



# PLANNING AGENDA

**Tuesday, 25 October 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, Graham Walker, Arthur McCutcheon, Brian Markham, Samuel Shaw, Andrew Kilbride and Elisabeth Gowen.

**Chief Executive** David Kennedy

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[democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) or 01604 837587

# PLANNING COMMITTEE

## AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 25<sup>th</sup> October, 22<sup>nd</sup> November, 20<sup>th</sup> December 2016 and the 17<sup>th</sup> January, 14<sup>th</sup> February, 14<sup>th</sup> March, 11<sup>th</sup> April, 9<sup>th</sup> May and the 8<sup>th</sup> June 2017. The Council permits public speaking at the Planning Committee as outlined below:

### Who Can Speak At Planning Committee Meetings?

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

### How Do I Arrange To Speak?

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

Methods of Registration:

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

by email to: [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk)

### When Do I Speak At The Meeting

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

### How Long Can I Speak For?

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

### Other Important Notes

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

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.  
on Tuesday, 25 October 2016  
at 6:00 pm.

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

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS / PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**

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

Report of Head of Planning (copy herewith)

**7. OTHER REPORTS**

None.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None.

**10. ITEMS FOR DETERMINATION**

**ADDENDUM**

- (A) N/2016/0654 - VARIATION OF PLANNING CONDITIONS 7, 9 AND 10 OF PLANNING PERMISSION N/2015/0333 (HYBRID APPLICATION FOR NEW RETAIL FOOD STORE AND UP TO 19 RESIDENTIAL DWELLINGS) TO ALLOW IN-STORE BAKERIES, EXTENSION OF OPENING HOURS AT BANK HOLIDAY BETWEEN 8AM TO 10PM AND CHANGE OF DELIVERIES HOURS TO STATE NO DELIVERIES TO BE PERMITTED BEFORE 6.30AM AND AFTER 9.00PM ON MONDAYS TO SATURDAYS; BANK HOLIDAYS NO DELIVERIES TO BE PERMITTED BEFORE 6.30AM AND AFTER 9.00PM; SUNDAYS AND PUBLIC HOLIDAYS NO DELIVERIES TO BE PERMITTED BEFORE 8.30AM AND AFTER 5.00PM, FORMER NORTHAMPTON CHRONICLE AND ECHO SITE, UPPER MOUNTS**

(Copy herewith)

**(B) N/2016/0970 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 RESIDENTS - RETROSPECTIVE, 162 ST ANDREWS ROAD**

(Copy herewith)

**(C) N/2016/1055 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 RESIDENTS, 3 UPPINGHAM STREET**

(Copy herewith)

**(D) N/2016/1102 - PART CONVERSION OF GARAGE TO KITCHEN, 59 MESHAW CRESCENT**

(Copy herewith)

**(E) N/2016/1123 - CHANGE OF USE OF DWELLING (USE CLASS C3) TO DWELLING AND CHIROPRACTIC STUDIO AND ERECT SINGLE STOREY SIDE EXTENSION, 1 MARJORAM CLOSE**

(Copy herewith)

**(F) N/2016/1151 - DEMOLITION OF AN EXISTING SINGLE STOREY OUT-HOUSE AND THE CONSTRUCTION OF A TWO STOREY EXTENSION TO THE REAR OF THE EXISTING PROPERTY; CHANGE EXTERNAL FINISH OF HOUSE TO BRICK, 10 TOMS CLOSE**

(Copy herewith)

**(G) N/2016/1152 - CONSTRUCTION OF TWO STOREY SIDE EXTENSION, NEW PORCH TO THE FRONT AND A CONSERVATORY TO THE REAR. EXISTING GARAGE IS TO BE DEMOLISHED AND REPLACED BY A DOUBLE GARAGE. EXTERNAL FINISH OF HOUSE IN BRICK, 11 TOMS CLOSE**

(Copy herewith)

**(H) N/2016/1216 - CHANGE OF USE IN PART FROM ESTATE AGENT (USE CLASS A2) TO COFFEE SHOP/RESTAURANT (USE CLASS A3), NORTHAMPTON & COUNTY CLUB , 8B GEORGE ROW**

(Copy herewith)

**(I) N/2016/1260 - PRIOR NOTIFICATION OF DEMOLITION OF EXISTING THREE LEVEL WALKWAYS PROVIDING PEDESTRIAN ACCESS BETWEEN ST JOHNS HOUSE AND ST MARK'S HOUSE, ST JOHNS HOUSE , ST ANDREWS STREET**

(Copy herewith)

## **11. ENFORCEMENT MATTERS**

None.

**12. ITEMS FOR CONSULTATION**

- (A) N/2016/1208 - ERECTION OF A LEISURE BUILDING TO INCLUDE A CINEMA, OTHER LEISURE USES AND RESTAURANT UNITS AND ERECTION OF RETAIL UNITS, CYCLE HIRE FACILITIES TOGETHER WITH PROPOSALS FOR ACCESS, PARKING AND SERVICING SPACE, HARD AND SOFT LANDSCAPING AND OTHER ASSOCIATED WORKS. (16/01662/FUL), RUSHDEN LAKES, RUSHDEN**

(Copy herewith)

- (B) N/2016/1219 - CONSTRUCTION OF 53 DWELLINGS INCLUDING PUBLIC OPEN SPACE, BALANCING POND AND ASSOCIATED INFRASTRUCTURE (RESUBMISSION), LAND OFF WHITES LANE, LOWER HARLESTONE**

(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:-**



## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 6 September 2016

**PRESENT:** Councillor Oldham (Chair); Councillor Golby (Deputy Chair);  
Councillors Birch, Davenport, Haque, J Hill, Kilbride, Lane,  
McCutcheon, Patel and Shaw

**OFFICERS:** Steven Boyes (Director of Regeneration, Enterprise and Planning) ,  
Rita Bovey (Development Manager), Ben Clarke (Principal Planning  
Officer), Andy Holden (Principal Planning Officer), Theresa Boyd  
(Planning Solicitor), Kirk Harrison (Democratic Services Officer).

#### 1. APOLOGIES

Apologies were received from Councillor Dennis Meredith. Apologies for lateness were received from Councillor Matt Golby (Deputy Chair).

#### 2. MINUTES

The minutes of the meeting held on 26th July were agreed and signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

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

**N/2015/1454**

Simon Copson

**N/2016/0412**

Tony Skirrow

Sarah Williams

Councillor Penny Flavell

Rob Lamb

**N/2016/0581 & 0582**

Peter Sayer

Scott Walker

John Marlow

Carrie Goodridge

Fiona Diamond

**N/2016/0790**

Tom Jasser

Martin Trevor

#### **4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Cllr Suresh Patel declared a personal interest in item 10c.

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

There were none.

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

The Development Manager advised the Committee of the list of Current Appeals and Inquiries and elaborated thereon. The application relating to 54 Adams Avenue had been refused by the Committee but the Planning Inspectorate had not agreed with its decision and had allowed the appeal. The basis for the decision was that the additional demand for car parking would not have had an adverse impact. She also advised members that the appeal in relation to Collingtree for 378 dwellings had been dismissed.

