



PLANNING AGENDA

Tuesday, 19 January 2016

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

6:00 pm

Members of the Committee

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

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

Chief Executive David Kennedy

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

PLANNING COMMITTEE

AGENDA

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

The Council permits public speaking at the Planning Committee as outlined below:

Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837722
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)
- By email to: democraticservices@northampton.gov.uk

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

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

**NORTHAMPTON BOROUGH COUNCIL
PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 19 January 2016
at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

1. APOLOGIES

2. MINUTES

Copy herewith

3. DEPUTATIONS / PUBLIC ADDRESSES

4. DECLARATIONS OF INTEREST/PREDETERMINATION

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

6. LIST OF CURRENT APPEALS AND INQUIRIES

Report of Director of Regeneration, Enterprise and Planning.

7. OTHER REPORTS

**(A) VARIATION OF S106 AGREEMENT DATED 21ST FEBRUARY 2011
PURSUANT TO PLANNING PERMISSION WN/2010/0039
(DEVELOPMENT OF 80 RESIDENTIAL UNITS) ON LAND OFF SOUTH
MEADOW ROAD**

(Copy herewith)

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

**(A) N/2015/1471 - TWO STOREY EXTENSION TO EXISTING BUILDING TO
PROVIDE AN EIGHT CLASSROOM TEACHING BLOCK, LINK
CORRIDOR TO EXISTING BUILDING, EXTENSION TO EXISTING
SCHOOL ENTRANCE/RECEPTION AND ASSOCIATED ALTERATIONS.
EXTERNAL WORKS INCLUDE 19 ADDITIONAL CAR PARKING SPACES,
PEDESTRIAN ACCESS GATE AND ADDITIONAL HARD PLAY AREA.
HARDINGSTONE COUNTY PRIMARY SCHOOL, MARTINS LANE**

(Copy herewith)

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2016/0014 - ADVERTISEMENT CONSENT APPLICATION FOR CROSS STREET BANNER. 75 ST GILES STREET AND MANNA HOUSE

(Copy herewith)

10. ITEMS FOR DETERMINATION

ADDENDUM ATTACHED

(A) N/2015/0999 AND N/2015/1000 - CHANGE OF USE FROM OFFICE (USE CLASS B1) TO CHILDRENS DAY NURSERY (USE CLASS D1) AND ASSOCIATED WORKS AND LISTED BUILDING CONSENT APPLICATION FOR INTERNAL ALTERATIONS TO BUILDING AND ERECTION OF PALISADE FENCING. HOME FARM WORKS, ORCHARD HILL

(Copy herewith)

(B) N/2015/1067 - CONVERSION INTO 2NO 1-BED FLATS, 4NO NEW 1-BED FLATS AND 2NO NEW 2-BED SEMI-DETACHED DWELLINGS. 54 ADAMS AVENUE

(Copy herewith)

(C) N/2015/1078 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5NO RESIDENTS. 74 MILITARY ROAD

(Copy herewith)

(D) N/2015/1256 - CHANGE OF USE FROM DWELLING (USE CLASS C3) INTO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3NO RESIDENTS. 13 UPPINGHAM STREET

(Copy herewith)

(E) N/2015/1314 - CHANGE OF USE FROM PUBLIC HOUSE (USE CLASS A4) INTO CONVENIENCE STORE (USE CLASS A1) INCLUDING ALTERATION AND EXTENSIONS, REAR STORAGE AND INSTALLATION OF 2NO SATELLITE DISHES ON ROOF. THE BARN OWL, OLDEN ROAD

(Copy herewith)

(F) N/2015/1344 - SINGLE STOREY FRONT EXTENSION. 31 CONEYGREE COURT

(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:-**

PHOTOGRAPHY AND AUDIO/VISUAL RECORDINGS OF MEETINGS Anyone may record meetings of the Council, the Cabinet, any Committee or Sub-Committee of the Council through any audio, visual or written method to include taking photographs of meetings, filming meetings or making audio recordings of meetings. The Chair of the meeting shall have the discretion to revoke the permission in the event that the exercise of the permission is disturbing the conduct of the meeting in any way or when it is otherwise necessary due to the nature of the business being transacted at the meeting. Permission may only be exercised where the public have the right to attend the meeting; and if a meeting passes a motion to exclude the press and public, then in conjunction with this, all rights to record the meetings are removed.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Thursday, 17 December 2015

PRESENT: Councillor Oldham (Chair); Councillors Birch, Golby, Haque, Hill, Lane, McCutcheon and Meredith

OFFICERS: David Hackforth (interim Head of Planning), Rita Bovey (Development Manager), David Rowen (Development Management Team Leader), Ben Clarke (Senior Planning Officer), Debbie Carter-Hughes (Solicitor), Michael Flynn (Democratic Services Officer)

1. APOLOGIES

Apologies were received from Councillors Aziz, Larratt, Lynch and Davenport.

2. MINUTES

The minutes of the meetings held on 27th October, 10th November and 24th November were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2015/0333

Scott Bryden

Mrs Cecily Richardson

4. DECLARATIONS OF INTEREST/PREDETERMINATION

The Chair declared a personal non pecuniary interest in item 10c as the Ward Councillor for West Hunsbury

Councillor Hill declared a personal non pecuniary interest in item 10k as the Ward Councillor for Rectory Farm

Councillor Meredith declared a personal non pecuniary interest in item 10i as the Ward Councillor for Talavera

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 and elaborated thereon.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) N/2004/0930 - VARIATION OF S106 AGREEMENT ON LAND WEST OF HARVEY REEVES ROAD

The Senior Planning Officer elaborated on a report submitted by the Director for Regeneration, Planning and Enterprise. It was reported that as the Environment Agency has confirmed that satisfactory remediation has been carried out on the site the easement strip is no longer required. It is considered appropriate that the relevant obligation can be removed from the S106. All other obligations of the original agreement would remain applicable and in force.

The Committee discussed the report.

RESOLVED

The Committee **AGREED** to vary the Section 106 agreement to remove Clause 6.4 of Schedule 2 of the agreement relating to the retention of an easement strip originally required as a potential contingency remediation corridor in relation to ground water remediation measures associated with the development of the former landfill site.

(B) N/2015/1388 - VARIATION OF S106 AGREEMENT FOR GROSE GARAGE SITE, KINGSTHORPE ROAD

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that due to potential changes in housing legislation, the developer has not been successful in securing a Registered Provider (RP) to operate the affordable housing provision of the mix stated in the current legal agreement. It was advised that it would not be desirable to potentially disrupt the redevelopment of the site, which would contribute to meeting the demand for housing in Northampton particularly as the proposal represents the reuse of previously developed land and is in a sustainable location and therefore it is recommended that the legal agreement be amended so that all of the affordable housing is occupied on shared ownership tenures, for which there is interest. In the event that the affordable housing is not deliverable on site, a mechanism has been agreed that would ensure the payment of a reasonable contribution to the Council for off-site provision.

The Committee discussed the report

RESOLVED

The Committee **AGREED** to vary the Section 106 agreement to accept the variation in tenure mixture for the provision of on-site affordable housing and in the event that the developer is unable to dispose of the properties as affordable housing to accept a contribution towards the provision of off-site affordable housing.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

- (A) N/2015/0333 - HYBRID PLANNING APPLICATION COMPRISING: (A) FULL PLANNING APPLICATION FOR THE ERECTION OF A 1,810M2 NEW RETAIL FOOD STORE WITH ASSOCIATED ACCESS FROM EARL STREET, LANDSCAPING AND CAR PARKING; AND (B) OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS (FROM GREAT RUSSELL STREET) OF UP TO 19 RESIDENTIAL DWELLINGS. FORMER NORTHAMPTON CHRONICLE AND ECHO SITE, UPPER MOUNTS, CASTLE**

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that the applicant had submitted a hybrid planning application which sought full permission for a single element of the scheme (in this case the retail unit, its car parking, landscaping and access), whilst also seeking outline approval for the remainder (the residential accommodation), with the exception of access. In the event that the application is approved, a further application would be submitted to the Council to agree the outstanding details for the residential scheme, including scale, layout, landscaping and appearance.

Mr Scott Bryden as the client's Architect addressed the Committee and spoke in favour of the application.

Mrs Cecily Richardson addressed the Committee and spoke in favour of the application.

The Committee discussed the report

RESOLVED

That the application be **APPROVED IN PRINCIPLE** subject to S106 agreement and the conditions as set out in the report and for the following

reason:

1.1 The proposed development would result in the satisfactory reuse of this previously developed site on account of the proposal representing a sustainable commercial and residential development that would have a neutral impact upon the viability and vitality of the allocated hierarchy of centres in addition to contributing to the established need for housing within Northampton. Furthermore, the proposal has established a number of acceptable design parameters that would ensure that the proposed development would be of a satisfactory scale and design whilst ensuring a neutral impact upon neighbour amenity and the highway system. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework; Policies H1, H2, S1, S2 and INF1 of the West Northamptonshire Joint Core Strategy; and Policies 1, 12, 16 and 23 of the Northampton Central Area Action Plan.

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

- i) 35% on site affordable housing;
- ii) A payment towards primary education provision;
- iii) A payment towards the provision of health care facilities;
- iv) A payment towards improving the public realm and links between the application site and the town centre;
- v) The funding of a Traffic Regulation Order to enable amendments to the existing parking restrictions within Earl Street to be carried out;
- vi) That the applicant submit details of the marketing strategy for the residential portion of the site prior to building works commencing; and
- vii) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the 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.

1.4 The Council has advertised the application by press notice, multiple site notices and letters to the occupiers of neighbouring properties. The publicity

described the proposal as a departure from the Development Plan and identified the proposal as a major application. Consultation responses are summarised in Section 6 of this report. Unfortunately, this publicity did not identify the site as being adjacent to a Conservation Area. The Council has taken steps to rectify this, which means that the consultation period has yet to fully conclude. As a consequence, it is requested that delegated authority be given to the Director of Regeneration, Enterprise and Planning to resolve any forthcoming representations on this subject.

(B) N/2015/0738 - DEMOLITION OF PART, CONVERSION OF THE EXISTING BUILDING AND ERECTION OF TWO NEW FLOORS TO FORM 64NO. APARTMENTS. NEWSPAPER HOUSE, DERNGATE, CASTLE

The Development Management Team Leader elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. The application sought planning permission to convert a vacant office building and gym in the town centre into a residential development of 64 apartments. The development proposed to erect an extension to the building to form an additional two floors (with a mezzanine). A further mezzanine would be installed on the ground floor giving the building, overall, seven floors. An 'off-shot' two storey wing to the rear of the building would form part of the conversion.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The benefits of the development in terms of its contribution to the five year housing land supply and the visual improvement to the Derngate Conservation Area and wider townscape, coupled with the contribution to the aspirations for the repopulation and reinvigoration of the town centre would outweigh the less than substantial harm arising to heritage assets and the relative under provision of car parking. This would therefore accord with Policies H1, S3 and S10 of the West Northamptonshire Joint Core Strategy, Policies SO7, 1, 2, 10 and 16 of the Central Area Action Plan, Policies E20 and E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework

(C) N/2015/0791 - SINGLE STOREY EXTENSION TO FRONT OF CAFÉ. DROVERS RETURN CAFÉ, HUNSBURY HILL COUNTRY PARK, HUNSBURY HILL, WEST HUNSBURY

The Development Management Team Leader elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that permission was sought for a front single storey extension to the existing café to be used as an information/visitor room and as a shelter for dog walkers using the park. The proposed extension would be a maximum height of 2.5 metres high and project 3 metres off the front wall of the existing building. Associated with the development is a small extension to the existing patio. The proposed extension would be constructed in wood with polycarbonate roof.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed development would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building, area, neighbouring amenity or adjacent trees and complies with Policies E20 of the Northampton Local Plan, S10 and BN5 of the West Northamptonshire Joint Core Strategy, and aims of the National Planning Policy Framework.

(D) N/2015/0999 & N/2015/1000 - CHANGE OF USE FROM OFFICE (CLASS B1) TO CHILDRENS DAY NURSERY (CLASS D1) AND ASSOCIATED WORKS AND LISTED BUILDING CONSENT APPLICATION FOR INTERNAL ALTERATIONS TO BUILDING AND ERECTION OF PALISADE FENCING,HOME FARM WORKS, ORCHARD HILL,BILLING

This item was withdrawn from the agenda.

(E) N/2015/1108 - CONVERSION OF DWELLING INTO 2 SELF-CONTAINED FLATS. 15 LESLIE ROAD, SEMILONG

The Senior Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that the applicant sought planning permission to convert the existing property consisting of an existing end of terrace two storey house into two one-bedroom flats. The first floor flat would be accessed from Leslie Road whilst the ground floor flat would be accessed from a yard located to the rear (north west) of the site.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed development represents an acceptable land use, would secure an acceptable level of amenity for the future occupiers and would have a neutral impact upon the occupiers of neighbouring properties and the highway system. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework; Policies H1 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan.

(F) N/2015/1110 - DEMOLISH EXISTING CONSERVATORY, ERECT SINGLE-STOREY REAR EXTENSION AND SINGLE-STOREY FRONT EXTENSION. ELEANORE HOUSE, 3 BUTTERMERE CLOSE, EASTFIELD

The Senior Planning Officer presented a report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that Permission was sought for single storey front and rear extensions, with the demolition of the rear conservatory, together with some alterations to windows and doors.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposal will have no adverse impact upon visual or residential amenity and is 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.

(G) N/2015/1140 - PROPOSED SINGLE SPAN POLYTHENE COVERED CANOPY TO COVER AN EXISTING GROWING AREA MEASURING 12.5M X 10M. CRAMDEN NURSERIES, HARBOROUGH ROAD NORTH, SPRING PARK

The Senior Planning Manager presented the report submitted by the Director of Regeneration, Enterprise and Planning. It was reported that planning permission was sought for the erection of a single span polythene covered canopy at the Cramden Nursery to cover an existing growing area.

It was advised the proposed canopy would be constructed of galvanised framework, with an ultra- violet inhibited white polythene roof covering. The proposed structure measures 10m x 12.5m, 4m high.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed structure is considered to be in keeping with the character of the site as a nursery, without undue impact on the function of the green space or the amenity of nearby residents, in accordance with Policy E20 of the Northampton Local Plan, Policies S10 and of the West Northamptonshire Joint Core Strategy and the National Planning Policy

Framework

(H) N/2015/1219 - LISTED BUILDING APPLICATION FOR PROPOSED RE-RENDERING OF GROUND FLOOR INTERNAL WALLS. 33 ST GILES STREET, CASTLE

The Senior Planning Officer presented the report on behalf of the Director of Regeneration, Enterprise and Planning. It was reported that the applicant sought Listed Building Consent to replace the existing gypsum plaster with a lime plaster.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed works would have a neutral impact upon the historic environment and as a consequence, the works are in conformity with the requirements of the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy; and Policy 1 of the Central Area Action Plan.

(I) N/2015/1224 - ERECTION OF 6NO WHEELED BIN ENCLOSURES. LAND AT KIRTON CLOSE, TALAVERA

The Development Management Team Leader presented the report and the content of the addendum on behalf of the Director of Regeneration, Enterprise and Planning. It was reported that Planning permission was sought for the installation of a steel mesh structure to house six wheelie bins serving the adjacent flats.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed bin store will not adversely affect visual amenity of the area nor impact on residential amenity and highway safety, and would 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.

