



PLANNING AGENDA

Tuesday, 14 June 2016

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

6:00 pm

Members of the Committee

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

Councillors: Jane Birch, Julie Davenport, Anamul Haque (Enam), James Hill, Jamie Lane, Suresh Patel, Arthur McCutcheon, Dennis Meredith, Samuel Shaw and Andrew Kilbride

Chief Executive David Kennedy

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

PLANNING COMMITTEE

AGENDA

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

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

Who Can Speak At Planning Committee Meetings?

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

How Do I Arrange To Speak?

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

Methods of Registration:

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

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 14 June 2016
at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

1. APOLOGIES

2. MINUTES

(Copy herewith)

3. DEPUTATIONS / PUBLIC ADDRESSES

4. DECLARATIONS OF INTEREST/PREDETERMINATION

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

6. LIST OF CURRENT APPEALS AND INQUIRIES

(Copy herewith)

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2016/0450 - LISTED BUILDING APPLICATION FOR THE EXTERNAL REPAIRS OF THE LODGE. DELAPRE LODGE, DELAPRE PARK, LONDON ROAD

(Copy herewith)

10. ITEMS FOR DETERMINATION

ADDENDUM

(A) N/2015/0872 - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 34NO. DWELLINGS, CONSTRUCTION OF PARKING SPACES, AREAS OF STRUCTURAL LANDSCAPING AND ANCILLARY WORKS. ALL MATTERS RESERVED APART FROM ACCESS. DEVELOPMENT LAND, UPTON VALLEY WAY EAST

(Copy herewith)

(B) N/2015/1228 - DEMOLISH FORMER CAR SHOWROOM AND ERECT BUILDING WITH RETAIL (USE CLASS A1) ON GROUND FLOOR AND 14NO FLATS INCLUDING NEW ACCESS AND ANCILLARY DEVELOPMENT, AND CREATION OF RESIDENTIAL CAR PARKING AREA. 194-200 KINGSTHORPE GROVE

(Copy herewith)

(C) N/2015/1249 - ERECTION OF 64NO DWELLINGS COMPRISING 1-BED FLATS, 2-BED AND 3-BED HOUSES AND ASSOCIATED ACCESS ROADS. ECTON BROOK PLAYING FIELDS, GREAT BILLING WAY

(Copy herewith)

(D) N/2016/0015 - OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR REMOVAL, LEVELLING AND REMODELLING OF THE EARTH MOUND AND DEVELOPMENT OF THE SITE FOR BUSINESS (USE CLASS B1), GENERAL INDUSTRIAL (USE CLASS B2) AND STORAGE AND DISTRIBUTION (USE CLASS B8) SITE 7C, EDGAR MOBBS WAY

(Copy herewith)

(E) N/2016/0139 - EXTENSIONS AND ALTERATIONS TO CREATE 18NO. ONE BEDROOM CLIENT ACCOMMODATION SUITES WITH ANCILLARY OFFICES AND DAY CENTRE; PROVISION OF ADDITIONAL PARKING AND BIN STORE, ERECTION OF BOUNDARY WALLS AND GATE. HARBOROUGH LODGE RENAL UNIT, HARBOROUGH ROAD

(Copy herewith)

(F) N/2016/0173 - SINGLE STOREY REAR EXTENSION (PART RETROSPECTIVE) AND REPLACEMENT OF FRONT PORCH. BAY TREE COTTAGE, THE CROSS

(Copy herewith)

(G) N/2016/0178 - ERECTION OF A UNIT FOR GENERAL INDUSTRIAL (USE CLASS B2) AND STORAGE AND DISTRIBUTION (USE CLASS B8) INCLUDING MEZZANINE FLOOR, OFFICE ACCOMMODATION (USE CLASS B1), ASSOCIATED CAR PARKING, SERVICE YARD, NEW SPRINKLER TANK AND PUMP HOUSE, EXTERNAL LIGHTING, BOUNDARY TREATMENTS, HARD SURFACING AND LANDSCAPING. SITE 7C, EDGAR MOBBS WAY

(Copy herewith)

(H) N/2016/0214 - CHANGE OF USE OF 2ND FLOOR FROM SHOP (USE CLASS A1) TO DAY CENTRE (USE CLASS D1) INCLUDING DISABLED ACCESS THROUGHOUT AND THE CREATION OF A ROOF GARDEN TO THE REAR. 24 MARKET SQUARE

(Copy herewith)

- (I) N/2016/0273 - ERECTION OF CRICKET PAVILION (RESUBMISSION OF PLANNING APPLICATION N/2015/0149). NORTHAMPTON OLD SCOUTS RUGBY FOOTBALL CLUB, RUSHMERE ROAD**

(Copy herewith)

- (J) N/2016/0326 - CHANGE OF USE FROM OFFICES (USE CLASS B1) TO A SINGLE DWELLING (USE CLASS C3) WITH A REAR EXTENSION AND A NEW TWO STOREY GARAGE IN THE REAR GARDEN, NEW FRONT BOUNDARY WALL AND GATE. 62 BILLING ROAD**

(Copy herewith)

- (K) N/2016/0350 - 1.5 STOREY SIDE EXTENSION INCORPORATING EXISTING GARAGE. 63 WRENBURY ROAD**

(Copy herewith)

- (L) N/2016/0393 AND N/2016/0395 - CHANGE OF USE FROM OFFICES (USE CLASS B1A) TO 12NO. ONE AND TWO BED FLATS TOGETHER WITH ANCILLARY STORAGE IN THE BASEMENT. INSTALLATION OF METAL STAIRS TO REAR, ALTERATIONS TO EXISTING WINDOWS AND INSERTION OF ROOF LIGHT AND WINDOW AND ASSOCIATED WORKS. LISTED BUILDING APPLICATION FOR INTERNAL AND EXTERNAL ALTERATIONS TO CONVERT BUILDING TO RESIDENTIAL USE INCLUDING REMOVAL AND PART REMOVAL OF INTERNAL WALLS AND DOORS, INSTALLATION OF PARTITION WALLS, INSERTION OF NEW DOORS, INSTALLATION OF BATHROOM EXTRACTION AND DUCTING WITH GRILLE EXTRACTS TO REAR AND SIDE ELEVATIONS, INSTALLATION OF METAL STAIRS TO REAR, INSERTION OF NEW WINDOW AND ROOF LIGHT TO REAR ELEVATION. ALTERATIONS TO EXISTING WINDOWS, INCLUDING REPLACEMENT AND BRICKING UP OF VARIOUS WINDOWS AND REPLACEMENT OF EXISTING METAL WINDOWS WITHIN THE MAIN LISTED BUILDING. 7 SPENCER PARADE**

(Copy herewith)

- (M) N/2016/0490 - INSTALL NEW SHOPFRONT AND ERECT METAL RAILINGS TO PROVIDE EXTERNAL SEATING AREA. 12-14 GOLD STREET**

(Copy herewith)

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

- (A) N/2016/0545 - ERECTION OF TEMPORARY MODULAR UNITS AND ASSOCIATED ALTERATIONS FOR EDUCATIONAL USE FOR A TEMPORARY PERIOD OF THREE YEARS. WOOTTON HALL POLICE HEADQUARTERS WOOTTON HALL PARK, MEREWAY**

(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, 10 May 2016

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

OFFICERS Steve Boyes (Director of Regeneration, Enterprise and Planning), Peter Baguley (Head of Planning) Rita Bovey (Development Manager), Ben Clarke (Senior Planning Officer), Theresa Boyd (Planning Solicitor), Michael Flynn (Democratic Services Officer)

1. APOLOGIES

Apologies were received from Councillors Larratt and Lynch.

2. MINUTES

The minutes of the meeting held on 12th April 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/2016/0152 & N/2016/0190

Councillor Stone

N/2016/0162

Ian Jenkinson

4. DECLARATIONS OF INTEREST/PREDETERMINATION

None

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

None.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon.

RESOLVED: That the report be noted.

7. OTHER REPORTS

(A) VARIATION OF SECTION 106 AGREEMENT SIN RELATION TO SITE 7C, EDGAR MOBBS WAY

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was recommended that the committee agree to vary the two Section 106 Agreements dated 15th March 2005 to exclude an area of land known as Site 7C situated within the Northampton Waterside Enterprise Zone and identified on the attached plan of the report from the planning obligations contained within the relevant S106 Agreements. It was advised that Coltham Management Services Limited, who have exchanged contracts with the Homes and Communities Agency for the purchase of Site 7C, have requested the Borough Council voluntarily agree to vary both S106 Agreements to release Site 7C from the planning obligations contained therein as the obligations have either been met or are not specifically relevant to this part of the overall site.

In response to questions from the committee the Development Manager advised that In the event that the site becomes unacceptably untidy there are alternative measures of control under S215 of the Town and Country Planning Act to ensure the site is kept in a reasonable condition.

RESOLVED

The Committee **AGREED** to vary the two Section 106 Agreements dated 15th March 2005 to exclude an area of land known as Site 7C situated within the Northampton Waterside Enterprise Zone from the planning obligations contained within the relevant S106 Agreements.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(A) N/2015/1077 - DEMOLISH EXISTING GARAGE AND REPLACE WITH 14NO. TWO-BED AND 4NO. ONE-BED FLATS WITH CAR PARK (OUTLINE APPLICATION WITH ALL MATTERS RESERVED).DISCOUNT TYRE AND EXHAUST LTD, 11-13 RUSKIN ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the primary matter for consideration in respect of this outline application is whether

the principle of erecting up to 18 flats in this location is acceptable. In the event of an approval of the outline application, future applications would be submitted to cover matters such as design, layout, access and landscaping.

RESOLVED

The committee **APPROVED IN PRINCIPLE** subject to:

1.1.1 The prior completion of a S106 Agreement to secure:

- i) 35% on site affordable housing;
- ii) A payment towards the provision of and/or enhancements and maintenance of public open space within the vicinity of the site;
- iii) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and
- iv) The Council’s monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.1.2 The Conditions set out in Paragraph 9 of the Committee report and for the following reason:

The proposed development represents an acceptable use of the land and is complementary towards the surrounding land uses. Subject to conditions, it is considered that a satisfactory standard of development would be created with a neutral impact on the amenities of surrounding properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S1, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

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

(B) N/2016/0152 - CHANGE OF USE FROM OFFICES/CHURCH INTO HOUSES IN MULTIPLE OCCUPATION FOR 8NO OCCUPANTS (SUI GENERIS). 31 HAZELWOOD ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Items 10b and 10d were presented together as the units in both applications were adjacent and very similar. It was reported that the planning application **N/2016/0152** is for the change of use of a building which was previously used as a church and offices to a house in multiple occupation (HIMO) for a maximum of eight residents and that planning application **N/2016/0190** is for the change of use of a building which was previously used as a church and offices to a house in multiple occupation (HIMO) for a maximum of six residents.

Councillor Stone addressed the Planning Committee as Ward councillor and spoke against the application. She expressed her concerns about the number of HIMOs already in the vicinity, parking issues and the location of the kitchens. She stated that there was an inadequate number of en suites bathrooms at both locations..

The Chair referred to 6.2 of the report advising that Highway Authority have no objection as the surrounding area features a number of parking restrictions.

In response, the Senior Planning Officer stated that issue surrounding en suites is not a planning issue and that if the applications are approved the number of HIMOS in the area will be will within the designated limit.

In response to questions from the committee the Senior Planning Officer advised that registration with the University will depend on who the developer rents the properties to. This is up to the applicant to research and decide. It was also confirmed that a condition was recommended that would ensure that the provision and retention of refuse storage and the appropriate ventilation would be a matter for the appropriate building regulations.

The Development Manager stated that the applicant confirmed that the wall between the kitchen and one of the bedrooms will be a block wall and ventilation will be provided. It was also advised that condition 4 is sufficiently robust and private housing sector would monitor the use under their licensing scheme.

The Committee discussed the report.

RESOLVED

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

The proposed development, subject to conditions, would represent an acceptable use of the land and would secure a satisfactory level of amenity for future residents and the occupiers of neighbouring properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; Policy 1 of the Central Area Action Plan and the Houses in Multiple Occupation Interim Planning Policy Statement.

(C) N/2016/0162 - EXTENSION OF EXISTING GROUND FLOOR PORCH AND GARAGE. 3 BEECHWOOD DRIVE

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that permission is sought for single storey front extension with front porch. The proposal involves a new pitched roof over the front of the attached garage.

Mr Ian Jenkinson addressed the planning committee as the applicant and spoke in favour of the application.

The Committee expressed their concerns as to why this application was called before the planning committee. The Director of Regeneration, Enterprise and Planning advised that the call in process will be reviewed.

The Committee discussed the report.

RESOLVED

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

The proposed development would not have an undue detrimental impact on the appearance and character of the host building, surrounding area and amenity of adjoining occupiers to comply with Policies E20 and H18 of the Northampton Local Plan, S10 of the West Northamptonshire Joint Core Strategy, SPD on Residential Extensions and National Planning Policy Framework.

(D) N/2016/0190 - CHANGE OF USE FROM OFFICES/CHURCH INTO HOUSE IN MULTIPLE OCCUPATION FOR 6NO OCCUPANTS (USE CLASS C4). 33 HAZELWOOD ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. This application was presented alongside application N/2016/0152.

Councillor Stone addressed the committee as the Ward Councillor and spoke against the application. She expressed her concerns about the number of HIMOs already in the vicinity, parking issues and the location of the kitchen. She stated that there was an inadequate number of en suites at both locations.

In response, the Senior Planning Officer stated that issue surrounding en suites is not a planning issue and that if the applications are approved the number of HIMOS in the area will be will within the designated limit.

In response to questions from the committee, the Senior Planning Officer advised that registration with the University will depend on who the developer rents the properties to. This is up to the applicant to research and decide. It was also confirmed that a condition was recommended that would ensure that the provision and retention of refuse storage and the appropriate ventilation would be a matter for the appropriate building regulations.

RESOLVED

The committee **APPROVED** subject to the conditions as set out in the report and for the following reason:

The proposed development, subject to conditions, would represent an acceptable use of the land and would secure a satisfactory level of amenity for future residents and the occupiers of neighbouring properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; Policy 1 of the Central Area Action Plan; and the Houses in Multiple Occupation Interim Planning Policy Statement.

(E) N/2016/0264 - SINGLE STOREY FRONT EXTENSION AND TWO STOREY SIDE EXTENSION. 22 MARTINS LANE

This item was withdrawn from the agenda.

(F) N/2016/0452 - PRIOR NOTIFICATION FOR LARGER HOME EXTENSION.1 BOUVERIE ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the applicant has submitted a prior notification application for the erection of a single storey rear extension. The proposed extension will have a projection of 4m and 2.5m in height.

The committee discussed the report.

RESOLVED

The committee **AGREED** that delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to consider any objections that may be received in respect of the application and determine whether the impact on the amenity of all adjoining properties is acceptable and either:

- (i) grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises or
- (ii) refuse prior approval.

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

(A) N/2016/0486 - HYBRID APPLICATION. (1) OUTLINE APPLICATION FOR CLASS B2, B8 AND ANCILLARY B1, PROVISION OF A 2HA LORRY PARK AND ASSOCIATED INFRASTRUCTURE. (2) FULL APPLICATION FOR WORK ON THE A4500 COMPRISING: REFORMATTING THE ACCESS TO THE TRUCK STOP AND LAYBY (CLOSURE); CONSTRUCTION OF 2 ROUNDABOUTS; CLOSURE OF EXISTING ACCOMMODATION ACCESS NORTH SIDE OF THE A4500 AND REFORMATTING PROVISION OF NEW ACCESS FROM ROUNDABOUT; ENGINEERING OPERATIONS COMPRISING GROUND RE-PROFILING; THE RE-ROUTING OF THE EXISTING WATERCOURSE; FLOOD PLAIN COMPENSATION WORK; ECOLOGICAL WORK AND ACCESS ON LAND ADJACENT TO JUNCTION 16 OF THE M1 (INCLUDES ENVIRONMENTAL STATEMENT). LAND AT JUNCTION 16 ON THE M1

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the application is a hybrid application to South Northamptonshire Council (SNC) comprising two elements.

The first element is an outline application for Class B2 (General Industry) and B8 (Storage and Distribution) development with ancillary Class B1 (Business), the provision of a 2ha lorry park and associated infrastructure. The second element is a full application for work on the A4500 concerning access arrangements to the site and general road configuration, engineering operations relating to watercourses and floodplain compensation works and ecological work.

It was advised that the site would be accessed from the A4500 via two roundabouts with the lorry park served by an access road running parallel to the A4500. An indicative layout submitted with the application shows five units of between approximately 20,000 and 40,000 sqm and a smaller unit of approximately 7,500 sqm. All units are shown as having their own service yards and car parking as well as individual attenuation measures. There would be landscaping around and between the units.

The committee requested that NBC be consulted on all RM applications.

The committee discussed the report.

RESOLVED

Northampton Borough Council had **NO OBJECTIONS** to the principle of development subject to the issues outlined below being addressed by South Northamptonshire Council:

- No objections being received from the Highway Authority or Highways England in respect of the impact on the local and strategic road networks and the necessary works/contributions being secured to mitigate the impacts of the development;
- Sustainable transport measures being secured;
- No objections being received from the Environment Agency or the Lead Local Flood Authority in respect of the flooding and drainage implications of the development;
- The development being fully assessed against Policy E8 of the West Northamptonshire

Joint Core Strategy and being found to be in conformity with this;

- The development on land outside the West Northamptonshire Joint Core Strategy allocation E8 being fully assessed and the impacts of this found to be acceptable;
- Adequate landscaping being secured to satisfactorily ameliorate the visual impact of the development;
- Archaeological and ecological impacts of the development being fully addressed; and
- Noise and air quality impacts of the development being fully addressed.
- South Northamptonshire Council to consider whether any mitigation measures are required to overcome impacts of the proposed development in Northampton in particular on the highway network and infrastructures.

The meeting concluded at 19:25

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 17 May 2016

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

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development Manager) Theresa Boyd (Solicitor) Emma Powley (Democratic Services)

1. APOLOGIES

Apologies for absence were received from Councillor J Hill.

2. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2015/0479

Mr Amarjit Atwal

3. DECLARATIONS OF INTEREST/PREDETERMINATION

There were none.

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

There were none.

5. N/2015/0479 - CHANGE OF USE FROM OFFICES (USE CLASS B1) INTO GURDWARA AND COMMUNITY CENTRE (USE CLASS D1) INCLUDING EXTENSIONS AND ALTERATIONS. COMMUNITY CENTRE, 35 - 37 ST JAMES MILL ROAD.

The Head of Planning submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was explained that the applicant was seeking permission to change the use of the property from offices to a place of worship and a community centre. It was noted that the National Planning Policy Framework requires that Local Planning Authorities consult the appropriate bodies when they are determining applications for developments around major hazards, namely a fuel storage depot. It was explained that the Health and Safety Executive (HSE) had advised against granting planning permission. However, on balance it was considered that the benefits of the scheme could outweigh the concerns of the HSE.

and it was noted that the Officer recommendation was that the planning committee be minded to grant planning permission, subject to an independent assessment of the health and safety impacts of the proposed development be carried out, and the findings be reported back to the Committee and the conditions contained within the report.

Mr Atwal addressed the Committee and spoke in favour of the application. He spoke of the community value of the proposed development and in response to questions asked, reported that the risks and hazards had been discussed with members of the local community and a full evacuation plan had been put in place.

The Committee discussed the application.

RESOLVED:

That the Planning Committee was minded to grant planning permission subject to:

- a) An independent assessment of the health and safety impacts of the proposed development to be carried out, and the subsequent findings will be reported back to the Committee;
- b) The conditions as set out in the report and for the following reason:

The proposed development would be of benefit to the community and, subject to conditions, would have a neutral impact on flood risk, safety, the highway system, neighbour and visual 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 Policies B14 and E20 of the Northampton Local Plan.

The meeting concluded at 6.22pm

Directorate: Regeneration, Enterprise and Planning
Director: Steven Boyes



List of Appeals and Determinations – 14 June 2016

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2015/0949 APP/V2825/W/16/3147931	DEL	Single-storey extension to increase floor area for 8no residential care bedrooms at The Richardson Mews Care Home, Harborough Road	AWAITED
N/2015/0950 APP/V2825/Y/16/3147933	DEL	Listed building application for associated works with single-storey rear extension at The Richardson Mews Care Home, Harborough Road	AWAITED
N/2015/0699 APP/V2825/D/16/3145940	DEL	Single storey rear extension at 64 Kingsley Road	AWAITED
N/2015/1067 APP/V2825/W/16/3145919	PC	Conversion into 2no. 1 bed flats, 4no. new 1 bed flats and 2no. new 2 bed semi-detached dwellings at 54 Adams Avenue, Northampton (Retrospective application).	AWAITED
N/2015/1078 APP/V2825/W/16/3144604	PC	Change of use from dwelling (use Class C3) to five person house in multiple occupation (use Class C4) at 74 Military Road	AWAITED
N/2015/1349 APP/V2825/D/16/3147347	DEL	New front boundary wall/fence and pedestrian/vehicular gate at 14 Woodland Avenue	AWAITED
N/2016/0203 APP/V2825/D/16/3149992	DEL	Vehicular crossover at 561 Harlestone Road	AWAITED

Public Inquiry

N/2013/1035 APP/V2825/W/15/3028151	PC	Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved accept access, land south of Rowtree Road and west of Windingbrook Lane – Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED
N/2013/1063 APP/V2825/W/15/3028155	PC	378 dwellings served by a new access from Windingbrook Lane, and the re-configuration of part of the Collingtree Park Golf Course including a new temporary hole 17 and the demolition of all existing buildings and structures within the site, green infrastructure including formal and informal open space, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements), land south of Rowtree Road and west of Windingbrook Lane - Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED

Hearings

N/2015/0335 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 Hearing scheduled for 21st June 2016 has been cancelled at the request of the Planning Inspectorate. The appeal will now that the form of a public inquiry. Planning Inspectorate will confirm the date in due course.	AWAITED
N/2015/0419 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. Hearing ended on 27th April 2016 at The Guildhall, St Giles Square, Northampton	AWAITED

Enforcement Appeals

		None	
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The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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

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

Author and Contact Officer:

Mrs Rita Bovey, Development Manager
 Telephone 01604 837237
 Planning and Regeneration
 The Guildhall, St Giles Square,
 Northampton, NN1 1DE



PLANNING COMMITTEE:	14 th June 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2016/0450
LOCATION:	Delapre Lodge Delapre Park , London Road
DESCRIPTION:	Listed Building Application for the external repairs of the lodge
WARD:	Delapre & Briar Ward
APPLICANT:	Northampton Borough Council
AGENT:	Northampton Borough Council
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	NBC owned land
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed works would assist in the preservation, conservation and enhancement of the curtilage listed building and would not lead to any adverse impact on the character, appearance or historic significance of the surrounding listed buildings, conservation area or Registered Battlefield in accordance with the requirements of Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application is a listed building application for external repairs to Delapre Lodge comprising of the repair of the slate roof; overboarding of the existing 'Sitex' security shutters to windows and doors to improve the appearance; and stone cleaning, repair and repointing of the elevations. The works are required to arrest sources of decay and deterioration prior to looking at long term-plans for the re-use of the building.

3. SITE DESCRIPTION

3.1 The Lodge is situated in a prominent position at the entrance to Delapre Abbey from London Road. The building is curtilage listed and situated within Delapre Conservation Area and within the Northampton Battlefield Site, a Registered Battlefield. The main complex of buildings at

Delapre Abbey is situated in excess of 400m from The Lodge and comprise of a number of Grade II listed buildings, with Delapre Abbey being Grade II* listed.

4. PLANNING HISTORY

4.1 84/0750 – Single storey extension. Approved 8.10.84.

5. PLANNING POLICY

5.1 Statutory Duty

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

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.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.2 National Policies

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

Paragraph 17 advises that planning should conserve heritage assets in a manner appropriate to their significance.

Paragraph 131 of the NPPF advises that in determining applications 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.

Paragraph 132 seeks to ensure great weight is given to the conservation of a heritage asset when considering the impact of proposed development.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S10: Sustainable Development Principles – seeks to protect, conserve and enhance heritage assets and their settings.

Policy BN5: The Historic Environment – heritage assets and their setting and landscapes 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 E26: development should preserve or enhance the character and appearance of conservation areas.

5.5 **Other Material Considerations**

Delapre Park Conservation Area Appraisal & Management Plan 2007
Delapre Park Conservation Area

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Conservation** – no objection. The building is in poor condition and the justification for the work to make the building weathertight is accepted. A condition requiring approval of materials should be imposed.

6.2 **Historic England** – no objection.

7. **APPRAISAL**

7.1 The main issues for consideration are the impact of the proposed works on the character, appearance and historic significance of the curtilage listed building and the surrounding conservation area, and the preservation of the setting and historic significance of surrounding listed buildings within Delapre Park and the Registered Battlefield.

7.2 In considering the proposed development, regard must be paid to the importance of the heritage asset and the historic surroundings. The site lies within Delapre Park Conservation Area and within the registered battlefield site of the Battle of Northampton. The Delapre Park Conservation Area Appraisal and Management Plan (2007) refers to character of the area as that of a historic house with associated formal and informal gardens, and secondary buildings, such as the gatehouse (The Lodge) and the stable block. The Lodge is identified within the Delapre Park Conservation Area Leaflet as a 'building making a positive contribution'.

7.3 Planning policy places considerable weight on the conservation, preservation and, where possible, enhancement of heritage assets. The proposed works to The Lodge are required in order to make the building weathertight and improve the appearance of the lodge which is falling into disrepair. Subject to agreeing the details of the proposed materials, the proposed works would assist in enhancing and preserving this heritage asset and enable the Council to continue to seek an optimum viable use of the building to further secure its preservation.

7.4 The considered enhancement to The Lodge would further enhance the setting of listed buildings within Delapre Park and the character and appearance of the Conservation Area and would have a neutral impact on the historic significance of the Registered Battlefield.

8. **CONCLUSION**

- 8.1 The development proposed would not lead to any detrimental impact on the character, appearance or historic significance of the curtilage listed building, or surrounding heritage assets and would assist in the preservation and conservation of this heritage asset. The application is, therefore, recommended for approval.

9. CONDITIONS

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

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

- (2) Notwithstanding the submitted details, prior to the approved works commencing, details of all proposed external facing materials including stone, tiles and mortar 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 BN5 of the West Northamptonshire Joint Core Strategy.

- (3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan, 180 rev A, 181 rev A, 250 rev A, 251 rev A, 471 rev A.

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

10. BACKGROUND PAPERS

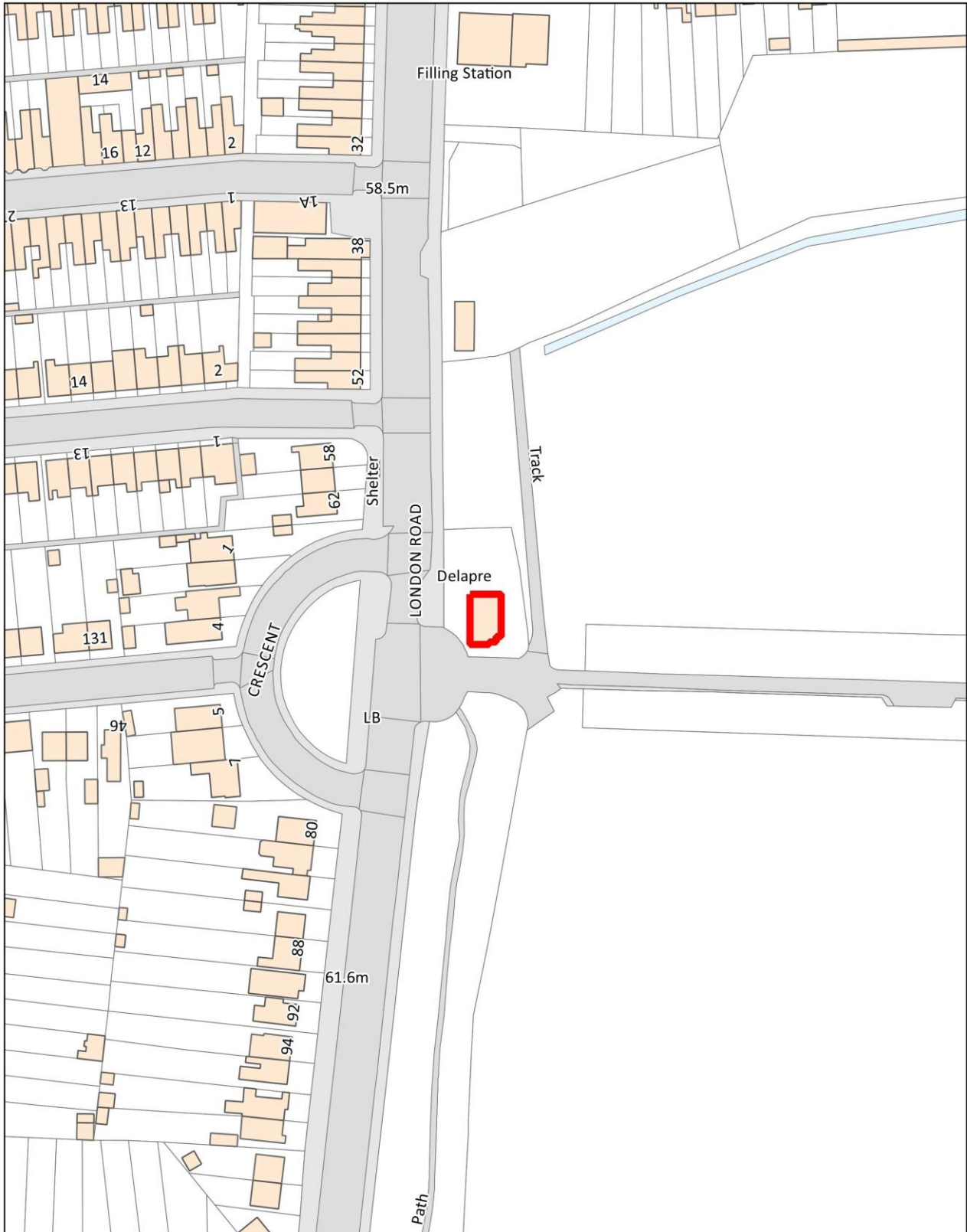
- 10.1 N/2016/0450.

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: **Delapre Lodge, Delapre Park**

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Date: 31-05-2016
 Scale: 1:1,250
 Drawn by: -----



Addendum to Agenda Items Tuesday 14th June 2016

5. MATTER OF URGENCY:

5a.

N/2016/0702

3 Buttermere Close for non-material amendment

This is an application made by Northampton Partnership Homes for a non-material amendment to planning permission N/2015/1110 (single storey extensions) in relation to Eleanore House at 3 Buttermere Close (see enclosed plan), which was approved by the Planning Committee on 17th of December 2015. As the Council has only 28 days to determine the application and the site is owned by the Council, this is raised as a matter of urgency and has been agreed by the Chair as an urgent item.

