impact of this and its consequent adverse impact upon the conservation area and the Grade I listed Abington Park Museum.

6.3 **Northamptonshire Police** have no objections.

6.4 **4 Hexham Court** – object to the application as originally submitted; the application is unattractive and out of keeping with the conservation area; mishmash of materials on one face of the building. The application site affects the setting of a Grade I listed building and English Heritage should be consulted.

6.5 A further consultation has been carried out on the basis of revised plans and information. This has included consultation with Historic England. At the time of writing the report this consultation period has not expired and any further comments received will be included in the Addendum Report.
7. **APPRAISAL**

**Previous Planning Permission**

7.1 The previous planning permission N/2014/1207 was granted by the Planning Committee in January 2015 as it was considered that, on balance, the public benefit from improving the facilities available to users of Abington Park outweighed the harm to the Conservation Area from the loss of the tree and that the visual impact of the extension was acceptable. The previous permission remains extant and would not be affected by the outcome of the current application.

**Design/Appearance**

7.2 The previously approved extension had dimensions of 7.7 x 8.1 metres and represented an increase of approximately 42% to the building. The extension now proposed has dimensions of 11.58 x 8.085 metres which would increase the footprint of the building by approximately 63%.

7.3 It is considered that the larger extension now proposed, whilst appropriately designed in terms of how it continues the existing roof form, would result in a building of an excessive scale and which would consequently appear as an unduly visually intrusive feature within the Conservation Area to the detriment of the appearance of this. The extension would be brick built, however the frontage is proposed to be clad in timber boarding. The representation received refers to this as a, “mishmash”, however it is considered that the use of cladding would help to visually ‘break-up’ the building. However this would not overcome the concerns regarding the scale of the proposal.

7.4 The impact of the extension upon the Grade I listed Abington Park Museum has been raised by the representation received and the Council’s Conservation team. Historic England have therefore been consulted regarding this and the application has been advertised on this basis. Historic England’s comments will be reported in an addendum report. If in the view of Historic England the application does affect the setting of the Museum, the Committee will need to have special regard to the desirability of preserving that setting as well as the character and appearance of the conservation area. The Committee will therefore need to decide whether the proposal would adversely affect the setting of the listed building, which may lead to an additional reason for refusal.

**Trees**

7.5 The extension proposed would result in the loss of a Lime tree protected by virtue of being within a conservation area. The principle of the loss of the Lime tree was accepted when determining the previous application.

7.6 The current proposal would result in the building and patio encroaching into the root protection areas of two other trees. However it is not considered that, with appropriate controls, these trees would be adversely impacted upon.

8. **CONCLUSION**

8.1 It is considered that the additional visual impact of the extension now proposed would outweigh the public benefits which would arise from the enlarged extension to the café and would not comply with the desirability of preserving or enhancing
the character or appearance of a conservation area set out in the 1990 Act. Consequently the application is recommended for refusal.

9. **BACKGROUND PAPERS**

9.1 N/2015/0421.

10. **LEGAL IMPLICATIONS**

10.1 None.

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

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.
AGENDA ITEM 10C

PLANNING COMMITTEE: 29th of September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0705: Demolition of church rooms and erection of 5 no. town houses at Abington Christian Centre, Lea Road
WARD: Abington
APPLICANT: Mr Angus Lawson
REFERRED BY: Cllr D. Stone and Cllr Z. Smith
REASON: Out of character and will infringe on the defensible space around existing residences leading to overlooking, light blocking and other nuisances. Would damage the character of the area and inappropriate in terms of their height

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to conditions, would represent an acceptable re-use of the site and would contribute to the established housing need in Northampton. The development is of a satisfactory design and layout and would have no significant detrimental impacts on the residential amenity of neighbouring properties or future occupiers of the dwellings. The development would be acceptable in terms of highway safety. The proposal is considered to be in accordance with Policies S3, S10, BN9 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought for the demolition of church rooms and erection of 5 no. town houses at Abington Christian Centre, Lea Road. Each of the five dwellings would be built over three floors with a kitchen/breakfast, WC and living/dining area on the ground floor, two bedrooms at first floor and an en-suite master bedroom on the second floor. The dwellings would have low level brick
wall enclosures to the front. The scheme has been amended to reduce the ridge height of the proposed dwellings. No on-site parking facility is proposed.

3. SITE DESCRIPTION

3.1 The application site is currently occupied by Abington Christian Centre church rooms. The design and access statement states that the premises are used for a number of activities on a daily basis and can attract up to 100 persons each day. The existing premises are currently too small for their current ongoing activities, with the Christian Centre opting to relocate their premises elsewhere in Northampton.

3.2 The building is brick built with black metal railings enclosing the site to the front.

3.3 To the north of the site is no. 2 Lea Road, to the east the site is abutted by Aegis House which houses a number of small businesses, to the south is nos.113, 115, 117, 119, 121 and 123 Adnitt Road and to the west is highway.

4. PLANNING HISTORY

4.1 An outline planning application (N/2003/254) for the demolition of buildings and redevelopment of the site for residential purposes was approved by Planning Committee in May 2003. The development related to both this site and the Church on Adnitt Road. It was anticipated that the site could accommodate up to 25 new flats. The planning permission has since lapsed.

5. PLANNING POLICY

5.1 Development Plan

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

5.3 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 a good standard of amenity for existing and proposed occupiers.

Paragraph 49 – Housing application should be considered with a presumption in favour or 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.

5.4 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 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 S3 – Scale and Distribution of Housing Development – requires the construction of approximately 18,870 dwellings in Northampton Borough over the plan period.

Policy S10 – Sustainable Development Principles – 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.

Policy BN9 – Planning for Pollution Control – development that is likely to cause pollution, either individually or cumulatively, will only be permitted if measures can be implemented to minimise pollution to a level which provides a high standard of protection for health and environmental quality.

5.5 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.

5.6 Supplementary Planning Documents

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

6. CONSULTATIONS/ REPRESENTATIONS
Comments received are summarised as follows:

6.1 **Cllr T. Ansell:**
- Should try to retain the Church, if retaining the use of the building as a church is not feasible the Church should be converted for residential use.
- Would be an eyesore and plain in comparison to neighbouring buildings.
- Should have the same ridge height as neighbouring buildings.
- Overlooking of gardens.
- Too close to number 123 Adnitt Road.

6.2 **Cllr Z. Smith:**
- Would damage the character of the area.
- Would be inappropriate in terms of their height.

6.3 **Cllr D. Stone:**
- Would be out of sympathy with the neighbourhood.
- Will infringe the defensible space around existing residences leading to overlooking, light blocking and other nuisances.

6.4 **NBC Public Protection:** Noise and odour reports have been considered. A condition is recommended in relation to noise and no further comments are made regarding odour.

