



# PLANNING AGENDA

**Tuesday, 16 February 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](mailto: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 17<sup>th</sup> 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](mailto: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, 16 February 2016  
at 6:00 pm.

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

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS / PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 6. LIST OF CURRENT APPEALS AND INQUIRIES**  
(Copy herewith)
- 7. OTHER REPORTS**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**  
None
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**  
None
- 10. ITEMS FOR DETERMINATION**  
ADDENDUM  
**(A) N/2015/0999 & 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**  
(Copy herewith)

**(B) N/2015/1133 - ERECTION OF A DETACHED DWELLING. LAND AT 8  
QUINTON ROAD**

(Copy herewith)

**(C) N/2015/1265 - CONVERSION OF EXISTING RETAIL/OFFICE UNITS INTO  
5 NO. FLATS INCLUDING ERECTION OF EXTERNAL STAIRCASE AND  
ALTERATIONS TO BUILDING. OAKLEY CYCLE, 84 - 86 LUTTERWORTH  
ROAD**

(Copy herewith)

**(D) N/2015/1337 - VARIATION OF CONDITION 2 OF PLANNING  
APPLICATION N/2013/1325 (RESIDENTIAL DEVELOPMENT  
COMPRISING 69 DWELLINGS WITH ASSOCIATED ACCESS VIA  
HARCOURT WAY) TO RE-PLAN PLOTS 12-19, 36-42 & 44-47  
(INCLUDING THE SUBSTITUTION OF MATERIALS OF PLOTS 14, 15, 36,  
41 & 47. LAND OFF DANES CAMP WAY**

(Copy herewith)

**(E) N/2015/1400 - ERECTION OF DECKING (RETROSPECTIVE  
APPLICATION). 91 FAIRWAY**

(Copy herewith)

**11. ENFORCEMENT MATTERS**

**12. ITEMS FOR CONSULTATION**

**(A) N/2015/1480 - ERECTION OF LEISURE BUILDING TO INCLUDE CINEMA,  
RESTAURANT & RETAILS UNITS AND OTHER LEISURE USES AND  
ERECTION OF A CYCLE HIRE FACILITY TOGETHER WITH  
PROPOSALS FOR ACCESS, PARKING AND SERVICING SPACE, HARD  
AND SOFT LANDSCAPING AND OTHER ASSOCIATED WORKS,  
RUSHDEN LAKES, LAND ADJACENT TO SKEW BRIDGE SKI SLOPE,  
NORTHAMPTON ROAD, RUSHDEN**

(Copy herewith)

**(B) N/2016/0051 - UP TO 110 RESIDENTIAL DWELLINGS (INCLUDING UP  
TO 35% AFFORDABLE HOUSING), CONVENIENCE STORE WITH  
200SQ.M OF RETAIL SPACE (USE CLASS A1) ASSOCIATED USES AND  
PARKING. DEMOLITION OF EXISTING BUILDINGS, STRUCTURAL  
PLANTING AND LANDSCAPING, INFORMAL PUBLIC OPEN SPACE  
AND PLAY AREA, SURFACE WATER MITIGATION AND ATTENUATION  
AND ASSOCIATED ANCILLARY WORKS (ALL MATTERS RESERVED).  
LAND OFF HOLLY LODGE DRIVE, BOUGHTON**

(Copy herewith)

### **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

Tuesday, 19 January 2016

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

**OFFICERS:** Steven Boyes, Director of Regeneration, Enterprise and Planning,  
David Hackforth (interim Head of Planning), David Rowen  
(Development Management Team Leader), Nicky Toon (Principal  
Planning Officer), Theresa Boyd (Solicitor), Emma Powley  
(Democratic Services Officer)

#### 1. APOLOGIES

Apologies for absence were received from Councillors Aziz and Lane.

#### 2. MINUTES

The minutes of the meeting held on 17<sup>th</sup> December 2015 were agreed and signed by  
the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

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

##### **N/2015/1471**

Alan Pease  
Jan Bolton  
Councillor Nunn  
Kay Ringwood  
Duncan Mills

##### **N/2015/0999 & N/2015/1000**

Ian Richardson  
Steve Harold  
David Brede  
Councillor Malpas  
Matthew Taylor

##### **N/2015/1067**

Mr Fruish  
Tracey Dell  
Councillor Ansell  
Councillor Smith  
Ian Abrams  
Joe Wooldridge

**N/2015/1078**  
Councillor Stone

**N/2015/1256**  
David Croissant

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Meredith declared a personal, non- pecuniary interest in Item 8a as a County Councillor and member of the Development Control Committee.

Councillor McCutcheon declared a personal, non- pecuniary interest in Item 8a as a County Councillor and member of the Development Control Committee.

Councillor Golby declared a personal, non- pecuniary interest in Item 8a as a County Councillor and Cabinet Member for Learning, Skills and Education.

Councillor Larratt declared a personal, non- pecuniary interest in Item 8a as Chairman of Northamptonshire County Council.

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

**RESOLVED:** That the determination of the following item, which was considered by the Chair to be a Matter of Urgency because of the undue delay if consideration of it was delayed, be as follows:

Because it concerned a prior notification application on which the Council has only 28 days to make a decision. That would not provide sufficient time for the application to be considered by the next meeting of the Planning Committee on 16<sup>th</sup> February 2016.

The Development Management Team Leader submitted a report that sought approval for a proposed demolition of a redundant care home building using machinery leave to the site in developable condition.

The Committee discussed the report.

**RESOLVED:**

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

The 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.



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

The Development Management Team Leader submitted a List of Current Appeals and Inquiries and elaborated thereon. It was noted that 4 Appeals had been dismissed. He advised that the details of the decision were available on the Borough Council's website

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

## **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**

The Principal Planning Officer elaborated on a report submitted by the Director of Regeneration, Enterprise and Planning. It was explained that the application sought to vary the affordable housing provisions in relation to the disposal of Intermediate Housing Units.

In response to questions asked, the Principal Planning Officer explained that the proposed variation would align the S106 Agreement with more recent changes in Government guidance in relation to the sale of shared ownership properties whilst maintaining control over the disposal of shared ownership units.

**RESOLVED:**

1. The Committee **AGREED** to the variation of affordable housing provisions in the Section 106 agreement dated 21<sup>st</sup> February 2011 as set out in the Report.

## **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**

At this point of the meeting, Councillors Meredith, Golby and McCutcheon left the room having declared an interest in the Item under Item 4 of the agenda.

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Member's attention was drawn to additional information included in the addendum.

Alan Peas, a resident of St Martin's Lane, spoke against the proposed development. In response to questions asked, Mr Pease stated that there was no suitable parking alternatives apart from the water tower which was allocated for staff parking and unsuitable for two-way traffic.

Jan Bolton, as a Hardingstone Parish Councillor, spoke against the proposed development.

Councillor Nunn, as the Ward Councillor, spoke against the proposed development. In response to questions asked, Councillor Nunn confirmed that he had no issue with the proposed extension of the building, but that the possible increased traffic issue was the major concern.

Kaye Ringwood, as the head of Schools Admissions at Northamptonshire County Council, spoke in favour of the proposed development. Responding to questions asked, she stated that they were still in communication with the Highways Authority and that there had been extensive negotiations with residents.

Duncan Mills, a representative of MRC Academy Trust, spoke in favour of the proposed development.

The Committee discussed the report.

**RESOLVED:**

That the Planning Committee of the Borough Council supports the principle of the extension of the school however it is seriously concerned over the impact on the surrounding road network and road safety as a result of the increase in pupil numbers and consequently vehicle movements and on-street car parking. The applicant should work with the Local Highway Authority, the Parish Council and local residents to address these concerns.

The Committee also wished for the County Planning Authority to give consideration to its previous decision on a similar application at Kingsthorpe when determining this matter.

At this point of the meeting Councillors Meredith, Golby and McCutcheon re-joined the Committee.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

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

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

The Committee discussed the report.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to Standard Advertisement Conditions. As the consultation period was yet to expire, it was **AGREED** that delegated authority be given to the Director of Regeneration, Enterprise and Planning to assess and resolve any outstanding consultation responses.

## **10. ITEMS FOR DETERMINATION**

### **(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**

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was explained that there were two applications, one being a planning application, the other a listed building application.

Ian Richardson, spoke as a local resident, and spoke against the application.

Steve Harold, the Managing Director of the business next door, spoke against the application.

David Brede, Billing Parish Councillor, spoke against the application.

Councillor Malpas, as the Ward Councillor, addressed the Committee and spoke against the application.

Matthew Taylor, spoke on behalf of the applicant and spoke in favour of the application. In response to questions asked, Mr Taylor confirmed that there would be a mixture of Full and Part time staff, some of whom lived in close proximity to the application and therefore would not require parking at the proposed site.

The Committee discussed the report.

### **RESOLVED:**

That both applications be deferred for further considerations of highway matters.

### **(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**

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members attention was drawn to the addendum and it was noted that a further two letters of representations had been received.

Mr Fruish, a local resident, addressed the Committee and spoke against the application. In response to questions asked, he stated that the parking issues were much greater in the evening.

Tracey Dell, a local resident, addressed the Committee and spoke against the application.

Councillor Ansell, a Ward Councillor for Abington, addressed the Committee and spoke against the application.

Councillor Smith, a Ward Councillor for Abington, addressed the Committee and spoke against the application.

Ian Abrams, the architect, addressed the Committee and spoke in favour of the application.

Joe Wooldridge addressed the Committee and spoke in favour of the application.

**RESOLVED:**

That the application be **REFUSED** 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.

**(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**

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

Councillor Stone, as the Ward Councillor, addressed the Committee and spoke against the application.

In response to questions asked the Principal Planning Officer explained that they could enforce conditions by contacting the enforcement team and would examine the landlord's records and contact the private sector housing team

The Committee discussed the application

**RESOLVED:**

That the application be **REFUSED** by reason of the loss of a dwelling that could be occupied as a single small scale family home, the development would fail to ensure the provision of an adequate mixture of house types within the area which fails to comply with the requirements of the National Planning Policy Framework and Policy H5 of the West Northamptonshire Joint Core Strategy.

**(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**

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

David Croissant, as the owner/landlord spoke in favour of the application.

The Committee discussed the application.