The non-material amendments as proposed are as follows:

- a reduction in size of the front lobby extension, and the roof changed to an insulated flat roof instead of a dual-pitch roof;
- removal of a small rear lobby;
- roof finish to former conservatory to be single ply membrane;
- alterations to window and door configurations at front and rear;
- addition of render finish over existing stained brickwork to the front block adjacent to the new entrance extension.

The application is recommended for **APPROVAL** as the proposed amendments are minor and they would not materially change the development permitted under planning permission reference N/2015/1110, and would have no additional detrimental impact on the character and appearance of the area or on residential amenity.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9a

N/2016/0450

**Listed building application for the external repairs of the lodge
Delapre Lodge, Delapre Park, London Road**

No update.

10. ITEMS FOR DETERMINATION

10a

N/2015/0872

Outline planning application for the erection of up to 34no. dwellings, construction of parking spaces, areas of structural landscaping and ancillary works. All matters reserved apart from access.

Development Land, Upton Valley Way East

No update.

10b

N/2015/1228

**Demolish former car showroom and erect building with retail (Use Class A1) on ground floor and 14no flats including new access and ancillary development, and creation of residential car parking area
194-200 Kingsthorpe Grove**

Two further representations received from nearby residential occupiers, these cover points raised in previous representations.

A further consultation response has been received from **Anglian Water** requesting a planning condition requiring the submission of a surface water strategy. This is already required under Condition 7, however due to the revised wording requested, it is recommended that Condition 7 is amended as follows:

(7) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1in100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details **and no hard standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved.**

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 13 (q) of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site. This is a pre-commencement condition as it is essential that the surface water drainage strategy is agreed in advance of construction work.

10c

N/2015/1249

**Erection of 64no dwellings comprising 1-bed flats, 2-bed and 3-bed houses and associated access roads
Ecton Brook Playing Fields, Great Billing Way**

Environmental Health confirmed that the addendum to the noise report, which takes into account the revised layout, is acceptable. The new addendum should be referenced by planning condition. Condition 12 is therefore amended as follows:

(12) The conclusions of the Acute Acoustic report dated 6/11/15 as amended by the Addendum to the report dated 2/6/16 shall be implemented to the satisfaction of the Local Planning Authority, prior to the development coming into use, and the applicant shall demonstrate that the scheme(s) agreed has achieved its design criteria. Written confirmation of the measures installed shall be provided. The measures agreed and implemented shall be retained thereafter.

Reason: In order to safeguard the amenities of future occupiers in accordance with the NPPF.

The **Local Highway Authority** have confirmed verbally that the revised layout is acceptable, subject to landscaping being used at plots 10, 11 and 12 to prevent inappropriate parking between designated spaces. This requirement can be dealt with under the proposed Condition 5.

10d

N/2016/0015

Outline application (all matters reserved except access) for removal, levelling and remodelling of the earth mound and development of the site for business (Use Class B1), general industrial (Use Class B2) and storage and distribution (Use Class B8)

<p>Site 7C, Edgar Mobbs Way</p> <p>No update.</p>
<p>10e N/2016/0139 Extensions and alterations to create 18no. one bedroom client accommodation suites with ancillary offices and Day Centre; provision of additional parking and bin store, erection of boundary walls and gate Harborough Lodge Renal Unit, Harborough Road</p> <p>No update.</p>
<p>10f N/2016/0173 Single storey rear extension (part retrospective) and replacement of front porch Bay Tree Cottage, The Cross</p> <p>No update.</p>
<p>10g N/2016/0178 Erection of a unit for general industrial (Use Class B2) and storage and distribution (Use Class B8) including mezzanine floor, office accommodation (Use Class B1), associated car parking, service yard, new sprinkler tank and pump house, external lighting, boundary treatments, hard surfacing and landscaping Site 7C, Edgar Mobbs Way</p> <p>A Reptile Survey has been received confirming that no reptiles have been found on site. The County Ecologist, therefore, has no objection.</p>
<p>10h N/2016/0214 Change of use of 2nd floor from shop (Use Class A1) to day centre (Use Class D1) including disabled access throughout and the creation of a roof garden to the rear 24 Market Square</p> <p>No update.</p>
<p>10i N/2016/0273 Erection of Cricket Pavilion (Resubmission of planning application N/2015/0149) Northampton Old Scouts Rugby Football Club, Rushmere Road</p> <p>No update.</p>
<p>10j N/2016/0326 Change of use from offices (Use Class B1) to a single dwelling (Use Class C3) with a rear extension and a new two storey garage in the rear garden, new front boundary wall and gate 62 Billing Road</p> <p>3 further letters of objection have been received following the submission of revised plans to remove first floor windows from the proposed two storey garage and insert rooflights. Comments received from the occupiers of 119, 121 Lower Thrift Street and 62a Billing Road as follows:</p> <ul style="list-style-type: none"> • Still object as the facts remain that it is a new build 7 metres high in a position that will

- have a detrimental effect on all close neighbours due to severe light blocking and view.
- Would like to see a revised plan for a single storey garage fit for the purpose of storing vehicles.
- Consider windows could be re-instated at a later stage.
- If the building is to be used as a garage only why does it need so many windows and how will vehicles be taken to the first floor? Will a lift be installed?
- The building, apart from a small space for a side gate, will completely fill the width of the rear gateway and will be 7 metres high. This is a much larger footprint than the original coach house built in 1871 at 62A Billing Road.
- Access to the garage will be via an unadopted road. Concerned that garage is not set back enough and there will not be enough room for vehicles to manoeuvre and park.
- The main house has a dedicated study so question why a second floor study is required.
- Concerned that it will be used in the future as a dwelling.

Officer's Response:

The design and access statement states that the first floor will be used as a study (not for first floor vehicle storage) and it will be accessed via a staircase. Other points raised are covered in the main report.

10k
N/2016/0350
1.5 storey side extension incorporating existing garage
63 Wrenbury Road

No update.

10l
N/2016/0393 and N/2016/0395
Change of use from offices (Use Class B1a) to 12no. one and two bed flats together with ancillary storage in the basement. Installation of metal stairs to rear, alterations to existing windows and insertion of roof light and window and associated works.
Listed Building Application for internal and external alterations to convert building to residential use including removal and part removal of internal walls and doors, installation of partition walls, insertion of new doors, installation of bathroom extraction and ducting with grille extracts to rear and side elevations, installation of metal stairs to rear, insertion of new window and roof light to rear elevation. Alterations to existing windows, including replacement and bricking up of various windows and replacement of existing metal windows within the main listed building
7 Spencer Parade

No update.

10m
N/2016/0490
Install new shopfront and erect metal railings to provide external seating area.
12-14 Gold Street

No update.

12. ITEMS FOR CONSULTATION

12a
N/2016/0545
Erection of temporary modular units and associated alterations for educational use for a temporary period of three years
Wootton Hall Police Headquarters Wootton Hall Park, Mereway

Amended plans have been received which alter the red line denoting the application site. The red line now includes three access routes on the north side of the site:

1. Access to the car parking area adjacent to the club, providing 60 x staff and parent parking spaces, and drop-off zone;
2. Access for construction vehicles; and
3. Pedestrian / cycle route.

The temporary construction route across the playing fields is required in order to avoid damage to the existing trees adjacent to the proposed temporary cabins site and nearby fibre optic cable and prevents disruption to the Police Headquarters during the construction period.


Additional car parking will be provided (a total of 92 spaces including 9 disabled spaces) to serve the development.

Notwithstanding the revised information, the details contained in paragraph 1.1 of the report are still valid.

Further comments have been received from Councillor P Larratt regarding the amended plans requesting deferral of the application, as the consultation period will not finish until the 23rd of June. However, as the County Council has confirmed that they will be considering the planning application on the 28th of June, NBC will need to make any necessary comments before the 28th and the application cannot be deferred.

Playing Field



 NORTHAMPTON BOROUGH COUNCIL	Title: Eleanore House, 3 Buttermere Close	Date: 07-12-2015
	<small>© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.</small>	Scale: 1:957

N/2016/0702
3 Buttermere Close for non-material amendment



PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/0872

LOCATION: Development Land, Upton Valley Way East

DESCRIPTION: Outline planning application for the erection of up to 34no. dwellings, construction of parking spaces, areas of structural landscaping and ancillary works. All matters reserved apart from access

WARD: Upton Ward

APPLICANT: Mr Simon Herring
AGENT: WYG

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

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

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

- i) 35 % of the development to be used for affordable housing;
- ii) A financial payment to fund off-site highway improvement works including a Crossing on Banbury Lane between Upton Valley Way East and Lockgate Road and a Cantilever bus shelter on the north side of Upton Valley Way East and its ongoing maintenance;
- iii) A contribution towards Whitefield's Surgery;
- iv) A contribution towards construction futures; and
- v) The Council's monitoring fee.

1.1.2 The conditions as set out below and for the following reason:

The proposed development, subject to conditions, would represent the satisfactory use of the land and would contribute to the established housing need in Northampton. The proposal demonstrates a satisfactory layout and would not be detrimental to the amenities of surrounding occupiers, highway safety or risk of flooding. The development is therefore considered to be in accordance with Policies H1, H2, S3, S4 S10, BN2, BN7 and INF2 of the West Northamptonshire

Joint Core Strategy and Policies E20 and H17 of the Northampton Local Plan and the National Planning Policy Framework.

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

2. THE PROPOSAL

- 2.1 Outline planning permission is sought for the erection of up to 34no. dwellings including parking spaces, areas of structural landscaping and ancillary works. All matters are reserved apart from access. The scheme has been amended to reduce the number of proposed dwellings from 35 to 34 and to provide an improved indicative layout, demonstrating that the quantum of development proposed can be accommodated on site.
- 2.2 The proposed development would deliver a mix of 3 and 4 bed dwellings. Affordable housing would be provided within the development and would constitute 35% of the total number of dwellings, with 12 affordable dwellings to be provided. Eight of these would be available for shared ownership with the remaining four available for social rent.
- 2.3 Access to the development site would be taken from Banbury Lane. Off-site highway works would be required to provide bus stops on Upton Valley Way East and a crossing on Banbury Lane.
- 2.4 The scheme proposes to incorporate a sustainable urban drainage system in the form of an above ground swale.

3. SITE DESCRIPTION

- 3.1 The application site constitutes a 1.7ha site mainly given to grass, with a disused road along its southern boundary abutting the Hunsbury Meadows residential development. A dry ditch runs the full length of the sites northern boundary.
- 3.2 To the north of the site the land is bound by Upton Valley Way East, beyond this lies the Grand Union Canal, the River Nene and Upton Country Park. To the east of the site is Upton Way/Danes Camp Way roundabout. To the south of the site lies the residential development Hunsbury Meadows, which is screened from the application site by existing boundary planting. To the west of the site is Banbury Lane.

4. PLANNING HISTORY

- 4.1 There has been no recent, relevant planning history.

5. PLANNING POLICY

5.1 Statutory Duty

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

comprises the adopted West Northamptonshire Joint Core Strategy (2014) and 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 7 – There are three dimensions to sustainable development. These dimensions give rise to the need for the planning system to perform a number of roles: an economic role, a social role, an environmental role.

Paragraph 14 – Central to the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 17 – sets out core land-use planning principles, which seek to secure high quality design and a good standard of amenity for existing and proposed occupiers.

Paragraph 49 – Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

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

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

Paragraph 58 – Planning decisions should aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

Paragraph 109 – The planning system should contribute to and enhance the natural and local environment.

Paragraph 203 - Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

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 H2 - encourages the creation of varied communities that should be ensured through the provision of affordable housing.

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

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

Policy BN2 – Biodiversity – Development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported.

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

Policy INF2 – Contributions to Infrastructure Requirements – New development will only be permitted if the necessary on and off-site infrastructure that is required to support it, and mitigate its impact, is either already in place, or there is a reliable mechanism (such as a Section 106 Agreement) in place to ensure that it will be delivered.

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

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

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

Policy H17 – Within new residential development and where there is an established local need, the provision of mobility housing will be encouraged. In the case of schemes of ten or more dwellings, it is expected that this provision will be not less than 10%.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004
Planning Obligations Strategy SPD 2013
Affordable Housing Interim Statement 2013

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Anglian Water:** Have recommended an informative be attached to any approval for the development relating to the protection of Anglian Waters assets.

- 6.2 **Construction Futures:** Have requested a financial contribution to Construction Futures and target training/employment weeks.
- 6.3 **Environment Agency:** No objection subject to a condition relating to the submission of further details relating to foul drainage.
- 6.4 **Highways England:** No objection.
- 6.5 **Hunsbury Meadows Parish Council:** Recognise that the site is a prime development site; believe that housing is more appropriate than commercial or industrial development. Any housing development should be compatible with existing housing estates nearby and of a similar density and style; adequate roadside parking should be provided for visitors. Concerns regarding the safety of vehicular traffic. Adequate crossing facilities should be provided on Banbury Lane near the site access. Request that the site provides a community facility i.e. a small Community Hall.
- 6.6 **National Grid:** No comments.
- 6.7 **Natural England:** No objection.
- 6.8 **NBC Planning Policy:** The principle of the development is considered to be acceptable. The proposal would contribute to the 5 year housing land supply.
- 6.9 **NBC Public Protection:** With regards to the site investigation this has demonstrated that no further investigation or remedial work is required. No concerns on air quality due to the distance which the housing is set back from the highway. Details of noise mitigation measures including details in relation to glazing and ventilation should be conditioned. The submission of a Construction Environmental Management Plan should be conditioned. A condition is recommended in relation to external electric vehicle charging points.
- 6.10 **NBC Tree Officer:** Recommend that a Tree Protection Plan is conditioned showing the location and specification of the protective fencing to be installed which should be in line with the guidance in BS5837:2012 Trees in relation to design, demolition and construction – Recommendations. A detailed landscaping scheme should also be conditioned and include a post planting maintenance programme.
- 6.11 **NCC Archaeology:** No comments.
- 6.12 **NCC Development Management:** In the event that the application is approved, it is requested that Section 106 obligations are secured to fund enhancements to the provision of primary and secondary school provision within the vicinity of the site; the fire and rescue service; library provision; and fire hydrants.
- 6.13 **NCC Ecology:** The site should deliver a net gain in biodiversity. Recommends that the development is carried out in accordance with the recommendations contained within the Extended Phase I Habitat Survey and the Botanical Assessment Report.
- 6.14 **NCC Highways:** No objection subject to conditions and legal agreements to secure off-site highway works for the provision of a crossing on Banbury Lane and bus stops. Each property should have two parking spaces excluding garages.
- 6.15 **NCC Local Lead Flood Authority:** No objection subject to conditions relating to the submission of design details for the surface water drainage scheme and details for its ownership and maintenance.

- 6.16 **NHS – Primary Healthcare:** Have requested a contribution towards increasing capacity at Whitefield’s Surgery.
- 6.17 **Northamptonshire Wildlife Trust:** No comments.
- 6.18 **Northants Police:** The layout as presented creates mutual security for householders as it provides back to back gardens with limited opportunities for access to the rear of the garden. Where housing is provided in terraces any rear access alleys should be gated in line with the front building line. Car parking areas are capable of being overlooked. Parking at the bottom of the garden should be avoided. Where houses back onto the existing development the rear boundaries should fully abut each other with no area of “no man’s land” in between. The development should achieve Secured by Design accreditation.
- 6.19 The development has been advertised by way of neighbour letters, site notice and press notice; six objections have been received making the following comments:
- Concerns in relation to highway safety.
 - The traffic survey does not reflect the traffic speeds near the junction.
 - Development has been taking place at an alarming rate in the locality using up open spaces.
 - Concerned about site levels and the impact they would have on existing properties and the visibility at the junction to Banbury Lane.
 - Not happy that the development borders my property.
 - Concerns for pedestrian safety.
 - Concerns in relation to noise exposure to the new development.
 - The developers should fund a safe and lit pedestrian exit linking Upton Valley Way East to the access roads of Upton Way /Danes Camp Way.
 - Detrimental to the residents of Hunsbury Meadows.
 - The dwellings on the northern side of the development adjacent to Upton Valley Way East would have their bedroom windows at the same height as the road, the noise and view would be unacceptable.
 - The access is too close to the junction.
 - Do not have a safe footpath to Sixfields.
 - Do not have a proper bus route.
 - Hunsbury Meadows has no schools or doctors surgery to accommodate another development.
 - No allowance for a bus stop on the west bound carriageway of Upton Valley Way East.
 - Risk of flooding to Hunsbury Meadows

7. APPRAISAL

Principle of the development

- 7.1 In terms of national planning policy, the NPPF is a material consideration in determining planning applications. Running throughout the NPPF is a ‘golden thread’ setting out a presumption in favour of sustainable development.
- 7.2 Paragraph 47 of the NPPF states that Local Planning Authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a five year housing supply, to ensure choice and competition in the market for land. Northampton Borough Council cannot currently demonstrate a five year supply of deliverable housing sites. In instances where a five year housing land supply cannot be demonstrated, any relevant Development Plan Policies cannot be considered up to date. Paragraph 14 of the National Planning Policy Framework stipulates that decision makers should grant permission where relevant policies are out of date

unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 7.3 In applying the presumption and in viewing the Government agenda to build more homes due regard must be given to the requirement to provide homes that meet the needs of the community and that are in the right location. Considerable weight should be given to the fact that the authority cannot demonstrate a five year housing land supply. It is considered that the proposed development would make a contribution towards addressing the current and future needs for housing within the Borough.
- 7.4 The site is considered to be located in a relatively sustainable location. The sustainability and accessibility of the site would be further improved, by off-site highway improvements, including a crossing and bus stops, which would be secured by condition and legal agreement. The site is in close proximity to existing employment uses and amenities including Pineham Industrial Area and the public amenity space, Upton Country Park.
- 7.5 The proposed development is considered to be a departure from the Northampton Local Plan as part of the site is allocated open space by virtue of the Northampton Local Plan Proposals Map. Policy RC2 of the West Northamptonshire Joint Core Strategy states that the loss of existing community facilities including open space will be resisted unless it can be demonstrated that improvements can be made through a replacement facility or the proposal will bring about benefit that outweighs the loss of the facility or having regard to the relevant open space study, the space is surplus or little used.
- 7.6 The relevant open space study designates the area of open space as being of low quality. Due to the relatively small scale of the area of open space it offers limited value as an area of useable amenity space. The loss of this open space would be mitigated by improvements to the accessibility of Upton Country Park by way of a crossing on Banbury Lane. The improved access to Upton Country Park will benefit residents in the local area as well as future residents of the development.

Design and Layout

- 7.7 An indicative layout plan was submitted as part of the application, this layout was subsequently amended to remove one dwelling house and to remove a small area of open space in the eastern corner. The area of open space was too small to be utilised in a meaningful manner and would potentially have created issues around its future maintenance. In addition the amended indicative site layout plan has improved amenity distances between the proposed dwellings, as the original scheme failed to demonstrate adequate separation distances. The revised site layout achieves the guideline separation distances for two storey dwellings of 21 metres between front to front and rear to rear elevations and 13 metres between front or rear elevations and gable elevations.
- 7.8 The applicant would be expected to submit suitable details at reserved matters stage which address the amenities of neighbouring properties.
- 7.9 NCC Highways have requested that each of the dwellings should have two parking spaces excluding garages. It is considered that the site could accommodate these parking levels, it is therefore appropriate to attach a condition to any planning permission for the site requiring each proposed dwelling to have two parking spaces excluding garages.

Amenity

- 7.10 Paragraph 58 of the NPPF seeks to achieve long term well-functioning developments which have a strong sense of place using streetscapes and buildings to create attractive and comfortable

places to live, work and visit. Development should be visually attractive as a result of good architecture and appropriate landscaping. The applicant would be expected to submit suitable details at reserved matters stage which achieves a high quality development in terms of design and landscaping.

- 7.11 New development should create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion. It is therefore considered appropriate to condition that Secured by Design is achieved in bringing forward the development.
- 7.12 The proposal is in outline with detailed design reserved; however the submitted indicative site plan indicates that the development can achieve appropriate standards of private amenity space for each individual plot.
- 7.13 It is considered that issues relating to residential amenity could be appropriately addressed through conditions and at reserved matters stage.

Air Quality, Noise and Contamination

- 7.14 In terms of air quality it is considered that the dwellings would be located at an adequate distance from the highway to avoid adverse levels of air pollution from traffic. Due to the scale of the proposed development it would not have a significant impact upon air quality in the locality. In addition a number of mitigation measures are proposed, which would encourage alternative sustainable modes of transport. These mitigation measures include a crossing on Banbury Lane, which will be secured through a Section 106 Agreement, bus stops which will be secured by condition and legal agreement. As there is no established policy in terms of the provision of electric vehicle charging points, it is not considered that they could be reasonably and justifiably secured by condition.
- 7.15 It is anticipated that the proposed crossing on Banbury Lane will provide easy pedestrian access to Upton Valley Park, which is located minutes away from the development site by foot. The addition of bus stops will enhance the local public transport network and will provide future residents of the development with easy access into Northampton Town Centre. In addition to these sustainable transport modes, the proposed development is located in very close proximity to two of Northampton's primary cycle networks, Norbital and Connect 2. Connect 2 is located within 200m of the development site and offers 3 miles of new off-road cycle way along the River Nene, joining up Becketts Park to Upton, with links to Nene Valley Retail Park, St James Mill Road and the Norbital cycle network. The Norbital cycle network is located within 1km of the development site and is a 29km circular cycle route around Northampton, which connects residential areas with areas of employment and education.
- 7.16 A number of the properties within the development site will have to have enhanced glazing to mitigate against noise to preserve adequate conditions for sleeping and resting. Noise mitigation through the use of enhanced glazing can only be successful by keeping windows closed and therefore alternative means of ventilation / heat control will need to be factored in to the building design. The model contours indicate that alternative ventilation / heat control would need to be applied across the site. A condition requiring full details of glazing and ventilation / heat control shall be attached to any planning permission for the proposed development.
- 7.17 A site investigation report has been submitted as part of the application, to establish the presence of contaminants on the site. The submitted contamination report has demonstrated that no further investigation or remedial work is required.
- 7.18 In terms of air quality and noise during construction, it is considered that any potential adverse impacts can be appropriately mitigated by a suitable Construction Environmental Management Plan.

- 7.19 Subject to the implementation of suitable mitigation measures it is considered that the proposed development would be in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

Landscape and Trees

- 7.20 The Council's Tree Officer has confirmed that the only arboricultural feature of any note on the site is the line of tree and shrub planting adjacent to the southern boundary of the site, which appears to have been planted as a landscape buffer for the Hunsbury Meadows development to the south. The proposed development would not have an impact on these trees; however there is a risk of damage if the adjacent grass verge is used for the storage of materials. Accordingly a condition has been attached, requiring the submission of a Tree Protection Plan showing the location and specification of the protective fencing to be installed, which must be in line with the guidance contained in BS5837:2012 Trees in relation to design, demolition and construction.
- 7.21 The design and access statement, as submitted, makes reference to new tree and hedgerow planting, however no specific details have been provided at this stage. Therefore, the submission of a detailed landscaping and post planting maintenance programme shall be conditioned. The development would be expected to provide a strong landscape buffer between the residential development and the adjacent highways for the benefit of the residential amenity of the occupiers of the new dwellings.

Ecology

- 7.22 An Extended Phase I Habitat Survey was carried out for the site. This survey identified the need for a further survey in the form of a Botanical Assessment Report due to the sites botanical interest. This additional report has been submitted as part of this application.
- 7.23 Both the Extended Phase I Habitat Survey and the Botanical Assessment Report have been assessed by the NCC Ecologist, both of these survey reports have been deemed to be satisfactory.
- 7.24 NCC Ecology have advised that the recommendations in both the Extended Phase I Habitat Survey and the Botanical Assessment Report should be implemented as part of any approval of the development. The recommendations contained within these reports shall be a condition of any approval of the development. Recommendations include retaining as much grassland on site as possible and where this is not possible an MG5 seed mix should be sown into the areas of land disturbed during the development. It is considered that the development would retain an acceptable level of grassland within the site in the form of spacious private gardens and within areas of the site forming landscaped boundaries.

Drainage and Flood Risk

- 7.25 A Flood Risk Assessment and Drainage Strategy have been submitted in support of the application. The application site is located within Flood Risk Zone 1. This zone comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding.
- 7.26 The submitted Flood Risk Assessment and Drainage Strategy has concluded that localised attenuation is required to prevent surcharging and flooding of the drainage system following development of the site.
- 7.27 Following development, a swale providing 511m³ of storage is sufficient to attenuate excess runoff from the site up to and including the 1 in 200 year storm event including an allowance for 30% climate change.

- 7.28 The Environment Agency have been consulted and have not objected to the proposed development subject to a condition relating to the submission of further details on foul drainage.
- 7.29 The County Council as Lead Local Flood Authority have no objection subject to conditions relating to the submission of design details for the surface water drainage scheme and details for its ownership and maintenance.
- 7.30 Provided that steps are taken within the detailed design to mitigate and manage the flood risks, it is concluded that the site is appropriate for the proposed development and a practical means of surface water management for the site can be provided.

Highways

- 7.31 The application has been submitted in outline with all matters reserved apart from access. The original site layout plan as submitted did not provide adequate detail of the proposed access for the Local Highways Authority to make informed observations. This has now been rectified by the submission of a detailed access plan, which includes auto track analysis relating to the ingress and egress of refuse trucks. These details have been assessed by the Local Highways Authority and it is considered that the proposed site access would be acceptable in terms of highway safety.
- 7.32 The proposed development would require the following off-site highway improvements to be secured by condition and legal agreements:
- A Crossing located on Banbury Lane between Upton Valley Way East and Lockgate Road.
 - A Cantilever bus shelter on the north side of Upton Valley Way East including provision for its maintenance.
 - A Half on half off lay-by on the south side of Upton Valley Way East.
 - Lining works for both bus stops.
 - Extension of the footways to the west bound bus stop and alteration of a section of grass verge to allow suitable surfacing as per the Local Highway Authority Standards to allow passengers to board a bus.
- 7.33 A concern raised in relation to the proposed development was that only one bus stop would be provided, allowing travel in one direction. The proposals include provision for two bus stops allowing travel by bus from Upton Valley Way East and return travel by bus to Upton Valley Way East.
- 7.34 The Local Highways Authority have also requested that each individual dwelling shall provide two parking spaces excluding garages. As the scheme is in outline, it is considered that this can be controlled by a suitably worded condition; it is considered that the application site can accommodate the quantum of development proposed as well as adequate parking provision.
- 7.35 No objections have been received from the Local Highways Authority in terms of access, parking or highway safety, subject to suitable conditions and the securing of highway improvement works by condition and legal agreements. Highways England have not objected to the proposed scheme.

Developer Obligations

- 7.36 Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The guidance contained in the NPPF and Regulation 122

of the Community Infrastructure Levy Regulations 2010 requires that a planning obligation must only constitute a reason for granting planning permission for a development if the obligation meets all of the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

7.37 The proposal would provide 35% affordable housing on site, 34% of these dwellings would be utilised for social rent and 66% intermediate ownership. This would ensure that the development provides a mix of housing, providing a wide choice of homes and a varied community in line with the requirements of national and local planning policy.

7.38 In addition various highway improvements would be secured through a legal agreement including a pedestrian crossing on Banbury Lane and a bus shelter. Various works are also to be secured by the Highway Authority through powers under the Highway Act.

7.39 The development will also make a payment and provide opportunities for the provision of construction worker training, which would be secured by the legal agreement in accordance with adopted policy.

7.40 A contribution towards Whitefield's Surgery would also be secured.

7.41 The County Council have requested contributions towards primary and secondary education provision, and have justified these requests by indicating that the schools which would serve the proposed development are operating at, or close to, capacity. However following an independent assessment of the financial viability of the scheme it is apparent that there is unfortunately insufficient value in the development to provide the necessary education funding and 35% affordable housing. On balance it is considered that there is a greater need for the affordable housing provision and that this should therefore take precedence.

7.42 The County Council have also requested a payment for the provision of the fire services and libraries. There is no adopted development plan policy support for these requests and it is not clear what facilities the obligations would be directed too. It is therefore considered that this request cannot be supported. The County Council have also requested that a fire hydrant is provided. This is a matter that would be addressed under the relevant building regulations and therefore does not need to be replicated as part of the planning process.

7.43 The financial viability of the scheme also does not allow for a contribution towards public open space, it is however considered that as the site is opposite Upton Country Park, ample provision in term so public open space is available to future residents of the development. In addition accessibility to Upton Country Park would be improved by the delivery of a crossing on Banbury lane, which the proposed development will provide.

7.44 Hunsbury Meadows Parish Council requested the development provide a community facility in the form of a Community Hall. The proposed development would deliver up to 34 dwellings; it is considered that the proposal is too small to reasonably deliver a community hall. The development will however provide other enhancements to the wider area in the form of affordable housing, worker training, healthcare and off-site highway improvements for the encouragement of sustainable travel.

8. CONCLUSION

- 8.1 The principle of residential development in this location is considered to be acceptable. Considerable weight must be given to the fact that Northampton Borough Council cannot currently demonstrate a deliverable five year housing land supply; the proposed scheme would make a contribution towards the Boroughs five year housing land supply. It is considered that the application site would be capable of delivering the quantum of development proposed while achieving adequate standards in terms of amenity distances, amenity space and parking. It has been demonstrated that the development would not be detrimental to the environmental quality of the development site or existing neighbouring development. The sustainability of the site would be enhanced through off site highway improvements. Appropriate mitigation would be secured through conditions and a legal agreement. For these reasons it is considered that the proposed development is sustainable and accordingly should be granted planning permission.

9. CONDITIONS

1. Approval of the details of the appearance, landscaping, layout and scale (“the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

4. The development hereby permitted shall be carried out in accordance with the following approved plans: A086200-1[B]01 (Site Location Plan); 001 Rev B (Proposed Highway Layout).

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

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

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

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

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition in order to allow submission of details in a timely manner.

7. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage on and off site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and completed fully in accordance with the approved details and the approved implementation programme and maintained thereafter.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition in order to ensure that these issues are adequately addressed in a timely manner.

8. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and completed fully in accordance with the approved details and maintained thereafter.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF. This is a pre-commencement condition in order to allow submission of details in a timely manner.

9. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 "Trees in Relation to Design, Demolition and Construction - Recommendations", have been submitted to, and approved in writing by, the Local Planning Authority. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made without the prior written consent of the Local Planning Authority.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with the NPPF. This is a pre-commencement condition in order to allow submission of details in a timely manner.

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

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition in order to allow submission of details in a timely manner.

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

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition in order to allow submission of details in a timely manner.

13. No construction/building works or deliveries shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturday or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of the amenity of adjacent properties in accordance with the NPPF.

14. Prior to the commencement of the development details of noise mitigation measures for individual plots, which includes details of glazing and ventilation specifications shall be submitted for approval in writing to the Local Planning Authority. The specifications shall include provision for additional ventilation and / or heat control that will allow the occupant to keep the windows closed, independent of the weather conditions, if they so wish. The approved details shall be implemented prior to the first occupation of the dwellings hereby approved and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the NPPF. This is a pre-commencement condition in order to allow submission of details in a timely manner.