(J) N/2015/1225 - ERECTION OF 7NO BIN ENCLOSURES. LAND AT CRESTLINE COURT, TALAVERA

This item was withdrawn from the agenda.

(K) N/2015/1238 - CHANGE OF USE OF PUBLIC AREA INTO DOMESTIC GARDEN. 69 MAIDENCASTLE, RECTORY FARM

The Development Management Team Leader presented the report on submitted by the Director for Regeneration, Enterprise and Planning. It was reported that the application proposed the change of use of a small area of grassed amenity land to the side of No. 69 Maidencastle to incorporate as part of the domestic garden. A close-board fence approximately 1.8m high would be erected to enclose the area of land concerned. The application was amended to bring part of the proposed fence line 0.5m nearer to the house towards the front of the property to avoid a visual 'pinch-point' with the adjacent footpath.

The Committee discussed the report.

RESOLVED

That the application is **APPROVED IN PRINCIPLE** subject to the conditions as set out in the report and for the following reason:

The proposal would have a neutral impact on the character of the surrounding area and would not adversely impact on residential amenity. The proposal is considered in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

As consultation period will not finish until 21st of December, that delegated authority is given to the Head of Planning in consultation with the Chair of Planning Committee to determine the application taking into consideration any further consultation responses received.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

13. EXCLUSION OF PUBLIC AND PRESS

The Chair moved that the Public and Press be excluded from the remainder of the meeting on the grounds that there was 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.

The Motion was Carried.

The meeting concluded at 19:12

Directorate: Regeneration, Enterprise and Planning
 Director: Steven Boyes



List of Appeals and Determinations – 19th January 2016

Written Reps Procedure			
Application	DEL/PC	Description	Decision
N/2015/0211 APP/V2825/X/15/3063787	DEL	Lawful Development Certificate for an existing single storey rear extension at 69 Raeburn Road	DISMISSED
N/2015/0395 APP/V2825/D/15/3132268	DEL	Single storey rear extension. Re-submission of planning application N/2014/1094 at 1 St Peters Gardens	DISMISSED
N/2015/0470 APP/V2825/W/15/3127982	DEL	Erection of detached machinery store including access and retaining wall. (Resubmission of planning application N/2014/1180) at Pearces Bungalow, 2 Wellingborough Road	AWAITED
N/2015/0530 APP/V2825/D/15/3132925	DEL	Front dormer extension with extension to existing rear dormer at 27 Grayhurst Close	DISMISSED
N/2015/0561 APP/V2825/W/15/3135609	PC	Change of use of single dwelling to house in multiple occupation for 5 residents (Use Class C4) - retrospective application at 76 Somerset Street.	AWAITED
N/2015/0644 APP/V2825/D/15/3138574	DEL	Two storey side extension, single storey rear extension and front porch at 71 Wilford Avenue.	AWAITED
N/2015/0798 APP/V2825/D/15/3138225	DEL	Change of use of existing storage unit into 2no 1-bed apartments at 2 Oaklands Drive.	AWAITED
N/2015/0928 APP/V2825/W/15/3139794	DEL	Change of use to five person house in multiple occupancy at 119 Whitworth Road	AWAITED
N/2015/0932 APP/V2825/D/15/3136744	DEL	Erection of a single-storey detached garage. Re-submission of planning application N/2015/0057 at 34 Wysall Road.	DISMISSED
Public Inquiry			
N/2013/0338 APP/V2825/A/14/2228866	PC	Site at Land to East of Hardingstone, North of Newport Pagnell Road - Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road – Public Inquiry ended on 30th July at Franklin Gardens, Weedon Road	AWAITED
N/2013/1035 APP/V2825/W/15/3028151	PC	Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved accept access, land south of Rowtree Road and west of Windingbrook Lane – Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED
N/2013/1063 APP/V2825/W/15/3028155	PC	378 dwellings served by a new access from Windingbrook Lane, and the re-configuration of part of the Collingtree Park Golf Course including a new temporary hole 17 and the demolition of all existing buildings and structures within the site, green infrastructure including formal and informal open space, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements), land south of Rowtree Road and west of Windingbrook Lane - Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED

Hearing			
N/2015/0718 APP/V2825/W/15/3137541	DEL	Change of use from retail (use class A1) to restaurant/bar and install extraction equipment to rear at 6-7 Drapery. Hearing date 26/01/2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE	AWAITED
Enforcement Appeal			
		None	
The Address for Planning Appeals is:		Appeal decisions can be viewed at -	
Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.		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: 19th January 2016

DIRECTORATE: Regeneration, Enterprise and Planning

DIRECTOR: Steven Boyes

REPORT TITLE: Variation of Section 106 agreement dated 21st February 2011 pursuant to planning permission WN/2010/0039 (Development of 80 residential units) on land off South Meadow Road

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 That the Committee **AGREE** to variation of affordable housing provisions in the Section 106 agreement dated 21st February 2011 as set out in the Report.

2. BACKGROUND

- 2.1 The S106 Agreement dated 21st February 2011 relates to planning application approved by West Northamptonshire Development Corporation, reference WN/2010/0039 for the residential development for 80 residential units with associated garages, roads and sewers on land off South Meadow Road which has since been implemented. The Agreement contains requirements for the provision of affordable housing and in particular the process to be followed in relation to the disposal of an Intermediate Affordable Housing Unit on the open market.

3. PROPOSED VARIATION

- 3.1 The application seeks to vary the affordable housing provisions in relation to the disposal of Intermediate Housing Unit such that it is in line with the Affordable Housing Provider's 'standard' shared ownership lease.

4. CONSIDERATIONS

- 4.1 In January 2015 the Government consulted on proposals to streamline the resale of shared ownership properties. In March 2015 the Department for Communities and Local Government published a summary of the responses received and the Government's proposed way forward. The outcome of this consultation was that the Homes and Communities Agency published new model leases in August 2015 and the Government confirmed they would review shared ownership as part of the ongoing changes to housing policy. In relation to the specific issue raised by this application the Government's response to the consultation states that they consider that an eight week period for nominations prior to any property being put on the open market is appropriate.
- 4.2 The proposed amendment to the period for nominations from 4 months to 8 weeks would therefore be better aligned with the provisions of the 'standard' shared ownership lease whilst

allowing sufficient time to establish if there is an interest in the property as a shared ownership property which should be established through the Help to Buy Agent which is Orbit Homes.

- 4.3 The proposed reduction to a requirement for three to one independent assessment of the market value of the Intermediate Housing Unit is considered acceptable however the clause should be amended to require that the valuation is undertaken by a registered valuer.

5. CONCLUSION

- 5.1 The proposed variations would align the S106 Agreement with more recent changes in Government guidance in relation to the sale of shared ownership properties whilst maintaining an element of control over the disposal of shared ownership units. The variations are therefore considered appropriate and acceptable. All other obligations of the original Agreement would remain applicable and in force.

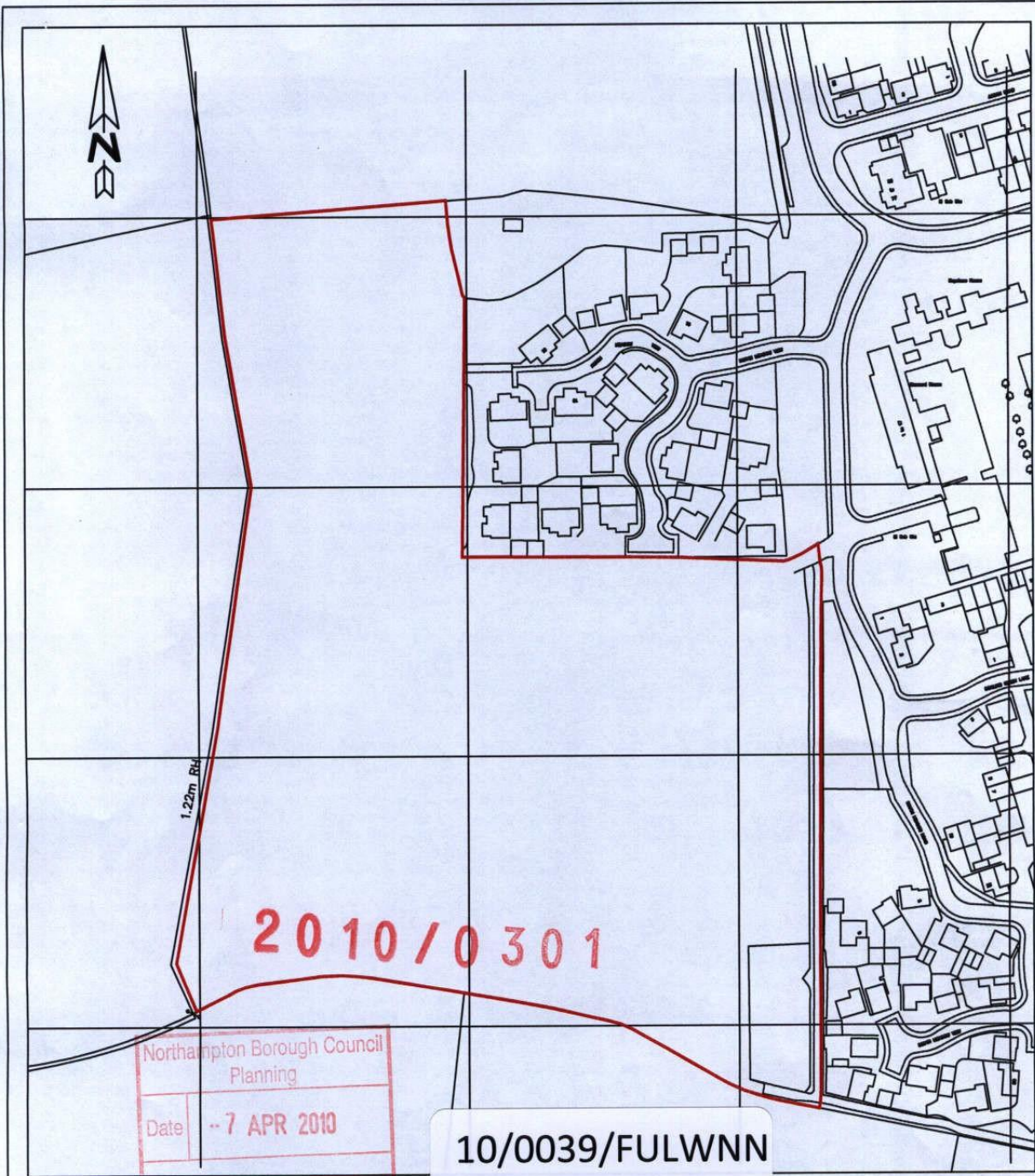
6. LEGAL IMPLICATIONS

- 6.1 As set out in the report.

7. SUMMARY AND LINKS TO CORPORATE PLAN

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

211061



Northampton Borough Council
 Planning
 Date 7 APR 2010

10/0039/FULWNN
 Received
 19/03/2010

PART OS PLAN SP 7060 NE
 (NGR 470915, 260903 Site Centred)
 OS Licence No. 100020449

SITE BOUNDARY
 (AREA 4.9731Ha)

JOB UPTON LODGE
 SOUTH MEADOW ROAD
 NORTHAMPTON NN5 4BQ

SCALE 1:2000 @ A4

DRAWN	CR	CHKD
DATE	19.10.09	DATE

TITLE
 SITE LOCATION PLAN

Taylor Wimpey East Midlands Ltd
 Unit 2, The Osiers Business Park
 Laversall Way, Leicester LE19 1DX.
 Telephone 0116 281 6400
 Fax 0116 281 6401



DWG.No.
 GW080/LOC01
 Rev.



PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1471

LOCATION: Hardingstone County Primary School, Martins Lane

DESCRIPTION: Two storey extension to existing building to provide an eight classroom teaching block, link corridor to existing building, extension to existing school entrance/reception and associated alterations. External works include 19 additional car parking spaces, pedestrian access gate and additional hard play area

WARD: Nene Valley Ward

APPLICANT: Northamptonshire County Council
AGENT: Northamptonshire County Council

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Previous local interest of development on site

DEPARTURE: No

APPLICATION FOR CONSULTATION:

1. RECOMMENDATION

1.1 That the Committee raise **NO OBJECTION** to the proposed development for the following reason:

The proposed development would be in-keeping with the character of the existing school buildings. Given the scale of the development and distance from adjacent properties, it is considered that the proposed construction will have no undue impact upon residential amenity.

2. THE PROPOSAL

2.1 The County Council is consulting the Borough on a proposal for a two storey extension to existing building, extension to existing school entrance/reception and associated alterations. External works include 19 additional parking spaces, pedestrian access gate and additional hard play area.

3. SITE DESCRIPTION

3.1 The site is located on the south side of Martins Lane on a school allocated site in the Northampton Local Plan. The site is surrounded by residential development. The school consists of a single storey flat roof building constructed in the 1960s, with surrounding play areas.

4. PLANNING HISTORY

- 4.1 N/2015/0677 – installation of double mobile classroom.
N/2013/0207 – single storey portable building to be used as breakfast, after school and holiday club – approved.
N/2009/977 - Single storey extension to library and new external door.
N/2007/0108 - Installation of external security shutters to doors and windows on rear teaching block.
N/2002/1521 – Installation of post with security/safety lighting to staff car park.
99/0224 – New fencing.
98/0097 – New fencing.
95/197 – c/u caretakers house to educational.

5. PLANNING POLICY

5.1 Statutory Duty

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 56 – new developments be of a good quality design.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

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

5.4 Northampton Local Plan 1997 (Saved Policies)

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

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

5.5 Supplementary Planning Documents

6. CONSULTATIONS/ REPRESENTATIONS

6.1 N/A

7. APPRAISAL

7.1 This expansion is required to accommodate a recent 'bulge' in school admissions within the Borough, with some schools having extensions built, and others installing mobile classrooms.

7.2 The proposed building is two storey and is of flat roof design, which would be in-keeping with the character of the existing school buildings. The building would be located to the east of the school buildings, with garage courts adjacent to the east, and with additional car parking created to the front and side of the school buildings.

7.3 Some trees are to be removed to accommodate car parking (none are covered by a Tree Preservation Order), however, it is noted that a comprehensive Arboricultural Report has been included with the application.

7.4 Given the scale of the development and distance from adjacent properties, it is considered that the proposed construction will have no undue impact upon residential amenity.