**RESOLVED:**

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

**(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**

The Chair noted that the item was to be deferred until the next meeting on 16<sup>th</sup> February. The Head of Planning advised that the Council had received a further nomination for listing the property as an asset of community value. This was an important planning consideration, which would affect permitted development rights and the “fallback” position referred to in the officer’s report, relating to the principle of the change of use.

The application was therefore deferred in order to provide an updated report for consideration by Committee, which would assess the change of use in the light of the current situation both with or without permitted development rights.

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

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

The Committee discussed the application.

**RESOLVED:**

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

**11. ENFORCEMENT MATTERS**

None

**12. ITEMS FOR CONSULTATION**

None

The meeting concluded at 9.16pm

Directorate: Regeneration, Enterprise and Planning  
 Director: Steven Boyes



**List of Appeals and Determinations – 16<sup>TH</sup> February 2016**

<b>Written Reps Procedure</b>			
<b>Application</b>	<b>DEL/PC</b>	<b>Description</b>	<b>Decision</b>
<b>N/2015/0430</b> APP/V2825/W/15/3136751	DEL	Change of use from 5-bed (use class C4) to 7-bed (Sui Generis) house of multiple occupation by converting cellar into 2no additional bedrooms. Retrospective application at 128 Clarence Avenue	<b>AWAITED</b>
<b>N/2015/0470</b> 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	<b>DISMISSED</b>
<b>N/2015/0561</b> 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	<b>AWAITED</b>
<b>N/2015/0563</b> APP/V2825/W/15/3136497	DEL	Change of use of existing storage unit into 2no 1-bed apartments at 1 Gordon Street	<b>AWAITED</b>
<b>N/2015/0644</b> APP/V2825/D/15/3138574	DEL	Two storey side extension, single storey rear extension and front porch at 71 Wilford Avenue	<b>AWAITED</b>
<b>N/2015/0798</b> APP/V2825/D/15/3138225	DEL	Change of use of existing storage unit into 2no 1-bed apartments at 2 Oaklands Drive	<b>AWAITED</b>
<b>N/2015/0928</b> APP/V2825/W/15/3139794	DEL	Change of use to 5 person house in multiple occupancy at 119 Whitworth Road	<b>AWAITED</b>
<b>N/2015/0946</b> APP/V2825/D/16/3141908	DEL	Erect attached garage to front at 57 Rickyard Road	<b>AWAITED</b>
<b>N/2015/1279</b> APP/K2800/D/16/3142656	DEL	First floor side extension at 14 Tiffany Gardens	<b>AWAITED</b>
<b>Public Inquiry</b>			
<b>N/2013/0338</b> APP/V2825/A/14/2228866	PC	Site at Land to East of Hardingstone, North of Newport Pagnell Road - Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road – <b>Public Inquiry ended on 30<sup>th</sup> July at Franklin Gardens, Weedon Road</b>	<b>AWAITED</b>
<b>N/2013/1035</b> 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 – <b>Public Inquiry ended on 18<sup>th</sup> December at Franklin Gardens, Weedon Road</b>	<b>AWAITED</b>
<b>N/2013/1063</b> APP/V2825/W/15/3028155	PC  8	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 - <b>Public Inquiry ended on 18<sup>th</sup> December at Franklin Gardens, Weedon Road</b>	<b>AWAITED</b>

<b>Hearing</b>			
<b>N/2015/0335</b> APP/V2825/W/15/3138580	PC	Redevelopment comprising a new distribution centre (Use Class B8) including related service roads, access and servicing arrangements, car parking, landscaping bund and associated works. Land at Milton Ham, Towcester Road <b>Hearing date and venue to be confirmed.</b>	<b>AWAITED</b>
<b>N/2015/0419</b> APP/V2825/W/15/3140695	PC	Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road. <b>Hearing date 25/4/2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE</b>	<b>AWAITED</b>
<b>N/2015/0718</b> 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. <b>Hearing date 26/01/2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE</b>	<b>DISMISSED</b>
<b>Enforcement Appeal</b>			
		None	
The Address for Planning Appeals is: Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.		Appeal decisions can be viewed at - <a href="http://www.planningportal.gov.uk">www.planningportal.gov.uk</a>	
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed		Author and Contact Officer Mrs Rita Bovey, Development Manager Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE	



## Addendum to Agenda Items Tuesday 16<sup>th</sup> February 2016

### 10. ITEMS FOR DETERMINATION

10a

**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**

Item **WITHDRAWN** from agenda.

10b

**N/2015/1133**

**Erection of a detached dwelling  
Land at 8 Quinton Road**

Two additional representations have been received from **2 High Street and Treetops** objecting due to the dangerous nature of the bend and the narrow road; the lack of footpaths, the poor line of sight; large vehicles having to occupy both sides of the road at present and the number of buses; the lack of turning space within the site resulting in vehicles having to reverse from the site as well as existing on-street car parking.

10c

**N/2015/1265**

**Conversion of existing retail/office units into 5 no. flats including erection of external staircase and alterations to building  
Oakley Cycle, 84 - 86 Lutterworth Road**

Further objections received from **64 and 93 Lutterworth Road** with concerns on parking and the impact it will have on the area if permitted. Concerns on potential noise pollution.

10d

**N/2015/1337**

**Variation of Condition 2 of planning application N/2013/1325 (Residential development comprising 69 dwellings with associated access via Harcourt Way) to re-plan plots 12-19, 36-42 & 44-47 (including the substitution of materials of plots 14, 15, 36, 41 & 47  
Land off Danes Camp Way**

Reference is made in Condition 1 to drawing SM536-PD-04J. This has been superseded by drawing SM536-PD-04K and consequently the condition should be amended.

**Amended Condition 1:**



The development hereby permitted shall be carried out in accordance with the following approved plans; location plan (SM536 LP 001B); Site Plan (SM536 PL 04A); Floor Plans & Elevations (419 C PL01); Floor Plans & Elevations (419 C PL02); Floor Plans & Elevations (427 C PL01); Floor Plans (405 C PL01); Elevations (405 C PL02); Elevations (405 C PL03); Elevations (405 C PL04); Elevations (303 C PL02); Elevations (405 C PL04); Floor Plans & Elevations (420 C PL02); Floor Plans & Elevations (304 C PL02); Elevations (3B5P PL05); Floor Plans & Elevations (2B4P PL02); Floor Plans (3B5P PL04); Floor Plans & Elevations (2B4P PL01); Floor Plans (3B5P PL02); Floor Plans (2B4XP PL03); Floor Plans (2B4XP PL01); Elevations (2B4XP PL04); Elevations (3B5P PL01); Floor Plans and elevations(2B4P PL01); Elevations (3B5P PL03); Floor Plans (3B5P PL04); Floor Plans & Elevations(304 C PL01); Floor Plans & Elevations (420 C PL01); Floor Plans and elevations(410 C PL01); Floor Plans & Elevations (411 C PL01); Floor Plans (405 C PL06); Floor Plans (303 C PL01); Floor Plans & Elevations (414 C PL02); Floor Plans & Elevations (410 C PL02); Floor Plans (405 C PL06); Floor Plans & Elevations (411 C PL02); Floor Plans & Elevations (414 C PL01); Floor Plans (407C PL01); Elevations (407 C PL02); Landscape Proposals (SMHH05-LS-001); Tree Distance Draft (SMHH05-LS-002); Landscape Proposals (SMHH05-LS- 003); Indicative Drainage Strategy (HUNS-002 E); Section Plan (SM536- EN-003); Materials Plan (HH-MP-002G); Bin Store (BS\_01); estate rail; Tree Constraints Plan (JBA 13/14-TS01); detailed Hard and Soft Landscape Proposals for POS (JBA 13/14-02 D); detailed Hard and Soft Landscape Proposals for POS (JBA 13/14-03 B), SM536-PD-04K, XLDG-PL01 and XLSG-PL01.

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

**10e**  
**n/2015/1400**  
**Erection of decking (retrospective application)**  
**91 Fairway**

No update.

## **12. ITEMS FOR CONSULTATION**

**12a**  
**N/2015/1480**  
**Erection of leisure building to include cinema, restaurant & retails units and other leisure uses and erection of a cycle hire facility together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works**  
**Rushden Lakes, land adjacent to Skew Bridge Ski Slope, Northampton Road, Rushen**

No update.

**12b**  
**N/2016/0051**  
**Up to 110 residential dwellings (including up to 35% affordable housing), convenience store with 200sq.m of retail space (Use Class A1) associated uses and parking. Demolition of existing buildings, structural planting and landscaping, informal public open space and play area, surface water mitigation and attenuation and associated ancillary works (all matters reserved)**  
**Land off Holly Lodge Drive, Boughton**

No update.



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

**PLANNING COMMITTEE:** 16<sup>th</sup> February 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 IN PRINCIPLE** 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.

1.2 As consultation period on the submitted Park Management Plan will not finish until 19<sup>th</sup> of February, that delegated authority is given to the Director of Regeneration, Enterprise and Planning in consultation with the Chair of Planning Committee to determine the application taking into consideration any further consultation responses received.

## **N/2015/1000 – Listed Building Application**

### **1.3 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 children's 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.

2.2 It was resolved by Members at the Planning Committee meeting of 19<sup>th</sup> January to defer the applications to allow for further discussions regarding the highway implications of the development. Discussions have taken place between the applicants and members of the local community regarding the development and as a result a Parking Management Plan has been produced.

2.3 This plan indicates that long term staff parking will take place within the site with short term 'drop-off' parking taking place within the road. It also sets out the measures which the operators of the nursery will take to ensure the development operates in accordance with this.

## **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.

**Additional comments** concerning the Parking Management Plan raising no objections as the Highway Authority's parking requirement is met.

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.

6.6 **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.

6.7 Subsequent to the 19<sup>th</sup> January Committee meeting **Councillor Malpas** has forwarded comments received from members of the public expressing concerns over the parking situation in the area and with particular regard to the impact on the nearby church.