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

Reason: In the interests of promoting more sustainable means of travel in accordance with the requirements of the NPPF. This is a pre-commencement condition in order to allow submission of details in a timely manner.

16. No development shall take place until full engineering drawings, to include drainage and ground levels and constructional details of the highway improvement works, consisting of the following works:

- A half on half off the carriageway lay-by on the south side of Upton Valley Way East.
- Lining works for two bus stops on Upton Valley Way East.
- Any associated footway works to link the bus stops to the existing highway infrastructure.

have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the works outlined and subsequently agreed in detail have been constructed on site and opened to traffic, subject to any changes arising from the appropriate technical and safety audit process.

Reason: In the interests of highway safety in accordance with the requirements of the NPPF. This is a pre-commencement condition in order to allow submission of details in a timely manner.

17. Each proposed dwelling hereby approved shall have a minimum of two parking spaces excluding garages. Each of the parking spaces shall have a minimum width of 2.5m and a minimum length of 5.0m.

Reason: In the interests of highway safety in accordance with the requirements of the NPPF.

18. The development hereby permitted by this planning permission shall be carried out in accordance with the recommendations set out in Section 6 of the Banbury Lane, Northampton Extended Phase I Survey Report June 2015 and the conclusions and recommendations set out in the Botanical Assessment Survey Results for Banbury Lane, Northampton (Dated 13th May 2015).

Reason: To conserve and enhance the ecological value of the site in accordance with the requirements of the NPPF.

19. Prior to the commencement of the development a scheme shall be submitted to and approved in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development. The approved details shall be implemented prior to the first occupation of the development and retained thereafter.

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

10. BACKGROUND PAPERS

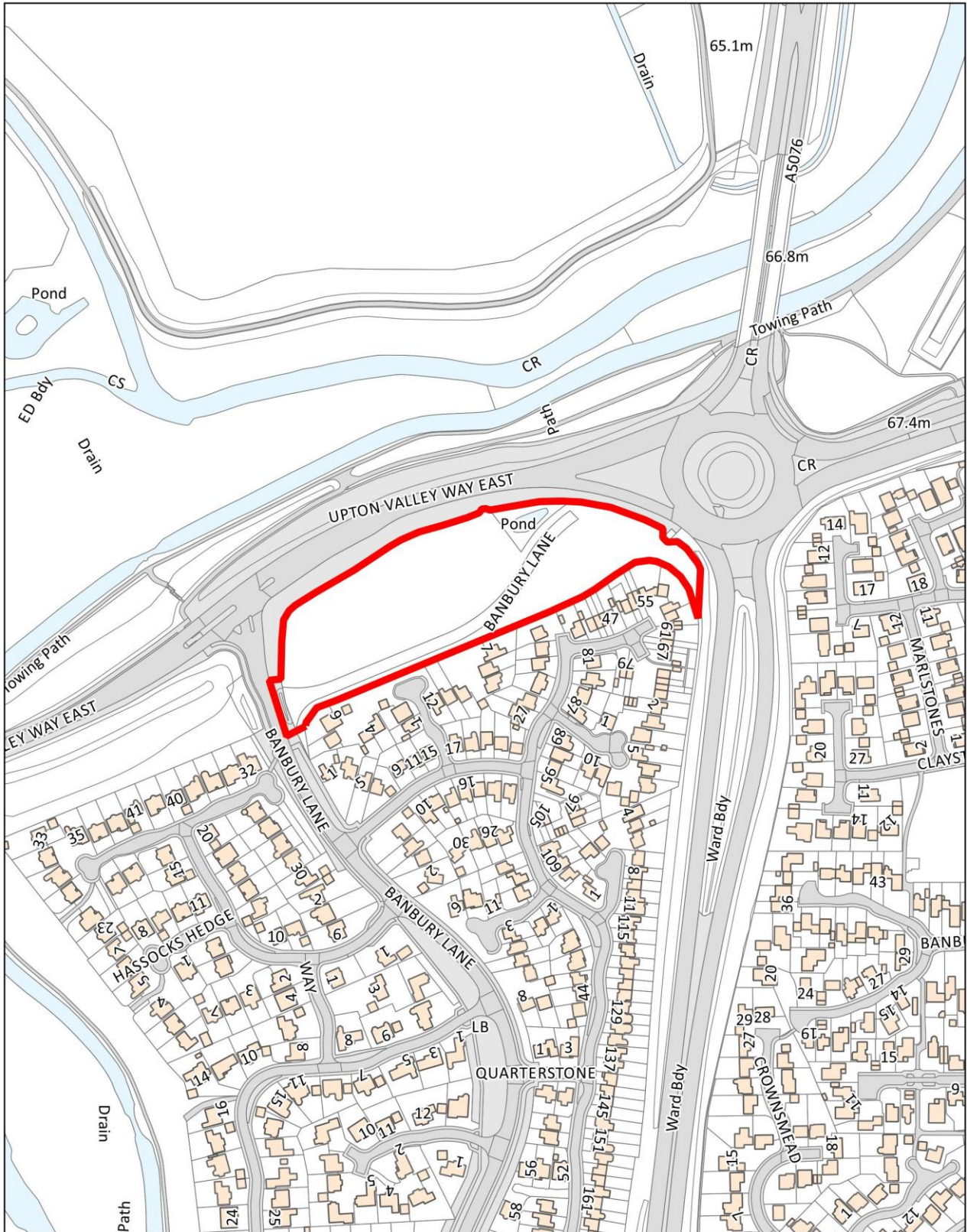
- 10.1 N/2015/0872.

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: **Land South of Upton Valley Way East and East of Banbury Lane**

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Date: 31-05-2016

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PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1228

LOCATION: 194 - 200 Kingsthorpe Grove

DESCRIPTION: Demolish former car showroom and erect building with retail (Use Class A1) on ground floor and 14no. flats including new access and ancillary development, and creation of residential car parking area

WARD: Trinity Ward

APPLICANT: Venulum Trinity Limited
AGENT: David Lock Associates

REFERRED BY: Councillor J Birch
REASON: Overdevelopment of the site

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to the following:

- (1) Prior finalisation of a S106 legal agreement to secure permanent retention of the parking area on the satellite site at Trinity Avenue to serve the proposed apartments;
- (2) Financial contribution towards construction training; and
- (3) Planning conditions below and for the following reason:

The proposed development would have no significant detrimental impact on the amenities of neighbouring occupiers, would be an appropriate development in the context of the site, producing a landmark feature which would not be out of keeping with the character and appearance of the area, and would represent an appropriate use for the site in respect of both the retail and residential elements of the proposal. The proposed development would therefore comply with Policies S2, S3, S9, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy, Policies H6, H17, H32, E20, E40 of the Northampton Local Plan and 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 proposal includes the demolition of the vacant former car showroom on the main part of the site at the corner of Kingsthorpe Grove and Stanhope Road and the erection of a two to four storey building, comprising 14 flats and a retail unit. Parking would be provided both on site and on a separate site off Trinity Avenue.
- 2.2 The residential accommodation comprises 14 flats, one on the ground floor and the remainder on the first to third floors, comprising 5 no. 1 bed and 9 no. 2 bed apartments. The ground floor retail unit would have a floorspace of 304m².
- 2.3 Parking would be provided adjacent to the proposed building for the retail unit (13 spaces with 1 disabled parking space) with access from Stanhope Road, with a further car parking area with 14 spaces to be provided on the separate site accessed from Trinity Avenue.
- 2.4 This application was previously on the agenda of the Planning Committee for 12th April 2016, with a recommendation for refusal. However, the application was withdrawn from that agenda to allow amendments to be made to the scheme.

3. SITE DESCRIPTION

- 3.1 The premises on Kingsthorpe Grove are now vacant, having previously been in use as a car dealership with associated vehicle workshop, whilst the Trinity Avenue site, which is also vacant, was used as a car storage area for this use. Apart from the nearby Romany Public House, its car wash and one retail unit (hairdresser), the area is generally residential in character, with the form of existing development comprising predominately two and three storeys traditional terraced properties but also featuring two storey flat roofed flats opposite the site. Across Kingsthorpe Grove is an area of open space forming part of the Kingsthorpe Golf Course and allotments.

4. PLANNING HISTORY

- 4.1 The only relevant planning history is application reference N/2007/1344 for the demolition of the existing buildings and erection of 19 apartments which was approved in principle by the Planning Committee in May 2008, but as the associated Section 106 agreement was never signed, the application was finally disposed of in 2013.

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:

The NPPF has a presumption in favour of sustainable development.

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 25 requires that a sequential test should be applied to applications for main town centre uses that are not in an existing centre. Such uses should be located in town centres and then edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

Paragraph 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

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

Paragraph 56 – good design is a key aspect of sustainable development and should contribute to making places better for people.

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

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

Policy S1 – The distribution of development - in assessing the suitability of sites for development priority will be given to making best use of previously developed land and vacant and under-used buildings in urban or other sustainable locations contributing to the achievement of a West Northamptonshire target of 30% of additional dwellings on previously developed land or through conversions.

Policy S2 – Hierarchy of Centres - The vitality and viability of centres must be maintained and enhanced commensurate with their role and function.

Policy S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings in the plan period 2011 to 2029.

Policy S9 – Distribution of Retail Development - proposals for new retail development which cannot be accommodated within the town centres will be subject to a sequential approach where first preference is given to well-connected edge of town centre sites, and then sites within district / local. Only if sequentially preferable sites are not suitable and available should out of centre sites be considered.

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations, be located where services and facilities can be easily reached by non-car modes; protect, conserve and enhance the built environment; minimise pollution from noise, air and run-off.

Policy H1: Housing Density and Mix and Type of Dwellings – new housing development will provide for a mix of house types, sizes and tenures having regard to the character of the area; accessibility to services and facilities and public transport; living conditions of future residents and impact on amenity of occupiers of neighbouring properties.

Policy H2: Affordable Housing – required to be provided at 35% on sites of 15 dwellings or more.

Policy BN9 - Planning For Pollution Control - proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities.

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 – the design of new development should adequately reflect the character of the surrounding area and be designed and located to ensure adequate standards of privacy, daylight and sunlight.

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 **Environmental Health** – No objections, conditions required regarding contaminated land, noise and refuse storage. No further comments on amended plans.
- 6.2 **Construction Futures** – Financial contribution and training weeks will be required.
- 6.3 **Surface Water Drainage** – *Initial comments:* Insufficient detail provided. *Response to revised plans:* The impacts of surface water drainage will be adequately addressed, subject to conditions requiring a surface water drainage scheme for the site and the maintenance of the scheme.
- 6.4 **Local Highway Authority** – *Initial comments:* Amendments required to car park access, access gradients and surfacing. *Comments on revised plans:* Happy with revised layout, conditions will be required for visibility splays, positive means of drainage and construction management plan.
- 6.5 **Police Crime Prevention** – Security measures required.
- 6.6 **Councillor Jane Birch** – Concerned over scale of development, parking, overshadowing of neighbouring properties, design of the building which is not in keeping with the area and the potential for anti-social behaviour.
- 6.7 *Comments on amended plans:* Acknowledge many objections have been addressed, however the design and mass of the proposed building, remains unacceptable to local residents. The corner remains four storeys high and as such is the only building of that height on the estate. The proposed shop is not needed. Signage and advertising will be a distraction. Customer footfall will cause disturbance to residents. Deliveries will cause unacceptable traffic congestion and noise. Strongly request that the applicant revisits the proposal, and a design which is more in keeping and acceptable to the residents of the area is developed.

- 6.8 **Councillor Sarah Uldall** - Concerned about traffic impact and scale and design of the building.
- 6.9 **Councillor Sally Beardsworth** - Concerned about the impact on the road network and the size and scale of the development.

Comments on revised plans: Revised plans not in keeping with the street scene and over-dominant. Building is forward of the established building line. Over-development of the site. Will impinge on residential amenity, will prevent any sunlight reaching the gardens. Customer car park will result in noise nuisance. Retail use is contrary to policy. Sequential test is inadequate. Principle of approving advertisement consent would be established. Will create more traffic and will be a potential distraction to drivers. Shop will not just cater for pedestrian shoppers and will contribute to road safety issues.

- 6.10 **Councillor Brain Hoare** (in correspondence with the Highway Authority copied to the LPA) – Concerned that the data used in the Transport Assessment was not representative. *A response to this was sent by the Highway Authority confirming that flaws in the data had been taken into account in their response.*

- 6.11 **Queen’s Park Residents Association** – Object to this application and the revised plans. The design and appearance still represent poor quality and an incongruous feature in a prominent position. The minimal alterations made not change this position. Little local support for the retail outlet and the shop front will be a distraction to drivers. The deed of covenant restricting the height of buildings seems to have been ignored and there are many reasons for objection to this from residents, especially those whose privacy will be infringed. There are many other reasons for objection to this development in its current form which have been listed by others. There is support for the development of this site to provide the need for more housing in this area but developers need to take account of the views of residents who actually live in the area.

- 6.12 79 representations received from the occupiers of adjacent and nearby premises in response to the original and revised plans, together with a 77 signature petition, as well as a representation from **Michael Ellis MP**, making the following points in summary:

- Would increase traffic and reduce available parking.
- Parking is not adequate.
- Remote parking area would not be used, should be on site.
- Delivery bay would reduce parking.
- Would increase air pollution.
- No need for a further shop.
- Retail use would increase anti-social behaviour, noise and disturbance and litter.
- Parking for shop would cause disturbance to neighbours. There was previously no parking adjacent to neighbours and no disturbance.
- Retail assessment not correct, there is a local facility within 400m. Facilities within 800m should be taken into account as this is the standard for walkable developments.
- Building is too high and out of keeping with the area.
- Building is over-dominant and outside established building lines.
- Will overshadow and overlook neighbouring property.
- Agree building has fallen into disrepair, however should be redeveloped in a more sympathetic style.
- Retail should be removed and residential parking provided on site.

7. APPRAISAL

Principle of Residential Use

- 7.1 The NPPF has a presumption in favour of sustainable residential development and encourages the use of brownfield sites and the re-use of commercial buildings for residential use, where there is an identified need for additional housing in the area and no strong economic reasons as to why development would be inappropriate.
- 7.2 The application site is allocated as being within a Primarily Residential Area in the Local Plan and is within an area which consists primarily of residential accommodation, within which the former use represented a non-conforming commercial use, as a car showroom and vehicle repair workshop.
- 7.3 The proposal would remove this non-conforming use, and would replace it with residential and retail development. The residential element of the use is considered to be acceptable in principle given the policy allocation. Furthermore, the site is considered to be in a sustainable location with good access to public transport and local facilities. The development of the site for residential use would contribute towards the Council's 5-year housing supply and enable the re-development of what has now become a semi-derelict building and would enhance the area. As the proposal is for 14 dwellings, there would not be a requirement for the provision of affordable housing.

Principle of Retail Use

- 7.4 The proposal also includes a retail element, with 304m² of retail floorspace proposed to be provided. This is stated as being intended as a shop to serve local needs.
- 7.5 In order to consider the acceptability of this in respect of adopted Policy, reference must be made to Policies S2 and S9 of the West Northamptonshire Joint Core Strategy (JCS).
- 7.6 Policy S2 sets out the hierarchy of centres, with Northampton town centre identified as the Regional Town Centre and therefore taking precedence, followed by District Centres at Weston Favell and Kingsthorpe, then followed by Local Centres, the nearest of these to the site being at Kettering Road (Kingsley).
- 7.7 Policy S9 of the JCS deals with the distribution of retail development in respect of the hierarchy identified by Policy S2, stating that new retail development should be located within the town centre and if that is not possible, within district or local centres and that only if sequentially preferable sites are not suitable and available should out of centre sites be considered.
- 7.8 A sequential analysis was produced on behalf of the applicants, which considered the availability of alternative premises and ultimately concluded that there were no sequentially preferable premises available, based on a number of criteria. It is considered that this represents a sound analysis.
- 7.9 However, notwithstanding the results of this sequential test, in this case the proposal is for a shop intended to serve local needs. The sites identified in the sequential test are at least 1.2km from the site, with most being significantly further away. Therefore the requirement for a local shop to serve the area around the application site would not be met by these sites.
- 7.10 On this basis, it is considered that the provision of a retail unit in this location to serve local needs would comply with Policies S2 and S9 of the JCS.
- 7.11 The need for the unit has been called into question by some of the objectors to the application, and in this respect it can be noted that there is an existing convenience store within a designated local centre in the Local Plan, just over 400m away from the site on corner of Cecil Road/Balmoral Road. However, the presence of this unit does not rule out a second unit, which would provide more choice. In any event the need or otherwise for the unit is not a planning

consideration, this would be a commercial decision and it is only necessary to demonstrate that there is not a sequentially preferable site.

- 7.12 Due to the small size of the unit i.e. well under the threshold 1,000 square metres, a retail impact assessment is not required to be carried out and it can be concluded that no undue detrimental impact on other centres would be likely to occur.

Impact on the street scene and the character and appearance of the area

- 7.13 In respect of the existing street scene and character of the area, the existing car showroom building on the site is single storey, although at its highest, it is almost as high as a two storey house. This existing building is of a functional design and is not considered to be in keeping with the wider character of the area. Neighbouring properties along Stanhope Road and Kingsthorpe Grove are generally two storeys in height, the exception to this being two three storey buildings on Stanhope Road.
- 7.14 On the opposite side of Stanhope Road to the site are a number of flats in two, two storey blocks, dating from the 1970s. Whilst now somewhat dated, these are a feature of the area.
- 7.15 The other notable feature of the area is the Romany public house, a prominent building on the opposite corner site and which differs in design from anything else in the vicinity.
- 7.16 The building as proposed for the application site was the result of pre-application discussions with the intention of providing a landmark feature for the site. The design has nevertheless subsequently been amended in response to concerns raised. The main alterations proposed in the amended plans have been a reduction in the height of the building, in particular adjacent to the neighbouring property at 192 Kingsthorpe Grove, the removal of a "colonnade" feature to the front of the retail unit, whereby the frontage of the shop unit was set back from the edge of the building, and the removal of an external staircase on the front elevation of the building fronting Kingsthorpe Grove, leading to the first floor of the building.
- 7.17 The building now proposed would step up in height from the adjacent two storey buildings on either side, from two to four storeys in height, starting at two storeys high adjacent to 192 Kingsthorpe Grove. The building would step up to three storeys in the next part of the building which features front dormers. This step up in height continues to the four storey element at the corner of the site, which further increases in height due to a parapet feature on the corner, although this is still below the previously proposed height. The building then steps down again along Stanhope Road, with the parapet feature ending and the building then having three storeys with a flat roof and then a pitched roof. This part of the building is then separated from the neighbouring property at 129 Kettering Road by a distance of 25m, meaning that a further step down to two storeys is not necessary.
- 7.18 The two and three storey elements of the building would have pitched roofs and the four storey element would be flat roofed.
- 7.19 In place of the previously proposed colonnade feature, the shop front would now be level with the front of the building, whilst in place of the external staircase the building has been given a more "active frontage", with the inclusion of ground floor flat windows, and also tax windows to the otherwise blank wall of the retail unit.
- 7.20 With both the original and revised design, the intention is to make more of a positive visual impact on this prominent corner position in comparison to the current building, taking into account of the sloping nature of the site.

- 7.21 Overall, it is considered that this design approach would result in a much more appropriate building for this location as compared with the existing building, and that the increase in height to three and four storeys would provide a landmark feature on this prominent site. Whilst the design of the building does differ from the largely Victorian architecture of the area, it is considered that some variation in the street scene, rather than attempting to mimic the past, will enhance the character of the area.

Impact on the amenities of adjoining and nearby occupiers

- 7.22 The two storey element of the proposed building would not project beyond the rear of the immediate neighbour at 192 Kingsthorpe Grove at ground floor level, and by only 0.6m at the first floor, meaning there would be no detrimental overshadowing impact from this nearest part of the building. Whilst other parts of the building would project further beyond the rear wall of this neighbour, there would be a separation distance of at least 7 metres. This distance would be increased by the distance of intervening gardens, in respect of the neighbours beyond no. 192. The other immediate neighbour at 129 Stanhope Road would be separated from the building by a distance of 25m. It is therefore not considered that the impact in terms of overbearing and overshadowing would be unacceptable.
- 7.23 Furthermore, a shadow analysis has been produced by applicants. This shows that shadows would not fall onto neighbouring properties from direct sunlight creating unacceptable impact. This analysis was conducted as of the 22nd September in line with guidance which states that this is the time of the year when the longest shadows are cast.
- 7.24 In respect of overlooking, the building has been designed with most of the windows to habitable rooms being on the front of the building, with only three bedrooms on each of the first and second floors having rear facing windows. These would not face directly towards any neighbouring properties and only two bedrooms overall would have windows which would allow partial overlooking of the garden areas of some of the nearest neighbours, but these would be at an oblique angle and would be similar to the relationship which generally exists between neighbouring properties. It is considered that such a relationship is acceptable.
- 7.25 A roof terrace was originally shown on the revised plans, at third floor level. However following concerns being raised as to the impact of this on neighbouring occupiers as a result of overlooking, the terrace has been deleted from the plans.
- 7.26 In respect of the potential impact of the retail use on neighbouring occupiers, the amendment to the retail unit comprising the removal of the “colonnade” feature would significantly reduce the potential for anti-social behaviour from persons congregating outside the premises. Regarding the potential impact from parking for the retail unit adjacent to residential gardens, Environmental Health officers have been consulted on this specific point and confirm that this would not be a concern, subject to a condition limiting the opening hours and delivery times of the shop premises.

Parking and Highway Issues

- 7.27 Parking for the retail unit would be provided on the same site as the flats, in the form of 13 spaces including one disabled space, with a further 14 spaces provided for the residential element on a separate site on Trinity Avenue.
- 7.28 The provision of 14 residential parking spaces represents one space per dwelling. Whilst some of the flats have two bedrooms and therefore occupants would potentially have more than one car, the site is within what could be considered a reasonably sustainable location, being served by public transport and within walking distance of some local facilities, which would include the

proposed retail unit. On this basis occupants of the flats would not necessarily need to have cars and it is considered, therefore, that level of parking proposed is acceptable.

- 7.29 As this area of parking would be detached from the site of the flats, it is necessary to ensure that it remains available for parking for so long as the flats remain in use. As this is a separate piece of land this could not be secured by means of a planning condition. It is therefore recommended that the application should be subject to a legal agreement, requiring that this site continues to be made available for parking.
- 7.30 In terms of the servicing and parking arrangements for the retail unit, 12 spaces and one disabled space would be provided adjacent to the flats. A dedicated delivery bay was also proposed to be provided on the road, but this was removed from the plans at the request of the Local Highway Authority, who did not consider this to be necessary. It is considered, following amendments, that the access is acceptable and this is confirmed by the response received from the Local Highway Authority. The provision of parking spaces for the proposed retail unit complies with the maximum provision as set out in the current adopted parking standards and the Local Highway Authority is satisfied with the level of parking proposed.
- 7.31 Concerns have been raised by some objectors that the residential parking may not be used by future residents, due to the inconvenience of having to walk to and from a second location, and due to fears of security and remoteness of the car park. However, the parking is approximately 100m away from the flats, which would represent a walking time of less than one and a half minutes. Given the congested nature of parking in the area, it is considered that many of the future residents of the development would be likely to use the proposed parking spaces rather than risk trying to find a space on the street.
- 7.32 As regards security, comments from the Police Crime Design Adviser indicate the need for security measures to be incorporated into the satellite parking area, as well the development overall, and a condition requiring details of security measures including lighting is proposed. A further condition would require details of boundary treatments to both the main site and the satellite parking area.
- 7.33 Reference has been made in objections to signage for the shop being distracting to passing motorists. Whilst this may be a legitimate concern and advertisements to the shop unit would require a further application for advertisement consent, this matter would be considered in the course of such an application.

Other Matters

- 7.34 The retail unit would be located below the residential element of the scheme, and concerns have been raised by Environmental Health Officers that the flats may be affected by noise. A condition is proposed which would require details of appropriate sound mitigation. As referred to above conditions are proposed which would limit the opening hours and delivery times of the shop premises.
- 7.35 In respect of other matters raised by objectors, reference has been made to a deed of covenant which would prevent the construction of a four storey building. Whilst this may be the case, this does not represent a material planning consideration but would be a separate legal matter, which may nevertheless prevent the development taking place, if invoked.
- 7.36 In respect of matters raised in consultations, a consultation response has been received from Construction Futures, requesting training weeks and a financial contribution. This will be secured by the S106 agreement.

8. CONCLUSION

- 8.1 In considering this application, there is a balance to be struck between the concerns of neighbouring residents and the need to secure appropriate development of the site.
- 8.2 The proposed development would bring about the regeneration of a prominent disused and now semi-derelict site/building of a poor quality of design. The replacement building has been designed with the aim of making a positive visual impact on the character of the area and rather than being out of character, it is considered that the proposal would result in a landmark feature which would enhance the area.
- 8.3 The retail element of the proposal is considered to be acceptable as it has been demonstrated that there are no sequentially preferable locations for this. The proposed convenience store would also have the benefit of enhancing local facilities, whilst being of a small enough scale to not have an impact on existing centres.
- 8.4 The proposal overall would have no undue adverse impact on the amenities of existing neighbouring residents and would be acceptable in respect of the impact on the highway network and the level of parking provided.
- 8.5 The 14 dwellings proposed would make a positive contribution to the Council's 5-year housing 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: VTL001-002, 997 - 001B, 997 – 002H, 997 – 003F, 997 – 004C, 997 – 010H, 997 – 011G, 997 – 012E.

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 Policies E20 and H6 of the Northampton Local Plan.

(4) Notwithstanding the submitted plans, details of visibility splays for the access entrance to the proposed Trinity Avenue car park shall be first submitted to and approved in writing by the Local Planning Authority. The visibility splays shall be provided in accordance with the approved details prior to the car park on Trinity Avenue being brought into use and retained thereafter.

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

(5) Prior to the commencement of any part of the development, a Construction Environmental Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Construction Environmental Management Plan shall include and specify the provision to be made for the following:

- Dust mitigation measures during the construction period;
- Control of noise emanating from the site during the construction period;
- Hours of construction work for the development;
- Arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways;
- Routing agreement for construction traffic
- Details of any temporary site construction access; and
- Loading and unloading arrangements for any large vehicles.

The construction of the development shall be carried out in accordance with the approved Construction Environmental Management Plan unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining premises and to minimise the impact on the highway network, in accordance with the National Planning Policy Framework. This is a pre-commencement condition as it is essential that the plan is agreed prior to construction commencing.

(6) Full details of the security measures including lighting to be incorporated into the development including the car park on Trinity Avenue shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures, which shall be in place before the commencement of the commercial use and the occupation of the residential accommodation.

Reason: To ensure a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(7) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1in100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 13 (q) of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site. This is a pre-commencement condition as it is essential that the surface water drainage strategy is agreed in advance of construction work.

(8) Prior to the occupation of the building for the uses hereby approved, a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Reason: To ensure the future maintenance of drainage systems associated with the development in accordance with the NPPF.

(9) No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval. Any site investigation found to be required under shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval. All remedial works found to be required shall be fully implemented in accordance with the approved method

statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase). In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that any contaminants are identified early.

(10) Prior to development commencing, the applicant shall submit to the Local Planning Authority an assessment of the noise exposure of each habitable room due to transportation noise and noise from any external plant from the proposed retail unit. This must take into account, the likely growth of traffic over the next 15 years. Noise levels shall be assessed in line with the standards set out in Table 1 of Northampton Borough Council's Planning Practice Guidance for noise sensitive developments affected by noise from transport sources

Where noise levels in any habitable room may exceed:

- Indoor habitable areas – LAeq,16H 35 dB window open, during the daytime period (07:00 – 23:00)
- Bedrooms – LAeq,8H 30 dB and LAMAX 45 dB (for 2+ events per hour) window open, during the night time period (23:00 – 07:00)

Or where the assessment identifies that whole or part of the development will fall within the LOAEL or SOAEL category, a scheme to protect any affected habitable rooms/bedrooms shall be submitted to the Local Planning Authority for written approval. For habitable rooms/bedrooms this will require the provision of a ventilation or heat control system that enables the windows to be kept closed in warm weather. The approved scheme shall be implemented prior to the properties being occupied and retained thereafter.

Reason: In order to safeguard the amenities of future occupiers in accordance with Policy S20 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that these details are agreed before construction can commence.

(11) Before the development hereby permitted commences, a scheme shall be agreed with the Planning Authority that specifies the external sources of noise on the site and the provisions to be made for its control (*this might include air conditioning units and extract fans*). The scheme agreed shall be implemented prior to the development coming into use and shall be retained thereafter and the applicant shall demonstrate that the scheme agreed has achieved its design criteria.

Reason: In order to safeguard the amenities of adjoining/nearby occupiers and in accordance with Policy S20 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that these details are agreed before construction can commence.

(12) Before the development hereby permitted commences, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted to the Local Planning Authority for approval. The scheme agreed shall be implemented prior to the development coming into use and shall be retained thereafter.

Reason: In order to safeguard the amenities of adjoining/nearby occupiers, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition as it is essential that these details are agreed before construction can commence.