7.5 It is recommended that the Council raise no objections to this application.

8. BACKGROUND PAPERS

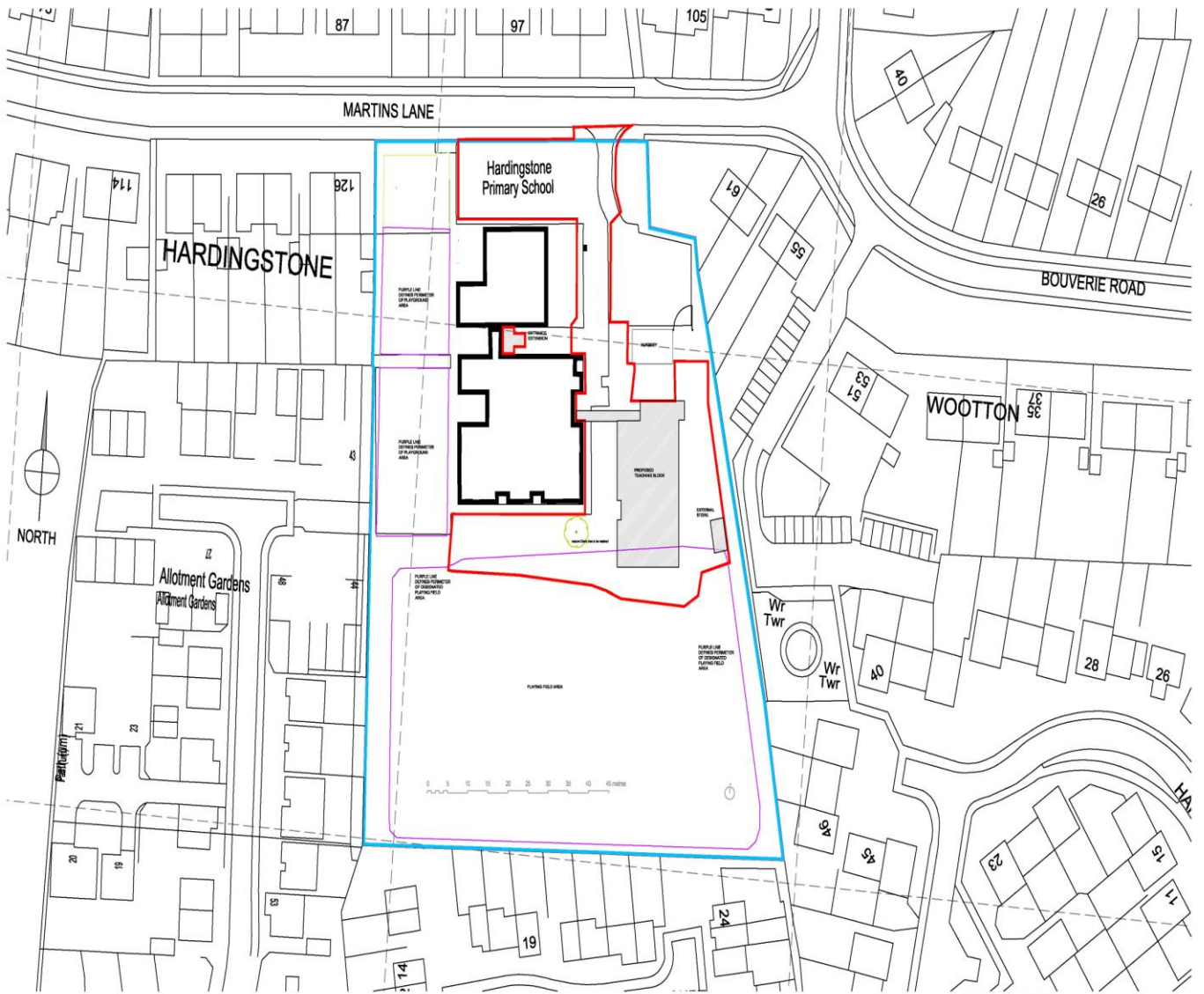
8.1 N/2015/1471.

9. LEGAL IMPLICATIONS

9.1 None.

10. SUMMARY AND LINKS TO CORPORATE PLAN

10.1 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.



1 17/12/15 Proposed development area corrected.
 REV DATE DESCRIPTION INK CHECKED
 THIS DRAWING IS COPYRIGHT

Site Location
 Hardington Academy
 Strategic Planning - Northamptonshire County Council

91430 X-1 1
 Draw: RB Checked 1:500 @ A2 29/06/15

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ARCHITECTS
 ● layoutgroup t: 01509 810510 www.b3.co.uk



NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0014

LOCATION: St Giles Street

DESCRIPTION: Cross street banner between 75 St Giles Street and Manna House

WARD: Castle Ward

APPLICANT: Northampton Borough Council
AGENT: N/A

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: NBC is the applicant

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to Standard Advertisement Conditions. As the consultation period has yet to expire, it is requested that delegated authority be given to the Director of Regeneration, Enterprise and Planning to assess and resolve any outstanding consultation responses.

2. THE PROPOSAL

2.1 The applicant (which is Northampton Borough Council) seeks Advertisement Consent for the display of an advertisement to promote St Giles Street's win in the recent 'Great British High Street' competition. The sign would be suspended across St Giles Street (at a height of at least 4.6m) and would be fixed to 75 St Giles Street (currently occupied as the Blenders shop) and The Manna House book shop.

3. SITE DESCRIPTION

3.1 The application site consists of an area of St Giles Street, which forms part of the town centre retail area. The street has a distinctive historic character and as such forms a key part of the St Giles Conservation Area. As discussed in paragraph 2.1, the signage would run from 75 St Giles Street to The Manna House. These buildings are of significant proportions retain a number of historic features.

3.2 Of particular note to this application is that the adjoining property at 73 St Giles Street is a Grade II Listed Building. This building dates from the late 19th century and comprises a three storey red brick building, with a tiled roof. The building also features a distinctive fenestration arrangement.

3.3 Due to the role of St Giles Street as commercial location, advertisements are a common occurrence. Whilst the bulk of these are generally located below the first floor windows, there are some examples of signage at higher levels. These include 75 St Giles Street; 40-42 St Giles Street (currently occupied by Abraxas); 47-49 St Giles Street (current occupied by the Mu Mu restaurant) and 24 Castilian Street (which is occupied by the Sazerac bar and has a frontage onto St Giles Street).

4. PLANNING HISTORY

4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

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 Of significant note to this application is paragraph 67. This states that applications for advertisement consent should only be determined on the basis of the impacts on public safety and amenity only. In particular, it is recognised that poorly placed advertisements can have a negative impact upon the appearance of the built environment.

5.4 In addition to these points, paragraph 17 requires that planning decisions conserve heritage assets in a manner appropriate to its significance. Paragraphs 133 and 134 outline the need to balance the level of any harm to a heritage asset with the public benefits of the proposal

5.5 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.

- 5.6 Policy S10 requires that planning decisions should ensure that heritage assets are maintained and conserved in accordance with their significance.

5.7 **Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF.

- 5.8 Policy 1 (Promoting Design Excellence) requires that developments positively contribute to the character of an area that create uncluttered streets and preserves and enhances the character of Conservation Areas and other heritage assets.

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 At the time of preparing this report, no representations had been received; however, any comments received in advance of the meeting will be reported to members via the addendum, which will be circulated prior to the Committee meeting commencing.

7. **APPRAISAL**

- 7.1 The two most pertinent material considerations are the impacts of public safety and amenity. In assessing the latter matter, this can include the impacts of the proposed signage on the surrounding heritage assets include the St Giles Conservation Area and the adjoining listed building.

- 7.2 In respect of public safety, it is acknowledged that the sign would cross the highway; however, this would be at a height of a minimum of 4.6m. As a consequence, there is sufficient room to allow all types of vehicles that could be reasonable expected to use a road such as St Giles Street on a regular basis without hindrance. In addition, the signage would be unilluminated, which means that it is unlikely that the proposal would distract passing motorists.

- 7.3 At the time of preparing this Committee report, the comments of the Highway Authority were awaited. In the event that these are not received at the time of the Committee meeting, it is requested that delegated authority be given to the Director of Regeneration, Enterprise and Planning to determine the application and address any comments that may be received from the Highway Authority. Separate to this, it is worth noting that the applicant would need to secure the agreement of the Highway Authority to install the sign under separate legislation, which ensures that adequate opportunity is given to the relevant authority to express their viewpoint.

- 7.4 In terms of amenity, the commercial character of the surrounding area means that the presence of advertisements would be expected. As a result, the impact upon the character and appearance of the locality, including the St Giles Conservation Area and the adjoining listed building would be neutral. In addition, it is noted that high level signage is present within the vicinity on a number of properties, which ensures that the signage would not be an incongruous feature. Furthermore, the relative infrequency of such signage is such that they would not represent a cluttering effect within the streetscene.

7.5 The proposed signage is of a proportionate scale to the type and scale to the host and surrounding buildings, which ensures that the signage would not appear overbearing.

7.6 Due to the lack of illumination, it is considered that the signage would not have any significant adverse impact upon the amenities of neighbouring properties.

8. CONCLUSION

8.1 It is considered that the signage would have a neutral impact upon the general amenity of the locality and public safety, whilst drawing attention to the distinctiveness of St Giles Street. As a consequence, the proposal is considered to be in conformity with national and local planning policies.

9. CONDITIONS

9.1 (1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(2) No advertisement shall be sited or displayed so as to:

- a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- b) obscure or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
- c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

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

10. BACKGROUND PAPERS

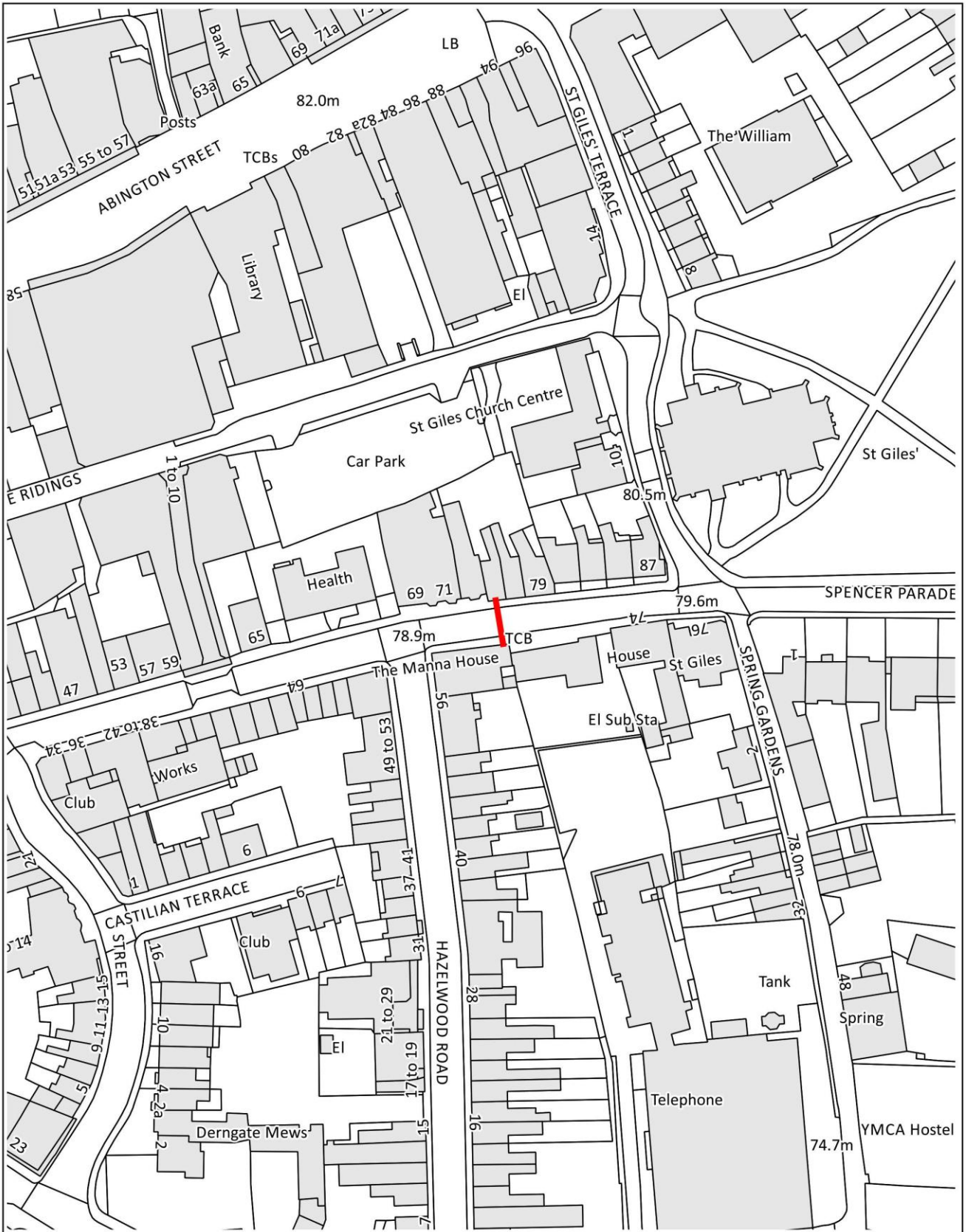
10.1 None.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: 75 St Giles Street/The Manna House

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Date: 06-01-2016

Scale: 1:1,250

Drawn by: M Burgess



Addendum to Agenda Items Tuesday 19th January 2016

5. Matters of Urgency

5a

N/2015/1448

**Demolition of existing 2-storey building and associated buildings.
Lakeview House Old Persons Home, 88 Churchill Avenue**

Report attached.

7. Other Reports

7a

**Variation of S106 Agreement dated 21st February 2011 pursuant to planning permission
WN/2010/0039 (Development of 80 residential units) on land off South Meadow Road**

No update.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

8a

N/2015/1471

**Two storey extension to existing building to provide an eight classroom teaching block,
link corridor to existing building, extension to existing school entrance/reception and
associated alterations. External works include 19 additional car parking spaces, pedestrian
access gate and additional hard play area
Hardingstone County Primary School, Martins Lane**

Neighbour representation received from 102 Martins Lane:

I wish to object to this planning application due to lack of consultation by the school and NCC, and also lack of adequate parking for school staff and parents picking up children at the end of the school day.

Martins Lane gets very congested at this time and prevents the free flow of traffic, also parents block residents' driveways and park on the footpath.

My understanding of this application is that Hardingstone Parish Council and Hardingstone residents have not been notified of this application and so have had no opportunity to comment or object. I was under the impression that I had 21 days from the application being submitted to comment. NBC received this application on 22nd December, because of Christmas, I assume NBC forgot to notify Hardingstone Parish Council and residents of this application.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATION

9a

N/2016/0014

**Advertisement Consent application for cross street banner
75 St Giles Street and Manna House**

No update.

10. ITEMS FOR DETERMINATION

10a

N/2015/0999 and N/2015/1000

**Change of use from Office (Use Class B1) to Children's Day Nursery (Use Class D1) and associated works and listed building consent application for internal alterations to building and erection of palisade fencing
Home Farm Works, Orchard Hill**

No update.

10b

N/2015/01067

**Conversion into 2no 1-bed flats, 4no new 1-bed flats and 2no new 2-bed semi-detached dwellings
54 Adams Avenue**

One additional representation from a nearby occupier stating relieved to see the recommendation is for approval and that neighbours would have no objection to a resubmitted plan including off road parking and omitting the two houses.

10c

N/2015/1078

**Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 5no residents
74 Military Road**

No update.

10d

N/2015/1256

**Change of use from dwelling (Use Class C3) into house in multiple occupation (Use Class C4) for 3no residents
13 Uppingham Street**

No update.

10e

N/2015/1314

**Change of use from public house (Use Class A4) into convenience store (Use Class A1) including alteration and extensions, rear storage and installation of 2no satellite dishes on roof
The Barn Owl, Olden Road**

3 further objections received:

- Already have a supermarket open at just the right times, not an all-nighter with the anti-social behaviour issues it will cause.

- Concern regarding another convenience store and impact on existing store.
- The pub and shop have become a very necessary part of the community. The pub is used by a large group of people of various ages and views and is also involved in a number of sporting and social events. Many other pubs in the surrounding areas have closed and we are becoming isolated from social gatherings. To lose the pub and shop would not be very popular in the area.

The applicant's agent has submitted further details as follows:

'The Barn Owl was acquired by Hawthorn Leisure from Greene King ("GK") in June 2014 alongside 274 other pubs, all designated as non-core and identified by GK for disposal.