## **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 had 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.
- 7.7 In response to these issues the applicant has been in dialogue with members of the local community and a Parking Management Plan has been produced as a result. This seeks to address the concerns of local residents regarding on-street car parking by outlining how the applicant proposes to operate. In effect to avoid confusion and congestion, the car park will only be available for staff. Any child drop off will take place within the road with parents encouraged to access the road in one direction and to keep stops as short as possible. It is indicated that action will be taken against those who breach the advice on a regular basis.
- 7.8 It has been indicated verbally that this arrangement would be acceptable to local residents. A condition is proposed to incorporate these measures into the operation of the nursery.
- 7.9 The Highway Authority previously raised no objections, and have no further objections following the submission of the Parking Management Plan and 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.
- 7.10 The submitted Parking Management Plan is the subject of further public consultation and the consultation period will finish on the 19<sup>th</sup> of February. It is therefore recommended that delegated authority be given to the Director of Regeneration,

Enterprise and Planning in consultation with the Chair of Planning Committee to determine the application taking into consideration of any further consultation responses received.

## **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.

10. Notwithstanding the submitted Travel Plan, before the development hereby permitted is first brought into use a Parking Code of Conduct shall be produced, which all customers will be signed up to as part of their enrolment at the Nursery. This will set out car parking/access arrangements for customers as well as setting out measures to address non-compliance. This Code of Conduct shall be agreed in writing by the Local Planning Authority before the development is first brought into use and shall be operated 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.

#### **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**

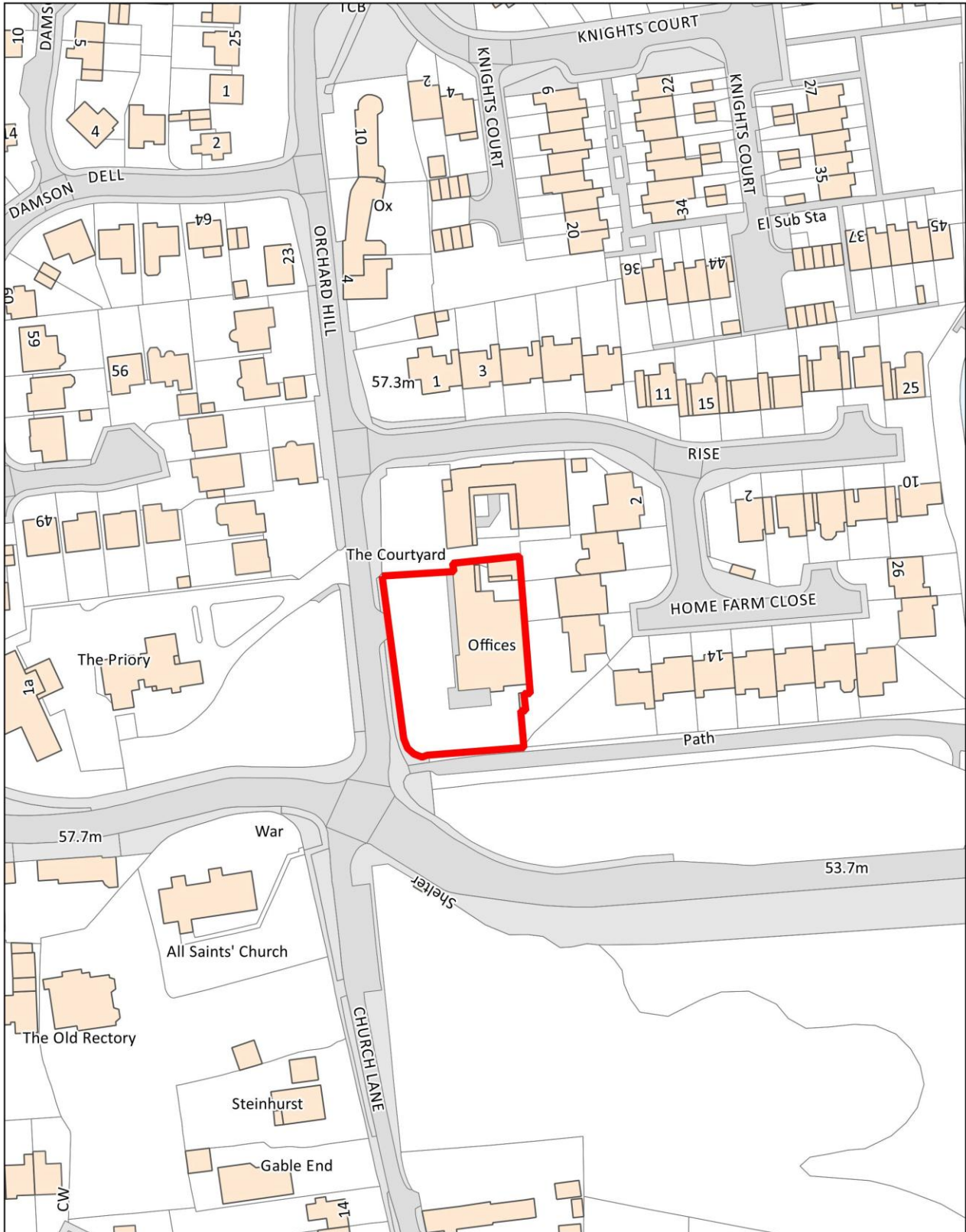
10.1 None.

## **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: **Home Farm Works, Orchard Hill**

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Date: 07-12-2015

Scale: 1:1,250

Drawn by: Planning



**PLANNING COMMITTEE:** 16<sup>th</sup> February 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2015/1133

**LOCATION:** Land at, 8 Quinton Road

**DESCRIPTION:** Erection of a detached dwelling

**WARD:** Nene Valley Ward

**APPLICANT:** Mr David Corley  
**AGENT:** APC

**REFERRED BY:** Cllr M Hill  
**REASON:** Overdevelopment and traffic problems

**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 have no unduly adverse impact on the character and appearance of the area, on the setting of the Wootton Conservation Area or the adjacent listed building, residential amenity or highway safety and would contribute to the Borough's five year housing supply and would therefore comply with Policies S10, H1 and BN5 of the West Northamptonshire Joint Core Strategy Policies H6 and E20 of the Northampton Local Plan and the requirements of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The application seeks planning permission for the erection of a detached 5-bed dwelling on land to the side of 8 Quinton Road. A separate vehicular access would be formed to serve the new dwelling with on-site parking provision.

**3. SITE DESCRIPTION**

3.1 The site is irregular in shape and currently forms part of the garden to 8 Quinton Road, a 1960/70's detached dwelling with attached outbuildings.

3.2 To the west of the site is a Grade II listed building, Clare Cottage, which is also within the Wootton Conservation Area. Trees in the garden of this are adjacent to the boundary with the application

site and indeed overhang this. To the south of the site are residential properties, which are on lower ground to the application site.

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

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

N/2014/0772 Erection of two detached dwellings refused. February 2015. Appeal dismissed August 2015.

N/2015/0399 Erection of two bungalows refused. May 2015.

#### **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.

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:

Paragraph 47 requires Authorities to have a five year housing land supply.

Paragraph 49 advises that housing applications should be considered with a presumption in favour of sustainable development.

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

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

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

Paragraphs 131 and 132 advise that account should be taken of the significance of heritage assets and weight should be given to the asset's conservation.

Paragraphs 133 and 134 outline the need to balance the level of harm to a heritage asset with the public benefits of the proposal.

##### **5.3 West Northamptonshire Joint Core Strategy (2014)**

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

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

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

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

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

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

Policy E20 allows for new development where the character of its surroundings would be respected and adequate standards of privacy, daylight and sunlight being ensured.

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

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Wootton Conservation Area Re-appraisal and Management Plan 2010

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

Comments received are summarised as follows:

- 6.1 **NCC Highways** have no objections following revisions to the scheme.
- 6.2 **NBC Conservation** have concerns regarding the dilution of the open feel of the approach to the conservation area and the impact on the view of the listed building. It is requested that previous arboricultural comments are considered when determining this application.
- 6.3 **Wootton, Wootton Fields and Simpson Manor Parish Council** object due to the impact on the conservation area, adverse impact upon road safety, dwelling not in keeping and will change the street scene, loss of trees and the loss of a stone wall and an overall change to the streetscene and loss of character to the area.
- 6.4 **Councillor M Hill** requested that the application be determined by the Planning Committee due to overdevelopment of the site and potential traffic problems.
- 6.5 **43 letters of objection** received on the following grounds:
- Impact on road safety (existing busy and problematic road, access close to bend, increase in on-street parking, inadequate access/egress);
  - Contrary to policy;
  - Impact on amenity (overlooking, loss of privacy);
  - Overdevelopment of the site;
  - Damage/loss of trees;
  - Impact on listed building and conservation area;



- Previous refusals on the site;
- Loss of wall;
- Drainage and run-off;
- Impact on the character of the area; and
- Garden grabbing.

## **7. APPRAISAL**

### **Appeal Decision**

- 7.1 Planning permission was previously applied for two dwellings one either side of 8 Quinton Road. This was refused planning permission and the appeal against this refusal subsequently dismissed. The western of these dwellings was sited in a similar position to that currently proposed and with a very similar design. The Inspector's decision in respect of that scheme is therefore a significant material consideration when determining the current application.

### **Principle**

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

### **Design/Appearance**

- 7.3 The dwelling would have a reasonably conventional appearance being approximately 8 metres in height and with 'half' dormer windows to the front elevation. An open porch is proposed to the front elevation which is a 'traditional' feature and the width of the side gable at approximately 7 metres is also considered fairly typical.
- 7.4 There are a variety of house types in the vicinity, including the existing dwelling at 8 Quinton Road and as such it is not considered that the dwelling would appear to be out of keeping with these.

### **Impact on Conservation Area and Listed Building**

- 7.5 The Conservation Officer raises concerns regarding the dilution of the open feel of the approach into the conservation area. However when considering the previous appeal against the refusal of a scheme for two dwellings, one of which was in the same position, the Inspector concluded that the development would not "fail to preserve... the significance of the adjoining Wootton Conservation Area." Given the Inspector's conclusion in this respect it is considered unreasonable to now form a different judgment regarding this.
- 7.6 The Conservation Officer also raises the impact of the dwelling in terms of views to the neighbouring listed building, a matter on which the Inspector was silent. Clare Cottage sits immediately at the back of the pavement with its gable facing onto the road and its main elevation facing east down Quinton Road. When viewing the listed building the new dwelling would be visible as it sits in front of the existing 8 Quinton Road. However it would not encroach in front of Clare Cottage or obscure the views of this. Consequently it is considered that any harm to the setting of the listed building would be less than substantial.