(13) The retail unit on the ground floor of the development hereby approved shall not remain open to the public between the hours of 10pm and 8am on any day.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(14) Deliveries to or collection from the retail premises shall not take place before 08:00 or after 20:00 on Mondays to Saturdays or at any time on Sundays or Bank Holidays.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(15) Full details of the method of the treatment of the external boundaries of the site, including the boundary of the satellite parking area on Trinity Avenue, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

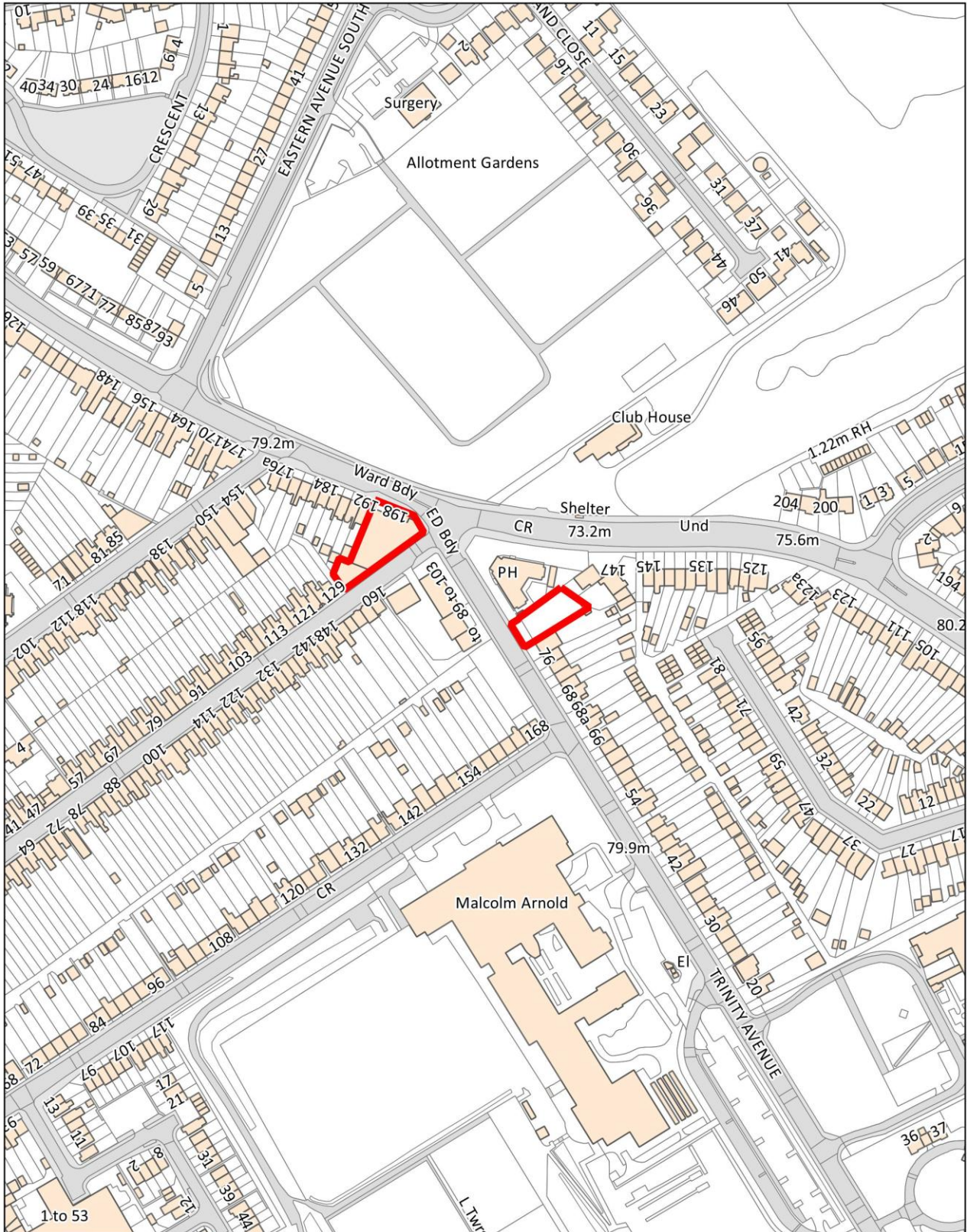
10.1 N/2015/1228.


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 194-200 Kingsthorpe Grove</p>	<p>Date: 31-05-2016</p>
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PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1249

LOCATION: Ecton Brook Playing Fields, Great Billing Way

DESCRIPTION: Erection of 64no dwellings comprising 1-bed flats, 2-bed and 3-bed houses and associated access roads.

WARD: Billing Ward

APPLICANT: Westleigh Partnerships Limited
AGENT: Westleigh Partnerships Limited

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

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

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

- i) 35% of the development to be used for affordable housing;
- ii) A financial payment to fund the provision of primary and secondary school education within the vicinity of the site;
- iii) The provision of on-site construction training and a financial contribution to cover the cost of training monitoring;
- iv) A contribution towards the provision of play equipment in the park neighbouring the development; and
- v) The Council's monitoring fee.

1.1.2 The conditions as set out below and for the following reason:

The principal of residential development has been established by the previous outline permission on this site and the detailed design and layout now proposed is considered to be acceptable, and would provide an acceptable living environment for future residents subject to the proposed conditions. The proposal would have no detrimental impact on the wider highway network or the amenities of neighbouring and nearby occupiers including the adjacent school. The proposed development would therefore be in accordance with Policies Policy H1, H2m S3, S10, and BN2 of

the West Northamptonshire Joint Core Strategy and Policies E20, H17 and H32 of the Northampton Local Plan and the National Planning Policy Framework.

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

2. THE PROPOSAL

- 2.1 The proposal is for full planning permission for the erection of 64 dwellings, these comprising 4 x 1-bed flats, 32 x 2-bed and 28 x 3-bed houses. The proposed houses and flats would be two storeys in height, with the houses either being semi-detached or terraces of three. The proposed buildings would be of conventional design and appearance, with pitched roof and brick construction.

3. SITE DESCRIPTION

- 3.1 The site comprises a part of the former playing fields of Ecton Brook School, which has now been subdivided from the school as it is surplus to requirement. The site is generally flat other than a small area in the centre of the site which slopes downwards. The site fronts onto Ecton Brook Road and would share its access with that of the school. To one side of the site is a remaining part of the school playing fields, whilst to the other side is an area of public open space. To the rear of the site is the A45 trunk road. The surrounding area is characterised by housing of broadly conventional design.

4. PLANNING HISTORY

- 4.1 Outline application 06/0074/OUTWNN for residential development of up to 54 dwellings of the site was approved by the West Northamptonshire Development Corporation in December 2008. This application was subsequently renewed under application N/2011/1265, which was approved in March 2014. This permission therefore remains extant but would require the submission of reserved matters applications.
- 4.2 An application N/2012/1290 to alter the access arrangements to the school and to enable access to the site of the current application was approved on February 15th 2013 and the works have been completed.

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:

The NPPF has a presumption in favour of sustainable development.

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 29 advises that the long term protection of employment sites should be avoided where there is no reasonable prospect of the site being used for that purpose.

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 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

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

Paragraph 56 states that good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 205 sets out that where obligations are being sought Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled

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 S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings in the plan period 2011 to 2029.

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations, be located where services and facilities can be easily reached by non-car modes; protect, conserve and enhance the built environment; minimise pollution from noise, air and run-off.

Policy H1: Housing Density and Mix and Type of Dwellings – new housing development will provide for a mix of house types, sizes and tenures having regard to the character of the area; accessibility to services and facilities and public transport; living conditions of future residents and impact on amenity of occupiers of neighbouring properties.

Policy H2: Affordable Housing – required to be provided at 35% on sites of 15 dwellings or more.

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 that states that developments should be of a satisfactory standard of design; Policy H17 requires the provision of a suitable level of housing for people with disabilities; and Policy H32, which necessitates the provision of some affordable housing.

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 **Construction Futures** - request the provision of on site construction training and a contribution to the cost of monitoring the training.
- 6.2 **Local Highway Authority** - Initial comments raised a number of technical issues which have now been resolved.
- 6.3 **County Archaeologist** - Will have an impact on archaeological deposits, this can be addressed by a suitable condition.
- 6.4 **Northamptonshire County Council** - Request contributions for education, fire and rescue, libraries and broadband.
- 6.5 **Environmental Health** - request conditions for site investigation, noise from road traffic and construction management plan.
- 6.6 **Police Crime Prevention Design Adviser** - recommends security measures.
- 6.7 **Sport England** - No objection.
- 6.8 **Highways England** - No objection subject to a condition preventing any part of the acoustic fence or its foundations encroaching within the trunk road boundary.
- 6.9 **Anglian Water** - Capacity is available for wastewater treatment and foul sewerage. Surface water drainage should be agreed with the Lead Local Flood Authority.
- 6.10 **NHS England** - A contribution towards healthcare will not be required in this instance.
- 6.11 **Customers and Communities** - A contribution will be required towards the cost of play equipment in the neighbouring park.
- 6.12 **Environment Agency** - Confirm that consultation is not required, this would be dealt with by the Lead Local Flood Authority.
- 6.13 **Lead Local Flood Authority** - Confirm that the impacts of surface water drainage have been adequately addressed.
- 6.14 **Billing Parish Council** - No objection to the application in principle but must consider the overall impact of the development. There could be additional traffic movements of up to 100 vehicles all sharing an access which will also have the main gates to the school. Traffic movements onto and off of the proposed development are likely to add additional traffic flow to the junction of Ecton

Brook Road with Great Billing Way. Contributions for engineering works to redesign dangerous junctions could be made by the developers.

6.15 Representations have been received from the occupier of one nearby residential premises and from the including the adjacent primary school, making the following points in summary:

- Moved to this area as it is quiet, concerned that the development would lead to noise and disturbance from younger residents.
- Will lead to congestion around the school gates, which will be dangerous to pupils and parents.

7. APPRAISAL

Principle of Residential Development

7.1 Given that an outline application for residential development on this site has previously been approved and still extant, it is considered that the principle of residential development is acceptable and well established. Additionally, the development would contribute towards the Council's five year housing land supply.

7.2 The former school playing fields were surplus to requirement following reorganisation of schools in 2007. The site was fenced for some years and the loss of the playing fields is considered acceptable and there is no objection from Sports England.

Highways and Access

7.3 The site is proposed to be accessed from Ecton Brook Road, from which the existing school site is currently accessed. This access was approved in 2013 and was designed with the intention of allowing access to this site.

7.4 Comments from the Local Highway Authority raise no concerns as to this access. In respect of the layout of the roads within the site, some minor alterations have been made following comments from the LHA and this is now considered to be acceptable.

7.5 The LHA did initially express concern as to the level of parking on this site. Amended plans have therefore been produced which reduce the number of units proposed from the original 66 to 64, resulting in all of the 3 bedroom properties and all but 3 of the 2 bedroom properties having two parking spaces, and the one bedroom flats each having one space. The final comment on this amendment is still awaited and will be reported to the Committee via the addendum.

Design and Layout

7.6 The scheme is laid out essentially along a spine road through the site. There is only one entrance to the site and turning heads are provided at the ends of the road.

7.7 The site layout has been constrained by an existing easement across the site which means that where the site backs onto the A45 trunk road, which is a significant source of noise, houses have had to be placed closer to this than would have been preferred. In order to address this impact, acoustic fencing has been proposed to the rear of the gardens backing onto this trunk road. It is considered that subject to compliance with the proposed conditions, this would satisfactorily ameliorate this impact. This is supported by Environmental Health.

7.8 Two areas of public open space are proposed to be provided on site, which would be overlooked by several of the houses. Play equipment is not proposed for these areas due to their size,

however, a contribution has been requested which would go towards play equipment to be provided in the nearby park.

- 7.9 The proposed house types are a variety of terraced and semi-detached, all two storey and of a broadly traditional design, with pitched roof and brick construction. The proposed flats are also of a similar appearance. It is considered that this is appropriate. Whilst the area around the site features a variety of housing types and styles, this site would be in keeping with the general area.

Affordable Housing

- 7.10 The application indicates affordable housing proposed at over 35% of the total stock on the site. This would be secured by the Section 106 agreement.

Impact on Surrounding Residents and the Local Area

- 7.11 The site is generally remote from any neighbouring residential occupiers, other than existing houses across Ecton Brook Road, which back onto the site, and houses in the nearby Pennycress Place which are separated from the site by open space. It is not considered, therefore, that existing neighbours would be affected by the proposal.
- 7.12 In terms of wider impacts, these would largely be as a result of increased vehicle movements into and out of the site. The site is well connected to the highway network and it is not considered that such movements would have a significant detrimental impact on existing occupiers in the area.

Ecology

- 7.13 The site was previously in use as a school playing field but unused for some time. Accordingly, the applicant has undertaken a full ecological assessment. This concludes that the site is not of significance for most species but that standard mitigation measures for nesting birds and bats would be appropriate. A condition is proposed requiring that the appropriate measures are put in place.

Archaeology

- 7.14 There is some potential for items of archaeological interest to be found during the development process. Accordingly, a condition requiring the further investigation of matters of archaeological interest is appropriate and in line with the specialist advice that the Council has received on this matter.

Drainage

- 7.15 Following amendments, the Lead Local Flood Authority have confirmed that the matters relating to surface water drainage have been addressed to their satisfaction.

Section 106 Contributions

- 7.16 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.

- 7.17 35% of the development would be utilised for the provision of affordable housing.
- 7.18 The County Council has also requested a financial payment towards the provision of primary school education within the vicinity, which will be included in the legal agreement. Comments from the County Council also request financial contributions for fire and rescue, libraries and broadband. There is no policy basis for such payments and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122. Such contributions are not therefore proposed to be requested.
- 7.19 The development will also make a payment and provide opportunities for the provision of construction worker training, which would be secured by the legal agreement in accordance with adopted policy.
- 7.20 The NBC Customers and Communities department have indicated that they will require a contribution towards the cost of play equipment in the neighbouring park. This contribution is considered to be necessary as the development will lead to additional requirement for play equipment in the area as it includes family housing.
- 7.21 Comments from the NHS indicate they will not require a contribution towards healthcare in this case.

8. CONCLUSION

- 8.1 The principle of residential development has been established by the previous outline permission on this site and the detailed design and layout now proposed is considered to be acceptable in terms of its layout and the provision of on-site parking, and would provide an acceptable living environment for future residents subject to the proposed conditions.
- 8.2 The proposal would have no detrimental impact on the wider highway network or the amenities of neighbouring and nearby occupiers including the adjacent school.

9. CONDITIONS

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

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

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

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

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

(5) 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 BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as all retained trees will need to be identified prior to development works.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

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

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

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

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that details are agreed prior to construction work commencing.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

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

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

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

Reason: In order to safeguard the amenities of future occupiers in accordance with the NPPF. This is a pre-commencement condition as it is essential that these measures are agreed before the commencement of development.

(12) The conclusions of the Acute Acoustic report dated 6/11/15 shall be implemented to the satisfaction of the Local Planning Authority, prior to the development coming into use, and the applicant shall demonstrate that the scheme(s) agreed has achieved its design criteria. Written confirmation of the measures installed shall be provided. The measures agreed and implemented shall be retained thereafter.

Reason: In order to safeguard the amenities of future occupiers in accordance with the NPPF.

(13) Prior to the commencement of development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with approved CEMP, which shall include:

- i. The control of noise and dust during the development process;
- ii. Traffic management and signage during construction;
- iii. Phasing;
- iv. Provision for all site operatives, visitors and construction vehicles
- v. loading, parking and turning within the site during the construction period;
- vi. Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- vii. The safe means of access of construction traffic to the site;
- viii. Routing agreement for construction traffic; and
- ix. Hours of operation of building works

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

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

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

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

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that levels are agreed before construction commences.

(16) No part of the proposed acoustic fence or its foundations may encroach within the trunk road boundary.

Reason: To ensure that the A45 trunk Road continues to serve its purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road in the interests of safety. In accordance with the National Planning Policy Framework.

(17) Prior to the commencement of any work a strategy, which provides full details of measures for mitigation of the ecological impacts of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

Reason: In the interests of wildlife and nature conservation and promote biodiversity and in accordance with objectives of the NPPF.

(18) Full details of the security measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures, which shall be in place before the commencement of the commercial use and the occupation of the residential accommodation.

Reason: To ensure a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

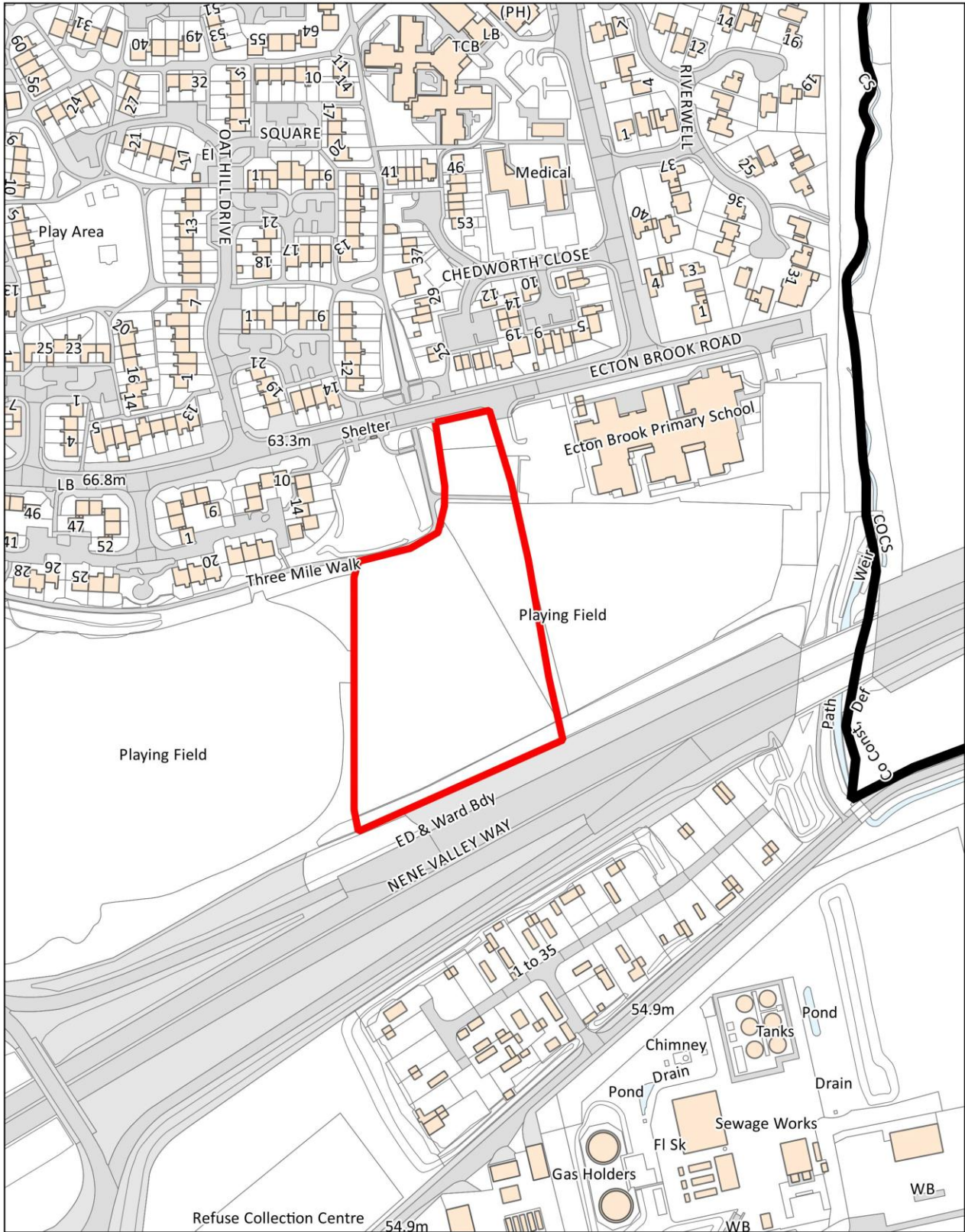
10.1 Application File N/2015/1249.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Ecton Brook Playing Fields</p>	<p>Date: 02-06-2016</p>
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		<p>Drawn by: -----</p>



PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0015

LOCATION: Site 7C, Edgar Mobbs Way

DESCRIPTION: Outline application (all matters reserved except access) for removal, levelling and remodelling of the earth mound and development of the site for business (Use Class B1), general industrial (Use Class B2) and storage and distribution (Use Class B8)

WARD: St James Ward

APPLICANT: Coltham Management Services Limited
AGENT: DFC Architecture

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Requiring S106 agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

1.1.1 The prior completion of a Section 106 Legal Agreement to secure a financial payment to fund improvements to the A5076 Upton Way/Edgar Mobbs Way roundabout.

1.1.2 The Conditions contained within paragraph 9 below and for the following reason:

The development of the site as proposed is in accordance with the aims and objectives of the Council to promote and develop the Northamptonshire Waterside Enterprise Zone for business and commercial use and would contribute towards the provision of jobs in Northampton. Subject to the conditions and mitigation measures proposed the development would not lead to any unacceptable impacts on existing highway conditions, ecology, contamination or flood risk in accordance with the requirements of Policies SA, S7, S8, S10, C2, E1, BN2, BN7, BN8, BN9, INF1 & 2 of the West Northamptonshire Joint Core Strategy, Policies E18, E19, E20, B13, T4 & T12 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 Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to be able to grant

planning permission as above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account of the necessary mitigation measures have not been secure in order to make the proposal acceptable in line with requirements of Policy INF2 of the Wet Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application is in outline form (all matters reserved except access) for removal, levelling and remodelling of the earth mound and the development for business (Use Class B1), general industrial (Use Class B2) and storage and distribution (Use Class B8) of the eastern section of Site 7C, of an area of undeveloped land situated within the Northampton Waterside Enterprise Zone.
- 2.2 The existing earth mound on site which is indicated to measure approximately 2,500 sq. m in area and comprise of some 12,500 cubic metres in volume would be removed from site and distributed across the entire site.
- 2.3 The application has been amended to include access for consideration. Details of layout, appearance, scale and landscaping would be considered at reserved matters stage.
- 2.4 A full application for the development of the western section of Site 7C comprising the erection of a unit for general industrial (Use Class B2) and storage and distribution (Use Class B8) including a mezzanine floor for ancillary office accommodation (Use Class B1), a new sprinkler tank and pump house and associated car parking and service yard has been submitted for consideration and is reported as a separate item in this agenda.

3. SITE DESCRIPTION

- 3.1 The application site comprises of the eastern half of Site 7C, an area of undeveloped remediated land, predominantly covered by an extensive raised earth mound, located within the Northampton Waterside Enterprise Zone. The site has a gross site area of 0.99 ha. The west of the site is bound by the remainder of Site 7C, an area of undeveloped land. To the east and north of the site are industrial, commercial and warehouse units. Beyond the site to the west and to the north-west are large areas of public car parking. Two Local Wildlife Sites are within the vicinity of the site; Duston Gravel Pit Local Wildlife, located to the south beyond the River Nene, and Storton's Gravel Pits, located to the west beyond the car park. The eastern part of the site lies within Flood Zones 2 and 3 with Flood Zone 2 extending down across the southern boundary.

4. PLANNING HISTORY

- 4.1 N/2004/0930 – Provision of car, coach and disabled parking, construction of new service road and provision of associated development including foot/cycle ways, foot/cycle bridges and landscaping at Land West of Harvey Reeves Road, South of Ross Road and East of Storton's Pits. Approved 15.03.05.
- 4.2 N/2004/0496 – Southern development link road linking Upton Way and Harvey Reeves Road, Ross Road Spur Link and associated landscaping and infrastructure at Land North of River Nene and Storton's Pits. Approved 15.03.05.

5. PLANNING POLICY

- 5.1 **Statutory Duty**

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

5.2 National Policies

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

Paragraph 17 - advises on the need to proactively drive and support sustainable economic development; seek high quality design; encourage the effective use of land.

Paragraph 19 - places considerable weight on the need to support sustainable economic growth, operating to encourage and not act as an impediment to sustainable growth.

Paragraph 32 - all developments that generate significant amounts of movement should be supported by a Transport Statement. Account should be taken of opportunities for sustainable transport modes depending on nature and location; safe and suitable access; and improvements within the transport network that limit the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts are severe.

Paragraph 100 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 101 - the aim of a sequential test is to steer development to areas with lower probability of flooding. Development should not be allocated or permitted if there are reasonably alternative sites appropriate for the proposed development.

Paragraph 102 - if it is not possible for the development to be located in zones with a lower probability of flooding, the exception test should be applied which demonstrates that the development provides wider sustainability benefits to the community that outweigh flood risk and the development will be safe for its lifetime without increasing flood risk elsewhere.

Paragraph 103 - in determining planning applications Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding when informed by a Flood Risk Assessment

Paragraph 109 - advises that the planning system should seek to minimise impacts on biodiversity, providing net gains where possible.

Paragraph 120 - seeks to ensure development is appropriate for its location having regard to unacceptable risks from pollution and land instability.

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 SA: Presumption in Favour of Sustainable Development – the Council will take a positive approach in considering development proposals that reflect a presumption in favour of sustainable development. Applications that accord with the policies in the local and other relevant plans should be approved unless material considerations indicate otherwise.

Policy S7: Provision of Jobs – provision will be made for minimum net increase of 28,500 jobs in the period 2008-2029.

Policy S8: Distribution of Jobs – requires the majority of new job growth to be concentrated principally within the urban area of Northampton, including industrial/mixed/office development within the Northampton Waterside Enterprise Zone.

Policy S10: Sustainable Development Principles – seeks, amongst other things, to achieve high standards of sustainable design; protect, conserve and enhance the natural environment and built environment; and minimise pollution from noise, air and run off.

Policy C2: New Developments – new development, including employment, will be expected to achieve modal shift targets by maximising travel choice from non-car modes. Development will be required to mitigate its impacts on the highway network.

Policy E1: Existing Employment Area – existing and allocated employment sites will be retained for uses within Use Classes B1, B2 & B8.

Policy BN2: Biodiversity – development that has potential to harm sites of ecological importance will be subject to an ecological assessment.

Policy BN7: Flood Risk – all new development will need to demonstrate there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improved existing flood risk management.

Policy BN8: River Nene Strategic River Corridor – corridor will be enhanced and protected in recognition of its important contribution to the area's green infrastructure.

Policy BN9: Planning for Pollution Control – new development likely to result in exposure to sources of pollution will need to demonstrate provision of opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development.

Policy INF1: Approach to Infrastructure Delivery – new development will be supported by and provide good access to infrastructure. Where development generates a need for new infrastructure developers will need to demonstrate that provision will be made to meet the necessary requirements arising from that development.

INF2 – Contributions to Infrastructure Requirements – new development will only be permitted if the necessary on and off-site infrastructure required to support and mitigate its impact is already in place or there is a reliable mechanism to ensure it will be delivered.

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:

E18 – permission will not be granted for development which would have a significant adverse effect upon the nature conservation value of local nature reserves.

E19 – permission for residential, business or commercial development should only be granted where any adverse effect or impact is mitigated and where infrastructure services are in existence or can be provided.

B13 – permission for development of areas for business should ensure the necessary related infrastructure is present or will be secured.

T4 – major development should demonstrate required improvements to existing or proposed roads will be implemented by developers or other means.

T12 – permission for development requiring servicing by commercial vehicles should ensure adequate parking and manoeuvring.

5.5 **Supplementary Planning Documents**

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Environmental Health** – No objection subject to conditions in relation to the control of contamination and air quality management.
- 6.2 **NCC Highway Authority** – no objections, subject to conditions requiring details of a scheme to increase the length of the right turn lane into the site, the submission and approval of a Construction Management Plan for approval and S106 contributions towards improvement to the roundabout junction at Edgar Mobbs Way and Upton Way (A5076).
- 6.3 **NCC Ecologist** – no objection subject a condition requiring the development is carried out in accordance with recommendations of the Ecological Scoping Survey, subject to amendment to increase the otter buffer zone from 5m to 10m, and the submission of a Reptile Mitigation Strategy prior to development commencing.
- 6.4 **NCC Lead Local Flood Authority** – require further details to demonstrate the proposed drainage network has sufficient capacity and that the development would not increase flood risk elsewhere.
- 6.5 **Environment Agency** - no objection subject to the development being carried out in accordance with the details of the submitted Flood Risk Assessment dated December 2015 and finished floor levels being set no lower than 61.42m above Ordinance Datum (AOD).
- 6.6 **Anglian Water** – no objection.

7. **APPRAISAL**

Principle of development

- 7.1 The NPPF seeks to proactively drive and support sustainable economic development. The West Northamptonshire Joint Core Strategy (JCS) requires provision to be made for 28,500 jobs during the plan period, requiring the majority of growth to be located within the urban area of Northampton, encouraging industrial /mixed /office development within the Northampton Waterside Enterprise Zone.

- 7.2 The site lies within the Northampton Waterside Enterprise Zone and is being actively promoted by the Council for industrial development. The development of the site for industrial, storage and distribution and office use as proposed is in accordance with planning policy requirements and the Council's vision for the site, and would contribute towards the provision of jobs within Northampton. The principle of the development as proposed is therefore considered acceptable.
- 7.3 Detailed matters of layout, appearance, scale and landscaping would be considered at reserved matters stage.
- 7.3 The existing earth mound would be removed and the contents distributed across the site. Details of proposed levels would be required by condition to ensure levels are appropriate to the surrounding context.

Ecology

- 7.4 The NPPF seeks to ensure that impacts on biodiversity arising from proposed development is minimised, providing net gains where possible.
- 7.5 The site is an undeveloped area of remediated land located within close proximity of Duston Gravel Pit Local Wildlife Site, to the south of the site beyond the River Nene, and Storton's Gravel Pits Local Wildlife Site, situated to the west of the site beyond the western section of Site 7C and the public car park.
- 7.6 An Ecological Scoping Survey has been submitted with the application which assesses the impact of the proposed development on biodiversity sites. The County Ecologist has no objection to the development as proposed subject to a condition that the development is carried out in accordance with mitigation measures recommended in the submitted survey with amendments relating to otter fencing and the submission of a Reptile Mitigation Strategy prior to development commencing.

Flood Risk and Drainage

- 7.7 The NPPF seeks to ensure that proposals for new development are appropriately located away from areas with a high risk of flooding and to ensure that the development does not lead to an increase in flood risk elsewhere. Policy BN7 of the JCS requires that new development demonstrates there is no risk of flooding to existing properties and that the development is (or can be) safe, seeking to improve existing flood risk management.
- 7.8 The River Nene is situated to the south of the site with the eastern and southern sections of the site lying within Flood Zones 2 and 3 and the remainder within Flood Zone 1, an area with a low probability of flooding. The application is supported by a Flood Risk and Drainage Strategy.
- 7.9 The Environment Agency has no objection subject to the development being carried out in accordance with the details of the submitted Flood Risk Assessment and appropriate floor levels being provided.
- 7.10 The Lead Local Flood Authority require further details to demonstrate the proposed drainage network has sufficient capacity and that the development would not increase flood risk elsewhere. The applicants are in the process of submitting further drainage calculation details for referral to the Lead Local Flood Authority, whose comments will be reported to Committee in the Addendum to this agenda.

Highways

- 7.11 Access to the site would be via an existing access spur from Edgar Mobbs Way, with existing shared pedestrian and cycle paths located on either side of the road. The Highway Authority has advised that the existing right turn into the site is too short to accommodate a vehicle larger than a car. A condition is therefore proposed for the submission of a scheme to increase the length of this right hand turn into the site.
- 7.12 The NPPF advises that development should only be refused on transport grounds where the residual cumulative impacts are severe. Policies INF1 and INF2 of the JCS seek to ensure that appropriate provision is made for the necessary infrastructure arising from the impacts of development. Northamptonshire County Council's Highway Development Management Strategy requires that all development should provide nil detriment mitigation measures.
- 7.13 The submitted Transport Statement has been updated in response to Highway Authority comments requesting additional details on junction capacity to determine the effects of the distributed traffic on the junctions of Harvey Reeves Road/ St James Mill Road and Edgar Mobbs Way/ Upton Way and to provide further accident data.
- 7.14 The revised Transport Statement has modelled the impacts of the proposed development on the relevant junctions likely to be impacted and takes into account the impact of both this application and the development of the remainder of Site 7C, submitted as a full outline application.
- 7.15 Modelling of the A5076 Upton Way roundabout reveals that the roundabout is operating over capacity in the base year and future year scenario 2031 with and without the addition of the proposed development traffic from both the outline and full application.
- 7.16 Modelling of the Harvey Reeves Road/ St James Mill Road signalised junction for the future year scenario 2031 with and without the addition of the development traffic from both sites reveals that there are no concerns with capacity queuing or delay, and that the junction operates with large amounts of reserve levels of capacity.
- 7.17 The revised Transport Statement has modelled a mitigation scheme to the A5076 Upton Way roundabout. The scheme, which incorporates widening of approaches to the roundabout seeks to demonstrate that the capacity levels of the roundabout would return to pre-development levels as a result of the mitigation and thereby achieve a nil detriment.
- 7.18 The Highway Authority accepts the details of the revised Transport Statement and calculation for the traffic generation and future impacts. The Highway Authority has no objection to the development as proposed subject to S106 contributions being secured for contributions towards improvements to A5076 Upton Way roundabout to mitigate the highway impacts arising from the development.