6.5 **NCC Highways:** Parking spaces are at a premium in the area, and while parking may be reduced between 8am and 6pm, parking outside of these times are likely to increase. Therefore you may wish to satisfy yourself that the increased parking demands will not have an undue amenity impact on neighbouring properties. The plans should demonstrate that the properties will not encroach or undermine the highway.

6.6 **Northamptonshire Police:** The gate giving access to the rear alley which runs behind the houses should be secured using a key operated mortice lock operable from both sides for convenience. Rear garden gates should be capable of being secured with a shoot bolt and padlock. All ground floor doors and windows should be tested and 3rd party certificated to meet the requirements of BS PAS 24:2012 to comply with Secured by Design and the forthcoming requirements of Approved Document Q of Building Regulations.

6.7 **NCC Archaeology:** Evidence for the development and use of the building will be lost due to demolition. This does not however represent an overriding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. An appropriate condition should be attached to any planning permission for the site.

6.8 The proposed development has been advertised by way of site notice and neighbour letters, nine objections have been received from residents and owners of properties on **Lea Road, Purser Road and Adnitt Road** making the following comments:
- Object to the height of the buildings, which are much higher than the houses either side.
- The second floor windows would overlook our gardens.
- Loss of light.
- Not in keeping with other houses on this side of the road.
- Do not follow the rooflines of existing properties.
- Parking problems.
- The design should be of a higher quality.
- The scale and massing is out of character with its surroundings.
- Support the principle of the applications as the Church buildings are in a considerable state of disrepair. There is also a concern surrounding health and safety given the dilapidated state of both premises, however have concerns regarding parking, loss of light to the adjacent car park on Purser Road, loss of view and light, damp, disruption to business during the building works.
- Loss of winter sunlight.
- Footpath for rear access will be a security risk if not gated.

7. **APPRAISAL**

Principle of the development

7.1 The application site is located within a predominantly residential area in close proximity to the town centre and within walking distance of Wellingborough Road Local Centre. There are a number of small businesses located within properties amongst the terraced streets, including a cluster of small businesses to the rear of the site.

7.2 The site is currently occupied by church rooms associated with the Church on Adnitt Road. The church rooms currently have a community function and provide a space for groups associated with Abington Christian Centre. The building has an unrestricted D1 Use Class; this in effect means that there are no restrictions on hours of operation or intensity of the use, and the site could change to another D1 Use class without the benefit of planning permission. It is considered that an unrestricted D1 Use has the potential to represent a much more intense use of the site than the redevelopment of the site for five residential dwellings.

7.3 The NPPF directs new housing to sustainable areas, best able to support it in terms of access to facilities and services and access to good public transport links, this is reinforced at a local level by Policy S10 of the West Northamptonshire Joint Core Strategy. It is considered that the application site is in a sustainable location offering access to facilities, services and public transport links. There is a variety of residential accommodation in the local area including both houses and flats; it is considered that the proposed development would have a neutral impact on the character of the housing mix in the surrounding area.

7.4 The NPPF requires Local Planning Authorities to demonstrate that there is a five year housing land supply. Northampton Borough Council currently cannot demonstrate a five year housing land supply. It is therefore considered that this development would make a contribution, towards addressing the current and future needs for housing within the Borough.

**Visual amenity**
Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Amended plans have been submitted reducing the ridge height of the houses by 1.6m, it is considered that the height of the dwellings would now be in keeping with the character and appearance of the surrounding area. The proposed design in terms of scale, massing and proportions largely reflects the character of the street scene.

The proposal has incorporated traditional features into the design including chimneys, lintels and cills and traditional style doors with fanlights above. It is considered that the materials palette will be significantly important to ensure that the development assimilates well into the built form of the streetscene and the surrounding area. Details of materials will be controlled by appropriately worded conditions.

The proposed development is considered to be in keeping with the character and appearance of the site, the streetscene and the surrounding area in accordance with policy E20 of the Northampton Local Plan, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the NPPF.

Residential amenity

Separation distances of approximately 29m would be achieved from the rear of the proposed dwellings to the rear elevations of dwellings on Purser Road. The proposal would therefore exceed the recommended privacy distances set out in Appendix 6 of the Council’s adopted Supplementary Planning Document (SPD) Residential Extensions & Alterations Design Guide. It is therefore considered that there would not be any significant overlooking to the dwellings to the rear of the site.

Regarding the effect of the development on the adjoining properties to both flanks of the proposed terrace, it is considered that there would be no significant detrimental effect on these neighbours.

Front to front separation would be approximately 13 metres in keeping with the existing pattern of development and would not have a significant impact on the amenity of neighbours.

Each of the dwellings would have a private rear garden in excess of 10m in length. A shared right of way would provide access from the highway to the rear gardens, this access should be secured by a lockable gate. Details of boundary treatments shall be a condition of any planning permission for the proposed development.

Noise and odour surveys have been submitted as part of the application. NBC Public Protection have considered these reports and have recommended a condition in relation to noise and have no further comments to make regarding odour.

In terms of residential amenity the proposal is considered to be in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

Archaeology
Paragraph 14 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets to be lost due to development. The significance of the application site lies in its place in the Baptist movement in Northampton and the wider County. Northamptonshire County Councils archaeologist has recommended that a condition be attached to any planning permission for the site for building recording Level 2 as defined in English Heritage Understanding Historic Buildings (2006). Evidence for the development and use of the building will be lost due to demolition. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected.

Highways

No off–street parking is proposed as part of the development. Parking spaces are at a premium in the area, and while parking may be reduced between 8am and 6pm, parking outside of these times is likely to increase, however the site is in a relatively sustainable location. The site is within walking distance of services and facilities located along Wellingborough Road and would be approximately 160m from the nearest bus stop. The development would also result in the removal of the existing church rooms which have no restrictions on opening times or visitor numbers.

Although finely balanced, it is considered that although the development would inevitably affect demand for on-street parking, given the site’s relatively sustainable location, the character of the area and the counterbalancing effect of the removal of the existing use, the proposal’s impact on highways and parking would be acceptable and in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the NPPF.

Loss of Church Facility

The proposed development would lead to the loss of an existing community facility. However, the applicant has confirmed that the existing premises are too small for the Church’s current ongoing activities and the Church is planning to relocate to elsewhere in Northampton. The site is going to become vacant and due to the nature of the previous use of the building, it is not viable to convert the premises to residential or use the facility for another community based venture.

The principle of redevelopment of the site was established back in 2003 when outline permission was granted for residential purpose. The Abington Christian Centre has obtained planning permission to relocate to the former Pearce factory site on Wellingborough Road and it is not consider that to refuse the application on the ground of the loss of church facility could be substantiated.

8. CONCLUSION

The proposed scheme would be acceptable in principle and would contribute towards the Boroughs five year housing land supply.