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

#### **7. OTHER REPORTS**

There were none.

#### **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

There were none

#### **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

There were none.

#### **10. ITEMS FOR DETERMINATION**

- (A) N/2015/1454 - DEMOLITION OF THE EXISTING WARD BLOCKS. RESTORATION OF THE CLOCK TOWER AND CONVERSION TO RESIDENTIAL USE COMPRISING 13NO APARTMENTS, RESTORATION OF THE ADMINISTRATION BUILDING AND CONVERSION TO RESIDENTIAL USE TO PROVIDE 4NO APARTMENTS, THE ERECTION OF 120NO APARTMENTS AND 98 HOUSES (235NO DWELLINGS TOTAL) WITH ASSOCIATED ROADS AND UNDERGROUND CAR PARKS. FORMER ST CRISPIN HOSPITAL, BERRYWOOD ROAD**

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that planning permission was sought on the former St. Crispins Hospital site for apartments, houses and associated car parking. The Officer confirmed that there would be a loss of trees associated with the proposal but that this was a regrettable



consequence of an otherwise positive application. It was also confirmed that there was not likely to be any significant increase in traffic and the Highway Authority has no objection.

The proposal would be similar to the existing design within the St. Crispins estate but not identical. The development would consist of apartment blocks, terraced housing and underground car parking. The apartment blocks would be 4 storeys, rather than the three storeys of the ward blocks, which overcomes the problem of floor height with conversion of the blocks. The design was not a reproduction but was sympathetic to the historic site. The clock tower would be retained and turned into a thirteen apartments, including a single apartment over several floors and the administration block would also be retained. Ultimately, the recommendation to permit demolition of the derelict and fire damaged buildings was not taken lightly but was based on an independently verified viability assessment which showed that refurbishment would not be economically viable. It was considered that the substantial harm which would result from the loss of the buildings would be outweighed by the substantial public benefit of the regeneration and bringing back into economic use of the site. Assurances were sought from the developer that the development would go ahead they would not be able to simply clear the site and sell the land and this would be secured by planning conditions

Simon Copson from RDC Developments addressed the Panel and spoke in favour of the application. He advised the Committee that the proposal was the culmination of 2 years work and that the buildings had endured years of standing derelict in one of Northampton's finest developments. The proposal was sympathetic to the original buildings and the existing area. The site included a public square and had received a lot of positive response from residents. He confirmed that work would be able to start straight away.

In response to questions from the Committee the Principal Planning Officer confirmed that there would be 340 car parking spaces and off-site affordable housing would be secured using contributions made in respect of this development and built in a location to be agreed with the local authority where provision had been identified as necessary within the town. The scheme was viable and would help to demonstrate the authority's commitment to the 5 year housing land supply.

**RESOLVED:** That the application be APPROVED IN PRINCIPLE subject to the completion of a Section 106 agreement and the conditions as set out in the report and as amended by the addendum and for the following reason –

The proposal is essential to secure the substantial public benefit of the regeneration and bringing back into a viable use of a prominent site, which has been in an increasing state of dereliction over a number of years. The proposal includes the restoration of the clock tower, this being the most significant feature of the site and a prominent landmark in the Conservation Area. The proposed development would make a significant contribution to the Borough's housing supply. These substantial public benefits would outweigh the substantial harm resulting from the loss of significant historic buildings within the Conservation Area. It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if the level of affordable housing and S106 contributions required is applied, and that, on balance, the reduced overall level of contributions would be outweighed by the environmental

and social benefits of the proposal. The development is therefore considered in accordance with Policies S3, S10, H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

. Members commented that they fully supported the application although some members were uneasy at the provision of off-site affordable housing rather than on-site.

**(B) N/2016/0412 - DEMOLITION OF FARMHOUSE, ASSOCIATED BUILDINGS AND THE RESIDENTIAL PROPERTY OF 'LITTLE NORWAY'. CONSTRUCTION OF TWO WAREHOUSE AND DISTRIBUTION UNITS (USE CLASS B8) WITH ANCILLARY OFFICE ACCOMMODATION, TOGETHER WITH EARTHWORKS, ACCESS, SERVICE YARDS, PARKING ARRANGEMENTS, LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE INCLUDING CREATION OF FOOTPATH. DEVELOPMENT LAND SOUTH OF BEDFORD ROAD, OFF LILIPUT ROAD**

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that planning permission was sought for a decision that was deferred from the previous meeting for 2 warehouses on Bedford Road South East of Brackmills in Northampton. The design incorporated a curved roof in order to reduce its impact on the local area and had been deferred to seek responses on the scale of the development, its impact on the conservation area as well as alternative sites and the impact of additional traffic.

The application itself had not been amended but the key points were that the proposal was 322m to the nearest building and 320.8m to the church at Great Houghton village. The proposal was separated from the village by screening which, within 10 years would completely obscure the building. Consideration had been given to an alternative site at Grange Park but this was considered to be inappropriate while there was no scope for the development elsewhere. This would mean that, if permission was not granted, then the developer would be required to seek alternative sites outside the borough. This would mean that the proposal for 391 staff by 2021 would not benefit Northampton. In terms of traffic, there was a likelihood of only 1-3% increase on current levels of usage which was seen as negligible and would be mitigated by works being carried out the roundabouts nearby. The Section 106 Agreement would also secure measures to increase the provision of public transport.

Councillor Tony Skirrow from Great Houghton Parish Council addressed the Committee and spoke against the proposal. He advised members that the developer had been given time to address the application in 4 areas but had changed nothing in that time. The separation distances between the development the village was unchanged and the slope of 1:3 on the bund would make it practically impossible for it to be used by walkers and cyclists. He believed the proposal would cause environmental and social harm as well as traffic congestion. The Cabinet was due to discuss a new Local Plan and currently promoted the use of brown field sites. As such this application went against planning policy of the Borough Council.

Sarah Williams addressed the Committee and spoke against the application. She stated that the application had not been amended since the last time it came to the Committee. She felt the application was inappropriate because it was on green field land and for heritage reasons. The development would destroy species on the land, would have an impact on an already busy road and would have a negative visual impact on the gateway to the town. It was also contrary to the local plan. The proposed bund was not a country park and was not in keeping with what was already there and would not support the national cycle route. The proposed occupier of the site was an EU company whose jobs would not support families but provide casual employment for very few. The application had not been well publicised and the benefits of it would not outweigh the harm it would do to the community.

Robert Lamb addressed the Committee and spoke against the proposal. He advised members that the traffic on the road was already heavy and backs up every morning. The application had not changed but merely added more reference points which made the building seem further away. Contractors were likely to come from outside the area and not Northampton and the occupiers would be a company that paid very little corporation tax. The proposal seemed to be self serving and would cause harm to the local area.