Contamination

- 7.19 The site forms part of the former Harvey Reeves Landfill site. A Ground Investigation Report supports the application and acknowledges the existing untreated made ground/landfill is not considered suitable to support conventional shallow foundations. Environmental Health has no objection to the proposed development subject to a condition for the submission and approval of a suitable remediation scheme in relation to foundation design and ground gas protection measures.

Air Quality

- 7.20 An Air Quality Assessment supports the application which assesses the impacts of the emissions from traffic associated with the proposed development on the road network surrounding the site to be negligible to slight. Environmental Health has assessed the report and has no objection

subject to an appropriate condition. A condition requiring the submission of a Travel Plan and measures to promote sustainable transport methods is proposed to ensure impacts on air quality arising from vehicle movements associated with the development of the site are minimised.

8. CONCLUSION

- 8.1 The development of the site as proposed is in accordance with the aims and objectives of the Council to promote and develop the Northamptonshire Waterside Enterprise Zone for business and commercial use and would contribute towards the provision of jobs in Northampton. Detailed matters of layout, appearance, scale and landscaping would be considered at reserved matters stage. Subject to the conditions and mitigation measures proposed the development would not lead to any unacceptable impacts on existing highway conditions, ecology, contamination or flood risk and is therefore recommended for approval.

9. CONDITIONS

1. Approval of the details of the appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

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

4. The development hereby permitted shall be carried out in accordance with the following approved plan: OP-01 Site Location Plan.

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

5. No development shall take place until full engineering, drainage and construction details of the highway improvement works shown indicatively in Section 2, Figure 1 of the Transport Assessment Supporting Document dated 6th May 2016 have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details and constructed and open to traffic prior to occupation of any development on the site.

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

6. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:-

- i. The control of noise and dust during the development process;
- ii. Traffic management and signage during construction;

- iii. Working hours for the construction works including hours of delivery to and from the site;
- iv. Provision for all site operatives, visitors and construction vehicles;
- v. loading, parking and turning within the site during the construction period;
- vi. Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- vii. The safe means of access of construction traffic to the site;
- viii. Routing agreement for construction traffic.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: To ensure that appropriate consideration is given to highway and environmental assets and safeguard the amenities of the locality in accordance with the NPPF and is required pre-commencement in order to ensure suitable measures are in place from the start of development.

- 7. No development shall take place until a suitable remedial works scheme has been developed to address the foundation design, ground gas protection measures as detailed in the Applied Geology Report dated November 2015 and submitted to the Local Planning Authority for approval in writing. Any scheme shall be designed to ensure it is appropriate for the end user.

All remedial works found to be required shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the scheme and validation reports(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase) and retained thereafter.

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 Policy BN9 of the West Northamptonshire Joint Core Strategy. The details are required pre-commencement to ensure appropriate measures are in place prior to development.

- 8. A Travel Plan shall be submitted as part of any reserved matters application which shall identify measures to promote sustainable transport methods for the development of the site and measures to mitigate impacts on air quality arising from the development.

Reason: In the interests of sustainable development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- 9. The development shall be carried out in accordance with the recommendations of the Ecological Scoping Survey by Coltham Management Services Limited dated February 2016 with the exception that the otter buffer zone shall be increased from 5m to 10m.

Reason: In the interests of ensuring impacts on biodiversity are minimised in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 10. A Reptile Survey and Mitigation Strategy shall be submitted as part of any reserved matters application.

Reason: In the interests of ensuring impacts on biodiversity are minimised in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 11. Prior to any ground levelling works being carried out on site details of existing and proposed ground levels shall be submitted to the Local Planning Authority for approval in writing. The works shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. The condition is required pre-commencement to ensure levels are appropriate to the surrounding context and the future development of the site.

10. BACKGROUND PAPERS

10.1 N/2016/0015.


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Site 7C, Edgar Mobbs Way</p>	<p>Date: 03-06-2016</p>
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PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0139

LOCATION: Harborough Lodge Renal Unit, Harborough Road

DESCRIPTION: Extensions and alterations to create 18no. one bedroom client accommodation suites with ancillary offices and Day Centre; provision of additional parking and bin store, erection of boundary walls and gate

WARD: Spring Park Ward

APPLICANT: Payll Developments
AGENT: Architectural Solutions (Northampton) Ltd

REFERRED BY: Called in by Councillor Nilesh Parek
REASON: Traffic and parking issues

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal would support the re-use of a vacant building and provide a community facility to support community needs with regards to health and social well-being and subject to planning conditions, it is not considered that the proposal would lead to any significant adverse impacts on adjacent residential amenity or existing highway conditions in accordance with the requirements of Policies S10 and RC2 of the West Northamptonshire Joint Core Strategy, Policies E20, H29 and T22 of the Northampton Local Plan and National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is to extend the property and to change the use from a day care renal unit to a unit providing day care for persons with physical and learning disabilities, with additional accommodation for 18 one bed residential care units (Use Class C2). The proposal includes second storey extensions, internal alterations to the building, alterations to the parking layout, the erection of a cycle shelter and the erection of fencing to form an enclosed area.

3. SITE DESCRIPTION

- 3.1 The application site is located on the south side of Jenner Crescent, close to the junction with Harborough Road North. The site consists of a single storey building which was last used by the NHS as a renal unit (Class D1 use). The buildings are currently vacant. To the east of the site is The Pines doctors surgery and a pharmacy. To the south is Nicholas Rothwell House Residential Care Home including 11 bungalows (Edward Watson Close), and to the west is The Grange Nursing Home. To the north of the site on the opposite side of Jenner Crescent is an ambulance station. The remainder of the properties in Jenner Crescent are residential dwellings.
- 3.2 Access to the site is from a service road which also serves Nicholas Rothwell House and The Grange Nursing Home. It leads to a parking area to the front of the unit which provides car parking for 8 vehicles plus one disabled and one ambulance. The site is bounded to the east by a tall conifer hedge.

4. PLANNING HISTORY

- 4.1 N/2010/0498 – Installation of portacabin - Approved.
- 4.2 N/1995/312 - Enlargement of waiting area with new canopy over – Approved.
- 4.3 N/2001/731 –Extension to treatment area and extra storage - 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.

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 17 sets out the principles of the planning system and in particular states that planning decisions should secure decisions of good quality design and amenity in addition to encouraging the use of previously developed land. Also states that planning should take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.

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

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

Paragraphs 56 and 57 require that new developments are of a good standard of design.

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.

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 are vital to the well-being of residents.

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.

H29 – residential institutions - within the primarily residential areas planning permission for residential institutions as defined in class C2 of the Town and Country Planning (Use Classes) Order 1987, will be granted provided the use will not have a detrimental effect on the amenities of adjacent or nearby properties, the use would not result in an over concentration of similar uses in any one street leading to a material change which would be detrimental to the character of the street or area and that the parking requirement can be accommodated within the site and the traffic generated by the would not increase traffic congestion or be a danger to road safety.

Policy T22 – Parking - provision for suitable access and parking for people with disabilities needs to be provided.

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** – The development is to be located near the existing Harborough Road Air Quality Management Area (AQMA) and therefore in order to mitigate impact from the development in relation to air quality, recommend that provision for electrical vehicle recharging is conditioned in line with the standards set out.

6.2 **NBC Arboricultural Officer - initial comments** - the proposal to remove 12 trees or shrubs to the north and south of the site will increase the pressure to successfully and sustainably retain the remaining trees on the site boundary. A comprehensive arboricultural impact assessment to provide a definitive statement of how any tree roots that are exposed during the digging of the foundations for the extensions are to be dealt with and what the likely impact will be upon the trees if the roots are damaged or cut.

Further comments following submission of a tree survey and method statement – the report includes the salient points and the full implementation of, and adherence to the proposed method statement should be conditioned.

6.3 **NCC Highways – Initial comments** – require clarification of the proposed use and number of proposed staff. Note that one disabled parking space has been provided and state that they usually require a minimum of 10% dedicated disabled parking bays. Given the proposed use of the site it is assumed that there will be a higher need for disabled parking spaces than usual. State that mobility scooter storage should be considered in addition to a charging point.

Further comments following the submission of amended plans – the Local Highway Authority is content that the proposed change of use will have a reduced impact compared to the existing usage. Due to the nature of the use and the low staffing number at any given time, there are no concerns with regards to highway safety or local amenity. The addition of space for mobility scooters and charging point is appreciated however this should be contained within the site itself with storage for when they are not being used. Also confirmed that there are no proposals to extend the parking restrictions on Jenner Crescent.

6.4 **Councillor Nilesh Parek** – states that the proposed use is in an already congested area and that The Grange Nursing Home and Nicholas Rothwell House already struggle with the small access road. Consider the proposed use would create more vehicles in an already over developed area. Wishes to call the application in to be heard by the Planning Committee.

6.5 **Whitehills and Spring Park Residents Association** – based on the limited information available have no real issues to raise. Appears that car parking is a consideration and the use seems complimentary to the area. The issue of ‘affordability’ is also a consideration. Concerned about the impact on infrastructure and state that additional cars means additional pressure on the roads through Kingsthorpe.

6.7 The proposed development has been advertised by way of a site notice and neighbour letters. Eight objections have been received from **The Pines Surgery, Morningside Pharmacy, The Trustees of Nicholas Rothwell House, 3 residents of Edward Watson Close, 1 resident of Pasteur Close, 1 resident of Jenner Crescent, 1 resident of Nicholas Rothwell House and 2 regular visitors to Nicholas Rothwell House** making the following comments:

- The proposal will have serious detrimental impact on adjacent businesses and local residents in terms of safety, traffic and parking.
- There is no footpath leading to Nicholas Rothwell House. A rise in traffic will be dangerous for pedestrians and create Health and Safety issues for patients.
- Will create parking problems.

- GP surgery is open from 8.00am to 6.30pm Monday to Friday and requires emergency access for vehicles at all times. Parking allocation is not adequate for the proposed extensions/alterations and concerned about implications of increased traffic.
- Note the proposal is for 18 one bed client accommodation and state that each client could potentially have visitors and health care staff.
- Concerns about noise, dust and pollution from construction traffic.
- Scale and size of proposal is not appropriate and will cause overlooking and overshadowing.
- Concerned about damage that will be caused to roots of hedge and trees on boundary with Doctors site.
- Consider proposal will affect ability to sell house.
- Proposal will create serious access problems for patients of the doctors surgery, pharmacy and for the ambulance station.
- Concerned about traffic congestion during the construction period from staff, delivery vehicles and large HGV's. State that the application includes no plans to mitigate the disruption during construction period.

7. APPRAISAL

7.1 The principle issues to consider are the impact of the change of use and extension of the building on the character and appearance of the host building, wider area, neighbouring amenity and highway safety.

Proposed change of use

7.2 The property is to be used as a day centre for people with learning difficulties and as a residential care unit to assist young adults with learning difficulties, to live independently in the community.

7.3 The day centre will be operated by 'the Cube' who is an established learning disability organisation within the County. It will operate Monday – Friday from 9am until 5pm. Clients will be delivered to and collected from the unit by cars and taxis as they do not have the mental/physical capacity to drive themselves. It is proposed that 4 full time and 3 part time staff will be employed by the day centre and 8 parking spaces will be dedicated for the day centre use. The proposed day centre use falls within the existing Class D1 use.

7.4 The residential care use of the site will fall within Class C2 of the Town and Country Planning Use Classes Order. The proposal is for the existing building to be extended to provide 18 residential units, ancillary offices, a TV room and a laundry room. The one bed roomed units will be let to private clients. 8 parking spaces will be dedicated to the residential use of the site. It is proposed that there will be no more than 3 or 4 carers on site at any one time. The clients staying in the accommodation will have their own varying care packages and it is unlikely that they will have their own vehicles. There is a primary bus route within walking distance of the property. Additional parking spaces will be available when the day centre is not in use (evenings and weekends).

7.5 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.

7.6 The premises have remained vacant for approximately 12 months. The site has an unrestricted Class D1 use; this in effect means there are no restrictions on the hours of operation or intensity

of the use and the site which could change to another Class D1 use without the benefit of planning permission.

- 7.7 The proposed change of use of the premises to a residential care home and day centre would provide a community facility for people with physical and learning disabilities and could involve trips to use facilities in the wider community. It would provide employment for up to 11 people and would bring about the re-use of a vacant building. The use is considered to accord with the aims of National and Local Planning Policy. The acceptability of the proposal lies in there being no significant adverse impacts on adjacent residential amenity and sufficient parking provision.

Design, Character and Appearance

- 7.8 It is proposed that a two storey extension to the north of the existing building will provide 13 one bedroomed living units. A two storey extension to the south side of the building will provide a further 5 one bedroomed units. A single storey extension to the west side of the building will provide ancillary office accommodation. An existing flat roofed compressor house building to the front of the site will be demolished and the existing area of car park will be extended.
- 7.9 The proposed extensions will have sloping roofs and be built of materials to match the existing building. External doors and windows will be in scale with and match existing. A new boundary wall with railings above will enclose the site on the north and west boundaries and a bin store enclosed by 1.8 metre high fencing will be located to the north east corner of the site. In design terms it is considered the proposals match those of the existing building and are acceptable.
- 7.10 The surrounding developments to the site are a mixture of residential and care facilities with varying scales of single, two and three storey. It is considered the proposal will be in keeping with the scale and character of the surrounding area.

Impact on amenity

- 7.11 The proposed extensions to the north are located adjacent to the boundary with the doctors surgery. The surgery's car park separates the two buildings and a tall conifer hedge that forms the boundary between these two properties will largely obscure the proposed extension. There is a separation distance of between 19.4 and 26 metres between the doctors surgery building and the proposed extension. In view of the separation distance and the boundary screening, it is considered that there will be no overlooking, overshadowing or overbearing of the doctors surgery.
- 7.12 The proposed extension to the south is located adjacent to the boundary with Nicholas Rothwell House. Nicholas Rothwell House car park is situated to the south of the proposed extension beyond which are the single storey properties known as Edward Watson Close. There is a separation distance of 31.6 metres between the proposed extension and properties in Edward Watson Close and first floor windows in the south elevation are all high level serving corridors. Boundary screening which is formed by hedge and tree planting will remain and partially obscure the proposed building. It is not considered the proposal will unduly impact on neighbouring amenity in terms of overlooking, overshadowing or overbearing.
- 7.13 To the west of the site on the opposite side of the access road is the former Harborough Road Hospital, now occupied by 'The Grange' Nursing Home. This property has two vehicular access points; one onto the service road shared with the application site with a further access to the west directly onto Jenner Crescent. The separation distance between the properties (approximately 34 metres) means that there will be no detrimental impacts on amenity in terms of overlooking, overshadowing and overbearing.
- 7.14 No. 19 Pasteur Close also lies to the west of the application site. It sides onto the service road with an 8 metre separation distance between the side boundary wall of this property and the proposed

southernmost two storey extension. To prevent overlooking of the garden of 19 Pasteur Close the first floor living room window to unit 17 has been moved to the north side of the building. Due to this amendment it is not considered the proposal will unduly impact on the amenity of the occupiers of this property.

Impact on Highways

- 7.15 A large number of objections are based on parking issues. It is understood that the doctors surgery and pharmacy to the north east of the site attract a large number of vehicle movements in the vicinity of the site. The fact that the application premises have been unoccupied for approximately 12 months has meant that additional car parking spaces have been available for visitors to other sites and have undoubtedly helped to ease congestion in the area. The fact remains however that the application property could be occupied at any time and used for its existing Class D1 use, removing the availability of parking for other users.
- 7.16 Objectors are concerned that the proposed use will attract additional traffic to the site and create congestion and parking problems. The existing premises have 9 parking spaces (including 1 disabled space). The proposal is to increase the number of parking spaces to 16 (including 2 disabled) and provide a covered cycle bay, and space for a mobility scooter. The Local Highway Authority, after requiring detailed information about the proposed use of the site, are satisfied that the proposed change of use will have a reduced impact compared to the potential existing use and as a result, have no concerns with regard to highway safety or local amenity. It is not considered that the proposal can be refused on highway safety grounds.

Landscaping

- 7.17 The development allows for a courtyard garden to the rear for communal use together with a further courtyard garden to the front. Twelve trees or shrubs within the site will be felled to make way for the development with trees on the boundary to be retained. A tree survey and method statement has been submitted to demonstrate how the tree roots for retained trees will be protected during the proposed development. It is recommended that a condition to comply with the method statement be applied.

8 CONCLUSION

- 8.1 The proposed use is considered acceptable on the basis of the specific use and number of employees and day care attendants proposed. It is recommended that permitted development rights are removed to ensure that any control is maintained over any alternative uses which may otherwise be permitted development under the Use Class Order.

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: 15/Y42/1A, 15/Y42/2C, 15/Y42/3C, 15/Y42/4A, 15/Y42/5A

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

- (3) The premises shall be used only as a day-care centre (D1 use) and residential care home (C2 use) as described in the submitted details and shall be used for no other purpose, including any other purpose in Class D1 or Class C2 of the Town and Country Planning (Use Classes) order 1987 (as

amended), or in any subsequent provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.

Reason: To enable the Local Planning Authority to maintain control over the use of the premises in the interests of adjacent residential amenity and highway conditions in accordance with the requirements of NPPF.

(4) The day-centre shall be used between the hours of 9am to 5pm Monday to Friday only.

Reason: For the avoidance of doubt to enable the Local Planning Authority to consider the implications of extended hours in this vicinity in the interests of adjacent residential amenity in accordance with the requirements of the NPPF.

(5) The development hereby permitted shall be carried out in accordance with the submitted tree survey and method statement dated 22 March 2016.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan.

(6) Details of all proposed external facing materials shall be first 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 to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan and Policy S10 of the West Northamptonshire Joint Core Strategy.

(7) Notwithstanding the details submitted, further details of the mobility scooter and charging point shall be provided within the site. The details shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby permitted. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of achieving a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and Policy T22 Of the Northampton Local Plan..

10. BACKGROUND PAPERS

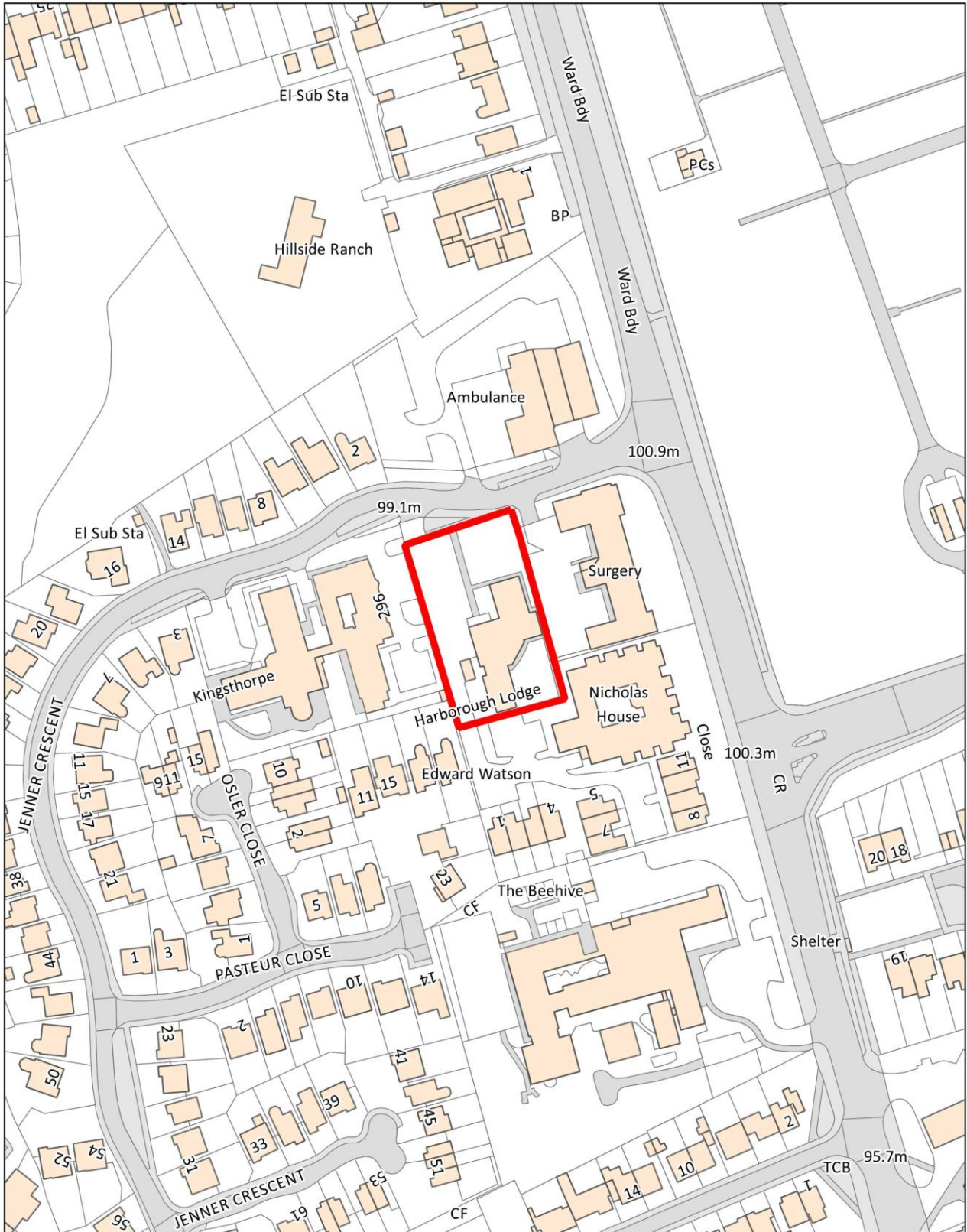
10.1 N/2016/0139.

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: Harborough Lodge Rental Unit

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PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0173

LOCATION: Bay Tree Cottage , The Cross, Great Houghton

DESCRIPTION: Single storey rear extension (part retrospective) and replacement of front porch

WARD: Rushmills Ward

APPLICANT: Ms Lansdell
AGENT: Ms Lansdell

REFERRED BY: Called in by Councillor Penny Flavell
REASON: Concern about impact on the conservation area

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to planning conditions, would not have an undue detrimental impact on the appearance and character of the host building, conservation area and neighbour amenity to comply with Policies E20, E26 and H18 of the Northampton Local Plan, S10 and BN5 of the West Northamptonshire Joint Core Strategy, SPD on Residential Extensions and aims of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for the erection of a flat roof single storey rear extension and front porch with hipped roof. The extension is retrospective and is built in breeze blocks. The proposed porch would measure 3.1m high, 2.1m wide and project 1.4m off the front wall. The applicant has omitted the proposed rendering of the whole property from the application following advice from the Council's Conservation Officer.

3. SITE DESCRIPTION

3.1 The application site consists of a detached 2 storey dwelling located in the Great Houghton Conservation Area. The property is located close to the junction of the Cross and Cherry Tree Lane. It is not a listed building.

4. PLANNING HISTORY

4.1 None recent.

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), Northampton Local Plan (1997) saved policies.

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

5.2 National Policies

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

Paragraph 17 relates to design and protecting amenity of other properties.

Paragraphs 56 and 57 promote good design in new development.

Paragraphs 128 and 129 require Local Planning Authorities to consider the impact of development on heritage assets in determination of planning applications.

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:

S10 Sustainable Development Principles - encourages high quality design of new development and to create a strong sense of place.

BN5 Heritage Assets - relates to heritage assets including conservation areas.

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 Design of new development - promotes good design in new development with respect to materials, layout and scale and impact on privacy, light.

E26 Conservation Areas - new development should preserve or enhance appearance and character of conservation areas.

H18 Residential Extensions - relates to domestic extensions. Consideration to be given to design and effect on neighbour amenity.

5.5 **Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – the reduced design of the porch will result in the structure having an acceptable impact on the character and appearance of the conservation area.
- 6.2 **Great Houghton Parish Council** - object to the application; adverse effect on conservation area and nearby listed building. The design is not in keeping with the conservation area. The porch may encroach onto common land.
- 6.3 **Councillor Penny Flavell** – called in application; concern about impact on conservation area from the proposed porch and concern that windows would change.
- 6.4 **1A Willow Lane and The Manor House** object to the application for the following reasons:
- The plans do not describe all the alterations made. The windows and porch are out of keeping with the age of the property and impact adversely on conservation area
 - Concern that extension is built in breeze block
 - Out of keeping with nearby listed building
 - Concern on render proposed and how it will be applied
 - The porch glazing does not sit well with the historic area
 - Over-development
 - Porch would encroach outside applicant's ownership

7. **APPRAISAL**

Main issues

- 7.1 The main issues to consider are the impact on the appearance and character of the conservation area and nearby listed building, street scene and neighbour amenity.

Impact on appearance and character of Conservation Area and nearby listed building

- 7.2 Given that the single storey extension is located at the rear of the property and not visually prominent when viewed from the front, it is considered that the effect on the conservation area and street scene is limited. This is a view supported by the Council's Conservation Officers. There would not be any undue impact on the setting of nearby listed buildings, the closest of which is some 20 metres away. The rear extension has partially completed and finished in breeze blocks. This would not be acceptable and the applicant has agreed that the extension could have a different external finish. A planning condition is therefore recommended requiring details of external finish to be agreed and then completed in six months. In terms of the front porch, it is considered that the design is in keeping with the host building in scale, appearance and form and would not adversely impact on the conservation area or the setting of nearby listed buildings.

Impact on amenity of neighbours

7.3 Given that the extension is single storey and has a reasonable separation from the side of the adjoining neighbour at no. 2 Cherry Tree Lane, the effect on their amenity would be reasonably limited in terms of overbearing, overshadowing and overlooking. As the only windows are rear facing, given the separation to adjoining properties, there would be no undue overlooking. The proposed porch is modest in scale and due to separation to the adjoining property, would have minimal impact on neighbouring living conditions.

Other issues

7.4 In terms of changes to windows, given that these can be undertaken without the need of planning permission, no objection can be raised in this regard. In addition, the land in front of the site is adjoining highway land, however, the porch would not encroach over third party land.

8. CONCLUSION

8.1 The proposed development is considered acceptable. The design, scale and siting would be in keeping with the host building and the conservation area. It would also not have an undue detrimental impact on amenity of adjoining properties. For this reason the proposal is considered acceptable and recommended for approval subject to the conditions below.

9. CONDITIONS

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Floor Plan and elevation. Revised elevation of porch received 25 April 2016.

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

(2) Within three months of the date of the planning permission, full details of the external treatment of the rear extension hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full within six months of the date of the planning permission.

Reason: To secure a satisfactory standard of development and in the interests of the character of the conservation area in accordance with Policies E20 and E26 of the Northampton Local Plan.

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E26 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2016/0173

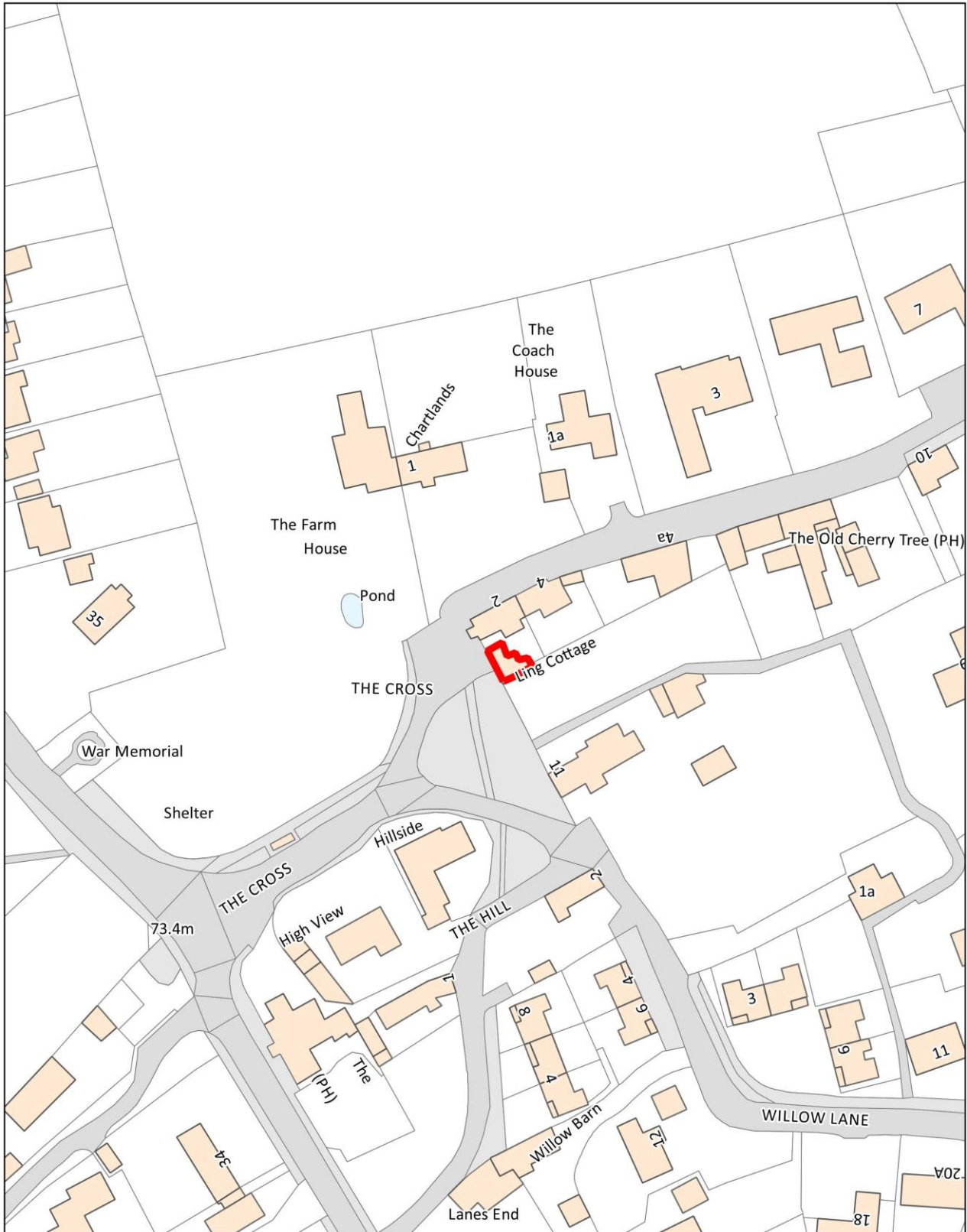
11. LEGAL IMPLICATIONS

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: **Bay Tree Cottage, The Cross**

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PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0178

LOCATION: Site 7C , Edgar Mobbs Way

DESCRIPTION: Erection of a unit for general industrial (Use Class B2) and storage and distribution (Use Class B8) including mezzanine floor, office accommodation (Use Class B1), associated car parking, service yard, new sprinkler tank and pump house, external lighting, boundary treatments, hard surfacing & landscaping

WARD: St James Ward

APPLICANT: Coltham Management Services Limited & HellermannTyton

AGENT: DFC Architecture

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major development requirement S106 agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

- 1.1.1 The prior completion of a Section 106 Legal Agreement to secure a financial payment to fund improvements to the A5076 Upton Way/Edgar Mobbs Way roundabout.
- 1.1.2 The Conditions contained within paragraph 9 below and for the following reason:

The development of the site as proposed is in accordance with the aims and objectives of the Council to promote and develop the Northamptonshire Waterside Enterprise Zone for business and commercial use and would contribute towards the provision of jobs in Northampton. The design and appearance are appropriate to the surroundings and subject to the conditions and mitigation measures proposed, the development would not lead to any unacceptable impacts on existing highway conditions, ecology, contamination or flood risk in accordance with the requirements of Policies SA, S7, S8, S10, C2, E1, BN2, BN7, BN8, BN9, INF1 & 2 of the West Northamptonshire Joint Core Strategy, Policies E18, E19, E20, B13, T4 & T12 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 Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to be able to grant planning permission as above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account of the necessary mitigation measures have not been secure in order to make the proposal acceptable in line with requirements of Policy INF2 of the Wet Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application proposes the erection of a unit for general industrial (Use Class B2) and storage and distribution (Use Class B8) including a mezzanine floor for ancillary office accommodation (Use Class B1), a new sprinkler tank and pump house and associated car parking and service yard on an area of undeveloped land which forms the western section of Site 7C, situated within the Northampton Waterside Enterprise Zone.
- 2.2 The proposed building would comprise of a steel portal framed building with a barrel vaulted roof to a maximum height of 10m and an overall floor area of 3,809 sq. m. Proposed materials would comprise of galvanised horizontal grey steel cladding with partial terracotta cladding to the front entrance. Internally, the ground floor would comprise of a reception area, training/classroom area and a single manufacturing/storage space, staff accommodation and canteen. Office accommodation would be provided in a mezzanine area above. Parking for 76 vehicles including 4 disabled spaces would be provided to the front of the building with covered cycle provision close to the entrance. A servicing area, sprinkler and pumphouse tank would be located to the west of the building.
- 2.3 The building is proposed for occupation by HellermannTyton, a company that specialises in providing solutions for networking, identifying, and managing wire, cable and components. The supporting information advises that the development would lead to the creation of 109 jobs full-time and 8 part-time jobs.
- 2.4 The application is accompanied by a number of supporting documents including a Design and Access Statement, Transport Statement, a Travel Plan, Flood Risk Assessment and Ecological Scoping Survey.
- 2.5 An outline application for the development of the remainder of Site 7C for business (Use Class B1), general industrial (Use Class B2) and storage and distribution (Use Class B8) (application reference N/2016/0015) has been submitted for consideration and is reported as a separate item in this agenda.