The amended scheme would be in keeping with the character and appearance of the site, the streetscene and the surrounding area.

The proposal would not create any significant detrimental impacts to the residential amenity of neighbouring residential properties. Acceptable residential
amenity would be achieved for the occupants of the new dwellings. The development would not create any significant impacts to highway safety

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: 14/L105/2E; 14/L105/1E.

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

(3) Prior to the commencement of development, details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition in order to allow submission of details in a timely manner.

(4) No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with NPPF Paragraph 141. This is a pre-commencement condition in order to allow investigation works to be carried out in a timely manner.

(5) 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 details shall be implemented prior to the first occupation or bringing into use of the building(s) hereby permitted and thereafter 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 and Policy H1 of the West Northamptonshire Joint Core Strategy.

(6) 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 first 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 and Policy H1 of the West Northamptonshire Joint Core Strategy.
(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the dwellings hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

(8) Prior to development commencing, the applicant shall submit to the Local Planning Authority an assessment of the noise exposure of each habitable room and outdoor amenity spaces due to noise from the nearby extraction systems. A scheme to protect any affected habitable rooms/bedrooms or out outdoor amenity spaces shall be submitted to the Local Planning Authority for approval in writing. For habitable rooms/bedrooms this will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather where necessary to preserve conditions for resting/sleeping. The approved scheme shall be implemented prior to the properties being occupied and retained thereafter.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition in order to allow submission of details in a timely manner.

10. **BACKGROUND PAPERS**

10.1 N/2015/0705.

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.
PLANNING COMMITTEE: 29th of September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes
N/2015/0706: Demolition of church and erection of 5 town houses at Gospel Hall, Adnitt Road
WARD: Abington
APPLICANT: Mr Angus Lawson
REFERRED BY: Cllr D. Stone and Cllr Z. Smith
REASON: Out of character and will infringe on the defensible space around existing residences leading to overlooking, light blocking and other nuisances. Would damage the character of the area and inappropriate in terms of their height
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, subject to conditions, would represent an acceptable re-use of the site and would contribute to the established housing need in Northampton. The development is of a satisfactory design and layout and would have no significant detrimental impacts on the residential amenity of neighbouring properties or future occupiers of the dwellings. The development would be acceptable in terms of highway safety. The proposal is considered to be in accordance with Policies S3, S10, BN9 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought for the demolition of a Church and erection of 5 town houses at Gospel Hall in Adnitt Road. Each of the five dwellings would be built over three floors with a kitchen/breakfast, WC and living/dining area on the ground floor, two bedrooms at first floor and an en-suite master bedroom on the second floor. The scheme has been amended to reduce the ridge height of the proposed dwellings. No on-site parking facility is proposed.
3. SITE DESCRIPTION

3.1 The application site constitutes an existing Church dating from the late 19th Century. The Church is neither nationally nor locally listed nor within a conservation area. The Church has associated church rooms on Lea Road currently operating as a community facility. The Church rooms are subject to a separate planning application for 5 dwelling houses.

3.2 The building is brick built with a rendered front elevation, with traditional Church style windows and doors. The front of the building is enclosed by black metal railings with a gate adjacent to 123 Adnitt Road.

3.3 To the north of the site are commercial premises and their associated car park, to the east and west the site is abutted by residential properties and to the south is highway.

4. PLANNING HISTORY

4.1 An outline planning application (N/2003/254) for the demolition of buildings and redevelopment of the site for residential purposes was approved by Planning Committee in May 2003. The development related to both this site and the Church rooms on Lea Road. It was anticipated that the site could accommodate up to 25 new flats. The planning permission has since lapsed.

5. PLANNING POLICY

5.1 Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The 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 a good standard of amenity for existing and proposed occupiers.

Paragraph 49 – Housing application should be considered with a presumption in favour or 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 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 S3 – Scale and Distribution of Housing Development – requires the construction of approximately 18,870 dwellings in Northampton Borough over the plan period.

Policy S10 – Sustainable Development Principles – 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.

Policy BN9 – Planning for Pollution Control – development that is likely to cause pollution, either individually or cumulatively, will only be permitted if measures can be implemented to minimise pollution to a level which provides a high standard of protection for health and environmental quality.

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.

5.5 **Supplementary Planning Documents**

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Councillor T. Ansell:**

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• Should try to retain the Church, if retaining the use of the building as a church is not feasible the Church should be converted for residential use.
• Would be an eyesore and plain in comparison to neighbouring buildings.
• Should have the same ridge height as neighbouring buildings.
• Overlooking of gardens.
• Too close to number 123 Adnitt Road.

6.2 **Councillor Z. Smith:**
• Would damage the character of the area.
• Would be inappropriate in terms of their height.

6.3 **Councillor D. Stone:**
• Would be out of sympathy with the neighbourhood.
• Will infringe the defensible space around existing residences leading to overlooking, light blocking and other nuisances.

6.4 **NBC Public Protection:** Noise and odour reports have been considered. A condition is recommended in relation to noise and no further comments are made regarding odour.

6.5 **NCC Highways:** Parking spaces are at a premium in the area, and while parking may be reduced between 8am and 6pm, parking outside of these times are likely to increase. Therefore you may wish to satisfy yourself that the increased parking demands will not have an undue amenity impact on neighbouring properties. The plans should demonstrate that the properties will not encroach or undermine the highway.

6.6 **Northamptonshire Police:** All ground floor doors and windows should be tested and 3rd party certificated to meet the requirements of BS PAS 24:2012 to comply with Secured by Design and the forthcoming requirements of Approved Document Q of Building Regulations. The access to the rear of the block adjacent to plot 1 and plot 5 should be secured with a 1.8m lockable metal gate, the lock should be operable from both sides for convenience and be security rated to BS 3621.

6.7 **NCC Archaeology:** Evidence for the development and use of the building will be lost due to demolition. This does not however represent an overriding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected. An appropriate condition should be attached to any planning permission for the site.

6.8 The proposed development has been advertised by way of site notice and neighbour letters, eight objections have been received from residents and owners of properties on **Purser Road and Adnitt Road** making the following comments:

• Object to the height of the buildings, which are much higher than the houses either side.
• The second floor windows would overlook gardens.
• Will block light to the side windows at 123 Adnitt Road.
• Not in keeping with other houses on this side of the road.
• Do not follow the rooflines of existing properties.
• Parking problems.
• The design should be of a higher quality.
• The scale and massing is out of character with its surroundings.
• Support the principle of the applications as the Church buildings are in a considerable state of disrepair. There is also a concern surrounding health and safety given the dilapidated state of both premises, however have concerns regarding parking, loss of light to the adjacent car park on Purser Road, loss of view and light, damp, disruption to business during the building works.
• Loss of winter sunlight.
• Footpath for rear access will be a security risk if not gated.