Councillor Penny Flavell addressed the Committee and spoke against the application. She asked the Committee to consider the proposal very carefully in the knowledge that they refused to grant permission at the last meeting and that nothing in the proposal had changed. She asked the Committee to consider whether it would really bring additional jobs into the town and whether the benefit was more for Decathlon than the community.

In response to points raised by the speakers the Principal Planning Officer confirmed that access to the site would be via a hard surfaced path and the reason for the proximity to the local area was that there was lots of land associated with the site whereas the building itself would be much further away. Decathlon had stated that there would be jobs available to the local community.

In response to questions from member the Principal Planning Officer confirmed that the developers had not changed the proposal but responded to concerns raised by members at the previous meeting. He also confirmed that traffic resulting from the site would increase by approximately 1-3% which was negligible.

The Committee discussed the report.

**RESOLVED:** That the application be APPROVED in PRINCIPLE subject to the prior completion of a legal agreement and conditions set out in the report and for the following reason:

The development would support the continued economic growth of Northampton and would provide additional employment opportunities. These significant public benefits would outweigh the less than substantial harm to heritage assets. Furthermore, subject to conditions and the legal agreement, the development would have a neutral impact upon the landscape and natural environment, residential and visual amenity, the highway system and flood risk. The development is therefore in conformity with

the requirements of the National Planning Policy Framework; Policies BN2, BN5, S1, S7, S8 and S10 of the West Northamptonshire Joint Core Strategy; and Policies E9 and E20 of the Northampton Local Plan.

**(C) N/2016/0581 & N/2016/0582 - LISTED BUILDING CONSENT AND PLANNING PERMISSION FOR ALTERATIONS AND EXTENSIONS TO STUDIO, 20 HIGH STREET, GREAT BILLING**

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that planning permission was sought for a two storey extension on a Grade II\* listed site. The existing property was a single storey flat roofed garage which was to be converted to a two storey artist's workshop.

The extension would increase the building's height to 5.4 m with the windows set within the eaves level. There had been some concern raised by local residents, particularly from Pound Lane as the proposal would make the building visible by 1.1m above the ridge height of the outbuildings.

It was advised that advice from the Conservation officer was that the building was enclosed within its plot and would not affect the conservation area. The windows that were overlooking a neighbouring property would be obscure glazed and, overall, the building represented a moderate extension that was acceptable within the property.

Councillor John Marlowe from Billing Parish Council addressed the Panel against the proposal. He advised members that he was not opposed to change but had a responsibility to represent the views of the community. The recent site visit had justified residents' concerns that the proposal would be a dominant structure that was an erosion of the conservation area and would create a loss of privacy and interrupt a 300 year old roof line. The neighbours had wanted to protect a hidden gem and felt that the applicant ought to be able to design a studio that was more in keeping with the setting.

Mrs Carrie Goodridge addressed the Committee to speak against the proposal. She advised members that she had bought her house 13 years ago largely due to the cottage setting and the communal garden. She felt that the proposal would affect the gardens and the 300 year old roofline as well as overlook a private garden. She was happy for the applicant to create a single storey extension or one that was below the roofline.

Ms Fiona Diamond addressed the Committee and spoke against the proposal. She owned and lived at 8 Pound Lane and felt that the two storey extension was at odds with the report submitted with the application on the impact on the historical aspect of the area. Without the perimeter buildings it would be an isolated building. She invited the applicant to resubmit a proposal with a single storey extension instead.

Mr Peter Sayer, the architect and joint applicant, addressed the Committee and spoke in favour of the application. He advised members that the existing building was an ugly brick box in the garden and its flat roof severely limited its life. He had been involved with conservation and planning officers from the outset of the process and

the proposal had been endorsed by senior planning officers who had stated that it would not have an impact on the setting or harm its character. He required layout space for paintings and storage of art materials. The proposal would not extend the footprint of the building. In response to questions from members Mr Sayer explained that the amount of glass had been severely reduced from the original plans and he had taken care to ensure that the colours and materials used would be sympathetic to its surroundings and included the use of reclaimed materials.

Mr Scott Walker addressed the Committee and spoke in favour of the application. He had lived in the village for 7 years and felt that the existing studio was inadequate. He was aware of the objections and did not share the views of others as the building would hardly be visible. He advised members that the village had a history of building evolution of which this would be part. He felt that the Committee should consider the views of the professionals.

In response to questions from the Committee the Development Manager advised members that there were varying rooflines throughout the village. Officers felt that the proposal was acceptable and only roof tiles would be visible above the roof line.

The Committee discussed the report.

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

The proposed works would not harm the character and significance of the Grade II\* listed building and as a consequence the proposal is compliant with the requirements of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H18 of the Northampton Local Plan.

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

Having regard to the existing pattern of development in the area, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would not have an undue detrimental impact on the character and appearance of the host dwelling, Great Billing Conservation Area and the amenity of adjoining occupiers in accordance with the requirements of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H18 of the Northampton Local Plan.

**(D) N/2016/0790 - ERECT 100 PUPIL ALL-THROUGH (3-18 YEARS) SPECIAL SCHOOL INCLUDING ASSOCIATED PARKING, PLAY SPACES AND LANDSCAPING. LAND AT FORMER BECTIVE MIDDLE SCHOOL , WHISTON ROAD**

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that planning permission was sought for a school for children with special educational

needs on the old Bective Road Middle School site. There was already a primary school next door to the site. The application site had previously been developed and was in need of reuse.. The scheme had been amended in response to police feedback. It was noted that it had not been possible to fully resolve the objections from the Lead Local Flood Authority.

The site would see an increase in vehicles to the area as most of the 100 pupils at the school would arrive by car and be dropped off. S.106 funding had been agreed with the developer to make improvements to the road network as a result.

Mr Tom Jagger, the architect for the proposed site, addressed the Committee and spoke in favour of the application advising members that he was pleased to recommend the proposal for approval as acceptable land use. In response to questions from members he advised that there would be arrangements in place for the arrival and departure of pupils and that there were 69 parking bays for 100 pupils and staff. A committee member raised concern regarding the amount of parking spaces and advised more to be created.

Martin Trevor from Atkins Global Highways advised members in response to questions that there would be 44 staff by 2022 and that they would be providing s.106 money but would not be directly responsible for how this was spent. The Principal Planning Officer confirmed that this would be put towards improvements of the Harborough Road corridor.

**RESOLVED:** That the application be delegated to the Director of Regeneration, Enterprise and Planning in order to resolve the objections from the Lead Local Flood Authority and to APPROVE the application subject to the prior finalisation of a S106 agreement, and the conditions set out in the report and for the following reason:

The proposed development represents an appropriate land use and subject to conditions, would have a neutral impact upon the character and appearance of the area, neighbour amenity, the environment and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S19 and E6 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**(E) N/2016/0847 - ERECTION OF CARRIAGE STORAGE AND 2NO. GROUND LEVEL TUNNELS. NORTHAMPTON SOCIETY OF MODEL ENGINES DELAPRE PARK , LONDON ROAD**

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the county archaeologist had confirmed there was no need for a dig to take place. The tunnels were to be 1.5m high with brick ends and metal sheeting in the middle.