These pubs had underperformed for a number of years and were selected for disposal as GK did not believe they could successfully transform these units.

Upon acquisition Hawthorn undertook a thorough review of the entire estate including the Barn Owl.

The Barn Owl has been let to an operator on a temporary agreement (tenancy at will), and the operator has refused to sign up for a substantive agreement over the past 12 months as they do not believe the pub has any trading potential. Our review also brought us to a similar conclusion.

The current levels of trade are simply not able to support a commercial operation and we possibly cannot justify investing any capital into this unit as we are unlikely to ever see a return on our investment.

The tenant served notice to terminate the tenancy at will in November. The tenant has agreed to stay till the end of January so we can conclude the planning process. Due to end of tenancy agreement, the premises will close at the end of the month regardless.'

Revision to Recommendation for Approval Reason:

The Town and Country Planning (General Permitted Development) (England) Order 2015 allows for the change of use from Class A4 (drinking establishment) to a use falling within Class A1 (shops). The fallback position is of particular importance as this establishes that a retail unit is acceptable in this location. The property has been considered and rejected by the Council under the nominations process for inclusion on the list of Assets of Community Value. The design and appearance of the proposed alterations are considered acceptable and the proposal would not lead to any unacceptable impacts on adjacent amenity or significant increased impacts on existing highway conditions. The proposal is therefore considered in accordance with Policies S9, S10 & RC2 of the West Northamptonshire Joint Core Strategy, Policies E20, E28 and T12 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

Revised paragraph 7.1.

The application is for the change of use of the public house to a shop and associated works. Under Schedule 2, Part 3 Class A of the Town and Country Planning (General Permitted

Development) (England) Order 2015 the change of use from a drinking establishment (Class A4) to a shop (Class A1) is permitted development. Accordingly, the principle of a shop use is considered acceptable as the existing public house could be changed to a shop under permitted development rights as a fallback position.

Revised paragraph 7.3

As the applicant could in effect change the use of the premises from a public house to a shop as permitted development, the only remaining consideration for this application therefore relates purely to the physical works proposed in Paragraph 2.1 above, notwithstanding that the change of use forms part of this application.

Revised paragraph 7.5

Last line amended:

As the existing public house could be changed to a shop under permitted development rights as a fallback position it is considered that conditions relating to opening and delivery hours as requested by Environmental Health could not be reasonably imposed.

Condition 5 – Remove. Should permission be granted for the use of the premises as a shop the first floor could be used for up to two flats under permitted development rights.

Condition 6 – Amended Plans Condition - Revised refuse storage location.

The development hereby permitted shall be carried out in accordance with the following approved plans: 15.2105.115.P2, **15.2105.110.P4**, 15.2105.100.P2, 15.2105.103.P2, 15.2105.104.P2, 15.2105.101.P2, 15.2105.102.P2, 15.2105.113.P4, 15.2105.114.P2, 15.2105.112.P3, 15.2105.111.P2.

10f
N/2015/1344
Single storey front extension
31 Coneygree Court

No update.



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE:	19 th January 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2015/1448
LOCATION:	Lakeview House Old Persons Home, 88 Churchill Avenue
DESCRIPTION:	Demolition of existing 2 storey building and associated buildings
WARD:	Eastfield Ward
APPLICANT:	Northampton Partnership Homes
AGENT:	Northampton Partnership Homes
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	NBC owns the land
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application is made under Part 11 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015. This requires a developer, before the demolition of a building commences, to apply to the Local Planning Authority for a determination as to whether the prior approval of the Authority is required for the method of demolition and any proposed restoration of the site.
- 2.2 It is proposed to demolish a redundant care home building using machinery to leave the site in a developable condition.

3. SITE DESCRIPTION

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

4. PLANNING HISTORY

- 4.1 The development of the estate, including the care home, was originally approved in 1965, with details approved in 1966 and 1967.
- 4.2 An application for the change of use of the premises to a hostel (Sui Generis Use) was submitted in April 2013 and subsequently withdrawn.
- 4.3 Planning permission (ref: N/2013/0925) was refused in November 2013 for change of use from residential care home (Use Class C2) into 28no. residential flats (Use Class C3) and provision of on-site car parking spaces. An appeal against this refusal was dismissed in April 2014.
- 4.4 Planning permission (ref: N/2014/0911) was refused in February 2015 for a change of use from residential care home into 20 residential flats.

5. PLANNING POLICY

5.1 Statutory Duty

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.

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 requires the highest standards of sustainable development.

6. APPRAISAL

- 6.1 For Prior Notification for demolition, the only considerations are the matters in relation to the means of demolition and the proposed restoration of the site.
- 6.2 It is considered that demolishing the building using mechanised means would be appropriate for this building and in this location. Similarly restoring the site to a condition to potentially allow for future development is also considered to be acceptable. The site will also be secured by fencing and lockable gates.

7. CONCLUSION

- 7.1 The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. CONDITIONS

- 8.1 Schedule 2, Part 11 of The Town and Country Planning (General Permitted Development) Order 2015 stipulates that where prior approval is not required, the development shall be carried out “in accordance with the details submitted with the application”.

9. BACKGROUND PAPERS

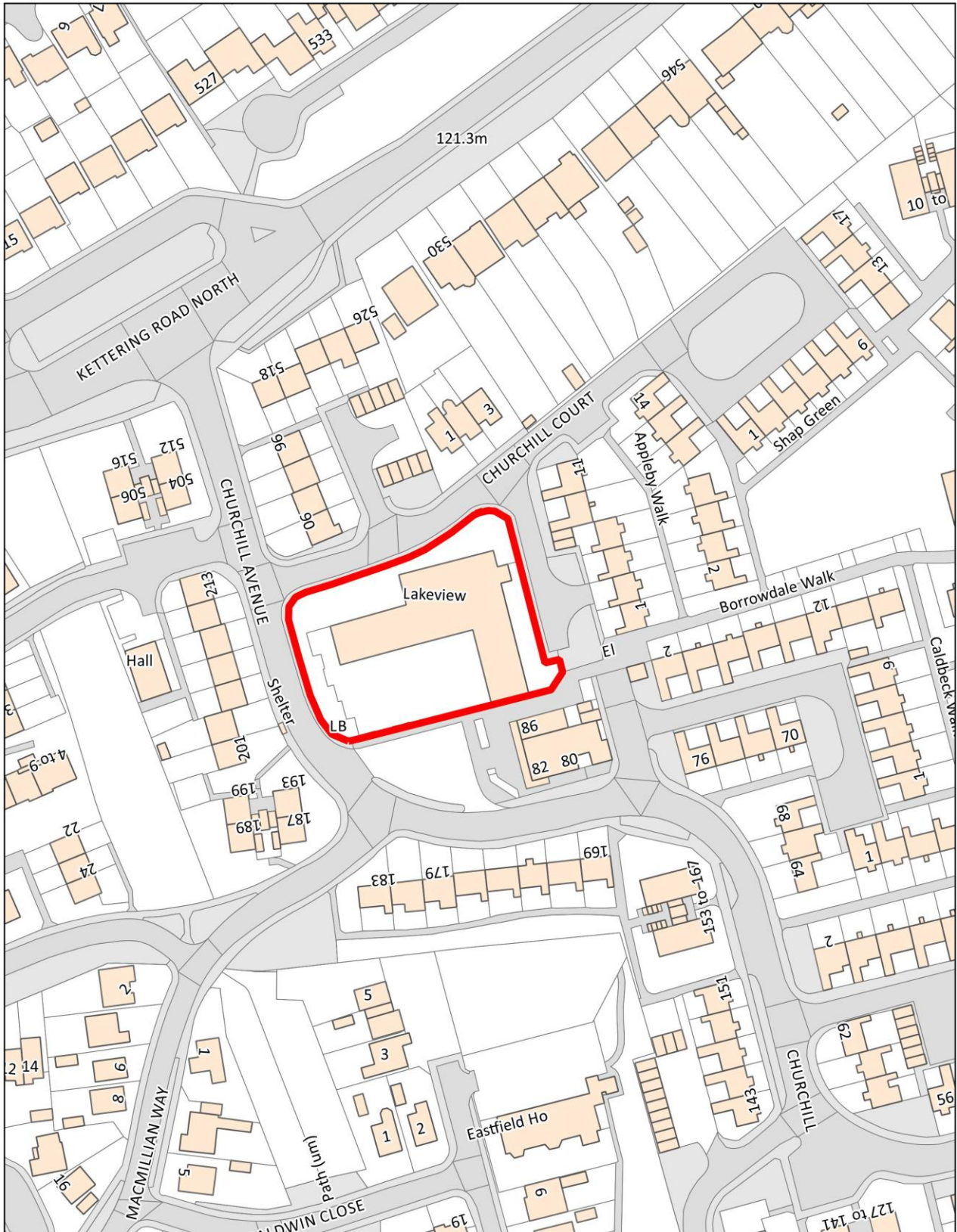
- 9.1 N/2015/1448


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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Lakeview House Old Persons Home</p>	<p>Date: 18-10-2016</p>
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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/0999 and N/2015/1000

LOCATION: Home Farm Works, Orchard Hill

DESCRIPTION: Change of use from Office (Use Class B1) to Childrens Day Nursery (Use Class D1) and associated works and listed building consent application for internal alterations to building and erection of palisade fencing

WARD: Billing Ward

APPLICANT: Bambino Ltd
AGENT: Aitchison Raffety

REFERRED BY: Cllr C Malpas
REASON: Parking and traffic issues

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

N/2015/0999 – Planning Application

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

The proposed change of use of the property from offices (use class B1) to a childrens day nursery (use class D1) for 80 children would support the sensitive re-use of a vacant listed building and provide a community facility with employment opportunities without significant harm to the character or appearance of the building, surrounding area, highway safety or the amenity of neighbouring properties. The proposal is therefore in accordance with Policies C2, S10, RC2, E1, BN5 and B9 of the West Northamptonshire Joint Core Strategy, Policies E20, B14 and H35 of the Northampton Local Plan and National Planning Policy Framework.

N/2015/1000 – Listed Building Application

1.2 **APPROVAL** subject to the conditions as and for the following reason:

The proposed development would represent the effective re-use of a vacant listed building without significant harm to the historic and architectural character of the

listed building, its setting or the visual amenities of the wider area in accordance with the guidance contained in National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

- 2.1 The proposal is to change the use of the building from offices to a childrens day nursery to accommodate 80 children with an age range from 0 – 5 years. The applicant initially proposed that up to 117 children would be cared for with the creation of 24 jobs. Proposed hours of use would be 7.30am to 6.30pm Monday to Friday. The proposal includes internal alterations to the building, alterations to the parking layout, the erection of fencing to form a play area and the erection of a cycle shelter.

3. SITE DESCRIPTION

- 3.1 The application site is located on the east side of Orchard Hill close to the junction with Manorfield Road and comprises a two storey Grade II listed former farmhouse. The property has been extended and converted to office use and is currently vacant. Hardstanding lies to the south and west of the building and provides car parking for approximately 30 vehicles. The site is bounded by a low stone wall, some with railings to the top. Surrounding properties comprise of residential and commercial uses.

4. PLANNING HISTORY

- 4.1 98/0897 – Extended floor area onto existing office structure by constructing a first floor onto existing single storey lean to - Approved with conditions.
- 4.2 98/LB36 – Additional floor space provided to existing office by adding a floor on top of existing single storey lean to – Approved with conditions.
- 4.3 NR/65/187 – Change of use of farmhouse to offices – Approved with conditions

5. PLANNING POLICY

5.1 Statutory Duty

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.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to preserving a listed building and its setting.

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 14 supports sustainable economic development.

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 significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 70 – seeks to ensure positive planning for community facilities to enhance the sustainability of communities and residential environments and ensure that social, recreational and cultural services the community needs are delivered.

Paragraph 131 – account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability.

Paragraph 132 states that when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.

Paragraph 133 states that where the proposed development will lead to substantial harm of a heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve public benefits or the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states that where the proposed development will lead to less than substantial harm of a heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use.

Paragraph 140 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

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:

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.

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.

RC2: Community Needs – supports a positive approach to the provision and retention of community facilities and identifies that such facilities including those for children’s services are vital to the well-being of residents.

E1 – Existing Employment Areas - Change of use to (non- employment generating) uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment uses in the long term, there is a clear conflict with adjoining uses or its release would offer community benefits.

Policy BN5: The Historic Environment and Landscape – seeks to conserve and enhance heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets.

Policy BN9: Planning for Pollution Control – Proposals should demonstrate that opportunities to minimise and where possible reduce the adverse impacts of noise.

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 – seeks to secure development which has an acceptable design and layout and achieves acceptable standards of amenity.

Policy B14 – Developments for non-business uses in business areas- planning permission will not be granted for development outside the business use classes unless such development would be of significant benefit to the local community and would lead to substantial employment opportunities.

Policy H35 – Planning permission for childminding, play schemes, nursery or crèche facilities will be granted unless they give rise to disturbance for adjoining occupiers, where there are adequate parking facilities and there is no detriment to highway safety.

5.5 **Supplementary Planning Documents**

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection - Initial comments** - Expresses concern about the scale of the proposal for up to 117 children in a quiet residential location. Requests further information about noise break-out from the building and further details of acoustic fencing. Considers a temporary consent for a limited number of children should be considered to assess the impact on surrounding properties.

- 6.2 **NBC Conservation - Initial comments** - no objections in principle. Requests amended plans showing the cycle shelter and playground fencing repositioned. Requests details of additional toilet and washing facilities.

Further comments following the submission of amended plans:

Position of cycle shelter more appropriate;

Support the proposal to retain surviving railings;

Considers that the fenced play area will undermine the setting of the Listed Building. Requires further details of profiles and means of fixing;

No details of any future play equipment;

No details of water supply and drainage to sinks.

- 6.3 **NCC Highways - Initial comments** – require a minimum of 26 car parking spaces, 9 cycle spaces and a detailed travel plan to determine how picking up and dropping off will be managed and the proposed measures to encourage sustainable travel.

Further comments following the submission of amended plans and Travel Plan –

The addition of 5 extra spaces to be used at peak times brings the total number of parking spaces to 26 which is in line with the minimum requirement. Although the arrangement is not ideal as these spaces will not always be available, given the site constraints it is considered to be a pragmatic solution. Pleased that number of cycle spaces increased to 10. No comments to make with regard to the submitted Travel Plan.

- 6.4 **Councillor Christopher Malpas** – concerned about numbers of children using the facility together with the lack of organised procedure for dropping off and collecting the infants. Consider traffic generation and the reduction in parking spaces will have a severe effect on the area especially as there will be more members of staff than spaces available. Wishes to call the application in to be heard by the Planning Committee.

- 6.5 **Billing Parish Council** – object stating that representations have been made from local residents and businesses to the Parish Council which the Parish Council fully endorse. State that they would be pleased to see use made of the building after it has been empty for so long but have concerns about the number of parking spaces available for staff and parents, the access and the provision for a safe dropping off point adjacent to a dangerous junction. State that there are already traffic problems associated with existing businesses, the existing nearby nursery and the church. Consider the possibility of 100 plus additional vehicles will cause chaos and danger. Express concern about poor visibility at the junction of Orchard Hill with Manorfield Road and the inconsiderate parking that will inevitably happen if the applications are approved.