7. APPRAISAL

Principle of the development

7.1 The application site is located within a predominantly residential area in close proximity to the town centre and within walking distance of Wellingborough Road Local Centre. There are a number of small businesses located within properties amongst the terraced streets, including a cluster of small businesses to the rear of the site.

7.2 The site is currently occupied by a Church, which has an unrestricted D1 Use Class. This in effect means that there are no restrictions on hours of operation or intensity of the use, and the site could change to another D1 Use Class without the benefit of planning permission. It is considered that an unrestricted D1 Use has the potential to represent a much more intense use of the site than the redevelopment of the site for five residential dwellings.

7.3 The NPPF directs new housing to sustainable areas, best able to support it in terms of access to facilities and services and access to good public transport links, this is reinforced at a local level by Policy S10 of the West Northamptonshire Joint Core Strategy. It is considered that the application site is in a sustainable location offering access to facilities, services and public transport links. There is a variety of residential accommodation in the local area including both houses and flats; it is considered that the proposed development would have a neutral impact on the character of the housing mix in the surrounding area.

7.4 The NPPF requires Local Planning Authorities to demonstrate that there is a five year housing land supply. Northampton Borough Council currently cannot demonstrate a five year housing land supply. It is therefore considered that this development would make a contribution, towards addressing the current and future needs for housing within the Borough.

Visual amenity

7.5 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Amended plans have been submitted reducing the ridge height of the houses. The proposed dwellings would now have a ridge height of 0.6m above 135 Adnitt Road and a ridge height of 0.5m above 123 Adnitt Road; this is a height decrease of approximately 1m.

7.6 The proposal has incorporated traditional features into the design including chimneys, lintels and cills and traditional style doors with fanlights above. It is considered that the materials palette will be significantly important to ensure that
the development assimilates well into the built form of the streetscene and the surrounding area. Details of materials will be controlled by an appropriately worded condition.

7.7 The proposed development is considered to be in keeping with the character and appearance of the site, the streetscene and the surrounding area in accordance with Policy E20 of the Northampton Local Plan, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the NPPF.

**Residential amenity**

7.8 Separation distances of approximately 28m would be achieved from the rear of the proposed dwellings to the rear gardens on Purser Road. The proposal would therefore exceed the recommended privacy distances set out in Appendix 6 of the Council’s adopted Supplementary Planning Document (SPD) Residential Extensions & Alterations Design Guide.

7.9 In addition the site abuts the car park and buildings of Aegis House to the rear. It is considered that the buildings of Aegis House would screen the development from the rear gardens of neighbouring properties on Purser Road.

7.10 Concerns have been raised regarding the proximity of the development to 123 Adnitt Road. There are three ground floor windows in the side elevation of 123 Adnitt Road facing onto the site. The proposed development would be located 1m from the gable elevation of 123 Adnitt Road. The windows in the gable elevation of the neighbouring property are secondary windows. Internally 123 Adnitt Road has an open plan arrangement on the ground floor with a large window at ground floor to the front elevation and patio doors to the rear elevation. The side windows are not the sole means of light to the ground floor of 123 Adnitt Road. It is well established at appeal that secondary windows are not offered the same level of protection as primary windows. It would be unreasonable to refuse the application due to the impact of the development on secondary windows.

7.11 Front to front separation distances would be approximately 13m in keeping with the existing pattern of development in the area.

7.12 The proposed development would have no significant impacts on the privacy or amenity of no. 135 Adnitt Road.

7.13 Each of the dwellings would have a private rear garden in excess of 10m in length. A shared right of way would provide access from the highway to the rear gardens, the access would be secured by a lockable gate.

7.14 Noise and odour surveys have been submitted as part of the application. NBC Public Protection have considered these reports and have recommended a condition in relation to noise and have no further comments to make regarding odour.

7.15 In terms of residential amenity the proposal is considered to be in accordance with Policy E20 of the Northampton Local Plan and Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

**Archaeology**

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Paragraph 14 of the NPPF states that Local Planning Authorities should require developers to record and advance understanding of the significance of heritage assets to be lost due to development. The significance of the application site lies in its place in the Baptist movement in Northampton and the wider County, as well as in its historic fabric. Northamptonshire County Councils archaeologist has recommended that a condition be attached to any planning permission for the site for building recording Level 2 as defined in English Heritage Understanding Historic Buildings (2006). Evidence for the development and use of the building will be lost due to demolition. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected.

Highways

No off–street parking is proposed as part of the development. Parking spaces are at a premium in the area, and while parking may be reduced between 8am and 6pm, parking outside of these times is likely to increase, however the site is in a relatively sustainable location. The site is within walking distance of services and facilities located along Wellingborough Road and would be approximately 160m from the nearest bus stop. The development would also result in the removal of a Church which has no restrictions on opening times or visitor numbers.

Although finely balanced, it is considered that although the development would inevitably affect demand for on-street parking, given the site’s relatively sustainable location, the character of the area and the counterbalancing effect of the removal of the existing use, the proposal’s impact on highways and parking would be acceptable and in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the NPPF.

Loss of Church Facility

The proposed development would lead to the loss of an existing community facility. However, the applicant has confirmed that the existing premises are too small for the Church’s current ongoing activities and the Church is planning to relocate to elsewhere in Northampton. The site is going to become vacant and due to the nature of the previous use of the building, it is not viable to convert the premises to residential or use the facility for another community based venture.

The principle of redevelopment of the site was established back in 2003 when outline permission was granted for residential purpose. The Abington Christian Centre has obtained planning permission to relocate to the former Pearce factory site on Wellingborough Road and to refuse the application on the ground of the loss of church facility could not be substantiated.

8. CONCLUSION

The proposed scheme would be acceptable in principle and would contribute towards the Boroughs five year housing land supply.

The amended scheme would be in keeping with the character and appearance of the site, the streetscene and the surrounding area.

The proposal would not create any significant detrimental impacts to the residential amenity of neighbouring residential properties. Acceptable residential
amenity would be achieved for the occupants of the new dwellings. The development would not create any significant impacts to highway safety.

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: 14/L105/3F; 14/L105/4F.

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

(3) Prior to the commencement of development, details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition in order to allow submission of details in a timely manner.

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

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with NPPF Paragraph 141. This is a pre-commencement condition in order to allow investigation works to be carried out in a timely manner.

(5) 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 details shall be implemented prior to the first occupation or bringing into use of the building(s) hereby permitted and thereafter 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 and Policy H1 of the West Northamptonshire Joint Core Strategy.

(6) 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 first 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 and Policy H1 of the West Northamptonshire Joint Core Strategy.
(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the dwellings hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

(8) Foundations must not encroach on or undermine the highway. Prior to the commencement of the development, details of the proposed foundations shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the NPPF. This is a pre-commencement condition in order to allow details to be submitted in a timely manner.