### **Highways**

- 7.7 A significant number of the letters of objection raise concerns regarding road safety. However following revisions to the application and the submission of further information the Highway

Authority do not raise any objections to the application. The Inspector in dismissing the previous appeal did not raise specific issue on highway safety as a result of the development.

- 7.8 The application proposal adequate on-site parking and turning facility and it is not considered that the proposed development would impact on highway safety.

### **Amenity**

- 7.9 Due to the irregular shape of the site the rear of the proposed dwelling would be located between 6 and 15 metres from the boundary of the site with neighbouring properties. It is not considered that there would be an unacceptable relationship with properties to the rear on Brookend due to the separation involved.
- 7.10 There would be some overlooking to part of the garden to Clare Cottage which would be to the side/rear of the dwelling. However given that this is not the main part of the garden being located to the rear of a garage and with tree planting along this boundary it is not considered that this would, on balance, result in sufficient loss of amenity to justify the refusal of planning permission. Due to the separation from Clare Cottage itself it is not considered that there would be undue overshadowing or overbearing.
- 7.11 When considering the issue of amenity the Inspector only had concerns regarding the impact of the other dwelling, and not the one to the west of 8 Quinton Road.

### **Trees**

- 7.12 It has been advised that the arboricultural comments made in respect of the previous planning application are still relevant.
- 7.13 There are a number of trees within and adjacent to the site which need to be considered. Two trees in the garden of the neighbouring property, Clare Cottage, overhang the application site and are classed as being within the conservation area. The proposed dwellings would be within the root protection zone of one of these trees. It is considered that a condition requiring details of foundation design would adequately address this issue. The other tree would be unaffected by the development, although this would cause some shadowing to the rear of the new house. Measures could be imposed during the construction period to provide protection to the trees.
- 7.14 None of the trees to be removed are considered to be worthy of a Tree Preservation Order.

### **Loss of Stone Wall**

- 7.15 Several of the objections received make reference to the loss of a stone wall along the frontage of the plot. A section of the wall will be removed to facilitate the access to the dwelling with a section also reduced in height to provide the required visibility. While this wall is an attractive feature within the streetscene it is outside the conservation area and not listed and as such could be substantially removed without the need for any planning approval.

## **8. CONCLUSION**

- 8.1 It is therefore considered that in the absence of objections from the Highway Authority, the design and appearance of the proposed dwelling and its impact on neighbouring amenity are acceptable, as is the impact upon trees and while there would be harm to the setting of the listed building and an impact upon the setting of the adjacent conservation area this would be less than substantial and on balance outweighed by the contribution towards the five year housing land supply.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: N241-20, N241-21, N241-22, N241-30 and N241-100 (version received 1st February 2016).

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional window(s) shall be installed in the proposed development without the prior written consent of the Local Planning Authority.

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

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

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as details of levels are fundamental to the development.

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

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as tree retention is a fundamental part of the development.

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

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

10. Before development commences a scheme for the foundations of the dwelling where it would encroach into the root protection area of trees to be retained, shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason: In order to ensure adequate protection of existing trees in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as foundation details are a fundamental part of the development.

11. Before development commences details of tree protection fencing, including positioning, to safeguard those trees to be retained within and adjacent to the application site shall be submitted to and approved in writing by the Local planning Authority. The approved scheme shall be implemented before construction work begins, shall be retained for the duration of construction work and shall be removed thereafter.

Reason: In order to ensure adequate protection of existing trees in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as tree protection details are a fundamental part of the development.

12. The vehicular and pedestrian visibility splays indicated on the approved plans shall be provided before the first occupation of the dwelling hereby permitted and safeguarded thereafter.

Reason: In the interests of road safety to accord with the requirements of the National Planning Policy Framework.

13. The car parking/manoeuvring area shown on the approved plans shall be provided before the first occupation of the dwelling hereby permitted and be available for that purpose thereafter.

Reason: In the interests of road safety to accord with the requirements of the National Planning Policy Framework.

14. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and

approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition as the necessary investigation needs to be carried out before work starts.

**10. BACKGROUND PAPERS**

10.1 N/2015/1133


**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><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Land at 8 Quinton Road</b></p>	<p>Date: 07-12-2015</p>
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<b>PLANNING COMMITTEE:</b>	16 <sup>th</sup> February 2016
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>DIRECTOR:</b>	Steven Boyes
<b>APPLICATION REF:</b>	N/2015/1265
<b>LOCATION:</b>	Oakley Cycles, 84 - 86 Lutterworth Road
<b>DESCRIPTION:</b>	Conversion of existing retail/office units into 5 no. flats including erection of external staircase and alterations to building
<b>WARD:</b>	Abington Ward
<b>APPLICANT:</b>	Mrs Hefina Pereira
<b>AGENT:</b>	LMR Designs
<b>REFERRED BY:</b>	Called in by Cllr Tony Ansell
<b>REASON:</b>	Concerned about parking
<b>DEPARTURE:</b>	No

#### APPLICATION FOR DETERMINATION:

#### 1. RECOMMENDATION

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

The proposed change of use to residential flats is considered acceptable in principle in an established residential area and would not have an undue detrimental impact on the appearance and character of the area, amenity of neighbours or highway safety to comply with Policy E20 of the Northampton Local Plan, H1 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

#### 2. THE PROPOSAL

2.1 Permission is sought to convert a vacant shop/office unit into 5 flats with associated external works including front light wells, new fenestration and external staircase.

#### 3. SITE DESCRIPTION

3.1 The property is a former commercial building occupying a corner location at Lutterworth Road and King Edward Road. The site is within an area with traditional terraced housing of uniform character, with some commercial uses. Notwithstanding the commercial uses that are present in the vicinity, the site is allocated in the Local Plan as being suitable for residential accommodation. The vast majority of the surrounding properties are reliant upon on-street car parking provision. The application site was most recently used as a shop / office selling bicycles. There is an existing two storey building at the rear of the site which is to be retained for storage purposes and will not be related directly to the flats proposed.

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

- 4.1 N/2006/1442 Planning permission for a change of use to 4 flats and new shop front. Permission not implemented and has lapsed.

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

In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50).

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

##### **5.3 West Northamptonshire Joint Core Strategy (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:

H1 Housing Density and Design - New housing development will expect to make the most efficient use of land having regard to the existing character and density of the local area, accessibility to services, proximity to public transport routes, living conditions of future residents and impact on neighbour amenity.

S10 Sustainable Development Principles - Development will achieve 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 policy is material to this application:

E20 Design of new development - proposals for new development take into account high standards of design in terms of layout, scale, density and form.

## 5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** - Parking spaces are at a premium in the area and whilst demand may be reduced between 8am and 6pm parking outside these times is likely to increase. However, while the conversion is likely to have a negative impact on parking amenity it is unlikely to be much greater. Parking restrictions are in place at junctions in the area, which will help deter dangerous parking.
- 6.2 **NBC Environmental Health** - no objections, recommend a site investigation condition relating to contamination be imposed on any permission.
- 6.3 **NBC Planning Policy** - The proposal will capitalise on the potential of the property and contribute to the delivery of additional homes including the need to provide different types of homes. It is located in an area which is within walking distance of public transport and local services which means it is sustainable and there are therefore no Policy objections.
- 6.4 **Councillor Tony Ansell** - Concern that parking is already limited around this area and that the problem is becoming extremely common where commercial properties are being converted into flats. Referred the application to Planning Committee.
- 6.5 Objections received from numbers **41, 46, 58, 64, 68, 77, 79, 80, 81, 85, 92, 93, 106, 110, 114, 127, 138 Lutterworth Road, 24 Covington Street, 87 and 89 Wycliffe Road:**
- Concern on impact on parking in area
  - Increase in traffic close to dangerous junction and nearby school
  - Inadequate visibility
  - Disruption during construction work
  - Access for emergency vehicles
  - Area already has a number of flats and houses in multiple occupation
  - Over-development
  - Overlooking/loss of privacy
  - Increase in Noise
  - Concern on lack of notification and advertisement of neighbours
  - Flats would be out of character with the area
  - Impact on neighbours amenity and Noise
  - Concern on refuse provision

## 7. **APPRAISAL**

### **Main issues**

- 7.1 The main issues to consider are the principle of development, impact on appearance and character of the area, neighbouring amenity and parking/highway safety.

#### **Principle of development**

- 7.2 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 proposal would result in the removal of a non-conforming land use that has the potential to have a significant negative impact upon neighbour amenity and highway condition. It is also considered that the building is large enough to accommodate 5 flats without resulting in significant over-development.

#### **Planning History**

- 7.3 The site has been subject to other residential planning applications over the years and an application for the change of use to 4 flats was approved in 2006. This permission has now lapsed.

#### **Parking and Highway Safety**

- 7.4 The site is located in an area that currently experiencing parking pressures. However, the site is in a sustainable location being within easy walking distance of major bus routes and shops and services on Wellingborough Road which is a Local Centre. The applicant also proposes 5 cycle stands in order to promote sustainable means of travel. This is in line with the County Parking Guidance at one space per flat. The Local Highway Authority acknowledges that the conversion is likely to have a negative impact on parking amenity however they also contend that as parking restrictions are in place this would help deter dangerous parking in the vicinity.
- 7.5 It is not considered that the lack of on-site parking would warrant the proposal unacceptable in this instance.

#### **Impact on amenity of neighbours and residential amenity**

- 7.6 While it is acknowledged that the proposed use is likely to generate a number of daily traffic movements that would have some impact on neighbours living conditions, it should be bore in mind that that the lawful use as a shop and offices would have generated significant comings and goings including deliveries by HGVs. Consideration should therefore be given to the fact that the proposed use would be less intensive. It is also considered that given the separation to adjoining uses, there would be no significant overlooking from the proposed flats that would justify refusal of planning permission. All habitable rooms would be served by adequate light and amenity.

#### **Impact on character and appearance of area**

- 7.7 The proposed light wells at the front of the site and fenestration are considered of scale and appearance that would be in keeping with the host building. The proposed external staircase would be located inside a boundary brick wall, it is not considered that it would cause undue overlooking to nearby properties and would have a neutral impact on the appearance of the area.