**RESOLVED:** That the application be APPROVED subject to the conditions as set out in the report and as amended by the addendum and for the following reason -

The proposed development due to its siting, design and scale would not have an undue detrimental impact on the amenity, appearance, character of the area in

general, the Conservation Area or the setting of nearby listed buildings. The proposal thereby complies with Policy BN5 of the West Northamptonshire Joint Core Strategy, Policies E9, E18, E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

**(F) N/2016/0904 - CHANGE IN USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 RESIDENTS 22 MARRIOTT STREET**

This item was withdrawn.

**(G) N/2016/1057 - INSTALLATION OF 4NO NON-ILLUMINATED SIGNS. DELAPRE ABBEY, LONDON ROAD**

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that there would be two types of sign; a 2000mm x 750mm welcome sign and a 2400mm x 400mm finger sign. Historic England had recommended that the design be amended to one that was more in keeping with the heritage of the site but that ultimately the Abbey required signage and the opinion of officer was that these were of an acceptable design.

**RESOLVED:** That the application be APPROVED subject to the conditions as set out in the report and as amended by the addendum.

**11. ENFORCEMENT MATTERS**

None.

**12. ITEMS FOR CONSULTATION**

None.

The meeting concluded at 8.28pm

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**Tuesday, 27 September 2016**

**PRESENT:** Councillor Oldham (Chair); Councillor Golby (Deputy Chair);  
Councillors Davenport, Haque, J Hill, Kilbride, Lane, McCutcheon and  
Shaw

**OFFICERS:** Peter Baguley (Head of Planning) Rita Bovey (Development  
Manager), Nikky Toon (Development Manager Team Leader)  
Rowena Simpson (Planning Officer) Theresa Boyd (Planning  
Solicitor), Emma Powley (Democratic Services Officer).

**1. APOLOGIES**

Apologies for absence were received from Councillor Birch

**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/2016/0383**

Mr Clive Ireson  
Ms Ann Timson

**3. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Oldham declared a personal and pecuniary interest in Items 9a, 9b and 9c as a Director on the Northamptonshire Partnerships Homes Board.

Councillor Kilbride declared a personal and pecuniary interest in Items 9a, 9b and 9c as a Director on the Northamptonshire Partnerships Homes Board.

Councillor Haque declared a personal and pecuniary interest in Item 9b as he was the owner of the property opposite the application.

Councillor Walker declared a personal interest in Item 6, as an employee of Wickes, part of the Travis Perkins Group.

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

There were none.



## **5. 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.

## **6. OTHER REPORTS**

### **(A) CONFIRMATION OF REFUSAL REASON OF PLANNING APPLICATION N/2015/0335 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**

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning, elaborated thereon and explained that Queen's Counsel, acting on behalf of the Council, had advised that revised refusal reasons be confirmed by the Planning Committee.

The Committee discussed the report.

**RESOLVED:**

That the following **reason for refusal** be ratified by Members:

By reason of the design, siting, scale and massing of the proposed development, the proposal would represent an overly dominant and strident feature that would be detrimental to the character, appearance and function of the existing network of green space. Furthermore, the development would adversely impact upon the visual amenity of the area, including the surrounding residential properties. For these reasons, the development is contrary to the policies of the National Planning Policy Framework; Policies BN1, BN5 and S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan

## **7. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

There were none

## **8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

### **(A) N/2016/0383 -CHANGE OF USE FROM FORMER SOCIAL CLUB TO AN EMERGENCY NIGHT SHELTER. BRITISH RAIL SPORTS & SOCIAL CLUB, ST ANDREWS ROAD**

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to additional information contained within the addendum. It was advised that planning permission was for the change of use from a social club to an emergency night shelter.

Mr Clive Ireson, spoke on behalf of the Spring Boroughs Neighbourhood Forum, addressed the Committee and spoke against the application, citing the location and lack of facilities as major concerns.

Ms Ann Timson, as the Chair of the Spring Boroughs Residents Association, spoke against the application and stated that it was in the wrong location and would put an extra burden on local police officer and residents.

In response to questions asked, the Development Manager stated that the Head of Housing and Wellbeing would be responsible for monitoring the facility and risk assessments would be carried out by staff on an individual basis.

The Committee discussed the report.

**RESOLVED:**

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

**9. ITEMS FOR DETERMINATION**

**(A) N/2016/0706 - PRIOR NOTIFICATION OF CHANGE OF USE FROM RETAIL (USE CLASS A1) TO RESTAURANT/CAFE (USE CLASS A3). 7 PARK SQUARE**

At this juncture of the meeting, Councillors Oldham, Kilbride left the room having declared a pecuniary interest in the item.

Councillor Golby took the Chair.

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. In response to questions asked, the Senior Planning Officer explained that the application was for a change of use to A3 (Restaurant/café) and would not be able to change into a take away without the consent of the Planning Committee.

The Committee discussed the report.

**RESOLVED:**

That the Authority's **PRIOR APPROVAL WOULD NOT BE REQUIRED** subject to conditions and reasons set out in the report.

**(B) N/2016/0766 - DEMOLITION OF 14 GARAGES, ERECTION OF TWO DWELLINGS WITH ASSOCIATED GARDENS AND PARKING SPACES. LOCK UP GARAGES , ALTHORP STREET**

At this juncture of the meeting, Councillor Haque left the room having declared a pecuniary interest in the item.

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

were informed that further information relating to the application was contained within the addendum.

The Committee discussed the report.

**RESOLVED:**

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

**(C) N/2016/1016 - SINGLE STOREY EXTENSION TO THE REAR. 1 PARK CRESCENT WEST**

Councillor Haque re-joined the meeting.

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was explained that no objections had been received from any of the neighbouring properties.

The Committee discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions contained within the report.

**(D) N/2016/1061 - CHANGE OF USE FROM FORMER CAFE/GIN PARLOUR TO HAIR DRESSING SALON (USE CLASS A1).72 ST GILES STREET**

Councillor Oldham and Kilbride re-joined the meeting and Councillor Oldham resumed Chairmanship of the meeting.

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. She referred to additional information contained within the addendum.

The Committee discussed the report.

**RESOLVED:**

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

**10. ENFORCEMENT MATTERS**

There were none

**11. ITEMS FOR CONSULTATION**

**(A) N/2016/0830 - SUSTAINABLE URBAN EXTENSION COMPRISING, UP TO 1,900 DWELLINGS (USE CLASS C3) PUBLIC OPEN SPACE AND CHILDREN'S PLAY AREAS, LANDSCAPE AREAS, NEW LANDSCAPE PLANTING AND HYDROLOGICAL ATTENUATION FEATURES AND**

**SUSTAINABLE DRAINAGE SYSTEMS. PRIMARY SCHOOL (USE CLASS D1) AND MIXED USE LOCAL CENTRE WHICH MAY INCLUDE RESIDENTIAL, RETAIL, HEALTH AND COMMUNITY FACILITIES. DEMOLITION OF ANY ON SITE BUILDINGS AND STRUCTURES, AND ROUTING OF SANDY LANE RELIEF ROAD AND ASSOCIATED VEHICULAR ACCESS POINTS (SNC CONSULTATION) NORWOOD FARM, SANDY LANE, HARPOLE**

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

In response to questions asked the Development Management Team Leader explained that South Northants Council had received a viability report but the detail regarding the exact percentage of affordable housing was not yet confirmed as this was currently at an outline stage but would come back before the Committee at a 'reserve matter' stage.