3. SITE DESCRIPTION

- 3.1 The application site comprises of the western half of Site 7C, an area of undeveloped remediated land located within the Northampton Waterside Enterprise Zone. The site has a gross site area of 1.21 ha. A footpath extends along the western boundary of the site from Edgar Mobbs Way linking to a footbridge that crosses River Nene, which runs along the southern boundary. Beyond the footpath to the west and also to the north-west are large areas of public car parking. To the immediate east of the site, the remainder of Site 7C comprises of further undeveloped land and raised earth mounds. To the north and further east are commercial, industrial and warehouse premises. Two Local Wildlife Sites are within the vicinity of the site; Duston Gravel Pit Local Wildlife, located to the south beyond the River Nene, and Storton's Gravel Pits, located to the west beyond the car park. The site lies predominantly within Flood Zone 1 with the southern tip situated within Flood Zones 2 and 3.

4. PLANNING HISTORY

- 4.1 N/2004/0930 – Provision of car, coach and disabled parking, construction of new service road and provision of associated development including foot/cycle ways, foot/cycle bridges and landscaping at Land West of Harvey Reeves Road, South of Ross Road and East of Storton's Pits. Approved 15.03.05.

N/2004/0496 – Southern development link road linking Upton Way and Harvey Reeves Road, Ross Road Spur Link and associated landscaping and infrastructure at Land North of River Nene and Storton's Pits. Approved 15.03.05.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Paragraph 17 - advises on the need to proactively drive and support sustainable economic development; seek high quality design; encourage the effective use of land.

Paragraph 19 - places considerable weight on the need to support sustainable economic growth, operating to encourage and not act as an impediment to sustainable growth.

Paragraph 32 - all developments that generate significant amounts of movement should be supported by a Transport Statement. Account should be taken of opportunities for sustainable transport modes depending on nature and location; safe and suitable access; and improvements within the transport network that limit the significant impacts of the development. Development should only be refused on transport grounds where the residual cumulative impacts are severe.

Paragraph 56 - seeks to ensure that good design is a key aspect of sustainable development.

Paragraph 100 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Paragraph 101 - the aim of a sequential test is to steer development to areas with lower probability of flooding. Development should not be allocated or permitted if there are reasonably alternative sites appropriate for the proposed development.

Paragraph 102 - if it is not possible for the development to be located in zones with a lower probability of flooding, the exception test should be applied which demonstrates that the development provides wider sustainability benefits to the community that outweigh flood risk and the development will be safe for its lifetime without increasing flood risk elsewhere.

Paragraph 103 - in determining planning applications Local Planning Authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding when informed by a Flood Risk Assessment

Paragraph 109 - advises that the planning system should seek to minimise impacts on biodiversity, providing net gains where possible.

Paragraph 120 - seeks to ensure development is appropriate for its location having regard to unacceptable risks from pollution and land instability.

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 SA: Presumption in Favour of Sustainable Development – the Council will take a positive approach in considering development proposals that reflect a presumption in favour of sustainable development. Applications that accord with the policies in the local and other relevant plans should be approved unless material considerations indicate otherwise.

Policy S7: Provision of Jobs – provision will be made for minimum net increase of 28,500 jobs in the period 2008-2029.

Policy S8: Distribution of Jobs – requires the majority of new job growth to be concentrated principally within the urban area of Northampton, including industrial/mixed/office development within the Northampton Waterside Enterprise Zone.

Policy S10: Sustainable Development Principles – seeks, amongst other things, to achieve high standards of sustainable design; protect, conserve and enhance the natural environment and built environment; and minimise pollution from noise, air and run off.

Policy C2: New Developments – new development, including employment, will be expected to achieve modal shift targets by maximising travel choice from non-car modes. Development will be required to mitigate its impacts on the highway network.

Policy E1: Existing Employment Area – existing and allocated employment sites will be retained for uses within Use Classes B1, B2 & B8.

Policy BN2: Biodiversity – development that has potential to harm sites of ecological importance will be subject to an ecological assessment.

Policy BN7: Flood Risk – all new development will need to demonstrate there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improved existing flood risk management.

Policy BN8: River Nene Strategic River Corridor – corridor will be enhanced and protected in recognition of its important contribution to the area's green infrastructure.

Policy BN9: Planning for Pollution Control – new development likely to result in exposure to sources of pollution will need to demonstrate provision of opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development.

Policy INF1: Approach to Infrastructure Delivery – new development will be supported by and provide good access to infrastructure. Where development generates a need for new

infrastructure developers will need to demonstrate that provision will be made to meet the necessary requirements arising from that development.

INF2 – Contributions to Infrastructure Requirements – new development will only be permitted if the necessary on and off-site infrastructure required to support and mitigate its impact is already in place or there is a reliable mechanism to ensure it will be delivered.

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:

E18 – permission will not be granted for development which would have a significant adverse effect upon the nature conservation value of local nature reserves.

E19 – permission for residential, business or commercial development should only be granted where any adverse effect or impact is mitigated and where infrastructure services are in existence or can be provided.

Policy E20 – the design of new development should adequately reflect the character of the surrounding area.

B13 – permission for development of areas for business should ensure the necessary related infrastructure is present or will be secured.

T4 – major development should demonstrate required improvements to existing or proposed roads will be implemented by developers or other means.

T12 – permission for development requiring servicing by commercial vehicles should ensure adequate parking and manoeuvring.

5.5 **Supplementary Planning Documents**

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Environmental Health** – No objection subject to conditions in relation to the control of contamination, air quality management and noise.
- 6.2 **NBC Crime Prevention Officer** – the proposed layout accords with Secure By Design principles but suggest the use of paladin fencing to the rear of the site.
- 6.3 **NCC Highway Authority** – no objections, subject to conditions requiring the submission and approval of a Construction Management Plan for approval and S106 contributions towards improvement to the roundabout junction at Edgar Mobbs Way and Upton Way (A5076).
- 6.4 **NCC Ecologist** – no objection subject to the submission of a Reptile Survey and appropriate mitigation measures and a condition requiring the development be carried out in accordance with recommendations of the Ecological Scoping Survey, subject to amendment to increase the otter buffer zone from 5m to 10m.

- 6.5 **Highways England** – no objection.
- 6.6 **Environment Agency** - no objection. The majority of the site lies within Flood Zone 1 and the very small areas within Flood Zone 2 and 3 benefit from existing flood defences.
- 6.7 **Lead Local Flood Authority** – require further details to demonstrate the proposed drainage network has sufficient capacity and that the development not increase flood risk elsewhere.

7. APPRAISAL

Principle of development

- 7.1 The NPPF seeks to proactively drive and support sustainable economic development. The West Northamptonshire Joint Core Strategy (JCS) requires provision to be made for 28,500 jobs during the plan period, requiring the majority of growth to be located within the urban area of Northampton, encouraging industrial /mixed /office development within the Northampton Waterside Enterprise Zone.
- 7.2 The site lies within the Northampton Waterside Enterprise Zone and is being actively promoted by the Council for industrial development. The development of the site for industrial, storage and distribution and office use as proposed is in accordance with planning policy requirements and the Council's vision for the site, and would contribute towards the provision of jobs within Northampton. The principle of the development as proposed is therefore considered acceptable.

Design and Appearance

- 7.3 The site is surrounded by a mix of undeveloped land, commercial, industrial and warehouse development and large expanses of public car parking. The design, scale and appearance of the building as proposed is in keeping with the appearance of surrounding commercial and industrial buildings and is considered appropriate to the surroundings.
- 7.4 The building has been designed to with the main entrance facing towards Edgar Mobbs Way which provides a more active frontage than many of the adjacent properties and would assist in enhancing the appearance of the surrounding area. The proposed materials are considered appropriate to the design and character of the area. Details of landscaping could be agreed by condition to assist in softening the overall appearance of the building.

Ecology

- 7.5 The NPPF seeks to ensure that impacts on biodiversity arising from proposed development is minimised, providing net gains where possible.
- 7.6 The site is an undeveloped area of remediated land located within close proximity of Duston Gravel Pit Local Wildlife Site, to the south of the site beyond the River Nene, and Storton's Gravel Pits Local Wildlife Site, situated to the west of the site beyond the public car park.
- 7.7 An Ecological Scoping Survey has been submitted with the application which assesses the impact of the proposed development on biodiversity sites. The findings of a Reptile Survey are awaited and will be reported to Committee in the Addendum to this agenda. Subject to the findings of the Reptile Survey and appropriate mitigation measures as necessary, the County Ecologist has no objection to the development as proposed subject to a condition that the development is carried out in accordance with mitigation measures recommended in the submitted survey with amendments relating to otter fencing.

Flood Risk and Drainage

- 7.8 The NPPF seeks to ensure that proposals for new development are appropriately located away from areas with a high risk of flooding and to ensure that the development does not lead to an increase in flood risk elsewhere. Policy BN7 of the JCS requires that new development demonstrates there is no risk of flooding to existing properties and that the development is (or can be) safe, seeking to improve existing flood risk management.
- 7.9 The River Nene is situated to the south of the site with the southern boundary of the site lying within Flood Zones 2 and 3. The majority of the site lies within Flood Zone 1, an area with a low probability of flooding. The application is supported by a Flood Risk and Drainage Strategy. The report proposes mitigation measures to include porous paving to the car park area and an underground storage attenuation tank. Pre-treatment of surface water would be provided by a large catchpit to remove silt, with a full retention separator installed immediately prior to discharge into the River Nene. The surface water would be discharged via a pipe into the River Nene weir channel and a new headwall constructed within the River Nene bank.
- 7.10 The Environment Agency has no objection.
- 7.11 The Lead Local Flood Authority require further details to demonstrate the proposed drainage network has sufficient capacity and that the development would not increase flood risk elsewhere. The applicants are in the process of submitting further drainage calculation details for referral to the Lead Local Flood Authority, whose comments will be reported to Committee in the Addendum to this agenda.

Highways

- 7.12 Access to the site would be via an existing access spur from Edgar Mobbs Way, with existing shared pedestrian and cycle paths located on either side of the road.
- 7.13 The NPPF advises that development should only be refused on transport grounds where the residual cumulative impacts are severe. Policies INF1 and INF2 of the JCS seek to ensure that appropriate provision is made for the necessary infrastructure arising from the impacts of development. Northamptonshire County Council's Highway Development Management Strategy requires that all development should provide nil detriment mitigation measures.
- 7.14 The submitted Transport Statement has been updated in response to Highway Authority comments requesting additional details on junction capacity to determine the effects of the distributed traffic on the junctions of Harvey Reeves Road/ St James Mill Road and Edgar Mobbs Way/ Upton Way and to provide further accident data.
- 7.15 The revised Transport Statement has modelled the impacts of the proposed development on the relevant junctions likely to be impacted and takes into account the impact of both this application and the development of the remainder of Site 7C, submitted as an outline application.
- 7.16 Modelling of the A5076 Upton Way roundabout reveals that the roundabout is operating over capacity in the base year and future year scenario 2031 with and without the addition of the proposed development traffic from both the full and outline application.
- 7.17 Modelling of the Harvey Reeves Road/ St James Mill Road signalised junction for the future year scenario 2031 with and without the addition of the development traffic from both sites reveals that there are no concerns with capacity queuing or delay, and that the junction operates with large amounts of reserve levels of capacity.
- 7.18 The revised Transport Statement has modelled a mitigation scheme to the A5076 Upton Way roundabout. The scheme, which incorporates widening of approaches to the roundabout seeks

to demonstrate that the capacity levels of the roundabout would return to pre-development levels as a result of the mitigation and thereby achieve a nil detriment.

- 7.19 The Highway Authority accepts the details of the revised Transport Statement and calculation for the traffic generation and future impacts. The Highway Authority has no objection to the development as proposed subject to S106 contributions being secured for contributions towards improvements to A5076 Upton Way roundabout to mitigate the highway impacts arising from the development.
- 7.20 Sufficient parking and turning would be provided on site for both employees and visitors with a total of 76 spaces provided and cycle parking provided to the front of the building.

Contamination

- 7.21 The site forms part of the former Harvey Reeves Landfill site. A Ground Investigation Report supports the application and acknowledges the existing untreated made ground/landfill is not considered suitable to support conventional shallow foundations. Environmental Health has no objection to the proposed development subject to a condition for the submission and approval of a suitable remediation scheme in relation to foundation design and ground gas protection measures.

Air Quality

- 7.22 An Air Quality Assessment supports the application which assesses the impacts of the emissions from traffic associated with the proposed development on the road network surrounding the site to be negligible to slight. The submitted Travel Plan identifies measures to promote sustainable transport methods to reduce the extent of vehicle use associated with the development including the provision of secure bike storage, showers and locker facilities and promoting sustainable transport methods such as walking and public transport within the workplace. Environmental Health has assessed the report and has no objection subject to an appropriate condition.

8. CONCLUSION

- 8.1 The development of the site as proposed is in accordance with the aims and objectives of the Council to promote and develop the Northamptonshire Waterside Enterprise Zone for business and commercial use and would contribute towards the provision of jobs in Northampton. The design and appearance are appropriate to the surroundings and subject to the conditions and mitigation measures proposed the development would not lead to any unacceptable impacts on existing highway conditions, ecology, contamination or flood risk and is therefore recommended for approval.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: P-01, P-02, P-03, P-04 rev A, P-05, p-06, P-07 & P-09.

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

3. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:-
- i. The control of noise and dust during the development process;
 - ii. Traffic management and signage during construction;
 - iii. Working hours for the construction works including hours of delivery to and from the site;
 - iv. Provision for all site operatives, visitors and construction vehicles;
 - v. loading, parking and turning within the site during the construction period;
 - vi. Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
 - vii. The safe means of access of construction traffic to the site;
 - viii. Routing agreement for construction traffic.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: To ensure that appropriate consideration is given to highway and environmental assets and safeguard the amenities of the locality in accordance with the NPPF and is required pre-commencement in order to ensure suitable measures are in place from the start of development.

4. No development shall take place until a suitable remedial works scheme has been developed to address the foundation design, ground gas protection measures as detailed in the Applied Geology Report dated November 2015 and submitted to the Local Planning Authority for approval in writing. Any scheme shall be designed to ensure it is appropriate for the end user.

All remedial works found to be required shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the scheme and validation reports(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase) and retained thereafter.

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 Policy BN9 of the West Northamptonshire Joint Core Strategy. The details are required pre-commencement to ensure appropriate measures are in place prior to development.

5. The development shall be carried out in accordance with the measures identified in the submitted Workplace Travel Plan dated January 2016.

Reason: In the interests of sustainable development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

6. Prior to the development hereby permitted first being brought into use, a scheme shall be submitted to the Local Planning Authority for approval in writing that specifies the sources of noise on the site and the provisions to be made for its control. The approved scheme shall be implemented prior to the development first coming into use and details shall be submitted to the Local Planning Authority that demonstrate the scheme has achieved its design criteria. The approved scheme shall be retained thereafter.

Reason: In the interests of the amenity of the surrounding area and in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

7. The development shall be carried out in accordance with the recommendations of the Ecological Scoping Survey by Coltham Management Services Limited dated February 2016 with the exception that the otter buffer zone shall be increased from 5m to 10m.

Reason: In the interests of ensuring impacts on biodiversity are minimised in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Prior to occupation of the development hereby permitted, details of refuse storage and disposal shall be submitted for approval in writing. The development shall be carried out in accordance with the approved details prior to occupation and maintained in perpetuity.

Reason: To ensure a satisfactory standard of development and in the interests of surrounding amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

9. The parking and turning, loading and unloading space shown on drawing P-02 shall be laid and marked out prior to the development being first brought into use and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy T12 of the Northampton Local Plan and the National Planning Policy Framework.

10. Notwithstanding the submitted details, prior to the occupation of the development, full details of the external boundaries of the site together with details of the entrance gates shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

11. Notwithstanding the submitted details, prior to the occupation of the development, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

12. No goods or articles shall be stored on any part of the site except inside the building.

Reason: To ensure a satisfactory standard of development and in the interests of the amenity of the area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

13. 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, where present, the location and species of any 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 S10 of the West Northamptonshire Joint Core Strategy.

14. 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.

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

10. BACKGROUND PAPERS

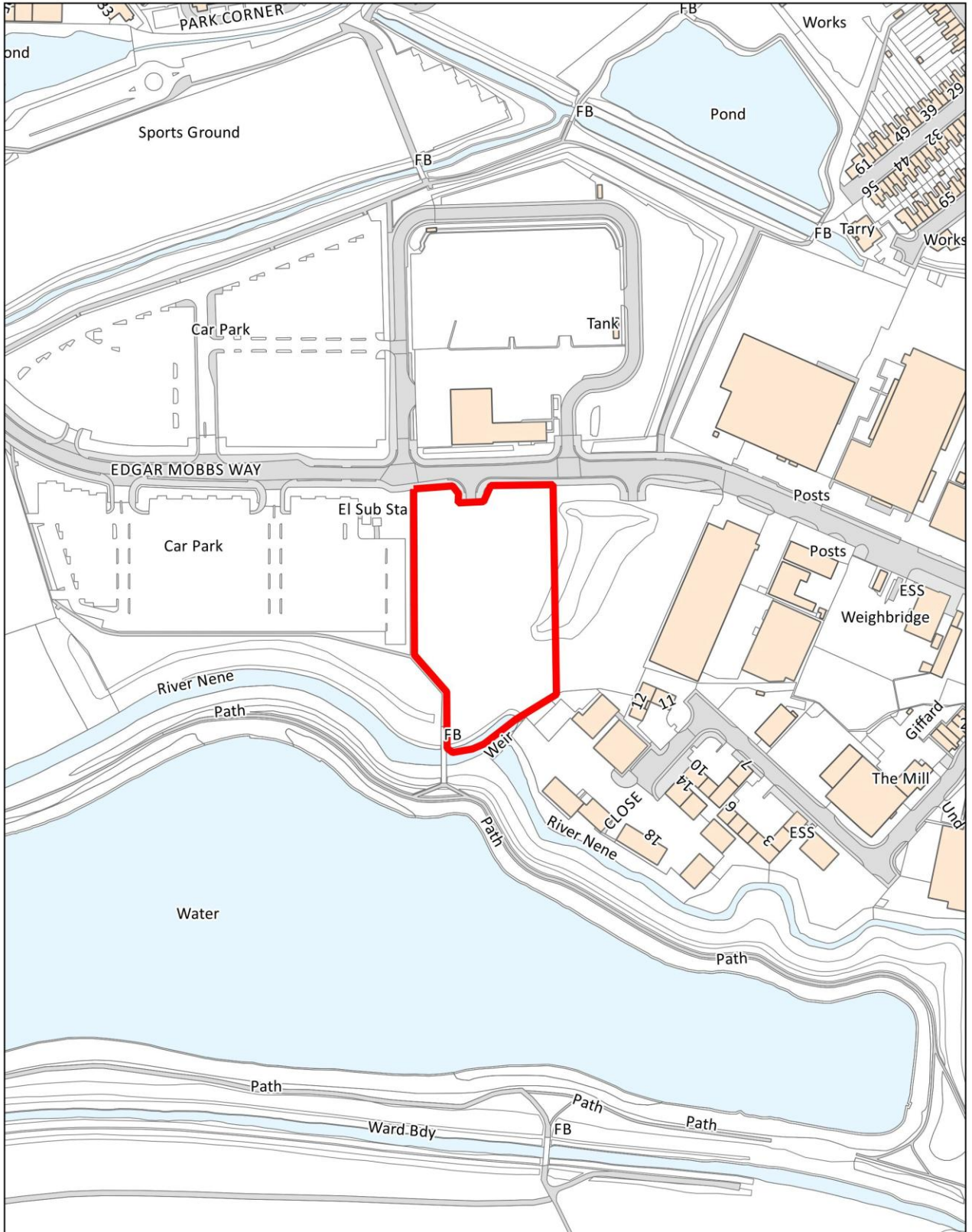
10.1 N/2016/0178.


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Site 7c, Edgar Mobbs Way</p>	<p>Date: 03-06-2016</p>
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PLANNING COMMITTEE:	14 th June 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2016/0214
LOCATION:	24 Market Square
DESCRIPTION:	Change of use of 2nd floor from shop (Use Class A1) to day centre (Use Class D1) including disabled access throughout and the creation of a roof garden to the rear
WARD:	Castle Ward
APPLICANT:	Slurp Coffee Co
AGENT:	@ architect limited
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	Applicant is relative of a Council Member
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would have a neutral impact upon visual amenity, the character and setting of the All Saints Conservation and the adjoining Grade II Listed Building and neighbour amenity. In addition, the development would contribute to the ongoing viability and vitality of the Market Square. As a consequence, the development is in conformity with the requirements of the National Planning Policy Framework; Policies BN5 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 31 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant seeks permission to change the use of the second floor to a day centre. This would include a small roof garden on an existing flat roof to the rear of the property. This would be accessed via an existing entrance, which is sited adjacent to the café entrance. No alterations are proposed to the front façade.

3. SITE DESCRIPTION

3.1 The application site consists of a substantial building located on the eastern side of the Market Square. The building is currently occupied by a café, with back of house facilities being sited on the upper floors. The building is located adjacent to the southern entrance to the Market Square

and therefore occupies a prominent position. The site also forms part of the All Saints Conservation Area. The adjacent building (22 Market Square) is a Grade II Listed Building.

- 3.2 The building is located within an area allocated by the Central Area Action Plan (CAAP) as being a primary retail frontage and as a consequence of this allocation, the majority of the eastern side of the Market Square is utilised for retail purposes; however, other uses are common.

4. PLANNING HISTORY

- 4.1 N/2012/0250 – Change of use of ground floor from shop to restaurant – Refused and dismissed on appeal.
- 4.2 N/2015/0750 – Change of use from retail to a café/restaurant including outdoor seating area and redecoration of shop front – Approved.

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 Central Area Action Plan (2013).

- 5.2 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.

5.3 National Policies

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

- 5.4 Paragraph 17 states that planning should take into account the various characters of differing areas and work to promote the vitality of urban areas.
- 5.5 Paragraph 23 is of particular relevance. This recognises the importance of town centres as the heart of a community and as a consequence, there should be a significant proportion of retailing (meeting a diverse set of demands) available. In achieving this, there should be a variety of retail units (in terms of sites) to meet this requirement. Notwithstanding this, the same paragraph recognises that there is a need to create a number of different markets within town centres in order to promote vitality.
- 5.6 Paragraphs 131 and 132 encourage the consideration of the impact on the significance of heritage assets and their settings.
- 5.7 **West Northamptonshire Joint Core Strategy (2014)**

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

5.8 Policy N2 sets out the requirement that the predominant function of the town centre will be retailing; however, the Central Area should also include suitable levels of leisure developments should be provided. Policy S10 states that the developments should promote a strong sense of place. Policy BN5 requires that heritage assets are conserved and enhanced in line with their significance.

5.9 **Northampton Central Area Action Plan 2013**

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

5.10 Policy 31 of the CAAP seeks to establish leisure uses within the Market Square. In addition to these factors, Policy 1 requires that new developments positively contribute towards the character of an area; that streets should be lined with active buildings and frontages; that developments pay suitable regards to the Central Area's Conservation Areas; and that a mix of land uses is promoted in order increase vitality and vibrancy of an area and to increase choice for visitors.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Conservation (NBC)** – No objections as the proposal would support the productive use of the building and would have a neutral impact upon the character and appearance of the Conservation Area and the nearby Listed Building.

6.2 **Town Centre Manager (NBC)** – No objections.

6.3 **Town Centre Conservation Area Advisory Committee** – The changes to the exterior of the building should be sympathetic. The proposed use is welcomed.

7. **APPRAISAL**

7.1 The proposed development does not impact upon the use of the building on the lower floors and therefore there would not be a reduction in the level of activity at this level, notwithstanding the loss of space for back of house operations within the building. As a consequence, the introduction of a day centre on the second floor is likely to attract a greater number of people into the Market Square, which would support the viability and vitality of this part of the town centre.

7.2 By reason of the nature of the predominantly commercial buildings within the vicinity, it is considered that the proposed development would have a neutral impact upon the amenities of surrounding properties. The arrangement of buildings within the vicinity means that the creation of a roof garden would not cause any undue detriment arising from noise or overlooking. In order to secure a satisfactory form of development, a condition is recommended that would enable the Council to approve the details of the boundary treatment to this space.

7.3 Given that the roof garden comprises the only external alteration and this would not be visible from the any public viewpoint, the proposal would not have an impact upon the character and setting of the St Giles Conservation Area, therefore the development cannot have any particular impact upon the historic significance of the Conservation Area. Due to this arrangement, it also

means that the development would not be viewed alongside the adjacent Listed Building and therefore its setting would not be affected. The development does not require any alterations to be made to the adjacent Listed Building (which is situated outside of the application site) and therefore the fabric of this heritage asset would not be impacted by the proposal. It is also noted that no objections have been received from the Council's Conservation section. As the building is not listed, the proposed internal alterations do not require any formal consent from the Council as Local Planning Authority.

- 7.4 As a consequence of the development being sustainably located in the town centre, it is considered that the development would not pose an undue detrimental impact upon the highway system.

8. CONCLUSION

- 8.1 It is considered that the proposed development would have a neutral impact upon neighbour amenity and the surrounding heritage assets, whilst contributing to the viability and vitality of the Market Square. As a result, the development is considered to be in conformity with the requirements of national and local planning policies.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; EX01 - Existing Plans & Elevations; and PL01 Proposed Plans, Elevations & Site Plan.

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

3. Notwithstanding the details submitted, full details of the proposed boundary treatment to the proposed roof garden shall be submitted to and approved in writing. Development shall be carried out in accordance with the details submitted, be fully implemented prior to the commencement of the use hereby permitted and retained thereafter.

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

10. BACKGROUND PAPERS

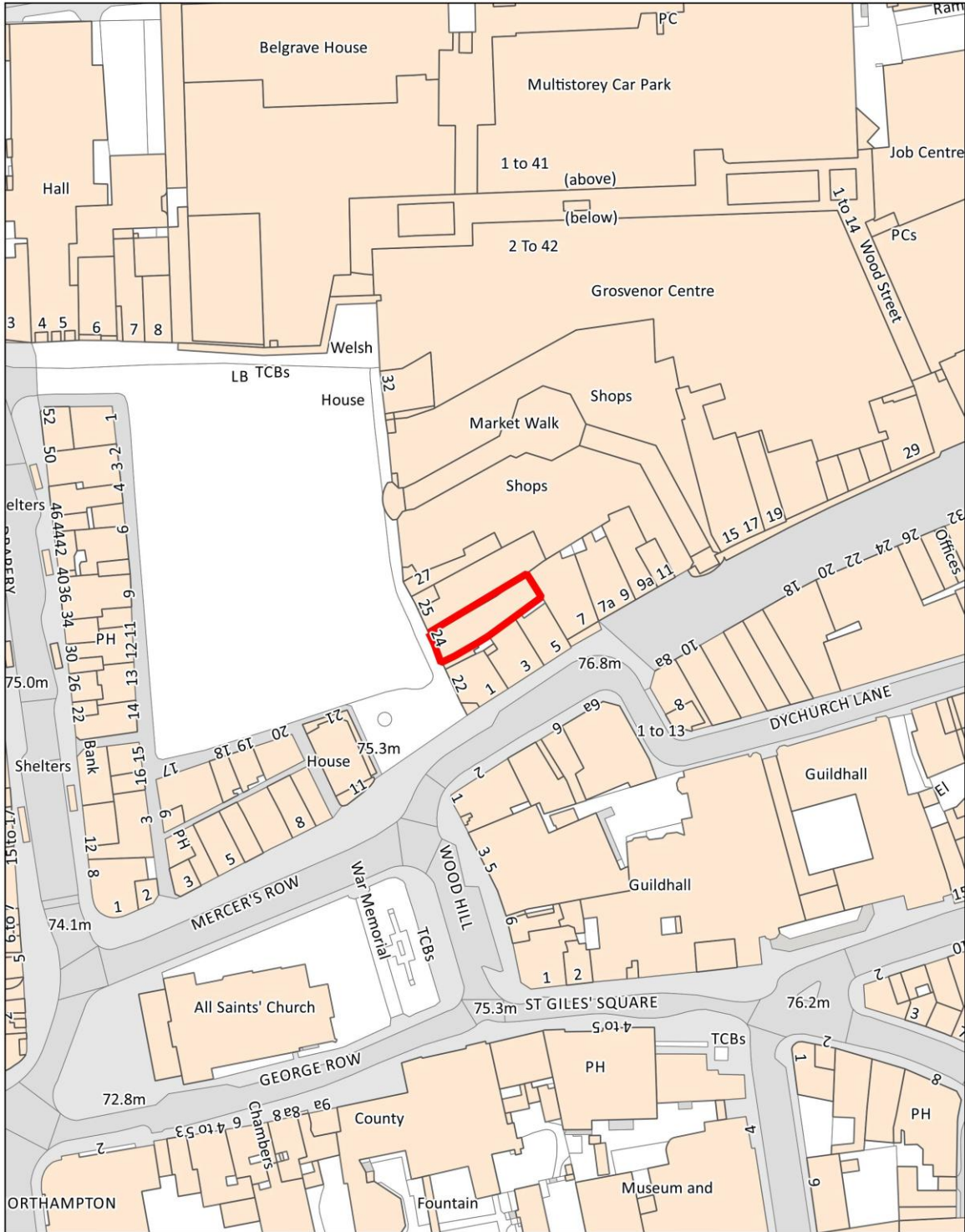
- 10.1 N/2016/0214.