#### **Bin storage**

- 7.8 The proposal shows an area of refuse storage which would be suitable for future occupiers and is accessible to all flats.

#### **Five Year Land Supply**

- 7.9 If permitted, the proposed development would contribute positively to the Council's 5 Year Housing Land Supply.

### **Other matters**

- 7.10 In light of the commercial history of the site, the Council's Environmental Health Officers recommend standard conditions to mitigate any contamination at the site. In response to this, given that the application is primarily for a change of use with limited external work it is considered that this is not necessary. The argument that the proposal would lead to a lot of disruption during construction holds limited weight in decision making given that this would be only for a temporary period of time and is part and parcel of any development project.

## **8. CONCLUSION**

- 8.1 The proposal is considered acceptable within an established residential area. It is considered that the impact on parking, highway safety and residential amenity is acceptable and compliant with Development Plan and national policy and is recommended for approval subject to the conditions below.

## **9. CONDITIONS**

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans; 015-034-001, 002, 003C, 004D, 005A.

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

- 3) Prior to the commencement of development, details of the provision for storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the flats hereby permitted and thereafter retained.

Reason: In the interest of amenity and to secure a satisfactory standard of development to accord with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition in order that satisfactory bin storage is secured before work starts.

- 4) Prior to the commencement of development, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities to accord with the NPPF. This is a pre-commencement condition to ensure sustainable travel encouraged to the site.

- 5) Notwithstanding the details as submitted, the proposed boundary treatment fronting Lutterworth Road shall have a height of not more than 0.9m above ground level. Full details of the boundary treatment shall be first submitted to and approved in writing by the Local Planning Authority and thereafter implemented fully prior to the occupation of the flats hereby permitted.

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

**10. BACKGROUND PAPERS**

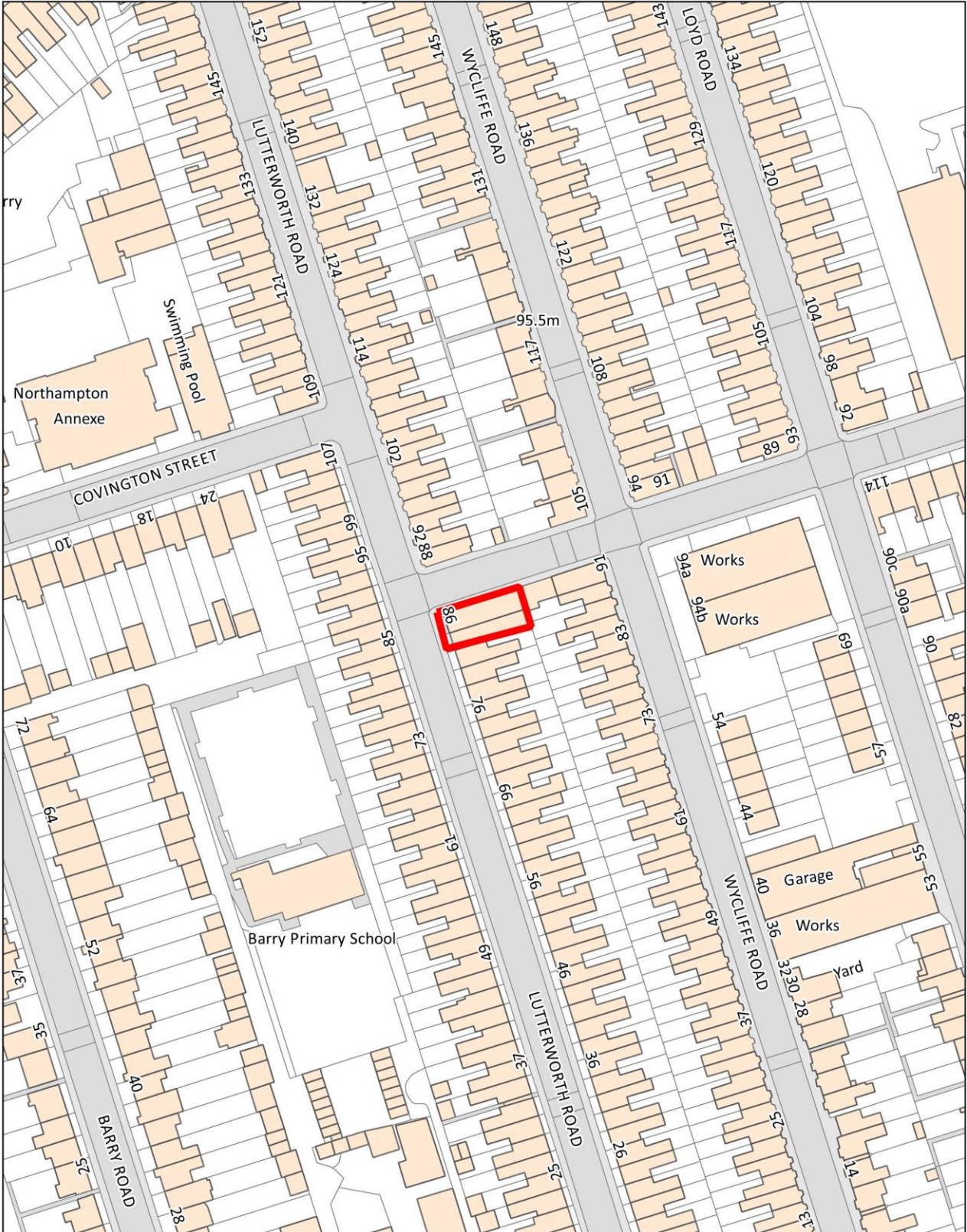
10.1 N/2015/1265

**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: **84 - 86 Lutterworth Road**

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**PLANNING COMMITTEE:** 16<sup>th</sup> February 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2015/1337

**LOCATION:** Development Land at Danes Camp Way

**DESCRIPTION:** Variation of Condition 2 of planning application N/2013/1325 (Residential development comprising 69 dwellings with associated access via Harcourt Way) to re-plan plots 12-19, 36-42 & 44-47 (including the substitution of materials of plots 14, 15, 36, 41 & 47)

**WARD:** Delapre & Briar Ward

**APPLICANT:** Darren Perry  
**AGENT:** Darren Perry

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Major application requiring a S106 agreement

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to :

1. The completion of the necessary S106 Agreement to secure the same obligations as contained in the S106 Agreement dated 3<sup>rd</sup> November 2014 in relation to the previous planning permission N/2013/1325.
2. The conditions as set out below and for the following reason:

The variations to the originally approved scheme would have no adverse impact upon residential amenity, the character and appearance of the area or highway safety and as such would comply with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

- 1.2 It is also recommended that in the event of the Legal Agreement not being completed within three calendar months of this Committee meeting, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion).

**2. THE PROPOSAL**

- 2.1 The application seeks planning permission for the variation of Condition 2 of planning permission N/2013/1325 which granted planning permission for 69 dwellings with associated works. Condition 2 limited the development to the approved plans.
- 2.2 The application involves re-planning 20 of the plots and seeks to amend the house types of 11 plots and/or to reposition the dwellings on 6 plots as well as changing introducing double garages to single on 6 plots.. A pedestrian link would also be realigned.

### **3. SITE DESCRIPTION**

- 3.1 The site is currently in the process of being developed for housing following the grant of planning permission under application N/2013/1325.

### **4. PLANNING HISTORY**

- 4.1 N/2013/1325 - Appeal allowed in November 2014 against refusal of planning permission for residential development of up to 69 dwellings, access road and associated works.

### **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 47 requires Authorities to have a five year housing land supply.

Paragraph 49 advises that housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 56 requires good 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 H1 – Housing Density & Mix & Type of Dwellings – states that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for

affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy 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.

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

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

E20 - New Development

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

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

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

6.1 **NCC Highways** raise no objections following amendments to the plans.

### 7. **APPRAISAL**

7.1 Residential development of the site was permitted through the previous appeal decision and indeed the development of the site has commenced. The current application purely seeks to amend the house types, dwelling positions and garaging within one portion of the site. It must therefore be considered whether these changes have any adverse impacts over and above the approved scheme.

7.2 It is considered that as the portion of the site is away from any pre-existing housing there would be no impact on neighbouring amenity. The relationships within the site are also considered to be acceptable.

7.3 The scale of the changes proposed in terms of repositioning of plots and substitution of house types is not considered to result in a significantly different appearance to the development.

7.4 In terms of the internal arrangements the Highway Authority are satisfied this would be acceptable from a road safety perspective.

7.5 As the original planning permission was granted subject to a Section 106 Agreement a further Agreement will be required to secure the same planning obligations as per the original Agreement. The obligations in the original Agreement will not be affected.

### 8. **CONCLUSION**

8.1 Due to the limited overall impact of the proposed changes to the development it is considered that the application is acceptable.

### 9. **CONDITIONS**

1.The development hereby permitted shall be carried out in accordance with the following approved plans; location plan (SM536 LP 001B); Site Plan (SM536 PL 04A); Floor Plans & Elevations (419 C PL01); Floor Plans & Elevations (419 C PL02); Floor Plans & Elevations (427



C PL01); Floor Plans (405 C PL01); Elevations (405 C PL02); Elevations (405 C PL03); Elevations (405 C PL04); Elevations (303 C PL02); Elevations (405 C PL04); Floor Plans & Elevations (420 C PL02); Floor Plans & Elevations (304 C PL02); Elevations (3B5P PL05); Floor Plans & Elevations (2B4P PL02); Floor Plans (3B5P PL04); Floor Plans & Elevations (2B4P PL01); Floor Plans (3B5P PL02); Floor Plans (2B4XP PL03); Floor Plans (2B4XP PL01); Elevations (2B4XP PL04); Elevations (3B5P PL01); Floor Plans and elevations(2B4P PL01); Elevations (3B5P PL03); Floor Plans (3B5P PL04); Floor Plans & Elevations(304 C PL01); Floor Plans & Elevations (420 C PL01); Floor Plans and elevations(410 C PL01); Floor Plans & Elevations (411 C PL01); Floor Plans (405 C PL06); Floor Plans (303 C PL01); Floor Plans & Elevations (414 C PL02); Floor Plans & Elevations (410 C PL02); Floor Plans (405 C PL06); Floor Plans & Elevations (411 C PL02); Floor Plans & Elevations (414 C PL01); Floor Plans (407C PL01); Elevations (407 C PL02); Landscape Proposals (SMHH05-LS-001); Tree Distance Draft (SMHH05-LS-002); Landscape Proposals (SMHH05-LS-003); Indicative Drainage Strategy (HUNS-002 E); Section Plan (SM536-EN-003); Materials Plan (HH-MP-002G); Bin Store (BS\_01); estate rail; Tree Constraints Plan (JBA 13/14-TS01); detailed Hard and Soft Landscape Proposals for POS (JBA 13/14-02 D); detailed Hard and Soft Landscape Proposals for POS (JBA 13/14-03 B), SM536-PD-04J, XLDG-PL01 and XLSG-PL01.