- 6.7 **Objections** have been received from **Steinhurst, Church Lane, Old Rectory Nursery, Church Lane, The Outlook Creative Group, the Courtyard, Orchard Hill, 17 Orchard Hill, 3 and 8 Willow Rise, 20 Home Farm Close, 11 Church Walk**. Comments can be summarised as follows:

- Proposal will have serious detrimental impact on adjacent businesses and local residents in terms of safety, traffic and parking
- The traffic in the area will be substantially increased as up to 117 cars drop off and collect children

- Increase in traffic will create safety issues at Manorfield Road/Orchard Hill junction and will add to the traffic created by the existing Old Rectory Day Nursery in nearby Church Lane
- Vehicular access is opposite the access to The Priory and two other businesses and close to busy road junction which results in high volume of traffic at peak times
- Considerable number of accidents have already occurred at the Orchard Hill/Manorfield Road junction where visibility is limited. Proposal will create increase in parking, congestion and accidents.
- Vehicle access to the property is only suitable for one vehicle which will create backlog of vehicles
- Parking restrictions are in place to the south of the site but are never observed or enforced
- Due to restricted parking consider majority of cars will park on the street and carry out 'u' turns to exit
- Major problems with parking issues in the past resulting in obstruction for neighbouring properties, refuse and delivery vehicles
- Nearby St Andrews Church has no off-street parking. Will create further problems when weddings and funerals etc occur
- Noise levels from outside play areas and additional traffic will be detrimental to nearby residents and adjoining businesses
- There are currently 5 day nurseries and playgroups within a half mile radius. Not all are operating at full capacity. Cannot foresee a situation to sustain an additional 117 place nursery
- Proposal contrary to Planning Policy E1 of West Northamptonshire Joint Core Strategy and not sustainable
- Traffic plan is misleading and bears no relation to existing conditions. Unlikely that many people will cycle to the premises.
- Proposals to make changes to the interior of the Listed Building are not acceptable.
- The road survey is not complete and appears to avoid the key issues on road safety.

7. APPRAISAL

Principle of development

- 7.1 The National Planning Policy Framework makes clear the presumption in favour of sustainable development and aims to promote healthy communities and deliver community needs (social, recreational and cultural) by planning for sustainable communities with shops, meeting places, sports venues etc. Policy RC2 of the West Northamptonshire Joint Core Strategy supports a positive approach to the provision of community facilities recognising their value in meeting community needs and contributing towards sustainable communities. Policy B14 of the Northampton Local Plan supports development outside of the business use classes where the use would be of significant benefit to the local community and would lead to substantial employment opportunities. Policy BN5 of the JCS seeks to conserve and enhance heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets.
- 7.2 Whilst the proposal will reduce the office space available within the business area, the premises have remained vacant for approximately 23 months. The proposal would provide a community facility, employment for up to 24 people and would bring about

the re-use of a vacant listed building. It is considered therefore that in principle the proposal is acceptable.

Impact on Heritage Asset

- 7.3 The property is Grade II Listed and was granted planning permission for conversion to offices in 1965. It appears that most of the original detailing within the building have already been removed. Proposed internal alterations involve unblocking a previous blocked up doorway between two rooms in the historic part of the building, the removal of stud partitioning within the modern extension and the insertion of three new doors. The Conservation Officer has no objections to these works although additional details of proposed washing facilities were requested. Five new sinks are proposed to be installed within the building. The applicant has stated that these can be linked to existing pipework however the Conservation Officer requires further details. Subject to agreeing appropriate details of the method and precise details of the installation of these facilities it is not considered the proposed alterations would lead to any significant impacts on the internal fabric of the listed building.
- 7.4 External alterations comprise the erection of pallisade fencing to section off part of the existing car park to form a play area, the provision of a cycle shelter and the replacement of existing timber fencing with acoustic fencing along the eastern boundary. There are no proposed alterations to the actual building. The proposed pallisade fencing will consist of 1.3 to 1.9 meter high railings and will match existing railings that surround the site. The Conservation Officer requested alterations in terms of the re-siting of the cycle shelter and the play area fencing to minimise the impact on the Listed Building. Amended plans have been received. Whilst the re-located cycle shelter is considered to be acceptable the Conservation Officer has still expressed concerns about the fencing of the play area impacting on the setting of the listed building. It is noted that the setting of the listed building is already compromised by the extensive hard surfacing that surrounds the site. It is considered that as the railings are not a solid structure and as their erection could be reversible they will not impact significantly on the buildings setting in this instance. There are no objections to the replacement of existing timber fencing on the east elevation with acoustic timber fencing.

Impact on amenity

- 7.5 The nursery will operate during weekdays only. The application is accompanied by a Noise Assessment which suggests areas of mitigation to prevent any detrimental impact on neighbouring properties. These measures include the erection of acoustic fencing on the eastern boundary adjacent to the properties in Home Farm Close and suggests that first floor windows facing Home Farm Close are kept closed. These proposals are detailed on the submitted plans and further details of the acoustic fencing have been submitted. Notwithstanding this information the Environmental Health Officer has expressed concern about noise issues that a 117 child place nursery will create. They suggest that a reduced number of children for a temporary period would allow the use to commence and the impacts be assessed. With regard to this suggestion the applicant has stated that a temporary consent would not be feasible and it would cause considerable problems for the viability of the business proposition with problems of obtaining loans, leasing the premises, employing staff and potentially making them redundant. On balance, in view of objections to the proposal and concerns about the impact of the proposal on neighbouring amenity it has been agreed that the maximum number of child care places should be limited to 80 only.

Impact on Highways

- 7.6 The Highway Authority initially objected to the proposal as a Travel Plan had not been submitted with the application. In addition they stated that 26 car parking spaces were required and a minimum of 9 cycle spaces. Following the submission of a Travel Plan and plans showing compliance with Highways parking requirements, albeit that five additional parking spaces have been incorporated for use during peak times only, the Highway Authority now have no objections. Numerous objections have been received regarding the impact of additional traffic and parking and it is acknowledged that the proposal may attract additional vehicle movements in the vicinity of the site. However, as the Highway Authority has raised no objections, and the proposal complies with Policy C2 of the West Northamptonshire Joint Core Strategy, it is not considered that the proposal could be refused on highway grounds. In addition, the premises were previously used as offices that generated considerable amount of parking requirement and traffic movement. This use could be re-instated if no other alternative use is found.

8. CONCLUSION

- 8.1 Whilst the principle of development is considered to be acceptable and in accordance with planning policy it is considered that the proposal for 117 children will unduly impact on neighbouring residential amenity by reason of an unacceptable level of noise and disturbance. The proposal is therefore recommended for approval but with a condition that only 80 children are cared for at the premises.
- 8.2 It is considered that the proposed use is acceptable and would not cause undue harm to residential and general amenity, highway safety and character and setting of the listed building.

9. CONDITIONS

Planning Application N/2015/0999

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: 15-101.1, 15-101.2 REV D, 15-101.3, 15-101.4 REV D, 15-101.5, Section A-A REV A, Section B-B REV B, Section C-C, Section D-D, Section F-F, Proposed railings and Gate Design Revision A, cycle shelter details dated 5/11/2105, acoustic fencing details dated 8/10/15.

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

3. The premises shall be used as a Children's Day Care Nursery only and for no other purpose (including any other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking and re-enacting that order with or without modification).

Reason: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority to allow it the opportunity to assess the impact any

other Class D1 would have on neighbour amenity in accordance with Policy E20 of the Northampton Local Plan.

4. The premises shall be used for the provision of childcare for no more than 80 children.

Reason: In the interests of the amenities of the locality and ensure effective planning control is retained by the Local Planning Authority in accordance with Policy H35 of the Northampton Local Plan.

5. The provision of childcare is to take place between the hours of 0730 and 18:30 Monday to Friday and at no other time.

Reason: In the interests of residential amenity in accordance with Policy H35 of the Northampton Local Plan.

6. The parking spaces shown on the submitted plans shall be laid out prior to the first use of the premises hereby approved and retained thereafter.

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

7. The first floor windows on the east elevation shall remain closed as detailed on drawing number 15-101.2 Rev D during occupation of the building for nursery use.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy H35 of the Northampton Local Plan.

8. The acoustic fencing as detailed on drawing number 15-101.4 Rev D shall be installed prior to the first use of the premises hereby approved and retained thereafter.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy H35 of the Northampton Local Plan.

9. The proposed cycle shelter shall be installed prior to the first use of the premises hereby approved and retained thereafter.

Reason: To ensure the proposed development complies with the requirements of the Travel Plan in accordance with Policy C2 of the West Northamptonshire Joint Core Strategy.

Listed Building Consent – N/2015/1000

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 15-101.1, 15-101.2 REV D, 15-101.3, 15-101.4 REV D, 15-101.5, Section A-A REV A, Section B-B REV B, Section C-C, Section D-D, Section F-F, Proposed railings and Gate Design Revision A, cycle shelter details dated 5/11/2105, acoustic fencing details dated 8/10/15.

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

3. Notwithstanding the submitted information further details of the profiles of proposed railings and the means of fixing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with National Planning Policy and Policy S10 of the West Northamptonshire Joint Core Strategy.

4. Notwithstanding the submitted information further details of the works required to install the new sinks into the premises shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with National Planning Policy and Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

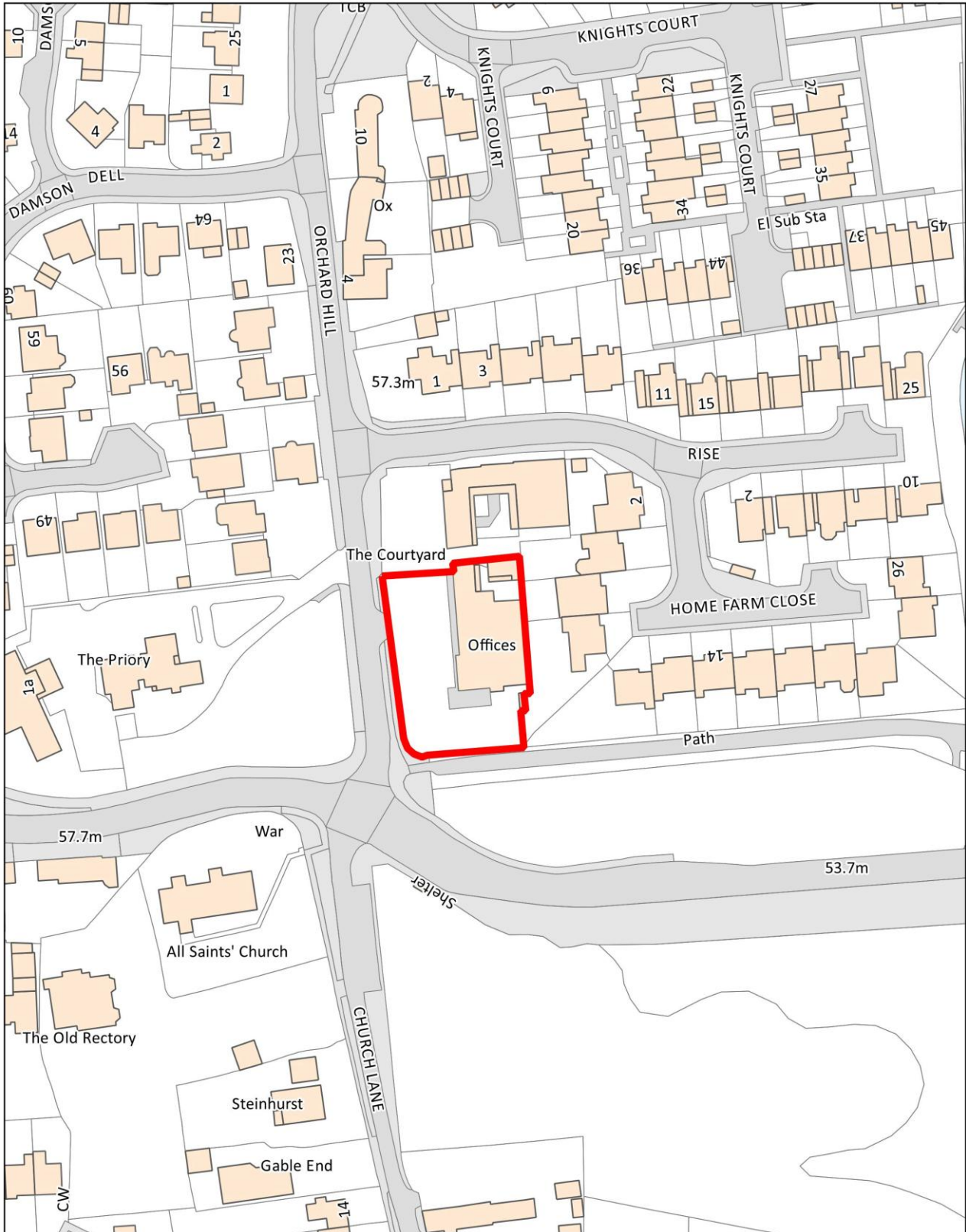
10.1 N/2015/0999 and N/2015/1000.


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Home Farm Works, Orchard Hill</p>	<p>Date: 07-12-2015</p>
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PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1067

LOCATION: 54 Adams Avenue

DESCRIPTION: Conversion into 2no. 1 bed flats, 4no. new 1 bed flats and 2no. new 2 bed semi-detached dwellings (retrospective application)

WARD: Abington Ward

APPLICANT: Oakmead Developments Ltd
AGENT: Ian Abrams Architect

REFERRED BY: Cllr Z Smith
REASON: Concern about parking

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

There proposed development does not provide any on-site parking facility. Due to the current existing oversubscribed nature of on-street parking in the area, the proposed development would have a detrimental impact upon highway and pedestrian safety and the amenities of existing residents of the area as the development would result in inappropriate parking and exacerbate the existing problem. The proposal is thereby contrary to Policy S10 of the West Northamptonshire Joint Core Strategy and Policy H6 of the Northampton Local Plan.

2. BACKGROUND AND THE PROPOSAL

2.1 Planning permission was granted for the provision of 8 residential units in 2010, subject to a unilateral agreement to provide a contribution towards highway mitigation in the area. This was subject to a condition that required the development to commence within three years from the date of that permission. As no material works took place on the site within this timescale, the permission expired. Notwithstanding this, some works have since taken place on the site without the benefit of planning

permission. The applicant therefore seeks permission to retain these works and complete the scheme in a manner that is identical to the 2010 approval.

- 2.2 In summary, the proposed works which are identical to the 2010 approval involve the conversion of the existing property at 54 Adams Avenue, which has most recently been used for commercial purposes, into two one bedroom flats. Aside from this structure, all other buildings have been demolished. A new block adjacent to 54 Adams Avenue that contains four one bedroom flats is included in the application. This would be built in a style to match the original building at no. 54 with two storey bay windows.
- 2.3 A further two units in a similar style are proposed on Billington Street. These would contain two bedroom semi-detached houses. All units would be of traditional dimensions but finished in a more modern design, featuring brickwork and timber cladding, but also sliding sash windows.
- 2.4 The works which have been carried out to date, without the benefit of planning permission, amount to the construction to ground floor level of the block to the south of no. 54 Adams Avenue, which under the previous approval would have contained four flats. No works have taken place to the proposed two houses to the rear of the site. It appears that work on the site has ceased for the time being.