The Committee discussed the report.

**RESOLVED:**

That Northampton Borough Council has **no objection in principle** to the development proposed subject to the issues outlined below being addressed by South Northamptonshire Council:

- The level of affordable housing to be secured by this development has a significant and direct impact on this Authority. As such the appropriate officers of this Authority should be involved in the negotiation of any Section 106 agreement in relation to these matters and in relation to the mix and type of dwellings proposed under any reserved matters application.
- That NBC Planning Officers are involved in further discussions/consideration of CIL payments arising from the proposed development as the development has a direct impact on this Authority.
- Further consideration of the potential impacts of the development on the future development of the land to the east, adjacent to the St Crispin residential development and forming part of the N9a site allocation as specified in the West Northamptonshire Joint Core Strategy. The Local Planning Authority should satisfy themselves that there is potential for vehicular access to the adjoining land from the proposed development, should vehicular access from the east be unacceptable, to ensure development of this adjacent site is not prejudiced.
- It should be demonstrated that the volume of retail proposed has no adverse impact on either Northampton Town Centre or on any of the Borough's District or Local Centres;
- A condition requiring the submission of a Construction Environment Management Plan (CEMP), including vehicle routing.

- No objections being received from Northamptonshire County Council Highways regarding impact on the local road network.
- Appropriate consideration is given to contamination and air quality impacts arising from the proposed development.
- Development of a cohesive Design Code for the development of the overall SUE allocation.
- Further clarification on the delivery and funding of the SLRR Phase 2 should be provided prior to determination of the application.
- Appropriate provision and contributions are made for education and healthcare requirements to meet the needs of the proposed development.
- The application site forms part of the Northampton Related Development Area. As such open space provision should be based on the standards required by Northampton Borough Council as defined in the Council's 'Planning Obligations Strategy' Supplementary Planning Document (February 2013). Furthermore, the Council are currently undertaking a review of the Northampton Open Space, Sport and Recreation Study' as part of the Local Plan, Part 2. Therefore, prior to determination of the application, further discussion is required with Northampton Borough Council in relation to open space provision to ensure appropriate and satisfactory provision is made to mitigate the impacts of the proposed development.
- Appropriate consideration and mitigation of flood risk and drainage matters to meet the requirements of the Environment Agency and the Lead Local Flood Authority.
- Appropriate consideration is given to 'Green Initiatives' as part of the development proposals in accordance with the requirements of Policies S10 & S11 of the West Northamptonshire Joint Core Strategy.

**(B) N/2016/1140 - RESERVED MATTERS SUBMISSION PURSUANT TO OUTLINE PERMISSION S/2015/1798/EIA COMPRISING THE ERECTION OF A CLASS B8 DISTRIBUTION UNIT (18,546SQ.M GIA) WITH ANCILLARY OFFICE SPACE AND GATEHOUSE, EXTERNAL SPRINKLER TANK AND PUMPHOUSE, PLOT ACCESS, PARKING, INTERNAL ROAD AND LANDSCAPING TOGETHER WITH STRATEGIC LANDSCAPING PLOT BOUNDARY AND THE CREATION OF NEW ACCESS ROAD FROM STYLE WAY (SNC CONSULTATION) PINEHAM, STYLE WAY, KISLINGBURY**

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

The Committee discussed the report

**RESOLVED:**

That **NO OBJECTIONS BE RAISED** by Northampton Borough Council to the principle of development.

The meeting concluded at 7.32pm

Directorate: Regeneration, Enterprise and Planning

Director: Steven Boyes



**List of Appeals and Determinations – 25<sup>th</sup> October 2016**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2014/1110</b> APP/V2825/W/16/3155828	DEL	Erection of 4 bed dwelling and associated garage at 2 Rectory Close	<b>AWAITED</b>
<b>N/2015/1285</b> APP/V2825/W/16/3152716	DEL	Outline planning permission for the erection of a dwelling at Land Rear of 1 Thornton Road	<b>AWAITED</b>
<b>N/2015/1373</b> APP/V2825/W/16/3151257	DEL	Change of use from dwelling (use class C3) to house in multiple occupation for up to 6no occupants at 30 Whitworth Road. (Retrospective application.)	<b>ALLOWED</b>
<b>N/2016/0112</b> APP/V2825/W/16/3152765	DEL	Alterations to form additional self contained apartment (part retrospective) at 133 Colwyn Road	<b>ALLOWED</b>
<b>N/2016/0193</b> APP/V2825/D/16/3150572	DEL	First floor side/front extension at 2 Cardinal Close	<b>DISMISSED</b>
<b>N/2016/0251</b> APP/V2825/W/16/3157902	DEL	Variation of condition 5 of application N/2010/532 (Change of use to restaurant and takeaway on ground floor and residential on first floor) to extend opening hours to Sunday to Thursday 10.00 - 01.00 and Friday & Saturday 10.00 – 0200 at Freddie's Chicken, 99 Weedon Road	<b>AWAITED</b>
<b>N/2016/0309</b> APP/V2825/C/16/3152604	DEL	Change of use from dwelling house (Use Class C3) into house in multiple occupation for upto 4 occupants (Use Class C4) at 26 Burns Street	<b>AWAITED</b>
<b>N/2016/0402</b> APP/V2825/D/16/3159026	DEL	Demolition of existing garage, proposed side and rear extensions and extension to rear dormer at 101 Martins Lane	<b>DISMISSED</b>
<b>N/2016/0540</b> APP/V2825/W/16/3154685	DEL	Change of use from offices (Use Class B1) into house in multiple occupation for 5no. occupants (Use Class C4) including rear dormer extension and 2no. velux roof lights at 343 Wellingborough Road	<b>AWAITED</b>
<b>N/2016/0614</b> APP/V2825/D/16/3157292	DEL	Two storey side extension at 15 Sussex Close	<b>AWAITED</b>

**Public Inquiry**

<b>N/2015/0335</b> APP/V2825/W/15/3138580	PC	Redevelopment comprising a new distribution centre (Use Class B8) including related service roads, access and servicing arrangements, car parking, landscaping bund and associated works. Land at Milton Ham, Towcester Road <b>Public Inquiry will commence on 29 November 2016 at the Guildhall, St Giles Square</b>	<b>AWAITED</b>
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**Hearings**

		None	
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**Enforcement Appeals**

<b>E/2016/0129</b> APP/V2825/C/16/3152604		Enforcement Notice Appeal for unauthorised erection of single storey rear extension at 69 Raeburn Road	<b>AWAITED</b>
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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.co.uk](http://www.planningportal.co.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



## Addendum to Agenda Items Tuesday 25<sup>th</sup> October 2016

### 10. ITEMS FOR DETERMINATION

**10a**

**N/2016/0654**

Variation of planning conditions 7, 9 and 10 of planning permission N/2015/0333 (hybrid application for new retail food store and up to 19 residential dwellings) to allow in-store bakeries, extension of opening hours at bank holiday between 8am to 10pm and change of deliveries hours to state no deliveries to be permitted before 6.30am and after 9.00pm on Mondays to Saturdays; bank holidays no deliveries to be permitted before 6.30am and after 9.00pm; Sundays and public holidays no deliveries to be permitted before 8.30am and after 5.00pm

**Former Northampton Chronicle And Echo Building , Upper Mounts**

No update.