11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 24 Market Square</p>	<p>Date: 31-05-2016</p>
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PLANNING COMMITTEE:	14 th June 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2016/0273
LOCATION:	Northampton Old Scouts Rugby Football Club , Rushmere Road
DESCRIPTION:	Erection of Cricket Pavilion (Resubmission of planning application N/2015/0149)
WARD:	Rushmills Ward
APPLICANT:	Old Scouts
AGENT:	Mr Martin Wall
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	Council owned land
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would support the continued use of the site for sports purposes whilst having a neutral impact upon the character and appearance of the surrounding area and the amenities of the neighbouring properties. As a consequence, the development is 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 planning permission to erect a single storey building within the grounds of the Northampton Old Scouts Rugby Football Club that would feature a club room and changing rooms. The building would feature a combination of bricks and wooden cladding and would have a tiled roof.

3. SITE DESCRIPTION

3.1 The application site consists of a recreation ground located to the east of Rushmere Road. A further recreation ground (which is also operated by the applicant) is located on the western side of Rushmere Road. Car parking which serves both grounds is available within the western site in addition to car parking that is located within the curtilage of the eastern ground. The surrounding area is generally characterised by the presence of residential accommodation. The old course of

the River Nene runs alongside the southern boundary of the site. As a consequence of this, the general topography of the area slopes upwards in a northerly direction.

4. PLANNING HISTORY

4.1 N/2015/0149 – Erection of a cricket pavilion – Approved.

4.2 The above proposal gained planning permission in 2015 and remains extant. As a consequence, it carries significant weight in the determination of the planning application.

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.

5.3 Paragraph 70 of the NPPF states that planning decisions should deliver adequate community facilities, such as sports venues. The importance of good design is emphasised within Paragraph 17. In addition to these matters, weight should also be given to the requirements of Paragraph 103, which states that developments should not increase flood risk either on the application site or elsewhere.

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.

5.5 Policy S10 – Sustainable Development Principles – The policy requires that the highest possible standards of design are sought within new development; that developments are sustainable located and to minimise pollution from noise, air and run off.

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 policies are material to this application:

5.7 Policy E20 – New Development – This policy states that new proposals should be of an acceptable design and ensure a neutral impact upon neighbouring properties in terms of light, outlook and privacy.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 At the time of preparing this report, the consultation period had yet to conclude on account of additional information being submitted. Therefore any responses will be reported to member via the addendum, which will be circulated prior to the committee meeting commencing.

7. APPRAISAL

7.1 The proposed development maintains the footprint of the original approval; however, the roof shape is different. Given the comparatively small scale of the proposed alterations, it is considered that the development would have a neutral impact upon the visual amenity of the locality. Although the roof pitch has been reduced in angle from the previous approval, it is considered that the building is of an appropriate design. A condition is recommended that would ensure that the building materials receive the approval of the Council in order to secure a satisfactory standard of development.

7.2 The proposed building is of comparatively small proportions and is located a significant distance from Rushmere Road. The nearest residential accommodation is over 150 metres away. It is considered that the development would have a neutral impact upon the amenity of the locality by reason of the building's lack of prominence. The separation distances would prevent the development from having a significant adverse impact upon the levels of light, outlook and privacy currently enjoyed by existing residents.

7.3 Whilst the site is in close proximity to the old arm of the River Nene, the fact that there is an extant permission for a building of the same footprint in the same location means that it is considered that the proposal would not have a significant detrimental impact upon flood risk.

7.4 The application site operates in conjunction with another recreation ground on the western side of Rushmere Road. The combined sites contain suitable car parking to serve the two sites. It should also be noted that the proposed development would represent an improvement to the existing facilities rather than an intensification of activity within the application site. It is anticipated that the development would not have any significant impact upon the highway system.

7.5 It is also noted that the proposed development would improve the facilities within the sports ground, which is also of some benefit.

8. CONCLUSION

8.1 It is considered that the development would enhance the sports facilities within the site and would have a neutral impact upon the character and appearance of the surrounding area. The proposal is considered acceptable and in conformity with national and local planning policies.

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: 033-021 Rev. P11; 010 Rev. P2; and 011 Rev. P11.

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

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

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

10. BACKGROUND PAPERS

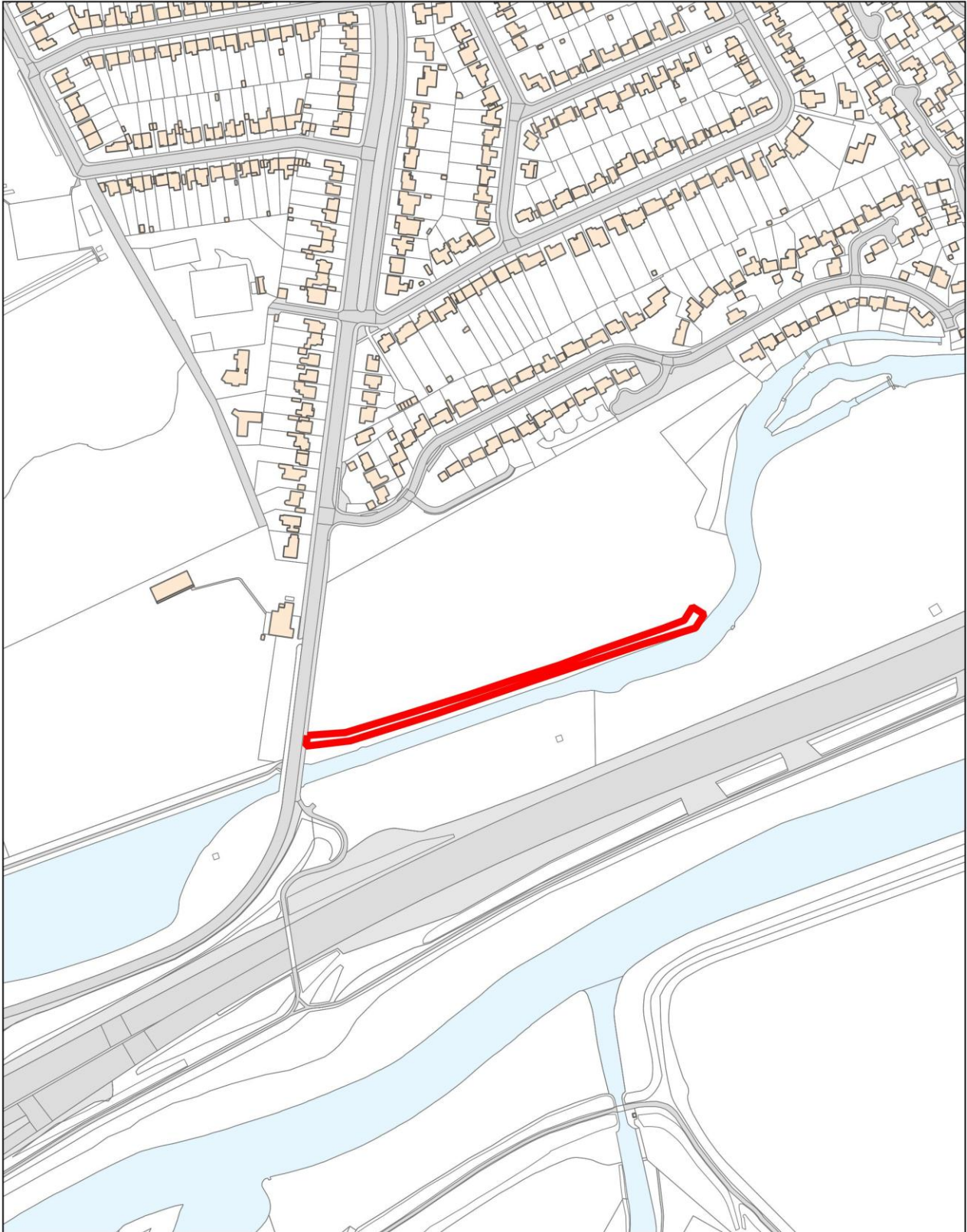
10.1 N/2015/0149 and N/2016/0273.

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: Northampton Old Scouts Rugby Football Club, Rushmere Road

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Date: 31-05-2016

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PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0326

LOCATION: 62 Billing Road

DESCRIPTION: Change of use from offices (Use Class B1) to a single dwelling (Use Class C3) with a rear extension and a new two storey garage in the rear garden, new front boundary wall and gate

WARD: Abington Ward

APPLICANT: Danelaw Partners LLP
AGENT: HDA Architecture

REFERRED BY: Councillor Zoe Smith
REASON: Concerned about height of garage and impact on residential properties

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development represents an acceptable use of the land and is complementary with the surrounding land uses. The development would not have an undue detrimental impact on the character and appearance of the host dwelling, Billing Road Conservation Area and the amenity of adjoining occupiers in accordance with the requirements of the National Planning Policy Framework; Policies H1, H5, S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H11 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The application seeks change of use of offices to a single dwelling. The proposal includes the erection of a rear extension and a two storey garage with study above within the rear garden. The proposal includes the erection of a new front boundary wall and gate and garden landscaping.

3. SITE DESCRIPTION

3.1 The application site consists of a three storey mid terraced property, which was originally a dwellinghouse, located on the north side of Billing Road. The site has a front garden and a rear yard that is currently tarmaced and used as a car park. The rear yard is accessed via a shared

private road that runs between Upper and Lower Thrift Street. The property was converted to offices in the 1970s and is currently empty. The site is located within the Billing Road Conservation Area and within a primarily residential area as allocated in the Northampton Local Plan.

- 3.2 Adjacent properties are both residential dwellings. No. 61 consists of 3 flats and no. 62a is a single family dwelling. Surrounding properties are all residential in character.

4. PLANNING HISTORY

- 4.1 72/0281 – Change of use of a dwelling to offices – Approved with conditions.
- 4.2 84/0889 – Change of use to include small ground floor flat within the office use of building – 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 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Policies

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

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

Paragraphs 131 and 132 encourage the consideration of the impact on the significance of heritage assets and their settings.

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 and Mix and Type of Dwellings – states that development should provide for a mix of house types, sizes and tenure to cater for different accommodation needs.

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

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

Policy BN5 – requires that heritage assets and their setting should 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:

E20 – Design of new development – development should be designed to adequately reflect character of surroundings in terms of layout, siting, form, scale and materials and impact on neighbour amenity in terms of light and privacy.

E26 – Conservation Areas – development will be permitted provided it preserves or enhances the character and appearance of those areas.

H11 – Housing development - Planning permission will be granted in primarily residential areas for the development of existing commercial property for residential development, either by conversion or redevelopment, so long as the overall effect would be to maintain or improve the appearance and character of the area.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Residential Extensions Design Guide

Billing Road Conservation Area Appraisal

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Built Conservation** - No objections. The property was built as a house and conversion back to a residential use will help preserve the character and appearance of the conservation area. The proposed rear extension and garage and the front boundary wall will not harm the appearance of the area.

6.2 **Councillor Tony Ansell** – Concerned about the visual impact of the garage/study, the potential infilling of the rear service road and the potential loss of a tree.

6.3 **Councillor Zoe Smith** – Pleased to see the property return to residential use but concerned about height of garage and significant impact upon light, privacy and outlook of surrounding properties. Requests that application be called in to be heard by the Planning Committee.

6.4 Proposal advertised by press and site notice and nearby occupiers notified. Letters received from the occupiers of **60, 62a and 121 Lower Thrift Street** who objected as follows:

- Design statement is incorrect and position of garage is unclear
- Concerned about whether tree in rear garden will be retained
- Two storey garage will block visual amenity of all surrounding dwellings

- Concerned about future development infilling rear access road
- Existing established two storey buildings at 62a and 63 Billing Road should not be used as a precedent
- Building will be overwhelming
- Considers it is unnecessary for such a large house to need a separate study in the rear garden
- Construction of 7m high garage will impact on privacy, light and visual amenity
- Proposed new build will have a larger footprint than the existing coach house at 62a Billing Road and would not be in keeping
- Questions why the garage needs to be sited at the end of the rear garden.
- Concerned that if granted a future change of use to a dwelling could be granted with infilling along the service road
- Building will be overbearing and not in keeping with the type, use and style of surrounding buildings
- Proposal will involve extra traffic using the service road
- The site has enough floor space for a single storey garage and adjacent study
- One letter lists names and addresses of additional objectors as – 60, 63, 64 Billing Road and 119, 121 Lower Thrift Street, The Old Dairy, Upper Thrift Street

7. APPRAISAL

Impact on appearance and character of the host building and conservation area

- 7.1 The proposal is to convert the property back to a dwellinghouse with ground floor living accommodation, 2 bedrooms on the first floor and three bedrooms on the second floor. It is proposed to erect a conservatory extension to the rear and to install new sliding doors and a rooflight to the proposed new kitchen.
- 7.2 To the front of the site a new low wall (0.8 m high) will be constructed across the front of the site in reclaimed brickwork with black copings and a wrought iron gate. Paving in the front garden will be replaced with turf and perimeter planting.
- 7.3 To the rear a new two storey garage will be constructed with facing bricks and slate roof to match the main house. Access to an upper floor study will be via an internal staircase. The rear tarmaced car park between the house and the proposed garage will be changed to garden with a mixture of hard and soft landscaping.
- 7.4 During the course of the application amended plans have been submitted to rectify discrepancies in the layout, to include a retained tree in the rear garden, to reduce the height of the front wall and to remove first floor garage windows, replacing them with rooflights. As the tree is now shown to be retained separate consent would be required to remove it, given its siting within a Conservation Area.
- 7.5 The Billing Road Conservation Area Appraisal identifies the majority of buildings on the north side of Billing Road as being high quality buildings of local architectural interest and significant due to the contribution they make to the street scene. It states that particular characteristics of the area are boundary walls, railings, entrance gates and piers. The Article 4 Direction protects the Billing Road Conservation Area by restricting any development that fronts a highway.
- 7.6 The change of use of 62 Billing Road from offices to residential will restore the building to its original use and help to preserve the character and appearance of the conservation area. The re-instatement of a landscaped front garden with a boundary wall and gate will enhance the character and appearance of the conservation area.

- 7.7 Development of rear extensions and the land in rear gardens with the loss of ancillary buildings such as coach houses has been identified in the Billing Road Conservation Management Appraisal as being an issue that detracts from the overall character of the Conservation Area. Rear extensions and development of curtilage buildings should be carefully designed to complement the character of an area.
- 7.8 The proposed extension and detached garage/study to the rear will not be visible in the street scene. Their erection will not therefore impact on the character and appearance of the conservation area. The restoration of the rear garden from hardstanding and use as a car park to a landscaped garden, whilst not visible in the street scene, is considered to be an enhancement to the character of the area.
- 7.9 In design terms the proposals are considered to be acceptable. The rear conservatory will infill an area between the side wall of the adjacent dwelling and the existing property with a design in keeping with the sloping roof of the existing rear projection. The proposed garage will be brick built with a sloping slate roof. The eaves height will be 4.4 metres with a ridge height of 6.8 metres. Although it will have a larger footprint (7m x 6.5m), it will be similar in appearance to existing two storey garages/outbuildings at adjacent sites. Sited at the rear of the garden (16 metres from the rear of the host property) and set back 3.5 metres from the rear service road, it is not considered that the proposed garage will unduly impact on the character and appearance of the area.

Impact on neighbouring amenity

- 7.10 The change of use back to a residential dwelling will not impact on neighbouring amenity and no objections have been received in this regard. Likewise the proposed rear extension and front garden wall will not impact on neighbouring amenity.
- 7.11 Objections received principally relate to the erection of the two storey garage building to the rear of the site. Concerns have been expressed regarding loss of privacy, light and outlook and also about the future use of the garage and future development along the service road to the rear.
- 7.12 First floor windows that were originally to be installed on the north and south elevations of the garage have been removed to overcome any impacts of overlooking. The garage is sited adjacent to a block of garages to the west and between 1.2m and 3.5m from the side boundary with 62a Billing Road to the east. Due to the separation distances between the proposed building and surrounding properties, which accord with local planning requirements, it is not considered that there will be significant loss of light, outlook or privacy caused by the development. Loss of views are not a material planning consideration.
- 7.13 In order to provide certainty regarding the future use of the garage, conditions are recommended to ensure the garage remains ancillary to the use of the dwellinghouse and to control the introduction of future windows. With regard to concerns about the service road being infilled with development, it should be noted that any future applications for development at adjacent sites would be dealt with on their own merits.
- 7.14 The proposed garage would not adversely impact on highway safety, bearing in mind the rear yard was used as a car park to serve the previous offices on site.

8. CONCLUSION

- 8.1 It is considered that the proposed development is acceptable and would not harm the character or appearance of the Conservation Area and, subject to conditions, would not unduly impact on neighbouring amenity.

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: 6008/1C, 6008/2 (existing layout), 6008/3 (proposed plans), 6008/4B (section and elevations received 26/4/16), 6008/5C (site plan and garage).

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

3. The garage and study hereby permitted shall be used as a garage and study ancillary to 62 Billing Road and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt as a separate planning unit would be undesirable in this location in accordance with Policy E20 of the Northampton Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the elevations and roof slopes of the proposed garage building.

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

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

Reason: In the interests of visual amenity to ensure the proposed garage harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

6. The external walls of the proposed conservatory shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

Reason: In the interests of visual amenity to ensure the proposed garage harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

- 10.1 N/2016/0326.

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0350

LOCATION: 63 Wrenbury Road

DESCRIPTION: 1.5 storey side extension incorporating existing garage
WARD: New Duston Ward

APPLICANT: Mr & Mrs Smith
AGENT: Archi-tec Architectural Design

REFERRED BY: Councillor John Caswell
REASON: Loss of light and neighbour amenities

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building, wider area or amenity of adjoining occupiers to comply with Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, SPD on Residential Extensions and aims of the National Planning Policy Framework (NPPF).

2. THE PROPOSAL

2.1 Permission is sought for the erection of a side extension above and to the rear of the existing garage to provide an annexe for a family member. The proposed extension would provide ground floor accommodation with bedroom and shower room above. The materials proposed would be part stone and part brick of similar colour to the existing building.

3. SITE DESCRIPTION

3.1 The application site consists of a 2 storey detached dwelling house along residential street characterised mainly by detached houses. The property has an existing double garage to the side and parking on hardstanding in front. There is a rear garden and the site is separated from no. 61 Wrenbury Road by a fence about 2 metres high. The site is not in a conservation area.

4. PLANNING HISTORY

4.1 No recent applications.

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), Northampton Local Plan (1997) saved policies, and Duston Neighbourhood Plan.

5.2 National Policies

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

Paragraph 17 relates to design and protecting amenity of other properties.

Paragraphs 56 and 57 promote good design in new development.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

S10 Sustainable Development Principles - promotes high quality design in determination of planning applications.

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 Design of new development - encourages good design and consideration given the amenity of adjoining occupiers in terms of light, outlook and privacy.

H18 Residential Extensions - relates to domestic extensions. Consideration to be given to design and effect on neighbouring occupiers.

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD

5.6 Other Material Considerations

Duston Neighbourhood Plan

At Full Council on 14th December 2015 Northampton Borough Council made the Duston Neighbourhood Plan. It now forms part of the Development Plan for Northampton. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Policy H5 Residential Extensions/Conversions is relevant to the determination of this proposal.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Duston Parish Council** - The proposal is a vast over-development of the site and would increase the size by up to 50 per cent, the designs are not sympathetic with the aesthetics of the existing houses. The proposed development would be overbearing to neighbours and detrimental to the street scene. The committee would refer to Policy H5 of the Neighbourhood Plan. Features connected with sustainable design will be required where feasible provided that it is incorporated into an overall design that complements the character of the area.
- 6.2 **Councillor John Caswell** – called in the application on loss of light and neighbour amenities.
- 6.3 **61 Wrenbury Road and 29 Excelsior Gardens** object to the application for the following reasons:
- Overbearing - due to proximity to boundary, the proposed extension would be much too large with excessive height resulting in an overbearing effect.
 - Design - has a variety of angles, lines and materials and would appear as a discordant addition creating a terraced effect and strident feature.
 - Materials - the proposed materials would look totally out of keeping with the area.
 - Character - adverse impact on visual amenity given that there are limited examples of structures close to the boundary in the locality.
 - Overlooking - loss of privacy from rear roof windows and heighten perception of overlooking.
 - Noise - from people, moving within the extension.
 - Light - impact on side doors serving kitchen and living area and rear of 29 Excelsior Gardens.
 - Concern over possible discharge of fumes if the annexe includes a kitchen.

7. APPRAISAL

Main issues

- 7.1 The principal issues to consider are the impact on the appearance and character of the host building, street scene and amenity of adjoining occupiers.

Impact on appearance and character of host building and wider area

- 7.2 While the proposed extension would increase the accommodation of the existing house, it is considered that the proposed design is in keeping with the host building and street scene, the latter of which comprises a relative mix of house types. Although the submitted plans show 2 different materials to the side wall of the proposed extension (stone and brickwork), as the site is not unduly prominent this is considered acceptable. Any approval would be subject to materials being agreed by planning condition to ensure a satisfactory external appearance of the development. While it is noted that the proposed extension would be less than 2 metres from the side wall of no. 61 Wrenbury Road, no terracing effect would result.
- 7.3 The application site is located within a substantial plot. The proposed extension would be of a scale in keeping with the host building and it is not considered that there is an overdevelopment of the site. The proposal is considered to comply with development plan policy.

Impact on amenity of neighbours

- 7.4 The most significant impact would be on the rear/side of no. 61 Wrenbury Road. That property has 2 side facing ground floor windows and 2 doors, serving a kitchen, a study/living area and an obscure glazed window serving a non-habitable room.
- 7.5 Given that the proposed development would be located to the south of that property, there is likely to result in some overshadowing. However, the proposed development would not contravene the 45 degree guide as contained in the Council's Supplementary Planning Document on Residential Extensions, and the fact that most of the windows affected would be secondary windows or already have limited outlook due to the existing boundary fence and neighbouring garage, it is not considered that the impact is as such that it warrants a refusal of planning permission.
- 7.6 The property at the rear at no. 29 Excelsior Gardens has concern that the extension may overshadow their rear garden/patio. However given the separation of 11 metres to their boundary from the rear wall of the proposed extension and there would be no additional first floor windows apart from 3 rooflights, it is considered that there would be no adverse impact in terms of loss of light or overlooking. The same can be said for the impact on no. 1 Douglas Road.
- 7.7 In terms of loss of privacy to no. 61, as the proposed windows would be rear facing roof lights and given that any overlooking would be from an oblique angle, it is considered there would be no significant overlooking to the rear of that neighbour. A condition is to be secured to remove permitted development rights for future side windows.
- 7.8 It is acknowledged that the proposed extension would be close to the boundary with no.61 Wrenbury Road, there would be some degree of overbearance. However, it is not considered that the effect is so severe that justifies a refusal of the application.
- 7.9 Due to the separation of some 20 metres between the front wall of the proposed development and properties opposite on 108 Wrenbury Road, there would be limited effect on their living conditions.

Other issues

- 7.10 No kitchen has been proposed in the annex and therefore there will be no impact in terms of fume. The concern that there could be noise within the extension holds little weight given that the relationship and separation is no different from that between other properties in the Borough.

8. CONCLUSION

- 8.1 While it is acknowledged that the proposed development would have an impact on the amenity of the adjoining occupiers at no. 61 Wrenbury Road, it is not considered that the effect would be significant enough to justify refusal of planning permission. On balance, the proposal is being recommended for approval subject to the following conditions.

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: S42-1A and 2C.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure that acceptable materials are agreed before work starts.

(4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows shall be installed in the side elevation of the proposed extension.

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

(5) The extension hereby permitted shall be occupied for residential purposes by dependants of and ancillary to 63 Wrenbury Road and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt as a separate planning unit would be undesirable in this location in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

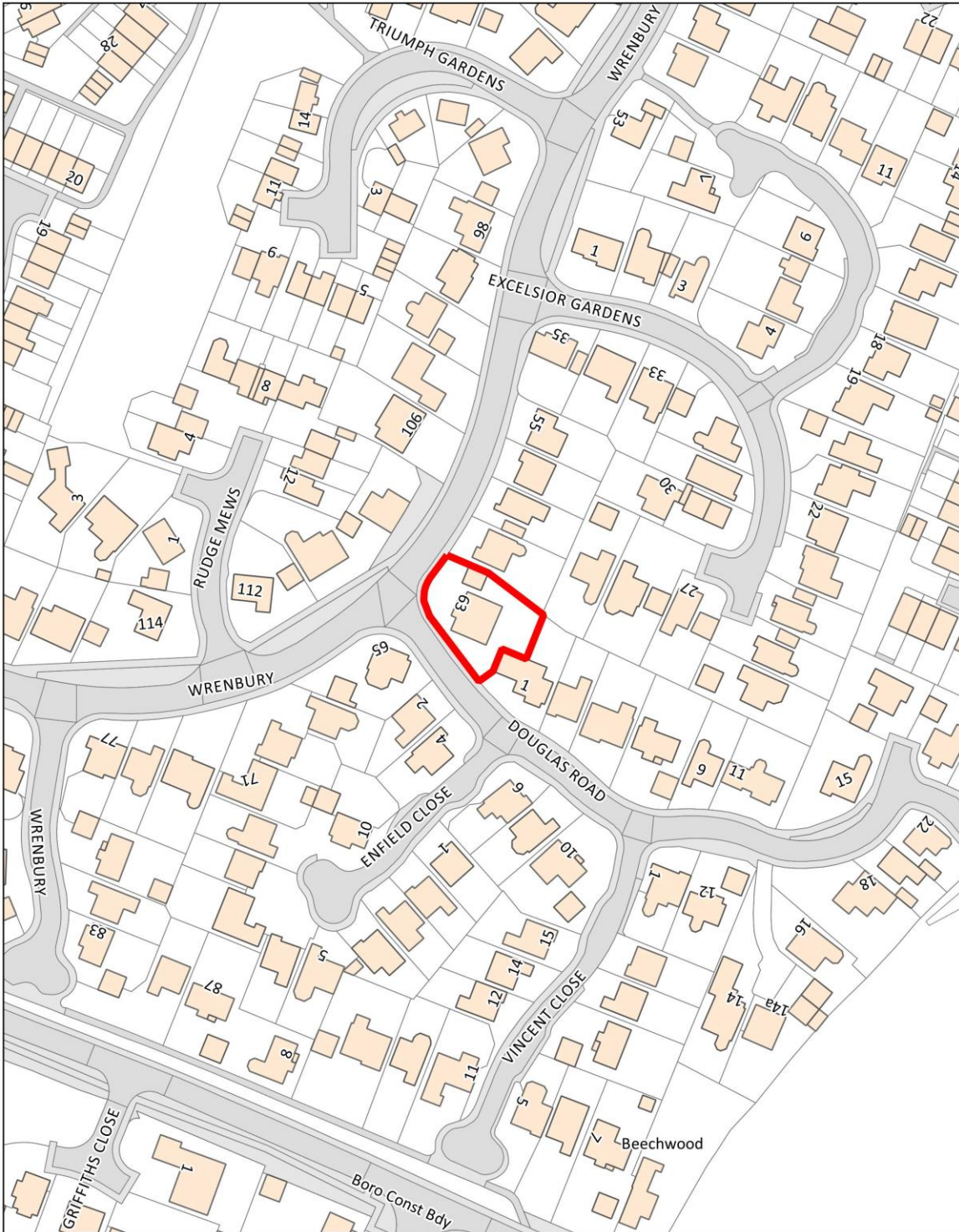
10.1 N/2016/0350.

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: **63 Wrenbury Road**

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Date: 31-05-2016

Scale: 1:1,250

Drawn by:



PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0393 and N/2016/0395

LOCATION: 7 Spencer Parade

DESCRIPTION: Change of use from offices (Use Class B1a) to 12no. one and two bed flats together with ancillary storage in the basement. Installation of metal stairs to rear, alterations to existing windows and insertion of roof light and window and associated works

Listed Building Consent application for internal and external alterations to the building to residential use including removal and part removal of internal walls and doors, installation of partition walls, insertion of new doors, installation of bathroom extraction and ducting with grille extracts to rear and side elevations, installation of metal stairs to rear, insertion of new window and roof light to rear elevation. Alterations to existing windows, including replacement and bricking up of various windows and replacement of existing metal windows within the main listed building

WARD: Castle Ward

APPLICANT: ASD Property Services (GB) Limited
AGENT: CC Town Planning

REFERRED BY: Councillor D Stone
REASON: Overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

N/2016/0393 – Planning Application

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

The proposed change of use of the property from offices (use class B1) to a residential use would support the sensitive re-use of a vacant listed building and provide additional housing 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 S10, BN5 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the

Northampton Local Plan, Policies 1, 10, 15 and 16 of the Northampton Central Area Action Plan and National Planning Policy Framework.

N/2016/0395 – Listed Building Consent Application

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

The proposed works 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 conservation area. The proposal is therefore in accordance with Policies S10, BN5 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan, Policies 1, 10, 15 and 16 of the Northampton Central Area Action Plan and National Planning Policy Framework.

2. THE PROPOSAL

2.1 The planning application (N/2016/0393) relates to the change of use of the premises from offices (Use Class B1A) to 4 no. one and 8 no. two bedroom flats together with ancillary storage in the basement. In addition, the scheme shows the installation of metal stairs to the rear, alterations to existing windows and the insertion of a roof light and window, along with associated works.

2.2 The separate application for Listed Building Consent (N/2016/0395) relates to alterations associated with the change of use. The alterations include:

- the removal and part removal of internal walls and doors;
- installation of partition walls;
- installation of new doors;
- installation of bathroom extraction and ducting with grille extracts to rear and side elevations;
- installation of metal stairs to rear;
- insertion of new window and roof light to rear elevation;
- alterations to existing windows, including replacement and bricking up of various windows; and
- replacement of existing metal windows within the main listed building.

3. SITE DESCRIPTION

3.1 The application site constitutes a three storey building; it is a Mid-19th century former dwelling which is one of a matching pair of villas with No.6 built in Jacobean style. It is a Grade II listed, located within St Giles Conservation Area. The building is currently vacant, having most recently been in use as an office.