(9) Building drainage, pipes, eaves, cills, outward opening windows, fenestrations or anything else attached to the building, must not encroach upon or overhang the highway.

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

(10) Prior to development commencing, the applicant shall submit to the Local Planning Authority an assessment of the noise exposure of each habitable room and outdoor amenity spaces due to noise from the nearby extraction systems. A scheme to protect any affected habitable rooms/bedrooms or out outdoor amenity spaces shall be submitted to the Local Planning Authority for approval in writing. For habitable rooms/bedrooms this will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather where necessary to preserve conditions for resting/sleeping. The approved scheme shall be implemented prior to the properties being occupied and retained thereafter.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition in order to allow submission of details in a timely manner.

10. BACKGROUND PAPERS

10.1 N/2015/0706.

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.
The
Gospel Hall, Adnitt Road

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APPLICATION FOR DETERMINATION:

1. **RECOMMENDATION**

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

The proposed development would result in the delivery of residential accommodation whilst the proposed retail unit would have a neutral impact upon the viability and vitality of the hierarchy of centres within Northampton. In addition all elements of the proposal would have a neutral impact upon visual and neighbour amenity and highway safety. The proposal therefore complies with the requirements of the National Planning Policy Framework and Local Plan Policies E19, E20, E40, H7 and T12.

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

i) A financial payment to fund highways improvements at the junction between Kingsthorpe Road and Mill Lane adjacent to the Cock Hotel; and/or the Kingsthorpe Road corridor to Regents Square;

ii) A payment to fund the maintenance of new bus shelters;

iii) On site affordable housing

iv) A payment for the provision of health care;

v) A payment for the provision of education facilities;
vi) A payment to fund the provision, improvements to connections and/or enhancements to areas of public open space within the vicinity of the site; 

vii) Construction worker training opportunities; and 

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

2. THE PROPOSAL

2.1 The site benefits from planning permission (reference: N/2014/0629) to erect 54 dwellings of mixed type and a food store. Building works have commenced on site. The permission was subject to a number of conditions covering wide range of matters. One of these conditions (no. 2) specified the approved drawings that the development was to follow. The developer now seeks to change the approved plans in order to allow for small extensions to the store entrance and back of house facilities. In addition, alterations to the store loading bay, the introduction of roof mounted photovoltaic cells and car park reconfiguration are proposed.

3. SITE DESCRIPTION

3.1 The surrounding land uses include various dwellings to the east and west (in Kingsthorpe Road and Studland Road) and commercial activity to the west. Retail developments are located to the south of the site and a school and parkland to the north. The application site is located approximately 400m south of the Kingsthorpe Centre, which contains two supermarkets (Waitrose and Asda) and is approximately 1,300m north of the town centre. The site is also 1,000m north of the former Barrack Road Sorting Office, for which planning permission has been granted for a supermarket.

3.2 The site is directly adjacent to Kingsthorpe Road, which serves as one of the main routes into the town centre. The site is approximately 360m south of the Cock Hotel Junction. The site and those areas to the west are allocated in the Northampton Local Plan as being an existing business area. The remainder of immediate vicinity is either unallocated or allocated for residential use.

4. PLANNING HISTORY

4.1 N/2013/0197 – Prior notification of demolition – Approved and implemented

4.2 N/2013/0170 – Application for a new foodstore with ancillary office accommodation; petrol filling station; on-line delivery service; service area and recycling centre; new signalled highway access junction; highways infrastructure and utilities; car parking spaces and landscaping – Approved and unimplemented.
4.3 N/2014/0629 – Erection of 54 dwellings of mixed type and tenure; a new foodstore with 90 customer car parking spaces; a new signalled highways access junction – Approved and part implemented.

5. PLANNING POLICY

5.1 Development Plan

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

National Policies

5.2 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.

5.3 Paragraph 21 states that town centres should be the heart of communities and that there should be an appropriate level of retailing in the centre in order to meet the needs of the locality. Paragraph 24 of the NPPF requires that the consideration of alternative sequentially preferable sites. Retail impact should also be assessed and Paragraph 27 requires that town centre uses that do not pass the sequential assessment or would be likely to have a significant adverse impact upon centre viability and vitality should be refused.

5.4 In addition to the assessment of the above matters, the NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant developments on sites that are sustainable.

5.5 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layout are required which minimise conflicts between pedestrians, cyclists and traffic.

5.6 Of particular note to residential proposals is that Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.
5.7 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).

5.8 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 (2014)**

5.9 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:

5.10 Policy S2 of the submitted JCS identifies Northampton as performing the role of a regional town centre and allocates further district and local centres. The policy also requires that the viability and vitality of these centres should be maintained. Policy S9 of the JCS reiterates the sequential approach in the location of retail developments.

5.11 Policy S1 of the JCS states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.

5.12 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing. In addition to these matters, Policies INF1 and INF2 requires that developments provide sufficient infrastructure to mitigate the impacts of development.

**Northampton Central Area Action Plan 2013**

5.13 The application site is not situated in the Central Area; however, Policy 12 of the CAAP identifies a primary shopping area and for this to become the prime focus for retailing in Northampton. Policy 11 states that developments for town centre uses (such as retailing) should be subject to an impact assessment when the quantum of development is in excess of 1,000 square metres. Policy 14 of the CAAP also requires that an additional 40,700 net square metres of comparison retailing and 3,000 net square metres of convenience retailing be provided in the Central Area during the plan period up to 2026.

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

5.14 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
5.15 Policy B14 seeks the retention of allocated business sites for employment purposes (Use Classes B1, B2 and B8) unless it can be demonstrated that the proposed redevelopment would generate significant employment and community benefits.

5.16 Of additional note, Policy E20 states that new buildings should be of an appropriate design and Policy T12 necessitates that new developments have sufficient manoeuvring space for commercial vehicles. Policy H17 requires the provision of a suitable level of housing for people with disabilities.

5.17 Appendix 15 is also of some relevance as it provides a schedule of 66 recognised shopping centres (outside of the town centre) but does not distinguish between any of these in terms of scale or hierarchy. This list of centres is relevant to the sequential assessment of the proposed development.

5.18 **Supplementary Planning Documents**

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

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 **63 Queens Park Parade** – sought clarification regarding nature of the application.

6.2 **Environmental Health (NBC)** – No objections.

6.3 **Highway Authority (NCC)** – No objections.

7. **APPRAISAL**

7.1 Whilst it is accepted that the proposal involves the construction of a retail unit in an out of centre location and housing on a site that has been allocated in the Local Plan for commercial functions, as planning permission has recently been granted for a comparable development and that building works have commenced on site, there is a significantly strong fall-back position. Although the form of the retail unit would change, there would be no increase in the proportion of the building used for the display and sale of goods. It concluded that the development is acceptable in principle. The primary matter for consideration is the impact of the proposed changes from the previously approved scheme.