**10b**

**N/2016/0970**

**Change of use from residential dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 4 persons – retrospective**

**162 St Andrews Road**

**Additional Condition 2:**

2. Notwithstanding the details submitted, full details of refuse storage shall be submitted to and approved in writing by the Local Planning Authority within one month from the date of this permission. The approved details shall be implemented within three months from the date of the permission and shall be retained thereafter.

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

**10c**

**N/2016/1055**

**Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 3 residents**

**3 Uppingham Street**

**Amended Conditions 4 and 5:**

4. Notwithstanding the details submitted, full details for the provision of secure storage for bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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



5. Notwithstanding the details submitted, full details for the provision of storage for refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

**10d**  
**N/2016/1102**  
**Part conversion of garage to kitchen**  
**59 Meshaw Crescent**

No update.

**10e**  
**N/2016/1123**  
**Change of use of dwelling (Use Class C3) to dwelling and chiropractic studio and erect single storey side extension**  
**1 Marjoram Close**

No update.

**10f**  
**N/2016/1151**  
**Demolition of an existing single storey out-house and the construction of a two storey extension to the rear of the existing property; change external finish of house to brick**  
**10 Toms Close**

No update.

**10g**  
**N/2016/1152**  
**Construction of two storey side extension, new porch to the front and a conservatory to the rear. Existing garage is to be demolished and replaced by a double garage. External finish of house in brick**  
**11 Toms Close**

No update.

**10h**  
**N/2016/1216**  
**Change of use in part from Estate Agent (Use Class A2) to coffee shop/restaurant (Use Class A3)**  
**Northampton & County Club , 8B George Row**

**NCC Highway Authority – no comment.**

**10i**  
**N/2016/1260**  
**Prior notification of demolition of existing three level walkways providing pedestrian access between St Johns House and St Mark's House**  
**St Johns House , St Andrews Street**

No update.

## **12. ITEMS FOR CONSULTATION**

**12a**

**N/2016/1208**

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

**(16/01662/FUL)**

**Rushden Lakes, Rushden**

No update.

**12b**

**N/2016/1219**

**Construction of 53 dwellings including public open space, balancing pond and associated infrastructure (resubmission)**

**Land off Whites Lane, Lower Harlestone**

No update.



**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0654

**LOCATION:** Former Northampton Chronicle And Echo Building , Upper Mounts

**DESCRIPTION:** Variation of planning conditions 7, 9 and 10 of planning permission N/2015/0333 (hybrid application for new retail food store and up to 19 residential dwellings) to allow in-store bakeries, extension of opening hours at bank holiday between 8am to 10pm and change of deliveries hours to state no deliveries to be permitted before 6.30am and after 9.00pm on Mondays to Saturdays; bank holidays no deliveries to be permitted before 6.30am and after 9.00pm; Sundays and public holidays no deliveries to be permitted before 8.30am and after 5.00pm

**WARD:** Castle Ward

**APPLICANT:** Aldi Stores Limited  
**AGENT:** STOAS Architects Limited

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

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 **APPROVAL IN PRINCIPLE** subject to S106 legal agreement to secure:

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

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

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

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

## **2. THE PROPOSAL**

- 2.1 The applicant seeks planning permission to vary three conditions associated with the original planning permission N/2015/0333 that permitted the development of a retail unit and, at outline level, up to 19 residential dwellings.
- 2.2 The proposal variations include:
- Condition 7 – to include the creation of an instore bakery;
  - Condition 9 – to allow extension of opening hours at bank holidays between 8am to 10pm;
  - Condition 10 – to allow extension of delivery hours between 6.30am to 9.00pm Mondays to Saturdays; between 6.30am to 9.00pm on bank holidays; between 8.30am to 5.00pm on Sundays and public holidays.

## **3. SITE DESCRIPTION**

- 3.1 The application site formerly contained the Northampton Chronicle and Echo building, which comprised a combination of office accommodation and printing works. The building was demolished in the summer of 2014 after a period of vacancy. The application site is currently in an undeveloped form, although it does benefit from a hybrid planning approval for the development of a retail unit and up to 19 residential dwellings. The site is also predominantly level.
- 3.2 The site is located adjacent to the Upper Mounts, which serves as part of the main orbital routes around the town centre. Furthermore, the site is in close proximity to the widely used junction between the Upper Mounts and St Michaels Road and has a high degree of prominence. There are a number of civic buildings within the Upper Mounts area, such as the Northampton College, the Magistrates Court, the Mounts Baths and the Fire Station. Whilst these buildings all have significant variations in terms of design there is a unifying theme in that they have a significant presence within the vicinity created by their form and proximity to the highway. The site is also close to the town centre, although linkages to this area from the application site are limited due to the scale of adjoining road.
- 3.3 The areas to the north of the application site are predominantly used for residential accommodation (generally comprising terraced, two storey dwellings); however, there are some commercial units within the adjacent Earl Street, which include a restaurant and small scale retail

units. In addition, the vacant area to the north of the application site (which used to contain the Top of the Town nightclub) is the subject of an extant planning permission to construct a three storey building containing 12 flats and office accommodation.

- 3.4 The site is bounded on the northern, eastern and western sides by the Boot and Shoe Quarter Conservation Area.

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

- 4.1 N/2014/0258 – Prior notification of proposed demolition – Approved  
N/2015/0333 – Hybrid planning application comprising: (a) Full Planning Application for the erection of a 1,810m<sup>2</sup> new retail food store with associated access from Earl Street, landscaping and car parking; and (b) Outline Planning Application with all matters reserved except access (from Great Russell Street) of up to 19 residential dwellings – 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 the Northampton Central Area Action Plan (2013).

- 5.2 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 and its setting.

##### **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 The overarching roles of the planning system are summarised in paragraph 17, which states that planning decisions should always secure a good standard of design and ensure a suitable level of amenity for existing and future occupiers; whilst promoting mixed use developments and conserving heritage assets in a manner consistent with their significance.
- 5.5 The NPPF states Paragraph 21 states that town centres should be the heart of communities and that there should be an appropriate level of retailing in the centre in order to meet the needs of the locality. Separate to the outcomes of the sequential assessment, the NPPF (in paragraph 26) requires that any retail development with an area in excess of 2,500 square metres should be accommodated by an impact assessment. This should include the impact of the proposal on existing, committed and planned in centre investment and the impact of a proposal on town centre vitality and viability.
- 5.6 In addition to the assessment of the preceding matters, the NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant developments on sites that are sustainable.