3. SITE DESCRIPTION

- 3.1 The site is located within an area of traditional terraced housing of uniform character, with some commercial uses in particular on street corners. Notwithstanding the commercial uses that are present in the vicinity, the site is allocated within the Local Plan as being suitable for residential accommodation. A large proportion of the surrounding properties are reliant upon on-street car parking provision.
- 3.2 The application property was most recently use used a shop / office with associated single storey extensions and a yard area.

4. PLANNING HISTORY

- 4.1 Application no. N/2007/1461 was refused by the Planning Committee on February 14th 2008 for the following reason:

The proposed development does not provide any on-site parking. This would give rise to an increased demand for on-street parking in a locality where kerbside parking is already over-subscribed. The proposal would therefore lead to increased highway congestion detrimental to highway and pedestrian safety contrary to Policy T3 of the Northamptonshire County Structure Plan.

- 4.2 An appeal against this refusal was subsequently lodged. In considering the appeal, the Inspector had no significant concerns regarding the form of development and concluded that the main issue was the effect on highway safety. In this respect he concluded that the impact arising could be offset by an appropriate contribution towards the introduction or enforcement of on-street parking controls. A unilateral undertaking to make such a payment was submitted with the appeal but was not properly completed and could not be taken into account by the Inspector. The Inspector therefore concluded that in the absence of the contribution, the proposal would exacerbate the pressures on parking that existed in the area, and there were no measures to allow this effect to be mitigated. The appeal was therefore dismissed on this basis on December 11th 2008.

- 4.3 A subsequent application (reference N/2009/0968) was made to the Council and included a revised Unilateral Undertaking to fund highway improvements. On the basis of the previous Inspector's comments it was concluded that this contribution would mitigate the highway impact. This application was therefore approved by the Council's Planning Committee on 10th March 2010.
- 4.4 Application N/2009/0968 was subject to a standard three year time limit for the commencement of development. The development was commenced after this three year time limit and hence the planning permission has 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

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 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.
- 5.4 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).
- 5.5 Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).
- 5.6 **West Northamptonshire Joint Core Strategy**

H1 – Housing Mix

S10 – Sustainable Development Principles

5.7 Northampton Borough Local Plan

E20 – New Development

H6 - Housing Development within Primarily Residential Areas

5.8 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Environment Agency** – No objections.

6.2 **Highway Authority (NCC) – Initial comments** - It is no longer a policy to request contributions towards parking improvements/enforcement. Street scene has changed considerably since 2007 and parking problems in the area have increased. Essential that a parking beat survey is conducted to demonstrate the availability (or otherwise) of on-street parking spaces in the streets immediate to the site. **Upon receipt of requested parking survey** – The survey shows there is very little residual parking capacity within the whole survey area and none close to the site. Would have serious concerns that the development proposed is likely to result in an increase in on-street parking where it has been demonstrated that little residual capacity to accommodate this parking is available. Could result in both a significant impact on local amenity and also an impact upon local highway safety due to an increased likelihood of parking in inappropriate or unsafe locations, such as in close proximity to junctions. As such the Local Highway Authority would have to object to the application as currently submitted on the basis that the applicant has failed to demonstrate that sufficient or appropriate parking is available in the vicinity of the site and that this could reasonably be expected to result in an increase in inappropriate parking to the detriment of highway safety. **Upon receipt of further analysis of the parking survey** – Maintain objection on the grounds of Highway Safety.

6.3 **Northamptonshire Police Crime Prevention Design Advisor** – Recommend that details of gates and lighting are submitted.

6.4 **Cllr. Z. Smith** – There are a number of constraints in Adams Avenue in terms of rubbish collection and parking.

6.5 **Cllr. D. Stone** – The surrounding area is already under stress and this development will lead to a greater pressure on services and the local community.

6.6 Objections have been received from the occupiers of 11 properties. Comments can be summarised as follows:

- The development would exacerbate existing parking problems in the vicinity
- There is a need for off street parking to be included in the scheme
- There are a number of other uses in the vicinity which generate significant traffic movements
- The area has changed since the previous consideration of this development. It is considered that traffic impacts could not be adequately mitigated.

7. APPRAISAL

Principle of the development

- 7.1 By reason of the site's allocation in the Local Plan, it is considered that the development of this site for residential purposes is acceptable and compatible with the character of the surrounding area. In addition, the redevelopment of the site in the manner proposed would result in the removal of a policy non-conforming land use that has the potential to have a significant negative impact upon neighbour amenity.
- 7.2 Planning permission has previously been granted for residential developments on this site and the retention of the existing building works and continued development of the site would be consistent with these approvals.

Design and appearance

- 7.3 The proposed development would consist of blocks of a similar scale and bulk to the existing neighbouring houses on Adams Avenue, but with a more modern external appearance, including the use of timber cladding as well as brickwork but also featuring sliding sash windows. It is considered that this design would not be out of character with the surrounding area and that this is preferable to any attempt to mimic features of the older buildings.
- 7.4 The two flats within the existing building would be accessed from Adams Avenue, whilst the other four flats in the adjacent new block would be accessed from a communal entrance on Billington Street, via the communal gardens. The ground floor flat within 54 Adams Avenue would also have access to this space.
- 7.5 The four new build flats would be accessed via a single entrance, off the communal area. It is considered that this represents a suitable arrangement, subject to adequate security measures being in place, as requested by the Police Crime Prevention Design Advisor. In order to ensure a safe and secure form of development, conditions are recommended that would require the submission of details pertaining to access gates.
- 7.6 The relocation of the electricity substation (which has taken place) would be screened by fencing. Given that the substation must be adjacent to the road it is considered that this represents a suitable solution, given that the existing substation would otherwise remain in place. Details of the screen are not provided but could be obtained by means of a condition. Further condition could be imposed requiring details of the acoustic screening of the substation.
- 7.7 The dwellings have been designed in such a way so as to ensure a neutral impact upon neighbouring properties in terms of considerations such as light, outlook and privacy. It has also been demonstrated that future residents of the development would have a good standard of amenity.
- 7.8 The rear of the site is surrounded by residential properties on all sides. These would not be overshadowed or overlooked by the proposed development as this follows the line of neighbouring buildings. In the case of houses on Bostock Avenue adequate separation between the side wall of the proposed houses and the rear of these neighbouring properties is proposed (11m gap). It is considered, therefore, that existing neighbouring occupiers would not be adversely affected by the proposal in

design terms. In fact, given that an existing non-residential use would be removed, the possibility of disturbance to neighbours would be reduced

Highway impacts

- 7.9 It is recognised that car parking spaces within the vicinity are in high demand and that some of the future occupiers of the development are likely to have access to private cars. In light of this, the Highway Authority requested survey work in respect of parking availability. The result of this work indicates that there are very few available parking spaces in the area, and the Highway Authority therefore object to the application. The applicants submitted further analysis of the parking survey and in response to this the LHA have maintained their objection, adding that the proposal would result in an increased risk of parking across double yellow lines, dropped kerbs and corners of junctions.
- 7.10 As referred to above, the previous approval, for the same development, was subject to a contribution of £10,000 for the introduction or enforcement of on-street parking controls. The comments made by the Local Highway Authority indicate, however, that it is no longer their policy to accept such contributions. Consequently, it follows that the impact of the development would not be mitigated, as it would have been under the previous approval. It was due to this lack of mitigation that the earlier appeal was dismissed and the same consideration would have to apply now, meaning that this application will have to be refused.
- 7.11 In terms of alternative potential mitigation of highway impacts, there is no scope to provide on-site parking as part of the scheme as submitted. It must also be recognised that the site is relatively close to the town centre, to which it is also connected by public transport and is within easy walking distance of Wellingborough Road, which is well served by local facilities. On this basis residents need not, in theory, have private cars. However, it must be recognised that at least some of the residents of the scheme are nevertheless likely to have cars.
- 7.12 It can also be noted that within this area of closely packed terraces there is generally no off-street parking and the proposed development would be consistent with this pattern. However, on balance the overall capacity of the area must be given due consideration and in light of the comments from the Local Highway Authority it is considered that this capacity would be exceeded by the proposal, without the mitigation as previously offered being provide.

8. CONCLUSION

- 8.1 The proposed development would have no significant adverse impact on the street scene or the amenities of adjoining occupiers. The development represents an acceptable land use and would contribute to addressing the established need for housing within Northampton. However, the proposal would lead to an increased demand for on-street parking which could not be accommodated. Consequently it is considered that the development would be detrimental to the amenities of existing residents and to highway and pedestrian safety.
- 8.2 Notwithstanding the fact that the proposal would contribute towards the Borough's housing land supply, the application is considered unacceptable and recommended for refusal.
- 8.3 In the event that the application is refused, it will be necessary to commence formal enforcement proceedings under delegated powers, to secure cessation of work on

site and ultimately removal of the unauthorised development, unless permission is subsequently granted for the retention of these works as part of an amended scheme.

9. BACKGROUND PAPERS

9.1 Application files N/2015/1067, N/2009/0968 and N/2007/1461.

10. LEGAL IMPLICATIONS

10.1 None

11. SUMMARY AND LINKS TO CORPORATE PLAN

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



Name: **Site Location Plan**
 Date: **6th November 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
54 Adams Avenue

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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1078

LOCATION: 74 Military Road

DESCRIPTION: Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 5 no. residents

WARD: Castle Ward

APPLICANT: Mr Mohammed Azizur Rahman
AGENT: N/A

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Applicant is a Council Member

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development proposed would not lead to an unacceptable concentration of HIMO's within the locality and would not adversely impact on the character and appearance of the property, the street scene, conservation area, nor have any significant impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for the change of use from a dwelling into a house in multiple occupation (HIMO) for up to five people. No external alterations are proposed.

3. SITE DESCRIPTION

3.1 The property is a 2-storey mid-terraced dwelling currently with four bedrooms and an enclosed rear yard. The property lies within a residential area comprising

predominantly of terraced streets and is situated within the Boot and Shoe Quarter Conservation Area.

- 3.2 The site lies within a Non Immediate Article 4 Direction Area which removes permitted development rights for a change of use to an HIMO.

4. PLANNING HISTORY

- 4.1 There is no relevant planning history.

5. PLANNING POLICY

5.1 Statutory Duty

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

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

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 applications should be considered with a presumption in favour of sustainable development.

Paragraph 50 – Seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, 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.

Paragraph 131 – Sets out the importance 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 H1 – states that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

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

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

Policy BN5 – designated heritage assets and their settings will be conserved and enhanced in recognition of their individual and cumulative significance.

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 should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy E26 – development should preserve or enhance the character and appearance of the Conservation Area.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.5 **Supplementary Planning Documents**

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

5.6 **Other Material Considerations**

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

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material change or adverse impact on the character of the area; or more than 15% of HIMOs within a 50m radius.

- Secure the provision of adequate facilities, amenities and minimise flood risk.
- Promote use of public transport, cycling and walking and secure provision of adequate parking.
- Ensure adequate refuse provision and storage.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Private Sector Housing** – no objections. The property is suitable to let to 5 individuals from 5 separate households.
- 6.2 **NCC Highway Authority** – the LHA holds the right to restrict the number of permits administered to a property as it sees fit. This may result in the number of permits being limited with no guarantee that every resident within the revised property will be issued a permit.
- 6.3 1 letter of objection from 28 Burns Street (landlord of No. 76):
- Tenants are likely to be of transient nature with little interest in community which may result in adverse impacts on amenity and character of area and lives of people living there.
 - 7 people living in same house may give rise to potential internal disputes and/or opportunity to host parties.
 - Concerns regarding noise, rubbish disposal, anti-social behaviour.
 - Increased parking problems.

7. APPRAISAL

Principle of Development

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.
- 7.2 The surrounding area is predominantly residential in character. It would appear from Council records that there is not a significant concentration of HIMOs in the surrounding area with three identified HIMOs excluding the application site within a 50 metre radius of the property. This, including the proposal, would clearly fall within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs also taking into account the proposed HIMOs within the locality, the subject of separate reports on this agenda.
- 7.3 The proposal could be conditioned to restrict the use of the premises to a maximum of five occupants, the impact of which would not be significantly different to that of a conventional family home. It is therefore considered that the proposal would not lead to an over-concentration of HIMOs within the locality and that there would not be a significant impact on the character and amenity of the area as a result.

Amenity and Refuse Storage

- 7.4 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires

HIMOs to be of sufficient size to accommodate the proposed use. The scheme has been amended to reduce the number of occupants proposed from seven to five incorporating three single rooms on the first floor and a double room on the ground floor. The property is considered to be of sufficient size for the number of occupants proposed providing room sizes and facilities in accordance with the Council's HIMO Facilities and Amenities Guidance and a condition restricting the use of the property to a maximum of five people would ensure over-development does not occur. All bedrooms are served by adequate outlook and light.

- 7.5 Bin storage can be provided in the enclosed rear yard and can be secured by condition.

Highways and Parking

- 7.6 Parking within the vicinity of the site is on-street and controlled via residents' parking permits. The Highway Authority has advised that the number of parking permits issued may be limited with no guarantee that every resident within the property will be issued a permit. Given that the lawful use as a dwelling would be likely to generate some vehicle movements, it is considered that the use as a HIMO would not create any significant additional traffic. The site is in a relatively sustainable location within walking distance of services and facilities in the town centre and therefore it is considered that the impact on car parking would not be unduly significant. A condition for cycle storage could be imposed to promote sustainable travel to the site.

Impact on appearance and character of conservation area

- 7.7 No external alterations are proposed and the proposed change of use would therefore have a neutral impact on the character and appearance of the conservation area.

8. CONCLUSION

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

9. CONDITIONS

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

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

- (2) The property shall be occupied by no more than 5 persons at any one time.

Reason: In the interests of the amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

- (3) Prior to commencement of the use hereby permitted, details of refuse and cycle storage within the site boundary shall be submitted for approval in writing by the

Local Planning Authority and implemented in accordance with the approved details prior to the occupation of the premises hereby permitted.

Reason: In the interests of the amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

- (4) The development hereby permitted shall be carried out in accordance with the following approved plan: Revised layout plan received on 7th January 2016.