7.2 The alterations to the exterior of the building comprise the extension of the store entrance (on the southern elevation) and the back of house facilities (on the eastern elevation). These proposed extensions represent a proportionately small increase in the overall footprint of the building and as such would not significantly impact upon the character and appearance of the building. Conditions would be retained that would ensure that the development is constructed from appropriate materials. The separation distances between the proposed amendments and existing buildings are generally significant and as such, there would be a neutral impact upon the amenities of surrounding properties. It is not envisaged that the alterations would result in an increase in noise levels.

7.3 The applicant also proposes an increase in the size of the refuse storage to serve the loading bay which, by reason of its limited proportions and secluded position means that there would be no undue impact upon amenity. The introduction of
roof mounted photovoltaic cells would also have a neutral impact upon amenity, whilst improving the sustainable credentials of the development.

7.4 The reconfiguration of the car park is intended to improve the ease of movement of vehicles and pedestrians around the car park. In addition, the parking spaces for use by customers with disabilities and parents with small children would be relocated so that they are closer to the store. These amendments have resulted in a reduction of car parking spaces from 90 to 89, however, no objections have been received from the Highway Authority and therefore it is considered that the revised parking provision is acceptable.

7.5 As there are no alterations to the residential element of the proposal or the access from Kingsthorpe Road, these elements of the development remain acceptable.

7.6 The proposed revisions would represent a new ‘chapter’ of the site’s planning history, it is necessary to complete a new Section 106 Legal Agreement in order to secure the necessary infrastructure and mitigation. This would be the same Heads of Terms and amounts as the legal agreement associated with the extant permission and would include matters including affordable housing, highway improvements, health care, open space, primary and secondary education and construction worker training opportunities.

8. CONCLUSION

8.1 It is considered that the proposed amendments do not have a significant impact upon the character and impacts of the proposed developments and subject to the applicant entering into a Section 106 Legal Agreement to secure the necessary infrastructure and mitigation the proposed revisions are acceptable.

9. CONDITIONS

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

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

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

Reason: For the avoidance of doubt and to ensure conformity with the Planning Application.

(3) The development hereby permitted shall be carried out in accordance with the details contained within he Geotechnical and Geo-environmental reports (references: 14-198 XRP001 and 14-198-XRP002); the Underground Fuel Tank Removal and Contingency Strategy (reference: 14-0198 XRP003); and the report of the removal of underground storage tanks (reference: 14-0198 XRP004).

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

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

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

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

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

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

(6) The development hereby permitted shall be carried out in accordance with the site level details contained on drawing 17192-5-100a.

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


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

(8) The reinstatement of existing vehicular crossovers to footways shall be carried out in accordance with the details shown on drawings 26557/100/001 Rev. D, 26557/100/006 Rev. D, 26557/100/007 Rev. C, 26557/100/008 Rev. C, 26557/100/010 Rev. A, 26557/500/004 Rev. C, 26557/700/001 Rev. C, 26557/1100/001 Rev. C, 26557/1200/001 Rev. D and 26557/1300/001 Rev. E and fully implemented prior to the development hereby permitted being first bought into use and retained thereafter.

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

(9) The surface treatments to the car park, access roads and pedestrian routes as shown on drawing Y11A480P1004A shall be fully implemented prior to the development hereby permitted being first bought into use and retained thereafter.
Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

(10) Prior to the first occupation of the retail development hereby permitted, the following works shall be fully implemented:

i) Footway connections and vehicular access between the store and Kingsthorpe Road in accordance with drawing 17192/1001E; and

ii) The car park circulating aisles, the car parking spaces and parking spaces for those with disabilities and parent and child priority.

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

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

(11) The retail unit hereby permitted shall be constructed in accordance with the Construction Environment Management Plan as submitted to the Council on the 25th August 2015.

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.

(12) The retail unit hereby permitted shall be constructed in accordance with the materials described on drawing Y11A48-P1201.

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.

(13) Full details of the method of the treatment of the external boundaries of the retail unit shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the unit hereby permitted and retained thereafter.

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(15) All planting, seeding or turfing comprised in the approved details of landscaping approved pursuant to Condition 14 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.

(16) Notwithstanding the details submitted, any external plant and equipment serving the retail unit shall meet Laeq of at least 6dB below the minimum background level (LA90, 1 hour).

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

(17) The acoustic noise barriers as shown on drawings 17192/1001E and 17192/1003B shall be fully constructed prior to the first occupation of the retail unit hereby permitted and retained thereafter.

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

(18) The cycle storage as shown on drawings Y11A48-P1003a and AD5901 shall be provided prior to the first occupation of the store hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Local Plan Policies E20 and Policy S10 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of securing a satisfactory standard of development in line with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

(20) The retail unit lighting specification as shown on drawings Y11A48-P1003a, B2629 E3 P2 and details submitted on the 5th August 2015 shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

(21) Prior to the first occupation of the retail unit hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two months of the first occupation of the development hereby permitted and retained thereafter.
Reason: In the interests of promoting more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

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

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

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

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

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

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

(25) The retail development hereby permitted shall not be sub-divided to form more than one retail unit.

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

(26) The retail unit hereby permitted shall be constructed in accordance with the Construction Environment Management Plan as submitted to the Local Planning Authority on the 25th August 2015.

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.

(27) The residential development hereby permitted shall be carried out in accordance with the materials specification dated the 15th July 2015 (reference: RR/CIR.M.0261).

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.

(28) The residential development shall be carried out in accordance with the boundary treatments as shown on drawing MPD 57 P 01 Rev. A and shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.
(29) Prior to the first occupation of the residential development hereby permitted, the following works shall be fully implemented:

- Footway connections and vehicular access between the store and Kingsthorpe Road and Studland Road in accordance with drawing 17192/1001E.

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

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

(30) The development shall be carried out in accordance with the hard and soft landscaping scheme as shown on drawings 5458/ASP001 Rev. C, 5458/ASP002 Rev. C, 5458/ASP003 Rev. C, 5458/ASP004 Rev. C and 5458/ASP005 Rev. C.

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

(31) All planting, seeding or turfing comprised in the details of landscaping approved pursuant to Condition 30 shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

(32) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the northern elevation of the proposed units on Plots 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44 as shown on drawing 17192/1001E.

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

(33) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the southern elevation of the proposed units on Plots 2 and 3 as shown on drawing 17192/1001E.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy E20 of the Northampton Local Plan.
(34) The refuse storage arrangements as shown on drawing MPD 57 P 02 shall be fully implemented prior to the first occupation of Plots 24 and 25 and retained thereafter.