- 5.7 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layout are required, that minimise conflicts between pedestrians, cyclists and traffic.
- 5.8 Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date.
- 5.9 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).
- 5.10 Paragraphs 133 and 134 outline the need to balance the level of harm to a heritage asset with the public benefits of the proposal.
- 5.11 **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.
- 5.12 Policy S2 of the submitted JCS identifies Northampton as performing the role of a regional town centre and allocates Kingsthorpe and Weston Favell as being district centres. The same policy also allocates Far Cotton, Kettering Road, St James and Wellingborough Road as being local centres. The policy also requires that the viability and vitality of these centres should be maintained. Policy S9 of the JCS reiterates the sequential approach in the location of retail developments and requires that an impact assessment is carried out for developments with a floor space in excess of 1,000 square metres.
- 5.13 Policy S1 of the JCS states that new residential developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. Policy S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period and Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.
- 5.14 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing. Policy S10 encourages sustainable development through incorporating measures to increase safety and security. To further encourage sustainable development, Policy C2 requires that new developments maximise opportunities for travel choices. This is in order to facilitate a modal shift.

5.15 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure

**5.16 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.

5.17 Policy 1 states that new developments should contribute to the character of an area with regards to the existing urban grain, scale, massing materials and style. It is also a requirement that there is clarity in respect of the relationship between buildings and public spaces that provides a continuity of frontages. New development should contribute towards the provision of logical links between destinations and create buildings with active frontages onto the street. Developments should promote mixed use developments .

5.18 Policy 12 defines the primary shopping area, which should be the main focus for retail developments in the Central Area and comprises a significant proportion of the land contained within the inner ring road. In addition, Policy 14 identifies that there is a need to generate 40,700m<sup>2</sup> of net convenience goods floor space and 4,500m<sup>2</sup> of net comparison goods floor space within the town centre. It is anticipated that over the plan period the bulk of this would be delivered through the redevelopment of the Grosvenor Centre and further development within Abington Street East and the Drapery and College Street.

5.19 Policy 16 states that in order to promote town centre living up to 3,400 additional new homes will be constructed within the central area up to 2026, with some of these being located within the Upper Mounts and Great Russell Street areas.

5.20 Of specific relevance to this planning application, Policy 23 requires that the Upper Mounts/Great Russell Street is redeveloped in a comprehensive manner that delivers a mixed use scheme delivering some or all of: residential accommodation; offices; employment uses; community, leisure or education facilities; and small scale retailing. The redevelopment should also provide public realm improvements on the Mounts frontage and improve pedestrian linkages with the town centre.

**5.21 Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2016  
Planning out Crime in Northamptonshire SPG 2004

**6. CONSULTATIONS/REPRESENTATIONS**

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

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

**7. APPRAISAL**

7.1 The applicant seeks to vary three conditions of the extant planning permission, those being the times that deliveries can be made to the store, the opening times of the store and the operation of an instore bakery.

- 7.2 The reason for the conditions covering delivery and opening times was to ensure that the operation of the development would have a neutral impact upon the occupiers of neighbouring properties.
- 7.3 The currently permitted times that deliveries can be made are 7.30am – 8pm on Mondays to Saturdays and 10am – 4pm on Sundays, bank holidays and public holidays. The applicant wishes to amend this to 6.30am – 9pm on Mondays to Saturdays, 6.30am – 9pm on Bank Holidays and 8.30am – 5pm on Sundays and Public Holidays. For the purposes of clarification, public holidays are New Year's Day, Good Friday, May Day (the first Monday in May) and Christmas Day, whilst bank holidays comprise Easter Monday, the final Monday in May, August Bank Holiday (the final Monday in August) and Boxing Day.
- 7.4 Given that the increases in delivery times are comparatively limited, it is considered that the potential for disturbance to be created is small and as such, there is limited potential for amenity to be impacted. In addition, the loading bay is sited to the rear of the store and would be surrounded by a brick wall. This arrangement therefore means that there is a significant distance between the delivery bay and the surrounding and proposed residential dwellings.
- 7.5 Although it is recognised that residents would be more expectant of a greater degree of peace and quiet on Sundays, Bank Holidays and Public Holidays, it is noted that the site is located adjacent to a busy road, where the movement of large vehicles would be reasonably anticipated for larger proportions of any day. As such, the change to the pattern of activity within the area would be limited. A relatively small amount of weight can also be given to the fact that the site was previously occupied by a newspaper business which included the printing and distribution of publications throughout the night. Given this historic use, it is likely the proposed delivery times would be no more intrusive. For these reasons, when combined with the absence of objections from the Council's Environmental Health section, the increase in delivery times is unlikely to cause a significant detrimental impact upon residential amenity.
- 7.6 The currently permitted opening times are 8am to 10pm on Mondays to Saturdays and 10am to 4pm on Sundays, Bank Holidays and Public Holidays. The applicant seeks to extend the times that the store can be open on Bank Holidays from 8am to 10pm. This would reflect the times that the store can open on a conventional weekday. Whilst it is appreciated that the store would be open during times when less commercial activity would be expected, the relative infrequency of such occurrence would limit the overall impacts of the increase. In addition, the majority of noisy activity (such as people entering and leaving the store) would take place towards the front of the site. This would be adjacent to The Mounts, which is a less sensitive road due to the level of traffic that uses it and provides the greatest separation distance to the more sensitive areas, such as surrounding residential accommodation.
- 7.7 Condition 7 of the original planning permission prevented the store from including a number of specialist counters, such as butchers, fishmongers and bakeries. It is now proposed to vary this condition to allow a bakery. Whilst it is noted that the reason for this condition is to assist in maintaining the viability and vitality of the hierarchy of centres, it is considered that the number of bakeries is already comparatively low, comprising 0.55% of the total number of units within the town centre and 6.8% of those involved in convenience goods retailing (bearing in mind that the bulk of town centre retailing relates to comparison goods). Furthermore, there have been a number of changes within the bakery sector over recent years with a gradual change towards 'foods to go', such as sandwiches and other pre-prepared items. Given that the existing planning permission does not prevent the sale of such items, it is considered that the overall impact of the proposed amendment would not lead to a significant divergence of trade away from established centres.
- 7.8 As a result of this conclusion, it is considered that the proposed insertion of a bakery would not be unacceptable. In order to enable the Council to consider any further potential variations, it is



recommended that the condition be reworded to maintain the restriction on other specialist counters.