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

2. The approved Noise Assessment (13/0210/P01//1) including the necessary mitigation measures referred to in Chapter 7, shall be implemented in full prior to the properties being first occupied and the installed mitigation measures shall be retained at all times thereafter.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

3. Within three months of the date of this permission a badger mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority and subsequently implemented in accordance with the agreed details.

Reason: In the interests of wildlife and nature conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

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

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

5. Prior to the first occupation of the premises hereby approved, a residential travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented at all times that the development is occupied unless agreed in writing by the Local Planning Authority.

Reason: To reduce the reliance on car travel in accordance with the advice contained in the National Planning Policy Framework.

## 10. BACKGROUND PAPERS

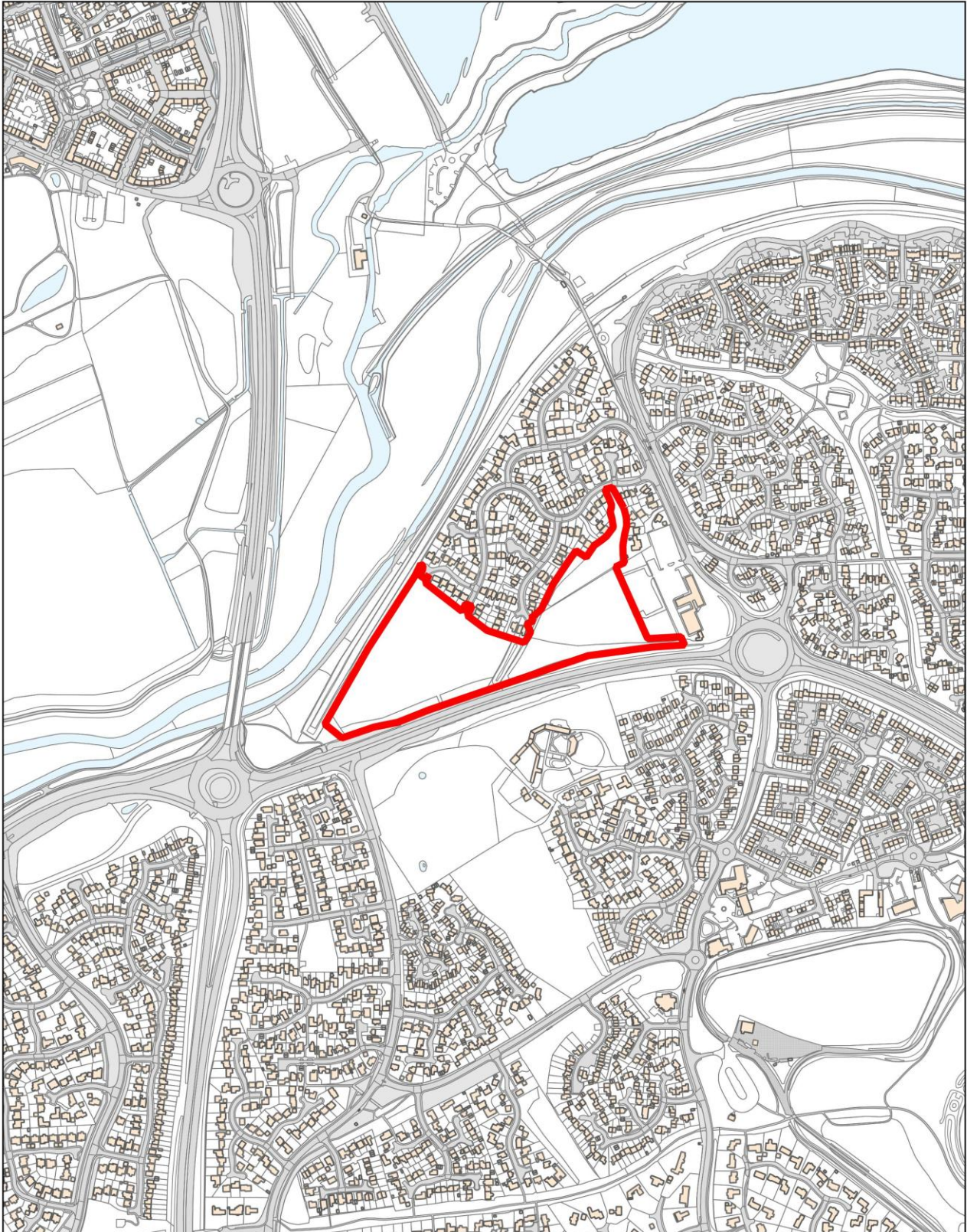
10.1 N/2015/1337.

**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: **Development Land, Danes Camp Way**

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

**PLANNING COMMITTEE:** 16<sup>th</sup> February 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2015/1400

**LOCATION:** 91 Fairway

**DESCRIPTION:** Erection of decking (retrospective application)

**WARD:** Kingsley Ward

**APPLICANT:** Sara Pownal  
**AGENT:** None

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Applicant is a NBC employee

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The retention of the decking would have a neutral impact upon the character and appearance of the locality; visual amenity and neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan.

**2. THE PROPOSAL**

2.1 The applicant seeks permission to retain an area of decking with a width of 5.7m and a projection away from the rear wall of the house of 6.5m. The first 3.4m of the decking has a fixed projection of 36cm above ground level. After this point, due to the general topography of the site, the projection of the decking gradually increases from 36cm to 93cm.

**3. SITE DESCRIPTION**

3.1 The application site consists of an end of terraced property located in a residential area. The general topography of the area means that the gardens are at a lower level than the associated dwellings. The gardens slope downwards towards the rear boundary. The side boundaries of the gardens are marked by wooden fences.

#### **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 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.

5.3 Of particular relevance is paragraph 17, which states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

##### **5.4 West Northamptonshire Joint Core Strategy (2014)**

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

5.5 Policy S10 which states that developments should conserve, preserve and enhance the natural and built environment.

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

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

5.7 Policy E20 requires that new buildings ensure a satisfactory impact upon the occupiers of neighbouring properties in terms of matters such as light, outlook and privacy.

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

6.1 **89 Fairway** – Objecting as the development has effectively reduced the height of the fence, which reduces privacy and security. In addition noise levels have increased as the fence can no longer screen as much noise as was previously the case.

#### **7. APPRAISAL**

7.1 As the decking is not readily viewable from outside the application site, the overall impact on visual amenity of the locality arising from the retention of the decking would be neutral. In addition, the scale of the development and existing

boundary treatment is such that there would be no undue impact upon the amenities of surrounding properties in terms of matters such as light and outlook.

- 7.2 Due to these conclusions, the primary material consideration is whether the retention of the decking would lead to a significant adverse impact upon the amenity of surrounding properties arising from a loss of privacy.
- 7.3 The closest residential properties are the dwellings at 89 and 93 Fairway. In the case of 93 Fairway, it is noted that the decking would be set back from the shared boundary by a distance of approximately 2m. As a consequence, any views from the decking towards this property would emanate from some distance and would be at an oblique angle. As a result of this, it is considered that the retention of the development would not cause any undue detriment towards the occupiers of this particular property.
- 7.4 It is acknowledged that the decking is adjacent to the shared boundary with 89 Fairway; however, in considering the impacts of the development it is necessary to consider the fallback position available to the developer. Under permitted development rights, decking can be constructed in a garden without planning permission, provided that it does not project more than 30cm above ground level. As a consequence, the first 3.4m of the decking is marginally higher than that permissible under permitted development rights (6cm). As a result of this, the impacts arising from this section are not materially different to that which can be implemented without planning permission.
- 7.5 Notwithstanding this conclusion, the remaining 3.1m of the decking projects off of the ground by a greater distance. Whilst the topography of the area means that some views of the neighbouring garden would be possible, it is considered that the extent of these would be limited with the fact that they are predominantly towards the rear of the garden and the likely general level of use of the decking, it is considered that the development would not unduly impact upon the privacy of the adjoining property.
- 7.6 It is noted that representations have been made regarding the transfer of noise from the decking to the adjacent property at 93 Fairway. In respect of this point, it is considered that a reasonable transfer of noise is to be expected in situations where open gardens are adjacent. It is also noted that the fence could readily be replaced with a boundary treatment that features less noise absorbent properties without planning permission.

## **8. CONCLUSION**

- 8.1 It is considered that the decking has a neutral impact upon the character and appearance of the site and its environs and neighbour amenity. As a result the retention of the decking is in accordance with the requirements of national and local planning policies.

## **9. BACKGROUND PAPERS**

- 9.1 N/2015/1400.

## **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.



Title: **91 Fairway, Northampton**

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Date: 01-02-2016  
 Scale: 1:1,660  
 Drawn by: Planning





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

**PLANNING COMMITTEE:** 16<sup>th</sup> February 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2015/1480

**LOCATION:** Rushden Lakes, land adjacent to Skew Bridge Ski Slope  
 Northampton Road, Rushden

**DESCRIPTION:** Erection of a leisure building to include a cinema, restaurant and retail units and other leisure uses and erection of a cycle hire facility together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works.