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

(35) The glazing and ventilation to Plots 42, 43, 44, 45, 46 and 47 (as shown on drawing 17192/1001E) shall be carried out in accordance with technical specifications as submitted to the Council on the 15th July 2015 (reference: RR/CIR.M.0261) prior to the first occupation of the relevant dwellings and retained thereafter.

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

Informative Notes:

i. Convenience Goods are defined as goods that include foods, pet food, drinks, cleaning products, toiletries, newspapers and magazines and non-durable household goods.

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

10. BACKGROUND PAPERS

10.1 N/2014/0629

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.
PLANNING COMMITTEE: 29th September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2015/0865: Variation of condition 6 of planning permission N/2013/0620 (Change of use to young persons’ drop in centre) to allow additional opening hours between 9:30am to 9:30pm on Saturdays, ancillary building in Abington Park, Wellingborough Road

WARD: Park

APPLICANT: Park Avenue Methodist Church
AGENT: None

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed increase in the hours of use of the existing building would have no significant additional impacts on the amenities of nearby residents or park users. The proposal would thereby comply with Policies S10 and C2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The proposal relates to the previously approved change of use of what was a disused former storage building as a young persons’ drop-in centre. The hours of use were restricted to 11am to 9.30pm on Mondays to Fridays, with no opening permitted on Saturdays and Sundays. It is now proposed to extend the opening hours to include 9.30am to 9.30pm on Saturdays.

3. SITE DESCRIPTION
3.1 The site comprises a former storage building within Abington Park which has been in the permitted use as a young person’s drop in centre since 2013.

3.2 The premises are located towards the edge of the park, in close proximity to the residential properties of Archway Cottages, the gardens of which are approximately 17m from the building.

3.3 The site is located within the Abington Park Conservation Area.

4. PLANNING HISTORY

4.1 The change of use of the building to a young person’s drop in centre was approved by the Planning Committee on September 3rd 2013.

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 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development within a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

5.3 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:

7. Requiring Good Design.

12. Conserving and enhancing the historic environment.

5.4 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:

SA – Presumption in favour of sustainable development

S10 – Sustainable Development Principles

C2 – New Developments

BN5 – The Historic Environment and Landscape
5.5 **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
E26 – Conservation Areas

5.6 **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 **Environmental Health**: no objections.

6.2 **Police Crime Prevention Design Adviser**: no objection to the application to allow additional opening hours. The facility does not appear to generate any crime and disorder – there are no recorded crimes or incidents logged against the address.

6.1 The proposed development has been advertised by way of site notices and letters to neighbouring occupiers. Representations have been received from landlords of the nearby Archway Cottages and from the occupiers of one of the cottages, making points which can be summarised as follows:

There have been incidents involving the young people attending the centre, there is the potential for this to increase which is intimidating to neighbouring residents and therefore would object unless supervision can be guaranteed.

7. **APPRAISAL**

7.1 The main issues to consider are the potential for any increased impact, particularly on the amenities of nearby residential occupiers, as a result of the proposed increased opening hours.

7.2 The activities provided were stated in the original application as being playing pool and a space to sit and meet friends and have coffee / soft drinks. Laptops etc may be provided for playing games and doing homework. Whilst music would be played the volume of this would be controlled by the supervisor.

7.3 The supervisors keep track of who is attending and repeat visitors will be asked to return a permission slip signed by their parent / guardian. Good behaviour will be expected and those misbehaving may not be allowed to return.

7.4 Comments received by the objectors refer to users of the centre gathering near to residential properties within Archway Cottages and engaging in anti-social behaviour which is intimidating.
7.5 Whilst it may be the case, it must also be recognised that this is a general problem which does not result directly from the use of the centre, in fact the purpose of the centre is to discourage such behaviour.

7.6 It is considered, therefore, that the prevalence of such incidents would be more likely to be reduced if the proposed extension of opening hours is approved than if not, as this would give at least some of those who may be inclined to such behaviour an alternative.

7.7 It is recommended, therefore, that the increase in opening hours is approved as this would on balance be more likely to have a positive impact.

8. CONCLUSION

8.1 The proposed extended opening hours for the use would have on balance a neutral impact on the amenities of adjoining or nearby residents, subject to the controls afforded by the proposed conditions.

9. CONDITIONS

(1) The security measures as approved in respect of Condition 3 of planning permission N/2013/0620 shall be maintained for the duration of the approved use of the premises.

Reason: In the interests of security and the prevention of crime, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(2) The premises shall be open only between the hours of 11am and 9.30pm from Mondays to Fridays and between the hours of 9:30am and 9.30pm on Saturdays and at no time on Sundays or Bank or Public Holidays.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 Application files N/2013/0620 and N/2015/0865.

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.
APPLICATION FOR DETERMINATION:

1. **RECOMMENDATION**

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

The development is compatible towards the surrounding land uses and has a neutral impact upon the neighbour amenity and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework: Policy S10 of the West Northamptonshire Joint Core Strategy and Policies E20, H18, H21 and H23 of the Northampton Local Plan.

2. **THE PROPOSAL**

2.1 The applicant seeks permission to retain an existing extension, which was constructed in 2008 as part of the conversion of the building to form two separate self-contained flats. The units have been occupied in the intervening period. This application has been submitted in order to regularise the situation.

3. **SITE DESCRIPTION**

3.1 The application site comprises a two storey mono-pitch building adjacent to 56 Gray Street. The bulk of the buildings in the vicinity are two storey terraced...
houses of a traditional form. The vast majority of these buildings appear to be occupied as single household dwellings and only six out of the 57 properties within the street are used as houses in multiple occupation. In addition, a development of flats has been constructed on the northern side of Gray Street. The site is also sited in the Boot and Shoe Quarter Conservation Area.

3.2 Planning permission has previously been granted to covert the property to a two bedroom house. The development constructed varies from the approved plans as two flats have been constructed in addition to a two storey extension with a projection of approximately 2m.

4. PLANNING HISTORY

4.1 WN/2006/0120 – Conversion of 23 Shakespeare Road into two flats and conversion of 58 Gray Street into one two storey dwelling – Approved

08/0130/FULWNN - Demolition of rear extension and erection of two storey rear extension and conversion of existing building into two 1 bedroom flats and alteration to side window – Refused

4.2 The 2008 application was refused as it was considered that the development would lead to a loss of privacy for the occupiers of surrounding properties.

5. PLANNING POLICY

5.1 Development Plan

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

5.3 Paragraph 17 sets out the principles of the planning system and in particular states that planning decisions should secure decisions of good quality design and amenity in addition to encouraging the use of previously developed land.

5.4 Paragraph 50 states that planning decisions should create a good quality homes of sufficient variety in order to meet the needs of differing groups of the community, such as young people, people with children and older people. In addition, the NPPF (in paragraph 49) requires that housing development is carried out by promoting sustainable development.