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

10. BACKGROUND PAPERS

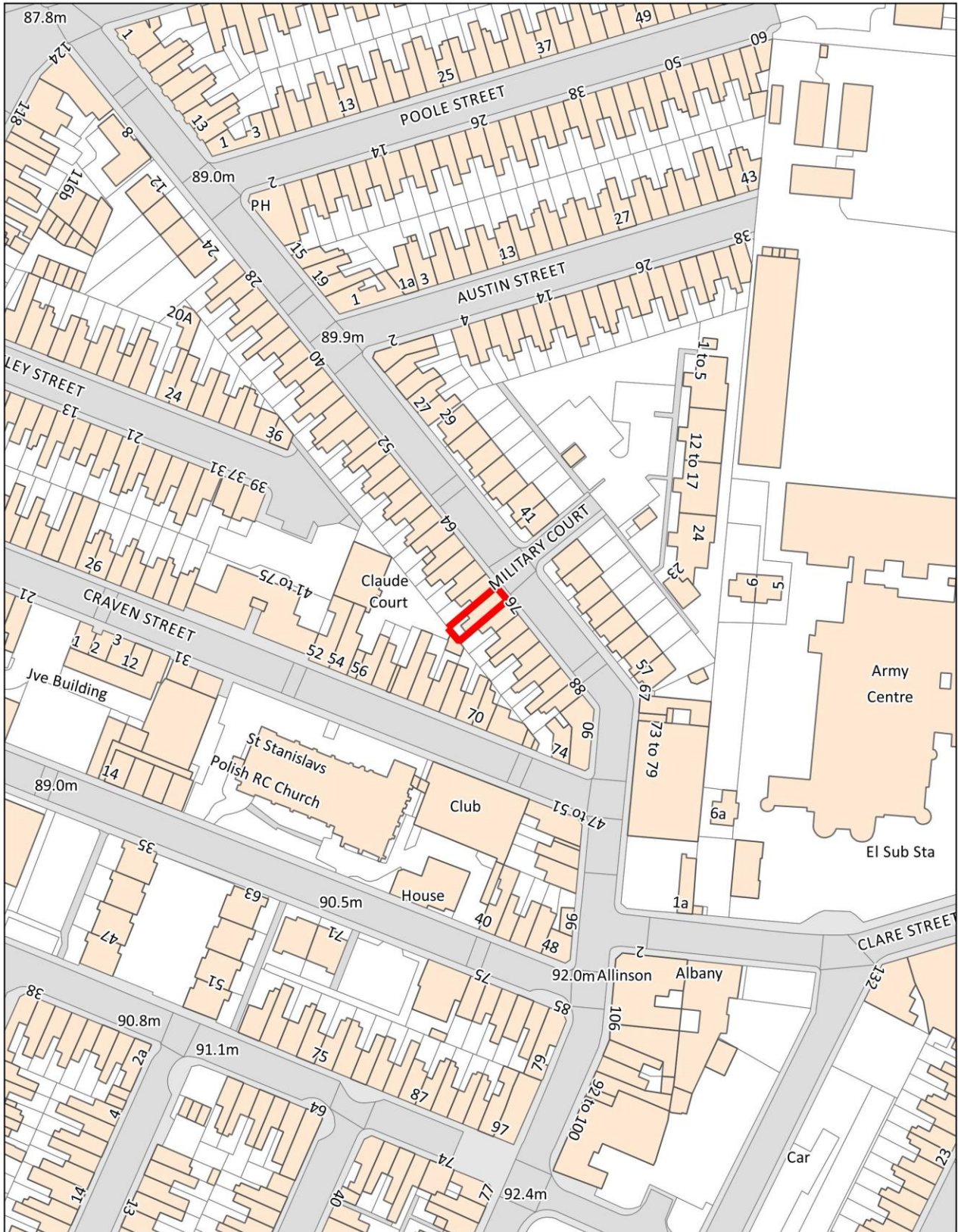
- 10.1 N/2015/1078


11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 74 Military Road</p>	<p>Date: 05-01-2016</p>
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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1256

LOCATION: 13 Uppingham Street

DESCRIPTION: Change of use from dwelling (Use Class C3) into house in multiple occupation (Use Class C4) for 3no residents

WARD: Semilong Ward

APPLICANT: Mr David Croissant
AGENT: N/A

REFERRED BY: Cllr L Marriott
REASON: Loss of a family home, parking issue and over concentration of HIMOs

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact upon the character of the street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 Retrospective permission is sought for a change of use from a single dwelling to a house in multiple occupation (HIMO) for 3 people. No external alteration to the property is proposed.
- 2.2 It was noted at the officer's site visit that the use had already commenced, with three occupants residing at the property.

- 2.3 The site lies within the Article 4 Direction area which removes permitted development rights for change of use to a HIMO.

3. SITE DESCRIPTION

- 3.1 A late Victorian, two-storey terraced property fronting directly onto the street, with a rear outrigger and small rear garden. The area is residential in character with similar terraced properties on both sides of the street. The property has no basement and no on-site parking facility is provided.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

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

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

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

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

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

Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

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

Proposals for HIMOs should:

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Cllr. L. Marriott** – following consultation with the Semilong Community Forum, called the application in on the following grounds:

1. Application N/2015/1256 will cause a reduction in family homes in the area which are presently required and will be ongoing. In particular there will be a significant increase in demand for family homes within easy walking or cycling distance of the new school when it opens on the old Royal Mail site on Barrack Road in Semilong.

2. Too many HMO's already exist in the area and this applications will add to the problems already created by these.

3. Parking in the area at weekends and evenings/nights is already a serious problem in the area, as identified by the Police.

6.2 **NBC Private Sector Housing** – the space and amenities provided indicate that the property will be suitable to let to 3 individuals from 3 separate households.

6.3 **Highway Authority** – No observations.

7. APPRAISAL

Principle of the development

7.1 The conversion of an existing dwelling to a HIMO is considered to be in accordance with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where they would not adversely affect the character and residential amenity of an area. In principle, HIMOs are considered to be acceptable in a residential area.

Size of property

7.2 The plans indicate three letting bedrooms, one at ground floor, two at first floor, together with a lounge, kitchen and WC on the ground floor and bathroom on the first floor. The response from Private Sector Housing indicates that the property is suitable to accommodate 3 people households, provided that adequate refuse storage is provided.

Area concentration

7.3 Council records evidence that there are two other confirmed HIMOs within the 50m radius of the application site. This equals 1.5% of the total number of dwellings (107), and including the application site, it would equal 2%. This clearly falls within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

Parking

7.4 No off-street parking is provided. However, the plans indicate that bicycle storage space has been provided in the rear garden. Also, the site is less than 100m from the nearest bus routes. This therefore complies with Principle 3 of the Council's adopted Planning Policy Statement on HIMOs. The Highway Authority has made no observations.

Refuse storage

7.5 The plans indicate an area at the rear of the property for the storage of refuse and materials for recycling, and is therefore considered to comply with Principle 4 of the Council's Planning Policy Statement on HIMOs.

Amenity

7.6 The use proposed falls within Class C4 of the Use Classes Order, which in effect categorises this as a residential use which would not generate amenity impacts, such as noise or anti-social behaviour, on local residents over and above those created by a more conventional C3 dwelling. Indeed without the Article 4 Direction planning permission would not be required for this change of use. Consequently it is not considered that any refusal of planning permission or the imposition of conditions, in relation to amenity issues would be reasonable or sustainable at appeal.

8. CONCLUSION

- 8.1 Taking the above assessment into account, it is considered that the use of this property as a HIMO for 3 people is in compliance with Policy requirements, and is therefore recommended for approval.

9. CONDITIONS

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, floor plans.

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

- (2) The development hereby permitted shall be occupied by a maximum of three residents at any one time.

Reason: In the interests amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

- (3) The bin storage and cycle storage provision as indicated on the approved plans shall be provided within a month from the date of the permission hereby permitted and retained thereafter.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

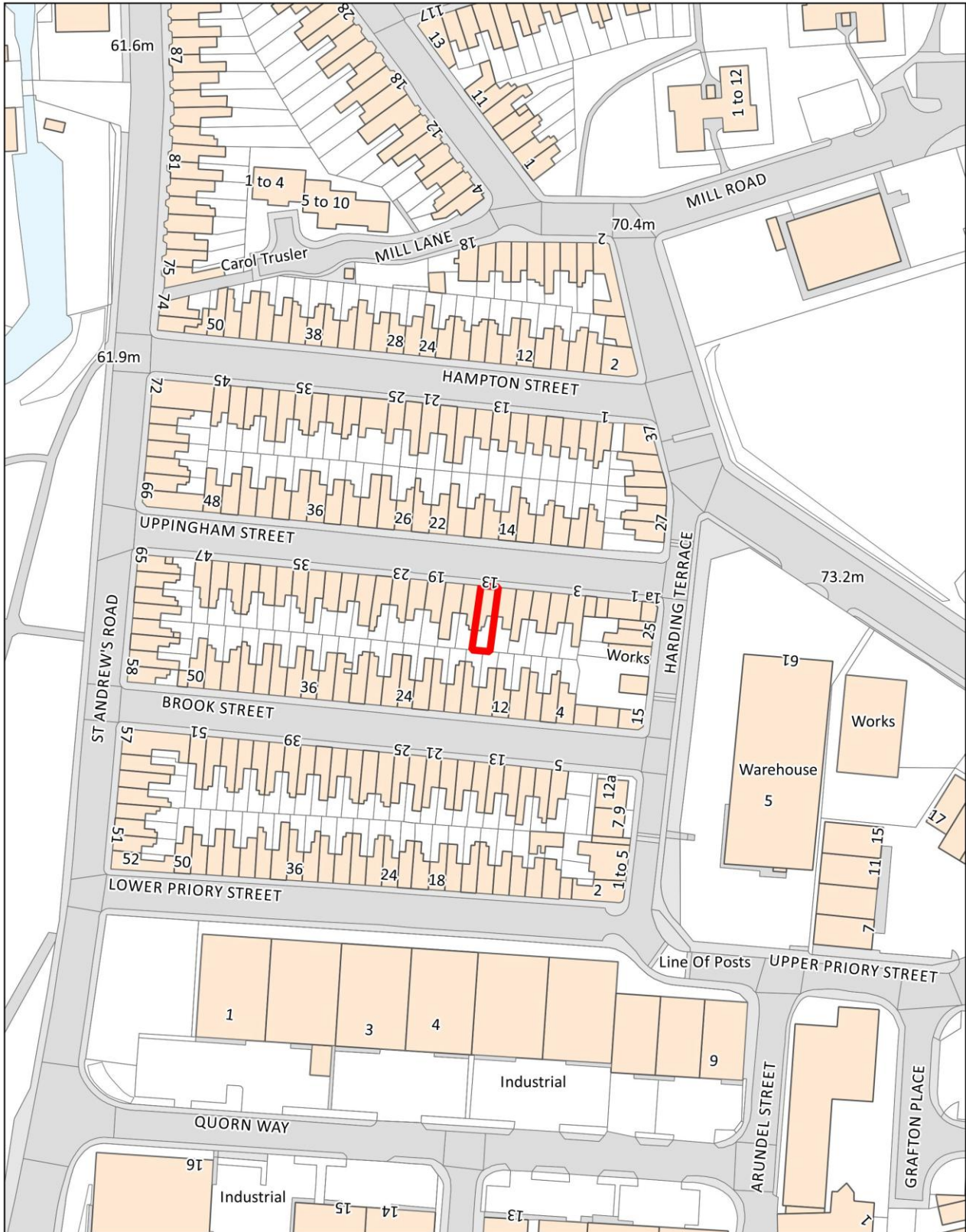
- 10.1 N/2015/1256

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.



Title: **13 Uppingham Street**

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Date: 05-01-2016
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PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1314

LOCATION: The Barn Owl, Olden Road

DESCRIPTION: Change of use from public house (use class A4) into convenience store (use class A1) including alteration and extensions, rear storage and installation of 2no satellite dishes on roof

WARD: Rectory Farm Ward

APPLICANT: Hawthorn Leisure Ltd
AGENT: PLC Architects

REFERRED BY: Cllr J Hill
REASON: Loss of a community facility and traffic issue

DEPARTURE: No

1. RECOMMENDATION

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

The Town and Country Planning (General Permitted Development) (England) Order 2015 allows for the change of use from Class A4 (drinking establishment) to a use falling within Class A1 (shops). The property has been considered and rejected by the Council under the nominations process for inclusion on the list of Assets of Community Value. The design and appearance of the proposed alterations are considered acceptable and the proposal would not lead to any unacceptable impacts on adjacent amenity or significant increased impacts on existing highway conditions. The proposal is therefore considered in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E28 and T12 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application proposes the change of use of the existing public house (Use Class A4) to a convenience store (Use Class A1), a single storey rear extension, external alterations to window and door openings, the formation of a new shopfront and the installation of an ATM and the installation of two satellite dishes on the roof. Fencing would be erected to the rear service yard which would include the installation of plant and equipment and refuse storage. The first floor is currently ancillary residential use to the pub and would remain unchanged to be used as ancillary residential accommodation to the proposed retail use.

2.2 The application is supported by a Planning Statement, Transport Statement and an Acoustic Report.

3. SITE DESCRIPTION

3.1 The application site comprises of a public house within a predominantly residential area but with community uses within the immediate surrounding area comprising of a convenience store and Rectory Farm Community Centre located to the west of the site and a primary school to the north. A public car park is located to the front and side of the site. Access to the site is via Olden Road.

4. PLANNING HISTORY

4.1 There is no recent relevant planning history.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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:

The NPPF has a presumption in favour of sustainable development.

The NPPF at paragraphs 17 and 19 seeks to support sustainable economic growth whilst securing high quality design and a good standard of amenity.

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 – seeks to achieve high standards of sustainable design and protect, conserve and enhance the built environment.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 – the design of new development should adequately reflect the character of its surroundings and ensure adequate standards of privacy, daylight and sunlight.

E28 – requires replacement shop fronts to be in keeping with the character of the building and locality.

T12 – permission for development requiring servicing by commercial vehicles should ensure adequate provision for parking, manoeuvring and safety for both operators and users.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Environmental Health** – require condition regarding noise from plant and equipment. Request that opening hours are altered to commence at 07:00 rather than 06:00 hours and deliveries are restricted to 07:30 to 19:30 hours and that refuse storage is located further away from residential properties.

6.2 **NBC Estates & Asset Management** – object. The Council own a freehold interest at Rectory Farm Supermarket which is located very close to the public house and has operated as a convenience store for the benefit of the local community for years. The proposal will duplicate an established service to the local community and would have an immediate and detrimental impact on the existing trade and business of the Council's tenant.

6.3 **NCC Highway Authority** – no observations.

6.4 **Crime Prevention Design Advisor** – sets out requirements for CCTV coverage, ram raid bollards to ATM, alarm and window standards, security fencing to rear yard and lighting.

6.5 **Rectory Farm Residents Association** – object as follows:

- Loss of valuable gathering place and important social hub for our community
- At no point has the applicant approached the Residents' Association.
- Pub hosts regular entertainment, social and family gatherings and a number of group activities including three darts teams, a pool team and golf society and is used by local football teams.
- Residents Association use the pub for a number of meetings.
- The Community Centre is in use during the day and on many evenings and the pub is the only alternative venue in the community. School hire is expensive.
- Residents will have to travel further to a licensed public house.
- Poor state of Olden Road. Increased use will make road condition worse.

6.6 **Councillor J Hill** – objects as follows:

- Olden Road is the only access to the building and is in a very poor state. NCC has advised that there are no immediate plans to resurface the road. Additional traffic will increase the problems.
- Loss of the pub as an essential community hub. The pub has been a crucial part of the community of Rectory Farm for over 30 years.
- No formal consultation with local residents by applicant.
- Another convenience store is not required and existing store will probably be forced to close as there is not enough business to support two similar stores.

6.7 **David Mackintosh MP** objects as follows:

- Have been County Councillor for this area since 2009 and in the last six years made numerous requests for road repairs and resurfacing due to heavy traffic use on Olden Road.
- The proposed change of use would greatly increase traffic to the area and put further pressure on the local road and highway infrastructure adding to parking problems as well as increased noise and air pollution to local residents.
- Impact on safety to children and parents accessing Rectory Farm Primary School opposite the site which already sees high volumes of traffic at the start and finish of the day.
- Strongly urge this planning application is rejected.