**APPLICANT:** LXB RP (Rushden) Limited  
**AGENT:** Quod

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Major Fringe Area Application

**DEPARTURE:** No

**APPLICATION FOR CONSULTATION BY EAST NORTHAMPTONSHIRE COUNCIL:**

**1. RECOMMENDATION**

- 1.1 That Northampton Borough Council raise **NO OBJECTION** to the application as proposed.
- 1.2 Whilst Northampton Borough Council objected to the original application for the development proposals for Rushden Lakes and remain concerned regarding the potential impacts of the development on the viability and vitality of Northampton, it is acknowledged that the principle of development has been established through the grant of planning permission by the Secretary of State in 2014 and the subsequent approval of amendments to the original scheme in 2015.
- 1.3 It is not considered that the overall reduction in retail floorspace and subsequent increase in leisure and restaurant and café floorspace would be likely to represent any significant increased impacts on the vitality and viability of Northampton to the scheme already approved.

**2. THE PROPOSAL**

- 2.1 This is a consultation from East Northamptonshire Council regarding a full application for the erection of a leisure building to include a cinema, restaurant and retail units and other leisure uses located in a single block on the western part of the site replacing the previously consented garden centre approved in June 2014. In

addition, cycle hire facilities are proposed to be located in a new building on the eastern part of the site to the north of the previously consented hotel and leisure club. The 'Leisure Block' will have an additional servicing area to the rear and a further ancillary parking area is proposed to the south-west.

- 2.2 The leisure building would be rectilinear in form narrowing and adopting a curved and more sculptured layout on the northern part. The building would be 6.3m high on its northern end rising to a height of 27.8m on its southern end. Materials would include a palette of planar glazing, silver metallic cladding, stone effect cladding, a burnt orange façade and to the rear, graduating green cladding.
- 2.3 The supporting documentation includes an Environmental Statement, Design and Access Statement, Landscape Design Statement, Transport Assessment and Travel Plan and a Retail and Leisure Assessment.

### **3. SITE DESCRIPTION**

- 3.1 The application site to which this application relates is 7.5 hectares in area. The Rushden Lakes site overall extends to roughly 30 hectares and is bound by the River Nene on its northern boundary and the A45 to the south. Beyond the A45, immediately to the south, is an area of mixed commercial, industrial and retail development. The town centre of Rushden is just over a kilometre away to the south, with Higham Ferrers and Irthlingborough situated a kilometre to the east and north respectively.
- 3.2 The site comprises of two main elements, the Skew Bridge Ski Lake and Delta Lake and an area of brownfield land to the south of the lakes.

### **4. PLANNING HISTORY**

- 4.1 The original application was the subject of an appeal by public inquiry in 2013. The application was subsequently approved by the Secretary of State in June 2014 granting full planning permission for the erection of a home and garden centre, retail units, drive thru restaurant, gatehouse, lakeside visitor centre, restaurants, boathouse, together with proposals for access and outline planning permission for the erection of a hotel, crèche and leisure club; plus removal of the ski slope and associated levelling, landscaping, habitat management and improvement works, vehicular access and servicing proposals together with the provision of car and cycle parking and a bus stop.
- 4.2 A subsequent application (14/1938/FUL) to amend the original scheme approved in May 2015 approved a reconfiguration of the outdoor area of the garden centre to create an additional 2,597 sq. m of open A1 retail floorspace and increases/decrease in the floorspace of other retail units resulting in an overall decrease in retail floorspace and an increase in restaurant floorspace from 928 sq. m to 2,164 sq. m.
- 4.3 A further application (15/1127/VAR) approved in November 2015 sought to vary conditions in relation to the number and size of retail units resulting in an overall increase in retail floorspace of 1,797 sq. m from that approved under the 2014 amendment resulting in an overall increase of 3.6% of gross retail floorspace, the addition of a pontoon, increase in size of garage/store and parking and cycle spaces, changes to site levels and variations in relation to the floor space allowed by occupation of units for the sale of clothing and footwear and the range of goods sold at the garden centre.

## **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 relevant Development Plan for the determination of this application is the Development Plan for East Northamptonshire.

### **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 23 – seeks to ensure the viability and vitality of town centres promoting competitive town centre environments and the allocation of appropriate edge of centre sites for main town centres uses that are well connected to the town centre where suitable and viable town centre sites are not available. If sufficient edge of centre sites cannot be identified, policies should be set for meeting identified needs in other accessible locations well connected to the town centre.

Paragraph 24 – requires a sequential test for applications for town centre uses not in an existing centre and not in accordance with an up-to-date Local Plan.

Paragraph 26 – requires an impact assessment if the development is over a proportionate, locally set floorspace threshold or if no threshold, 2,500 sq. m.

## **6. APPRAISAL**

6.1 The principle of development has previously been established through the grant of planning permission by the Secretary of State in 2014 and subsequent amendments to the original scheme approved in 2015.

6.2 The main issue for consideration therefore is as to whether these further amendments proposed under the latest application would lead to any significant impact on the viability and vitality of Northampton town centre when compared to the impacts arising from the existing permitted schemes.

6.3 The current application would replace the previously approved garden centre and outdoor planting area which comprised of a gross combined floorspace of 8,350 sq. m with the proposed leisure building which would include the following:

- 14,200.6 sq. m gross internal floorspace of Class D2 (assembly & leisure) uses including a cinema, bowling alley and leisure and climbing facilities;
- 3,241.30 sq. m of Class A3 (restaurant & café) uses comprising of 8 units;
- 1,872 sq. m of Class A1(shops) use including the cycle hire building on the eastern side of the site;
- 2,198.80 sq. m landlord area.

- 6.4 The submitted details indicate that there would be an overall 15% reduction in the extent of Class A1 uses to that previously approved for the overall site although evidently the extent of leisure and Class A3 uses proposed would increase from that previously approved.
- 6.5 The proposal will inevitably make the Rushden Lakes scheme more of a ‘town centre’ offer retail and leisure destination. However, the decrease in retail use and subsequent increase in leisure and Class A3 uses proposed from that previously approved by the Secretary of State and in subsequent amendments is unlikely to represent any significant increased impacts on more local town centres particularly given that the Secretary of State and the Inspector’s decision placed so much weight on the positive benefits of Rushden Lakes.
- 6.6 The erection of a cycle hire facility is in line with policy aims for modal shift to encourage alternative means of transport other than the car and would not have any wider adverse impacts affecting the Northampton Borough.

## **7. CONCLUSION**

- 7.1 In view of the existing permitted schemes it is not considered that the development proposed under the current scheme would lead to any significant impact on the viability and vitality of Northampton to that already approved.

## **8. BACKGROUND PAPERS**

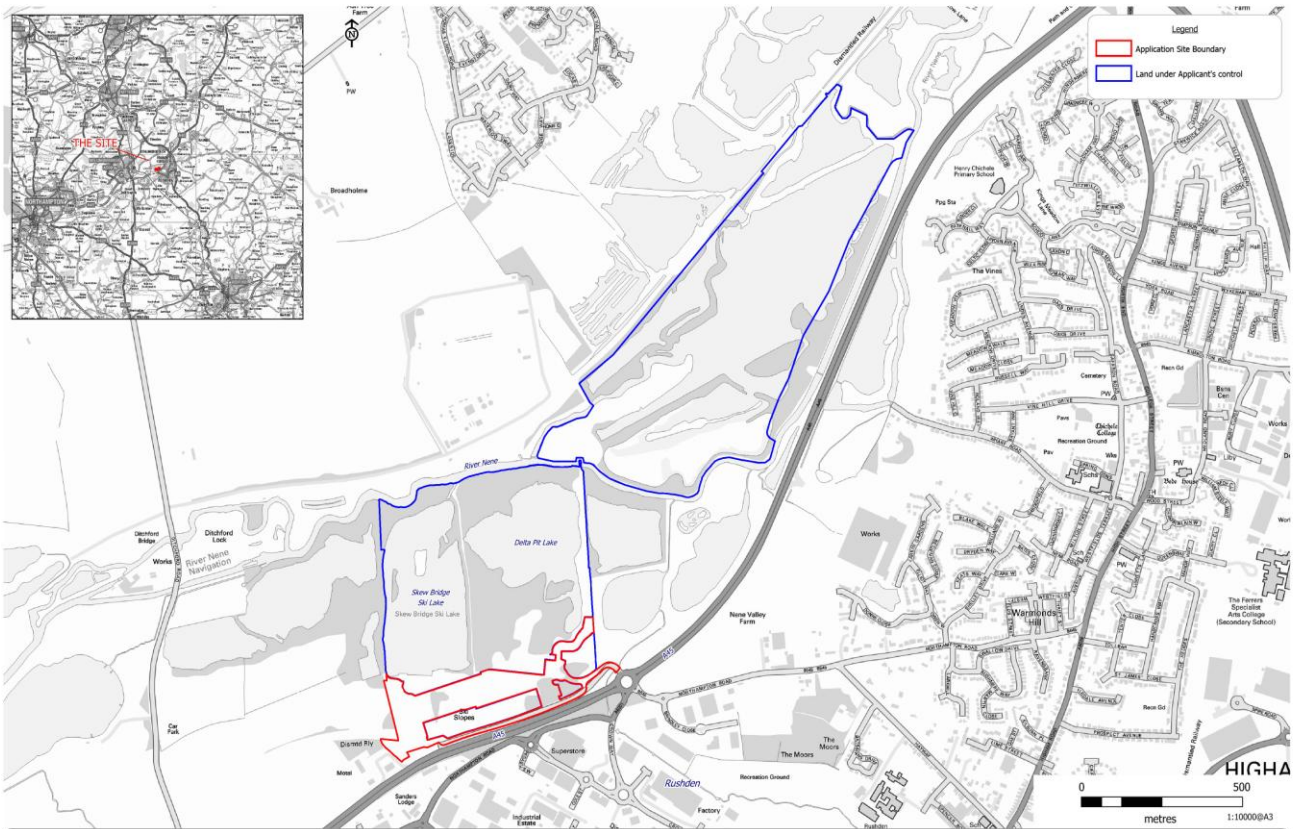
- 8.1 N/2015/1480 (East Northants Ref: 15/02249/FUL)

## **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.



Rushden Lakes Leisure Application  
 Client: LXB RP (Rushden) Limited

Site Location Plan

Scale: 1:50000@A3, Issue 1:50000@A3  
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 Date: 20/06/15

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

**PLANNING COMMITTEE:** 16<sup>th</sup> February 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0051

**LOCATION:** Land off Holly Lodge Drive, Boughton

**DESCRIPTION:** Up to 110 residential dwellings (including up to 35% affordable housing), convenience store with 200sq.m of retail space (Use Class A1) associated uses and parking. Demolition of existing buildings, structural planting and landscaping, informal public open space and play area, surface water mitigation and attenuation and associated ancillary works (all matters reserved)

**APPLICANT:** Mr Gladman Developments  
**AGENT:** Mr Gladman Developments

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Major Fringe Application

**DEPARTURE:** No

**APPLICATION FOR CONSULTATION BY DAVENTRY DISTRICT COUNCIL:**

**1. RECOMMENDATION**

1.1 That Northampton Borough Council **OBJECTS** to the application for the following reason:

The development would result in the piecemeal incursion of the built area into the countryside in an area designated as Green Wedge which would be contrary to the relevant policies of the Daventry Local Plan as well as failing to demonstrate that there would be an acceptable impact upon the local road network in accordance with the National Planning Policy Framework. These issues would outweigh the contribution which the development would make to the five year housing land supply within the Northampton Related Development Area.