5.5 Paragraphs 56 and 57 require that new developments are of a good standard of design.
5.6 **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  
Policy H1 - Housing Density, Mix and Type of Dwellings

5.7 **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  
H18 – Residential extensions  
H21 – Conversion to flats  
H23 – Conversion to flats

5.8 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

5. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

5.1 **Highway Authority (NCC)** – No objections.

5.2 **Cllr. D. Stone** – The scheme is an overdevelopment of the site, puts pressure on services and car parking and causes anti-social behaviour.

5.3 **13 Shakespeare Road** – Make observations regarding the retrospective nature of the application and car parking provision within the vicinity of the site is limited.

6. **APPRAISAL**

6.1 By reason of the nature of the surrounding land uses, it is considered that the development is complementary towards the area. By reason of the development being located within a residential area and in close proximity to the town centre, the Racecourse public open space and Kettering Road and Barrack Road it is considered that the development is sustainably located and in accordance with the requirements of the National Planning Policy Framework. It is also considered that the provision of two further units of accommodation in such a sustainable location would assist in meeting the need for housing within Northampton.

6.2 The comparatively small scale of the development (i.e. two flats each of two bedrooms) means that the units are likely to be occupied by small households or individuals. As a large number of units within Gray Street are occupied as family housing and the relatively small number of houses within the vicinity that have been converted to flats means that a good mixture of house types
would remain. The size of the units also exceed the minimum sizes specified within Policy H23 of the Northampton Local Plan.

6.3 By reason of the small scale of the two units, it is considered that the development does not put any unduly great pressure upon parking provision within the area bearing in mind that a two bedroom dwelling in this site has previously been deemed acceptable and the fact that the two flats have been occupied since 2008. Prior to being converted to residential purposes, the site was used for commercial activities (car repairs). It is likely that this use would have had a more intensive impact upon parking requirements within the vicinity.

6.4 This application represents a revised scheme from that previously considered by WNDC. In essence, the side window from the extension has been removed. This removes any potential for the development to adversely impact upon the amenities of the surrounding properties in Shakespeare Road and overcomes the previous reason for refusal. The design of the extension maintains the proportions of the original building and is constructed from materials of the same type as the main part of the building. This ensures that there is no significant adverse impact upon visual amenity.

6.5 The bulk of the development retains features (such as windows and the external staircase) that predate the use of the property for residential purposes and as such the development would maintain the visual amenity of the locality and surrounding properties.

6.6 In order to ensure that a good standard of development is maintained in the future, a condition is recommended that would ensure that suitable refuse storage is provided within a reasonable timescale.

6.7 As the application site is located within an area covered by an Article 4 Direction, a further planning application would be required if there was ever an intention to change the use of the flats to Houses in Multiple Occupation. It is noted that comments have been submitted that have raised issues regarding the retrospective nature of the application; however, the planning system provides for applications to be made retrospectively, in order to remedy breaches of planning control. Local planning authorities must treat such applications on their merits, in the same way as planning applications submitted in advance of development taking place.

7. CONCLUSION

7.1 It is considered that the retention of the development has a neutral impact upon neighbour amenity and the surrounding highway system. As the development is compatible with the surrounding land uses, it is considered that the application is acceptable.

8. CONDITIONS

1. Notwithstanding the details submitted, full details of refuse storage to serve the dwellings hereby permitted shall be submitted to and approved in writing by the Local Planning Authority within four weeks from the date of this approval. The refuse storage shall be fully implemented within 12 weeks from the date of this permission and retained thereafter.
9. **BACKGROUND PAPERS**

9.1 None

10. **LEGAL IMPLICATIONS**

10.1 None

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

11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.
PLANNING COMMITTEE: 29th September 2015
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes
N/2015/0952: Formation of hard standing and erection of side/front boundary wall (part retrospective) at 24 Little Gull Close
WARD: Talavera
APPLICANT: Mr S Rice
AGENT: N/A
REFERRED BY: Cllr D. Meredith
REASON: Out of keeping with the surrounding area
DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. **RECOMMENDATION**

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

The proposed development would not be detrimental to the character or appearance of the host property, the streetscene or the surrounding area, nor would it be detrimental to the residential amenity of neighbouring properties. The proposed development would not be detrimental to highway safety. The proposal is considered to be acceptable and in accordance with Policy E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. **THE PROPOSAL**

2.1 Part retrospective planning permission is sought for the formation of hard standing and erection of side/front boundary wall. The application is part retrospective as work has commenced on the boundary wall. The development would provide two off street parking spaces.

3. **SITE DESCRIPTION**

3.1 The application site constitutes a semi-detached dwellinghouse, on the corner of Little Gull Close and Barley Hill Road. To the north and west of the site is
existing highway, to the east is no. 23 Little Gull Close and to the south is rear of no. 22 Little Gull Close.

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) 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 section is of particular relevance to this application:

5.3 Paragraph 56: Good design is a key aspect of sustainable development and is indivisible from good planning.

5.4 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. Policy of particular relevance is:

Policy S10 – Sustainable Development Principles – 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.

5.5 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 policy is 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.

5.6 Supplementary Planning Documents
6. CONSULTATIONS/ REPRESENTATIONS

6.1 Councillor D Meredith - The development is out of keeping with the surrounding area.

6.2 The development has been advertised by way of neighbour letters, no representations have been received.

6. APPRAISAL

Visual amenity

6.1 The proposed development would be in keeping with the character and appearance of the host property and the surrounding area. The proposed boundary wall and hardstanding have been well designed and would be constructed from materials appropriate to the site and the surrounding area. The boundary wall is considered to be of a modest scale, with a height of 600mm, with brick piers at a height of 750mm. It is considered that the development would not be detrimental to the visual amenity of the host property, the streetscene or the surrounding area. The development is considered to be in accordance with Policy E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Residential amenity

6.2 The development would not create any significant loss of amenity to neighbouring properties. It is considered that the development would in fact have a positive impact on neighbour amenity as it would provide additional off street parking, thus reducing parking pressures within the nearby street.

6.3 The proposal is considered to be in accordance with Policy E20 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Highways safety

6.4 During the site visit it was noted that a number of vehicles park on the street within close proximity of the application site. It is considered that the provision of two off-street parking spaces would have a positive impact on highway safety.

6.5 A vehicle crossover to access the site has been constructed in accordance with the Local Highway Authority’s standard and specifications.

6.6 The proposal is considered to be in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.
7. **CONCLUSION**

7.1 It is considered that the development would be acceptable in terms of visual and residential amenity and would have a positive impact on highway safety by increasing off-street parking in the local area.

9. **CONDITIONS**

(1) The development hereby permitted shall be carried out in accordance with the following approved plan: 15/R119/1.

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

10. **BACKGROUND PAPERS**

10.1 N/2015/0952.

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.