3.2 The building is finished in cream render, with prominent quoins and welsh slate roof tiles. The building is set back from the road frontage and has a large unenclosed front garden.

3.3 An extension was added to 7 Spencer Parade in the 1970s to provide a 4/5 storey office extension on rear. Whilst this now forms part of the listed building it is not of historic significance.

3.4 In setting the context of the application, consent was granted in August 2015 for the conversion of the adjacent property, 6 Spencer Parade, to provide 8 apartments and associated alterations. At that time it was reported that the two properties were connected by internal doors and that they had been vacant since January 2014.

4. PLANNING HISTORY

- 4.1 Records indicate that only minor alterations have been carried out to the premises, including the erection of laser box, addition of an access ramp to the front entrance and provision of a toilet or disabled use in 2004.
- 4.2 Consent was granted in 2013 (reference N/2013/0459) for works to the trees within the curtilage of 4-7 Spencer Parade.

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), Northampton Local Plan (1997) saved policies and Northampton Central Area Action Plan (2013).

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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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 land supply to meet their housing target.

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

Paragraph 50 seeks to deliver a wide choice of high quality homes and plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups of the community. Within this a range of housing to cover different size, tenure and type to reflect local need should be identified.

Paragraph 56 attaches the importance of good design in proposals. Good design is a key aspect in sustainable development.

Paragraph 129 requires local planning authorities to consider significance of any heritage assets affected when determining planning applications.

Paragraph 131 requires that local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

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.

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:

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

Policy 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 H1: supports a mix of housing types mix of dwelling types, size and tenures in within the development plan area, taking into account the location, character and density of the local area, proximity to public transport, living conditions for future residents and impact on the amenity of the occupiers of neighbouring properties.

5.4 **Northampton Central Area Action Plan 2013**

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

Policy 1 Promoting Design Excellence which seeks to preserve and enhance the character, appearance and setting of the Central Area's heritage assets.

Policy 10 Parking seeks to control parking. It resists additional private parking within the Central Area.

Policy 15 Office and Business Use seeks to promote office use in the Central Area. Exceptions to the policy are appropriate where the benefits of the change of use outweigh the loss of employment space and meet the strategic objectives, which in this instance is to contribute to the housing needs of Northampton.

Policy 16 Central Area Living: supports the need to provide a mix of dwelling types, size and tenures in the Central Area, in support of the Policy H1 of the West Northamptonshire Joint Core Strategy.

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

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

Policy E20 - new development seeks to secure development which has an acceptable design and layout and achieves acceptable standards of amenity.

Policy E26 - new development to preserve or enhance character and appearance; does not include the demolition of buildings making a significant contribution to character /appearance

5.6 **Supplementary Planning Documents**

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

5.7 **Other Material Considerations**

St Giles Conservation Area Appraisal – The Conservation Area Assessment (dated 2006) sets out the process that was followed by the Council prior to designation of the Conservation Area on 25th June 1986. It sets the scene for the history and character of the Conservation Area.

Whilst this part of Northampton dates back to the 12th Century, Spencer Parade was an addition in the mid-19th century. It notes how the properties, which would have originally been for residential use, are set back, with villa gardens that create a visual separation between the private and public environment which adds to the grandeur of the properties and distinctive character of the area.

The appraisal adds that the properties have been constructed in varied architectural styles of the early 19th Century ‘mediaevalist’ period, more of a Jacobean style with multi-gabled façade.

The Conservation Management Plan seeks to protect and actively manage the area and sits alongside the Appraisal. In respect of vacant buildings, such as this, the management plan seeks to ensure the best long term future for any building and the reinstatement of the buildings original use will be looked upon favourably.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – request a condition relating to refuse storage pending collection.
- 6.2 **NBC Conservation** – No objection to the change of use which is appropriate to the historic character of the listed building. The proposed works to the listed building were discussed prior to the submission of the application and advice has been given.
- 6.3 **Northamptonshire Police** – no objections are raised in principle, but advice is given in respect of security measures that should be incorporated into the development.
- 6.4 **Town Centre Conservation Advisory Committee** – no response received.
- 6.5 **NCC Highways and Access** – As the development does not contain any off-street parking provision and the change of use will increase the demand for on street parking spaces after 6pm, the Council may wish to satisfy itself that the proposed development will not have an undue amenity impact upon the neighbouring residents.
- 6.6 **NCC Surface Water** – As this is not a major application, standing advice applies in this instance.
- 6.7 **Councillor D Stone** – wishes the application to be called into committee on the grounds of over development and all the associated issues.
- 6.8 One letter and 3 emails have been received from **6 Spencer Parade**. The observations are summarised as follows:

- Works have commenced on site prior to determination of the application, which has caused noise and disturbance to the tenants of the adjacent property;
- A Stop Notice should be served on the applicant;
- Concerns regarding overlooking
- A Construction Management Plan should be provided to protect local residents;
- Design and approval of drainage should be agreed with the local water authority prior to commencement of works to avoid shared drainage with the adjacent property;
- Any works to the shared chimney stack and roof should be inspected by an independent surveyor;
- Conditions should be imposed to ensure the quality of the materials;
- If the above matters are adequately covered by appropriate conditions, the objector will support the application.

6.9 In response to the above, the agent has confirmed that no additional floor space is being created as part of this application, overlooking has been minimised by considering the layout of the flats and obscure glazing added where there is the potential for loss of privacy, noise arising during the course of construction can be addressed by hours related conditions, drainage could be controlled by condition (although this matter would be dealt with under the Building Regulations), repairs to the chimney are a civil matter between the two parties involved, other examples of flatted development within the town centre have been approved without parking provision.

7. APPRAISAL

Principle of Development

- 7.1 The National Planning Policy Framework makes clear the presumption in favour of sustainable development and aims to meet the housing needs of the area. Policy S10 of the West Northamptonshire Joint Core Strategy (JCS) supports sustainable development and H1 supports development which meets housing needs. 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 It is considered that the site lies within a sustainable location, within the town centre, offering access to facilities and public transport links.
- 7.3 The application site is within a safeguarded employment site by virtue of Policy 15 of the CAAP. The policy states that applications for change of use outside of the B use class will only be permitted where it can be demonstrated that the loss of employment floor space will be outweighed by meeting the strategic objectives.
- 7.4 In this case it is considered that the proposed development would fulfil the strategic objectives of Policy 16 of the CAAP. Policy 16 of the CAAP seeks to encourage town centre living and encourages the development of one and two bedroom apartments within and adjacent to the town centre boundary.
- 7.5 Whilst the proposal will reduce the office space in the Town Centre, it will seek to protect and preserve the structure and appearance of the listed building. Currently this property is vacant and whilst no marketing information has been supplied, it is understood to have been empty for some time. It is therefore considered that the proposal is acceptable.

Impact on Heritage Asset

- 7.6 No objections have been raised on conservation grounds to conversion from offices to residential use, and it is considered that this is appropriate to the historic character of the listed building.

- 7.7 The proposed external alterations – notably the blocking-up of non-original window openings and replacement of metal windows from the front and side elevations – were agreed pre-application and will help to restore the appearance of the building.
- 7.8 Details of replacement windows are to be agreed by condition and the like-for-like repair and the redecoration of the exterior of the building has been agreed as not requiring listed building consent. If the applicant were to propose changes in the future, this would require listed building consent.
- 7.9 The internal alterations and sub-divisions were also agreed as being reversible and limit harm to the surviving layout and character of the building. The proposed insulation between floors and bathroom extraction grilles will have an acceptable impact. The internal partition walls identified for removal or re-positioning are not historic.
- 7.10 The rear extension is dominant and not of historic importance. The alterations to the extension, including the external staircase, will not harm the character or setting of the main building.
- 7.11 It is therefore considered that there is no material adverse impact on the listed building as a result of the works proposed.

Impact on amenity

- 7.12 In considering residential development, the amenities of both the existing and proposed occupants should be considered and adequately preserved.
- 7.13 In this instance, the rear extension is irregular in shape and windows are located on the side elevations. no additional openings are proposed and in considering the layout of the residential units, the drawing indicate bathrooms, kitchens and second bedrooms will have windows looking towards the garden area of 6 Spencer Parade. In response to any potential overlooking issues, the windows are indicated to be obscure glazed.
- 7.14 Further consideration should also be given to the existing situation with the authorised use. Currently there are no controls over the overlooking situation that could occur if the offices were occupied on a daily basis. In an extreme situation, there would be no restriction on the hours the offices could be used and it is possible that an office based use could operate 24/7 if such a tenant had been found. On that basis the measures indicated on the drawings are considered acceptable and would not result in an unacceptable development in terms of residential standards.
- 7.15 The application site contains a substantial building and the proposed conversion to 12 flats is considered acceptable and would provide good level of amenity for future occupiers. It is not considered that the proposal represents an overdevelopment of the site.
- 7.16 A secured refuse and recycling storage area is shown on the submitted plan. A planning condition will be imposed to ensure that the facility is provided.

Impact on Highways

- 7.17 The Highway Authority has commented on the limited parking in the area, which immediately outside the property, the on-street parking is controlled by parking meter.
- 7.18 There are no residents parking permit schemes in this area, which would mean that any occupants of residential properties in this area could be deterred from private car ownership, or would have to park knowing that charges would apply.

- 7.19 Other applications have been approved in this area and to a certain extent, a precedent has been set, however cumulative impact is a consideration.
- 7.20 Given the location of the property, a good public transport service exists in the vicinity, which again would be a consideration for any potential occupier of the flats.
- 7.21 Given the proximity to employment areas, such as the hospital, town centre uses and the new university campus, a lack of parking provision may not be a concern for potential occupiers.
- 7.22 It is therefore considered that the lack of parking provision is not a justification for refusing the application. A planning condition will be imposed to ensure that secured cycle parking area is provided within the curtilage of the site.

8. CONCLUSION

- 8.1 The principle of the development is acceptable and provides an acceptable use for the listed building within the Central Area. The design and impact on the neighbouring residential and commercial uses is considered to be acceptable and would not adversely impact on residential amenities of the residents of 6 Spencer Parade.
- 8.2 The lack of parking in the area is considered to be acceptable given the location of the building and in balance; the contribution that this development will make to the five year land supply would outweigh any impacts of the development.

9. CONDITIONS

9.1 N/2016/0393 – Planning Application

(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: basement and ground floor plans 1202-16/01, first, second and third floor plans 1202-16/02, elevations 1202-16/03, floor/wall junction details 1202-16/04.

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

(3) The refuse and recycling storage facilities as shown on the submitted plan shall be provided prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

(4) No construction works related to the proposal hereby approved shall not take place before 08.00 hours or after 17.30 hours on any day or at any time on Sundays or Bank Holidays.

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

(5) Notwithstanding any details submitted with the application, prior to the commencement of the development, details of the replacement windows shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in accordance with policy BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Central Area Action Plan and the NPPF. The condition is a pre-commencement condition to ensure that no works are carried out which would be detrimental to the historic fabric of the grade II listed building whilst reducing the impact on the amenities of the adjacent residential properties.

(6) Full details of facilities for the secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

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

9.2 N/2016/0395 – Listed Building Consent Application

(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 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: basement and ground floor plans 1202-16/01, first, second and third floor plans 1202-16/02, elevations 1202-16/03, floor/wall junction details 1202-16/04.

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

(3) Notwithstanding any details submitted with the application, prior to the commencement of the development, details of the replacement windows shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and in accordance with policy BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Central Area Action Plan and the NPPF. The condition is a pre-commencement condition to ensure that no works are carried out which would be detrimental to the historic fabric of the grade II listed building.

10. BACKGROUND PAPERS

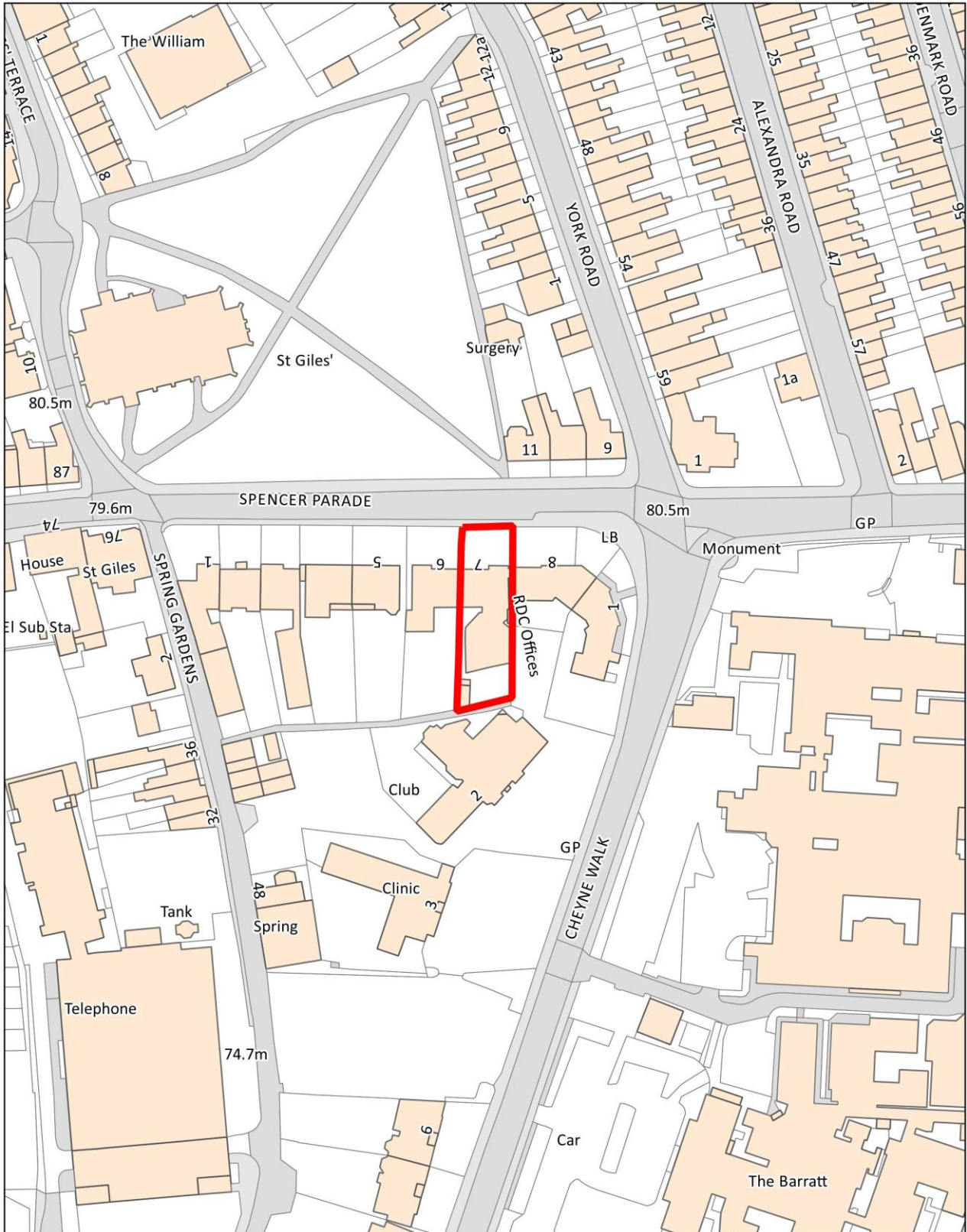
10.1 N/2016/0393 and N/2016/0395.


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 7 Spencer Parade</p>	<p>Date: 31-05-2016</p>
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PLANNING COMMITTEE: 14th June 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0490

LOCATION: 12 - 14 Gold Street

DESCRIPTION: Install new shopfront and erect metal railings to provide external seating area

WARD: Castle Ward

APPLICANT: John R. Gammidge & Co
AGENT: Sursham Tompkins & Partners

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development would be sympathetic to the existing building and would have no adverse impact on the conservation area or the setting of the adjacent listed building. This would be in accordance with Policies S10 and BN5 of the Joint Core Strategy, Policy 1 of the Central Area Action Plan, Policy E26 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks planning permission to install a new shop front to the property and to enclose the covered forecourt with railings to create an outdoor seating area. Elements of the existing building would be clad as part of the proposals.

3. SITE DESCRIPTION

3.1 The site is located within the All Saints Conservation Area and adjacent to a Grade II listed building at the corner of Gold Street and College Street. It comprises a 1960s building with a shop unit at ground floor with a covered forecourt created by the upper floors of the building, which have been used for office purposes.

3.2 The strip of land forming the covered forecourt is within the Council's ownership.

4. PLANNING HISTORY

- 4.1 N/2015/1488. Planning permission refused for ground floor infill extension to provide additional floor area and install new shop front. January 2016.

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), Northampton Local Plan (1997) saved policies, and Northampton Central Area Action Plan (2013).

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

5.2 National Policies

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

Paragraph 56 encourages good design.

Paragraphs 131 and 132 encourage the consideration of the impact on the significance of heritage assets and their settings.

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:

S10 sustainable development principles
BN5 Heritage assets

5.4 Northampton Central Area Action Plan 2013

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

Policy 1: Promoting design excellence.

5.5 Northampton Local Plan 1997 (Saved Policies)

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

E26 Conservation areas

5.6 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004
All Saints Conservation Area Appraisal and Management Plan

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **NBC Conservation** have no objections to the development although recommend that the shop front should align better with the fenestration on the upper floors.

7. **APPRAISAL**

- 7.1 The main issues to consider are the impact on the character and appearance of the conservation area and the setting of the adjacent listed building.
- 7.2 It is considered that the replacement shop front is acceptable and would respect the character of the building. The shop front is recessed into the building and as such the ground and upper floors are not 'read' together. Consequently it is not considered necessary to amend the plans to align the shop front with the upper floors.
- 7.3 As the recessed forecourt to the building is to be retained, rather than enclosed as proposed previously, it is considered that the development respects the character of the conservation area and the setting of the adjacent listed building and would cause no harm to these heritage assets or their significance.
- 7.4 The use of this arcade as an outdoor seating area enclosed with railings is considered to introduce activity to the frontage of the building which would benefit the wider street scene and which would accord with the policies of the Central Area Action Plan. No roller shutter is proposed with this application but the proposed railings would provide additional security for the site.

8. **CONCLUSION**

- 8.1 For the reasons outlined above it is considered that the development is acceptable and that planning permission should be granted.

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: 6566 13.

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

3. No development shall commence until such time as details of the cladding and railings to be used in the development hereby permitted have been submitted to an agreed in writing by the Local Planning Authority. The development shall only be carried out in accordance with the agreed details.

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

10. BACKGROUND PAPERS

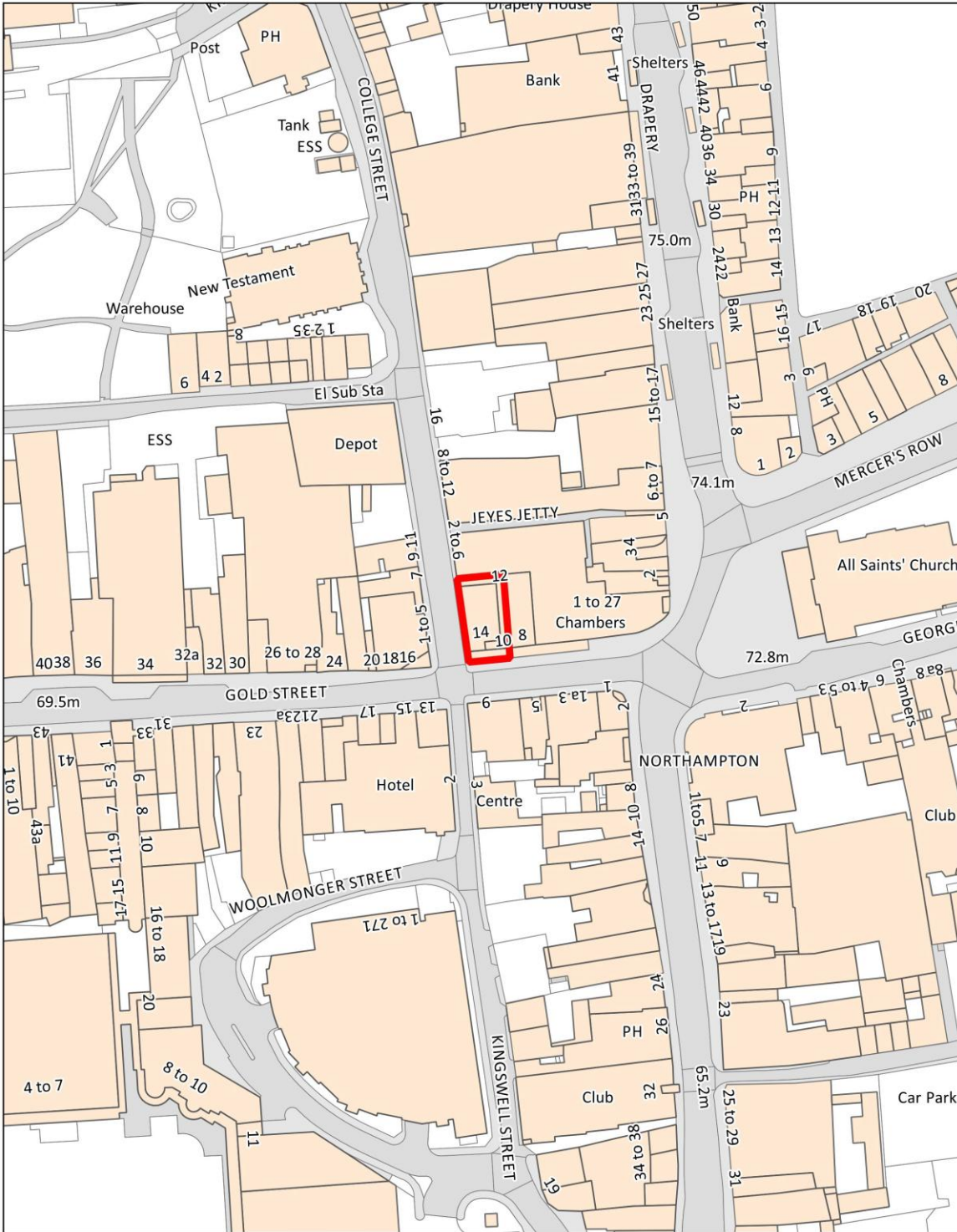
10.1 N/2016/0490.

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: **12-14 Gold Street**

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Date: 31-05-2016

Scale: 1:1,250

Drawn by:



PLANNING COMMITTEE:	14 th June 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2016/0545
LOCATION:	Wootton Hall Police Headquarters Wootton Hall Park, Mereway
DESCRIPTION:	Erection of temporary modular units and associated alterations for educational use for a temporary period of three years
WARD:	East Hunsbury Ward
APPLICANT:	Education Funding Agency
AGENT:	Jones Lang LaSalle
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	Development is of local interest
DEPARTURE:	No

CONSULTATION BY NORTHAMPTONSHIRE COUNTY COUNCIL:

1. RECOMMENDATION

- 1.1 That Northampton Borough Council raise **NO OBJECTIONS** to the proposed development, subject to the issues outlined below being addressed by Northamptonshire County Council:
- no objections being received from the Highway Authority in respect of the impact on the local road network;
 - conditions to ensure that the land is restored to Open Space in a timely manner;
 - provision made for adequate tree protection measures and replacement tree planting to mitigate for the tree loss necessitated by this development;
 - suitable drainage of the site to be provided;
 - the concerns of East Hunsbury Parish Council being addressed.

2. THE PROPOSAL

- 2.1 This is an application for the erection of temporary modular units (some two storey) and associated external alterations for educational use (Use Class D1) for a temporary period of three years (September 2016 – August 2019) on part of the sports ground at Wootton Hall Park. Access to the school would be from Mereway, via the existing driveway through the site.
- 2.2 This development would temporarily accommodate 540 pupils, to allow for the phased relocation of the Police from Wootton Hall, and for the development of 'Wootton Hall Park School' (separate application), which would be an 'all-through' school, comprising a 2 form entry Primary school and a 4 form entry Secondary school, with 1,290 students at full capacity.

3. SITE DESCRIPTION

- 3.1 The site is 1.84 hectares and is located on the south west quadrant of the Wootton Hall Park sports ground. Wootton Hall is currently used as the Police Headquarters, Fire and Ambulance Services, Records Office, and community uses, with surrounding residential development. A Tree Preservation Order extends along both sides of the driveway.

4. PLANNING HISTORY

- 4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and the Northampton 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 72: The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that widens the choice in education.

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:

RC2 – Community Needs: the loss of existing open space areas will be resisted unless it can be demonstrated that the proposal will bring about community benefits that outweigh the loss of the facility.

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:

E9 – Locally Important Landscape Areas: special importance will be attached to the effect of new development upon the character of such areas.

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards SPG 2003

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Planning Policy** – The proposed temporary structure does not appear to result in the permanent loss of open space and no loss at all of sporting provision. Raise no objections to the application providing it is conditional on the applicant that the open space and sporting provision will be re-provided upon on the relinquishment of the modular buildings following the completion and transfer into the new school build.
- 6.2 **NBC Arboricultural Officer** – the tree removal for the access is regrettable but necessary. The drawings appended to the report show an area for staff car parking and pupil drop-off that covers the root protection areas of a number of trees, but there is no detail of ground protection measures or construction methods that would prevent soil compaction and the likely subsequent decline in tree health and condition. That an Arboricultural Method Statement will be required as a condition of any planning consent.
- 6.3 **East Hunsbury Parish Council** – comments as follows:
- there is only one entrance to the proposed site which is also used by various emergency services. The volume of traffic during school drop-off and pick-up times is likely to increase significantly, particularly as parents dropping off for Abbeyfields School are now likely to use Wootton Hall Park Road to drop off so that they can turn right at the roundabout, and not have to go the length of Mereway.
 - Question whether the Construction Management Plan make restrictions on deliveries of materials, etc. that protect the wellbeing of the local residents surrounding the site.
 - Question whether there will be encroachment on the cricket pitch during construction, to allow the Sports and Social Club to rent out the facilities as usual.

7. APPRAISAL

- 7.1 The subject area is designated as Greenspace and a Locally Important Landscape Area in the Northampton Local Plan. Relevant policies require that new development not affect the overall character of the area, and that community benefit should out-weigh the loss of open space areas.
- 7.2 There is an identified significant educational need in Northampton. It is considered that the community benefit of providing interim educational facilities sufficiently justifies the temporary loss of this area of open space until 2019. The overall character of the open space would be retained during that time, as much of the temporary site is for play areas.
- 7.3 Documentation provided with the application states that the new school will employ 25 full time staff in the first year, increasing to 63 full time staff for the final academic year 2018.

8. CONCLUSION

- 8.1 The use of the Open Space area for a school is acceptable for the temporary period as it will provide community benefit and is in accordance with Development Plan Policy. Accordingly, it is recommended that Northampton Borough Council raise no objections to the application, subject to the issues below being addressed by NCC:
- No objections being received from the Highway Authority in respect of the impact on the local road network;
 - conditions to ensure that the land is restored to Open Space in a timely manner;

- provision made for adequate tree protection measures and replacement tree planting to mitigate for the tree loss necessitated by this development;
- suitable drainage of the site to be provided;
- the concerns of East Hunsbury Parish Council being addressed.

9. BACKGROUND PAPERS

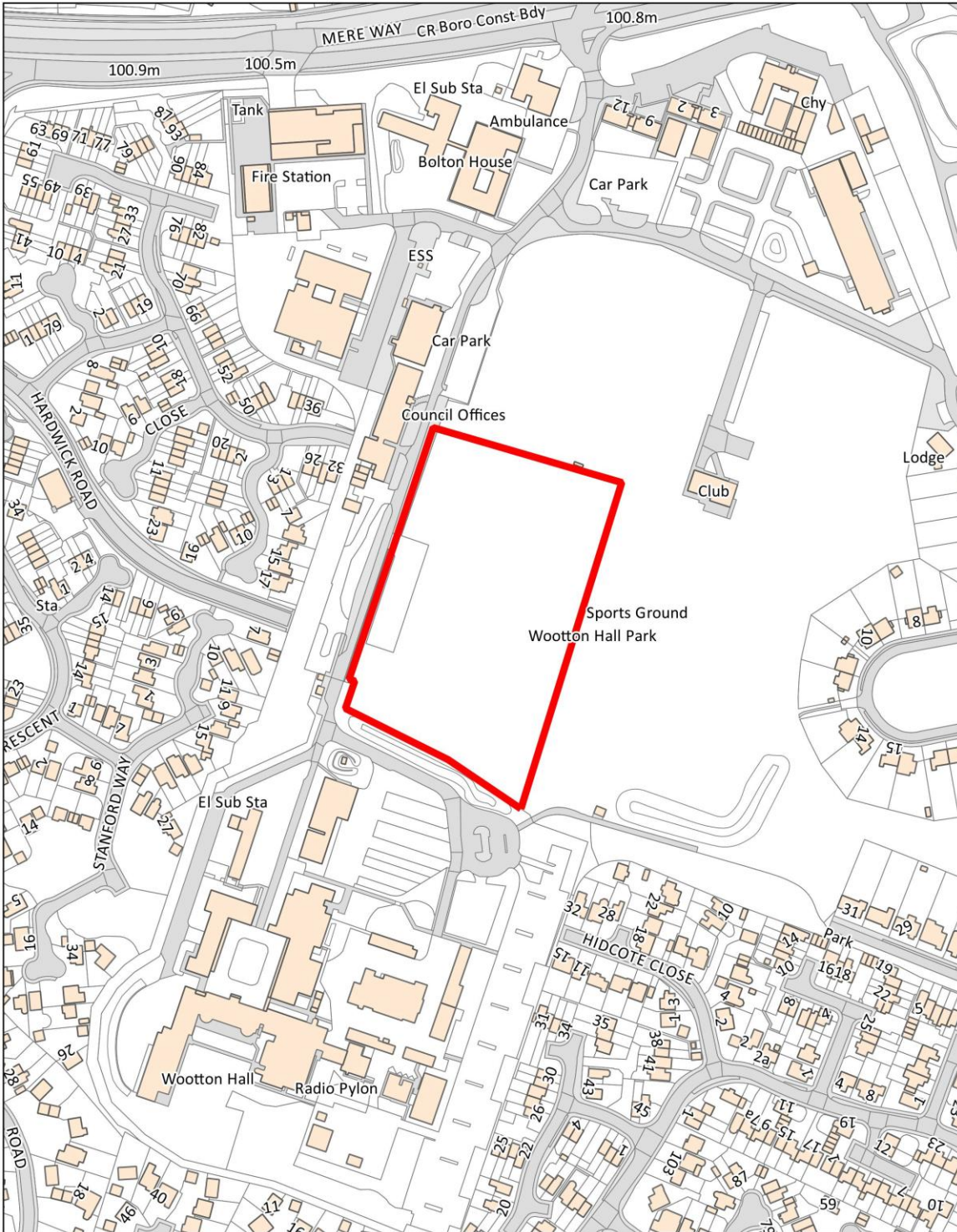
9.1 N/2016/0545.

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: Wootton Hall Police Headquarters

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