**2. THE PROPOSAL**

2.1 Outline planning permission has been applied for to Daventry District Council for up to 110 dwellings, a convenience store, associated uses and parking along with planting and landscaping, public open space and play area, surface water mitigation and associated ancillary works.

2.2 All matters are reserved for future consideration, however indicative plans submitted with the application show access from Holly Lodge Drive.

### **3. SITE DESCRIPTION**

- 3.1 The site is located immediately to the west of the Borough boundary at the junction of Holly Lodge Drive and Boughton Green Road and currently forms two fields, one of which appears to be used as a paddock while the other is more overgrown and unused. In total the site is 5.33 hectares in size.

### **4. PLANNING HISTORY**

- 4.1 No known relevant planning history at the site.

### **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 Daventry 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 14 identifies the development plan as the starting point for decision making and enables development proposals that accord with an up-to-date Local Plan to be approved without delay.

Paragraphs 47-49 indicate the need for Local Planning Authorities to identify the ability to deliver a 5 year housing land supply, where this cannot be shown, the policies in Plans related to housing are considered out of date and there is a presumption in favour of sustainable development.

#### **5.2 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 SA “Presumption in favour of Sustainable Development” requires local planning authorities to take a positive approach to determining development proposals.

Policy S1 “The Distribution of Development” requires that development be concentrated primarily in and adjoining the principal urban areas of Northampton.

Policy S4 makes provisions for 28,470 net additional dwellings within the NRDA and that Northampton's housing needs will be met primarily within Northampton's existing urban area and at the Sustainable Urban Extensions within the NRDA, whilst additional development would be supported if it meets the vision and objectives of the JCS.

Policy BN5 provides guidance for enhancing heritage assets, and development in areas of landscape sensitivity.

### **5.3 Daventry 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:

The site is located within an area identified as a "green wedge" by saved policy EN10. Saved policy HS24 identifies the site as located outside a settlement and within open countryside". In respect of the site's function as a green wedge and its location within open countryside, the policy context is one of seeking to provide a buffer around Northampton to prevent the coalescence of settlements, whilst maintaining landscape features and public access to the countryside.

### **5.4 Supplementary Planning Documents**

Planning Obligations SPD (February 2013)  
Affordable Housing Interim Statement (February 2013)

## **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 N/A

## **7. APPRAISAL**

### **Planning Policy**

- 7.1 At the initial Joint Core Strategy examination hearings the Inspector questioned the appropriateness of the Northampton Related Development Area (NRDA) boundary and its potential to be inflexible in relation to changing circumstances – particularly its potential to act as a straitjacket in restricting the ability to meet Northampton's objectively assessed housing needs. Consequently Policy S4 now includes the modification to allow for (in exceptional circumstances) additional development outside the NRDA boundary, only if it meets the vision, objectives and policies of this plan".
- 7.2 The NPPF (para. 47) requires local authorities to identify and maintain a five year supply of housing land. An assessment of objectively assessed need of both market and affordable housing was undertaken to inform the WNJCS. At present, Daventry District Council has a five year supply of housing land. However Northampton Borough Council does not currently have a five year supply of housing land.
- 7.3 Although situated in Daventry District the development would form part of Northampton both in form and function, and in any reasonable assessment should be considered to contribute to meeting Northampton's housing needs. In relation to the provisions of paragraph 49 of the NPPF, Northampton's lack of supply is a significant factor. Unlike other uses, the importance of increasing the supply of housing is given additional



weight by a further reiteration of the need to consider housing applications in the context of the presumption in favour of sustainable development. As such this site has the potential to contribute to the supply of new homes within the NRDA over the next five years through the provision of 41 dwellings consistent with the provisions of modified Policy S4.

7.4 A similar conclusion was reached by the Inspector in a recent appeal decision in relation to a similarly located site at Welford Road, i.e. directly adjoining the NRDA boundary.

7.5 In terms of the Daventry Local Plan, the site is located within an area identified as a “green wedge” by saved Policy EN10. Saved Policy HS24 identifies the site as located outside a settlement and within open countryside. In respect of the site’s function as a green wedge and its location within open countryside, the policy context is one of seeking to provide a buffer around Northampton to prevent the coalescence of settlements, whilst maintaining landscape features and public access to the countryside.

### **Landscape/Visual**

7.6 The scheme would breach the defined settlement edge of Northampton and would result in the development of land located within a designated “green wedge”. It is considered that in this location the settlement edge is quite strongly defined with Boughton Green Road and Holly Lodge Drive providing physical buffers. The development does not continue any existing pattern of development and it is consequently considered that there are concerns regarding this incursion into the countryside from a landscape and visual perspective.

### **Highways**

7.7 Details of access are not included within the application and would be reserved for future consideration. However indicative details show access to the development from Holly Lodge Drive. It is considered that the potential exists for the scale of development proposed to adversely impact upon the local road network as well as upon the wider road network in the vicinity and in particular the Kingsgthorpe corridor and that the application does not satisfactorily demonstrate the scale of this impact or whether mitigation is necessary.

## **8. CONCLUSION**

8.1 While the development should contribute to the five year housing land supply within the NRDA there are significant concerns regarding the incursion into the countryside and the impact on the local road network.

## **9. BACKGROUND PAPERS**

9.1 N/2016/0051

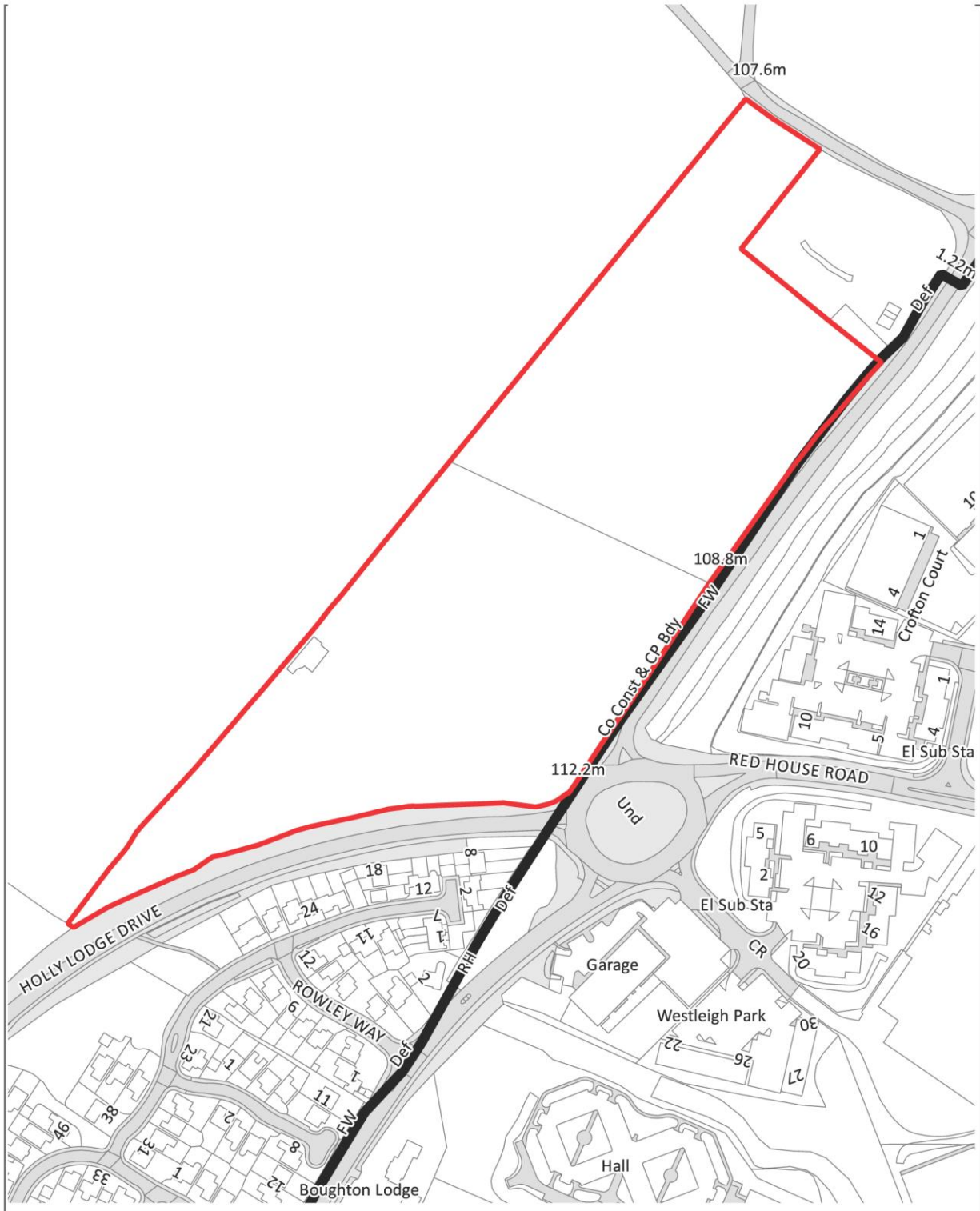
## **10. LEGAL IMPLICATIONS**

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.



**NORTHAMPTON**  
BOROUGH COUNCIL

### Holly Lodge Road, Northampton

3 February 2016  
1:2500@A4

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