6.8 Objection from CCG Town Planning on behalf of proprietors of Rectory Farm Supermarket:

- The existing supermarket relies almost entirely on the local community with very little passing trade.
- Land ownership does not provide justification in terms of the use of the sequential test as required by the NPPF.
- The Olden Road site is not listed in the hierarchy of centres within the Core Strategy which would be considered an out of centre location in terms of retail centre policy.
- In the event a sequential test is not passed (because alternative preferable sites are available) then paragraph 27 of the NPPF requires the application be refused.
- In the absence of any details of the sequential test being applied to the proposed development the application should be refused on this basis.
- There is no need for a larger supermarket which is adequately served by the existing store.
- The proposal will result in the loss of a public house, a valuable and well used facility for the local community and significantly affect the viability of the existing store.
- Lack of dedicated parking.
- The pub is not vacant and has not been marketed for alternative uses.
- The application is not compatible with the NPPF's vision of facilitating social interaction and creating healthy, inclusive communities and would undermine the sustainability of this neighbourhood.
- Application is not supported by any evidence demonstrating there is a need for an additional facility and does not therefore justify the loss of a valuable community facility well supported by local residents.

6.9 552 letters of objection have been received the comments of which are summarised as follows:

- Current store is adequate for the area. A second store is not sustainable and would be detrimental to the existing store which would in probability have to close.
- Empty buildings would be unsightly and potentially dangerous attracting vandalism, vermin and squatting.
- Increased trip generation, traffic and size of vehicles.
- Olden Road is in a poor state of repair which will be made worse by increased traffic.

- Inadequate parking and increased need for on-street parking.
- Loss of community facility. Closing the pub will be extremely detrimental to the community which is the hub of the community and used by many groups when the community centre is not available.
- The residents of Rectory Farm have had no consultation from Hawthorn Leisure.
- Potential for increased rubbish and anti-social behaviour.

6.10 A petition with 154 signatures objecting as follows:

- Existing supermarket adequately caters for the needs of local residents/ neighbouring catchments.
- Planning application is unnecessary and unwanted.

6.11 1 letter of support:

- Could do with a better shop close by that's got more choice, better priced and open more.

7. APPRAISAL

Principle of Development

7.1 Under Schedule 2, Part 3 Class A of the Town and Country Planning (General Permitted Development)(England) Order 2015, the change of use from a drinking establishment i.e. public house (Class A4) to a shop (Class A1) is permitted development. The principle of a shop use is therefore acceptable as planning permission for the change of use is not required in this instance.

7.2 The Committee should note that a nomination was received by the Council on 16th October 2015 from the 'Save The Barn Owl Group' requesting that The Barn Owl Public House is considered for listing as an 'Asset of Community Value'. The nomination was rejected on 8 December 2015.

7.3 As the applicant could in effect change the use of the premises from a public house to a shop as permitted development, the only consideration for this application therefore relates purely to the physical works proposed in Paragraph 2.1 above.

Design and Appearance

7.4 The proposed extension would infill the south-eastern corner of the existing building at single storey creating an additional 39 sq. m gross internal floorspace. The extension has been designed to be sympathetic to the existing building and materials could be conditioned to match existing. The proposed shopfront windows would be within the existing window openings to the front of the building and external alterations proposed to windows and doors would not lead to any significant adverse impact on the overall appearance of the building. The proposed satellite dishes would be located on the rear elevation of the building and whilst visible from adjacent residential properties on Riley Close would not visually dominate the building and are considered acceptable. The scheme has been amended to include anti-ram bollards to the front of the ATM machine and paladin weldmesh fencing and gates around the rear yard as requested by the Crime Prevention Officer. The design and appearance of the proposed extensions and alterations are considered acceptable.

Impact on Amenity

7.5 Residential properties are located to the immediate rear and side of the application site. The refuse storage has been relocated alongside the building further away from the nearest residential property at 42 Riley Close. A condition would be imposed to control the extent of plant

and equipment noise. Subject to the conditions proposed it is not considered that the proposal would lead to any increased significant impact on adjacent residential amenity to that arising from the existing use. As the proposed change of use to a shop is permitted development conditions relating to opening and delivery hours as requested by Environmental Health could not be reasonably imposed.

Highways

- 7.6 Vehicular access to the property is via Olden Road which provides access to the surrounding residential properties, the existing store, community centre and school. There is an existing public car park owned by the Council situated to the front of the site with further public parking to the side.
- 7.7 Comments on the existing condition of the road surface are acknowledged however the proposed change of use to a shop is permitted development and it is therefore not considered that highway and transport issues are material to the determination of this application. The Highway Authority has no objection. The proposed increase in floorspace of 39 sq. m is not considered to be of a scale that would lead to any significant increased impact to the existing use. Notwithstanding the above, the site has good pedestrian and cycle links to the surrounding area providing access to the site other than by vehicle.

Other Matters

- 7.9 Considerable public concern has been raised regarding the impact of an additional shop in this location on the viability of the existing shop. Whilst these concerns are acknowledged competition with existing business is not a material planning consideration.

8. CONCLUSION

- 8.1 The design and appearance of the proposed alterations are considered acceptable and it is not considered that the proposal would lead to any unacceptable impacts on adjacent amenity or significant increased impacts on existing highway conditions such that a refusal could be upheld. The application is therefore recommended for approval.

9. CONDITIONS

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

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

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

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

3. Notwithstanding the submitted Acoustic Report by Airtight and Noisecheck Limited dated 8/9 June 2015 any new plant or equipment should achieve a Target Noise Level Limit at Facade 6 dB(A) below the background levels for daytime and night time as detailed in the submitted report and maintained as such throughout the life of the development hereby permitted.

Reason: In the interests of adjacent residential amenity in accordance with the requirements of Policy BN9 of the West Northamptonshire Joint Core Strategy.

4. Prior to occupation of the development hereby permitted a scheme identifying external lighting provision for site shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of adjacent residential amenity in accordance with the requirements of Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

5. Notwithstanding the submitted details, the first floor accommodation shall be used as ancillary residential accommodation to the use hereby permitted.

Reason: In the interests of adjacent amenity in accordance with the requirements of Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

6. The development hereby permitted shall be carried out in accordance with the following approved plans: 15.2105.115.P2, 15.2105.110.P3, 15.2105.100.P2, 15.2105.103.P2, 15.2105.104.P2, 15.2105.101.P2, 15.2105.102.P2, 15.2105.113.P4, 15.2105.114.P2, 15.2105.112.P3, 15.2105.111.P2.

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

Informative:

You are advised to note and adhere to the requirements of Schedule 2, Part 3 A.2 (2) of the Town and Country Planning (General Permitted Development) (England) Order 2015.

10. BACKGROUND PAPERS

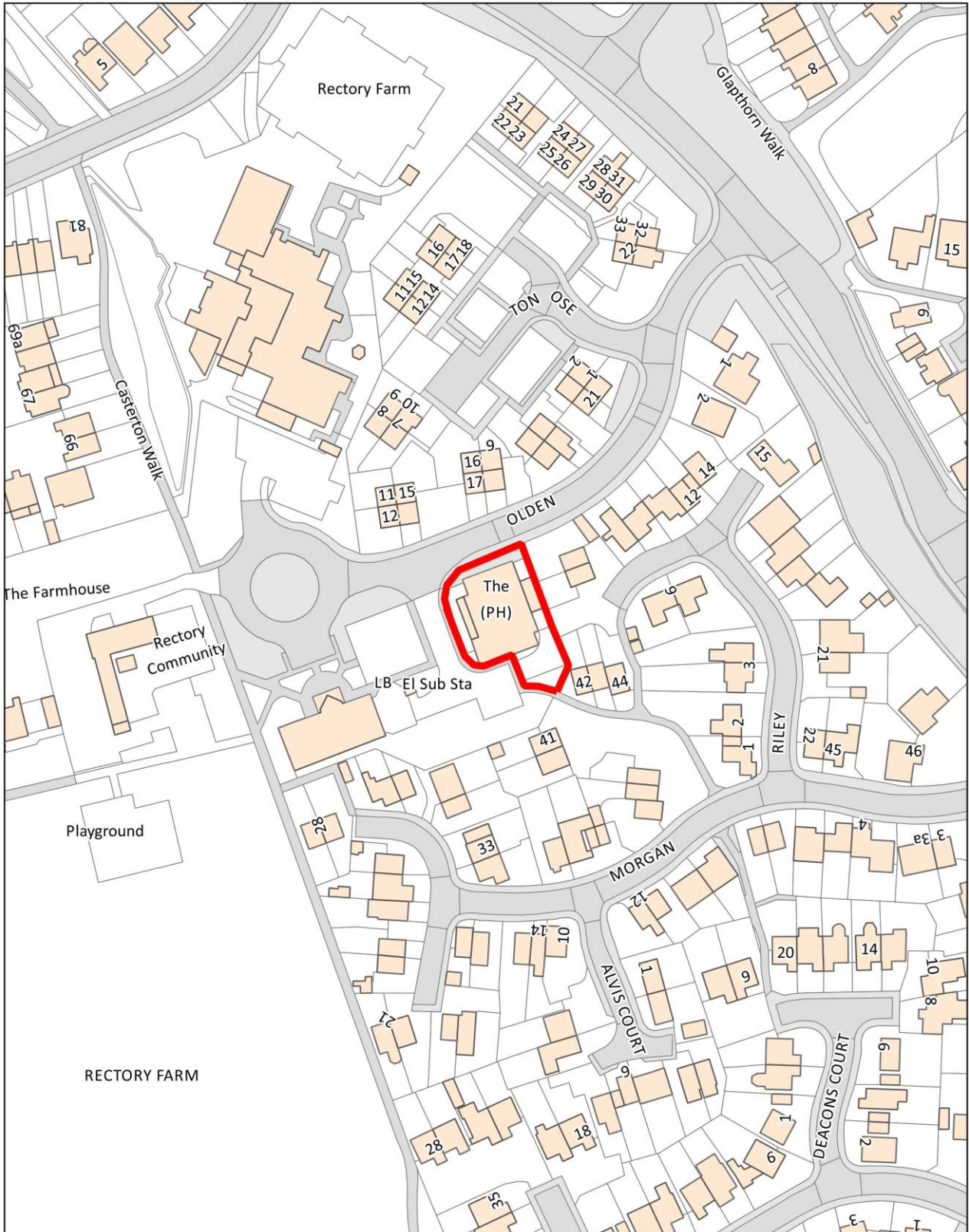
- 10.1 N/2015/1314.

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.



Title: The Barn Owl, Olden Road

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Drawn by: Planning



NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1344

LOCATION: 31 Coneygree Court

DESCRIPTION: Single storey front extension

WARD: Billing Ward

APPLICANT: Mr Shane Conway
AGENT: Mr Joseph McLoughlin

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal will not unacceptably impact upon residential or visual amenity, and accords with Policies E20 and H18 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 Permission is sought for a single storey front extension to form a lobby and downstairs WC.

3. SITE DESCRIPTION

3.1 A 1970's mid terraced dwelling on the Bellinge Estate with a parking area behind.

4. PLANNING HISTORY

4.1 None.

5. PLANNING POLICY

5.1 **Statutory Duty**

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

5.2 National Policies

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

Para. 17 – seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policy of particular relevance is:

Policy S10 – Sustainable Development Principles: development will achieve the highest standards of sustainable design, incorporating safety and security considerations and a strong sense of place.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy H18 – allows for house extension provided the design is acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD

6. CONSULTATIONS/ REPRESENTATIONS

6.1 None received.

7. APPRAISAL

- 7.1 The proposed extension measures 1.5m x 4.35m, with an overall height of 3.1m, and a small window on either side. With matching materials, in design terms the proposal is considered acceptable, as it is considered that the proposed extension will not have undue impact upon the visual amenity of the street scene.
- 7.2 Given the modest proportions of the extension, it is considered that it will not unduly affect the residential amenity of adjacent properties by way of overlooking, overshadowing or overbearing.

8. CONCLUSION

- 8.1 That the application be recommended for approval.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, 15-21436/01.

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

3. 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 H18 of the Northampton Local Plan.

10. BACKGROUND PAPERS

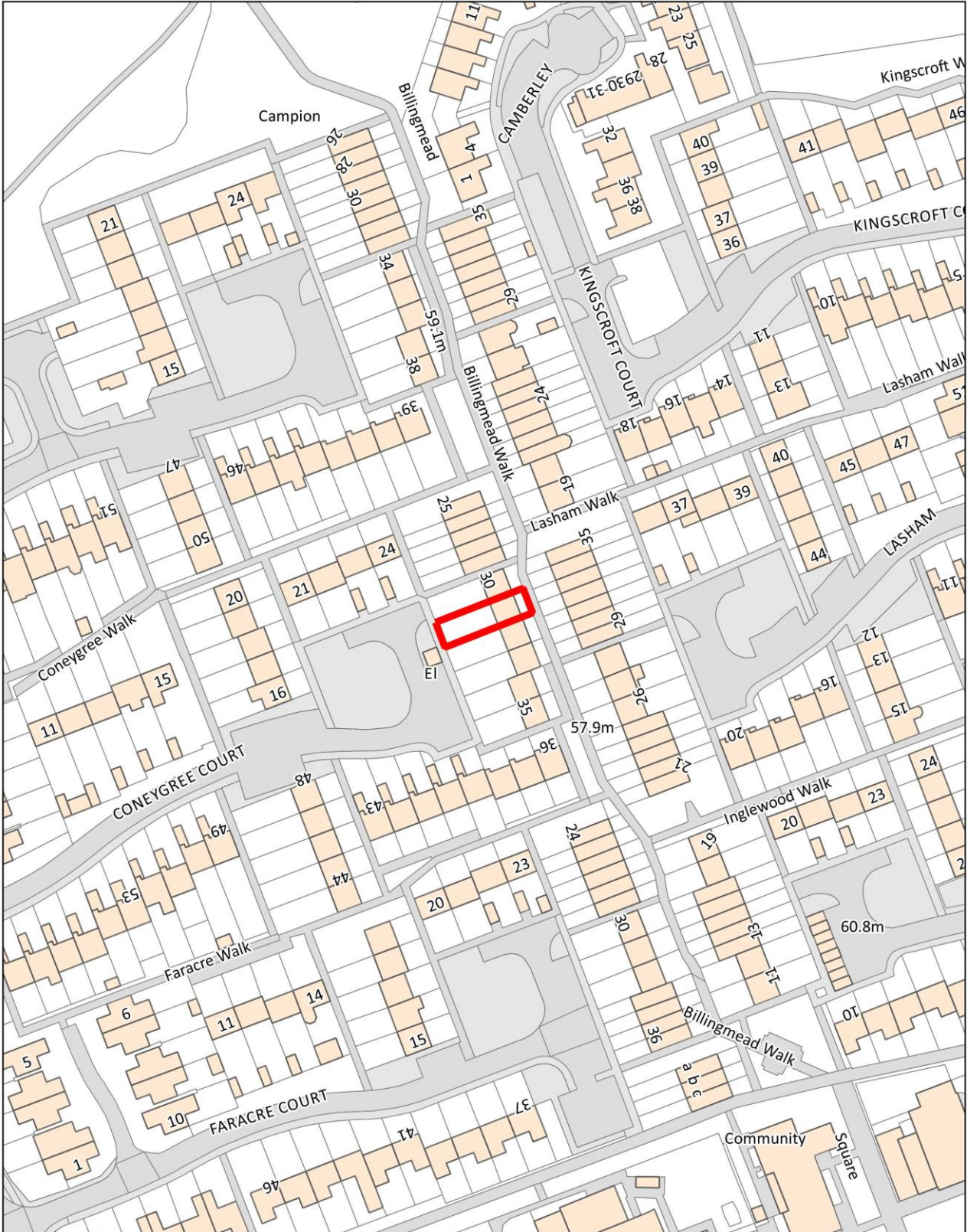
- 10.1 N/2015/1344

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.



Title: **31 Coneygree Court**

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