- 7.9 The effect of varying the conditions would be to create a new planning permission. As a result of this, it is necessary to restate the other conditions on the decision notice associated with the planning permission in order to secure a satisfactory form of development. In addition, as a new permission would be created, a new legal agreement would need to be entered into prior to the decision being issued to secure the necessary mitigation in order to render the redevelopment of this site acceptable. The Heads of Terms would be consistent with the previous approval and would include affordable housing, primary education contributions, health care, highway works and to provide funding to improving links between the application site and the town centre.
- 7.10 Whilst the variation of these conditions would result in a new permission being granted, the form of the development would be unchanged from that previously permitted. As a consequence, there would be a neutral impact upon the character of the surrounding area and neighbour amenity.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed variations of delivery and opening times, being somewhat limited in scope, would have a neutral impact upon the amenities of surrounding properties, and the addition of a bakery would have a neutral impact upon the viability and vitality of surrounding centres. As a consequence, the proposed variations are considered acceptable, subject to a new legal agreement being entered into and a reinstatement of the previously approved conditions.

## **9. CONDITIONS**

- 9.1 1. Approval of the details of the appearance, landscaping, layout and scale (‘the reserved matters’) of the residential development shall be obtained from the Local Planning Authority in writing before any residential 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 on or before the 17<sup>th</sup> March 2019.

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

3. The development hereby permitted shall be begun either on or before the 17<sup>th</sup> March 2021, 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 above attached schedule of approved plans.

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

5. The retail unit hereby permitted shall only be occupied as a Limited Assortment Discounter only.

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

6. The floor space of the retail development hereby permitted that can be used for the display and sale of goods and products to the public shall not exceed 1,254 square metres. No more than 20% of this figure (250.8 square metres) shall be used for the display and sale of comparison goods. The remaining 80% shall be used for the display and sale of convenience goods only.

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

7. Notwithstanding the details submitted, the retail unit hereby permitted shall not include any specialist counters comprising butchers, fishmongers, delicatessen or chemists.

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

8. The retail unit hereby permitted shall not be divided to form more than one retail unit.

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

9. The retail unit hereby permitted shall only be open to customers between the hours of 8am and 10pm on Mondays - Saturdays; 8am to 10pm on Bank Holidays; and 10am to 4pm on Sundays and Public Holidays.

Reason: In the interests of maintaining the amenities of surrounding residential properties in accordance with the National Planning Policy Framework.

10. No deliveries or collections shall be made to or from the development hereby permitted before 6.30am and after 9pm on Mondays to Saturdays; before 6.30am and after 9pm on Bank Holidays; and before 8.30am and after 5pm on Sundays and Public Holidays.

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

11. Prior to the commencement of development of the retail unit, 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 1 of the Central Area Action Plan.

12. Prior to the commencement of the retail development hereby approved, full details of the method of the treatment of the external boundaries (including the installation of a staggered barrier to serve the link between the residential and retail development) of the retail development shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the retail unit hereby permitted and retained thereafter.

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

13. All planting, seeding or turfing comprised in the approved details of landscaping as shown on drawing Z12A42-P005 Rev. D shall be carried out in the first planting and seeding seasons following the occupation of the retail 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.

14. Prior to the commencement of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of visual amenity and highway safety in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition in order to ensure timely submission of details.

15. The car parking, vehicle manoeuvring space and access as shown on drawing Z12A42-P003 Rev. C shall be fully implemented prior to the first occupation of the retail development hereby permitted and retained thereafter.

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

16. The vehicular access from Great Russell Street as shown on drawing Z12A42-RES-P002 Rev. C shall be fully implemented prior to the first occupation of the residential development hereby permitted and retained thereafter.

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

17. The residential development hereby permitted shall contain a minimum of 27 car parking spaces (including garages), which shall be provided prior to the first occupation of the residential development hereby permitted and shall be retained thereafter.

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

18. The residential development shall not include more than 19 dwellings.

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

19. The residential units hereby approved shall not exceed 9.2m in height.

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

20. Notwithstanding the details submitted, full details of secure cycle storage to serve the retail unit 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, be fully implemented prior to the first use of the retail unit and retained thereafter.

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

21. Notwithstanding the details submitted, full details of CCTV to serve the retail unit 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, be fully implemented prior to the first use of the retail unit and retained thereafter.

Reason: In the interests of creating a secure form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

22. Notwithstanding the details submitted, full details of external lighting (including hours of usage) to serve the retail unit 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, be fully implemented prior to the first use of the retail unit and retained thereafter.

Reason: In the interests of creating a secure form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

23. The retail development hereby permitted shall be fully implemented in accordance with the submitted Travel Plan (dated December 2014).

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

24. 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 two weeks of completion (or within two weeks of completion of each respective phase).

Reason: In the interests of ensuring that the possibility of contamination is adequately mitigated in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure that such details are adequately addressed in a timely manner.

25. 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 the interests of ensuring that the possibility of contamination is adequately mitigated in accordance with the requirements of the National Planning Policy Framework.

26. Prior to the residential development commencing, the applicant shall submit to the Local Planning Authority an assessment of the noise exposure of each habitable room and/or

outdoor amenity spaces due to transportation noise. This must take into account, the likely growth of traffic over the next 15 years.

Where noise levels in any habitable room or amenity space 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)

Outdoor Amenity Spaces – LAeq,16H 50 dB

A scheme to protect any affected habitable rooms/bedrooms or out outdoor amenity spaces 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. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the residential development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory level of amenity for the future occupiers of the development in accordance with the requirements of the National Planning Policy Framework.

27. Notwithstanding the details submitted, full details of the refuse storage to serve the residential development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the residential development and shall be retained thereafter.

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

28. Notwithstanding the details submitted, full details of the cycle storage to serve the residential development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the residential development and shall be retained thereafter.

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

29. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development should be submitted to and approved in writing by the local planning authority. The design should include an appropriately detailed drainage arrangement drawing(s); design calculations and any supporting evidence. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained thereafter.

The Surface Water Drainage Strategy shall also include the details relating to the residential development.

Reason: To ensure that drainage systems are appropriately designed to ensure satisfactory storage of/disposal of surface water from the site in accordance with the National Planning Policy Framework. This condition is required in order to ensure that such details are agreed in a timely manner.

30. No development shall take place until a detailed scheme including residential element of the application 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 National Planning Policy Framework. This condition is required in order to ensure that such details are agreed in a timely manner.

31. No development, which shall comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing for the provision of mains foul water drainage on and off site have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure. This is a pre-commencement condition to ensure that details are submitted in a timely manner.

32. Prior to the commencement of each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This condition is required in order to ensure that these issues are adequately addressed in a timely manner.

33. The retail development hereby permitted shall be carried out in accordance with the conclusions of the submitted Environmental Noise Survey and Plant Noise Impact Assessment (reference: BS 33806/NIA and dated 20th March 2015).

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

#### **INFORMATIVES:**

1. A Limited Assortment Discounter is a retailer as defined in Part 1 of The Groceries Market Investigation (Controlled Land) Order 2010 and for the avoidance of doubt includes a Convenience Goods Retailer, which sells a limited ranged of Convenience Goods at a low price.

2. Convenience Goods are defined as goods that include foods, pet food, drinks, cleaning products, toiletries, newspapers and magazines and non-durable household goods
3. Comparison Goods are defined as goods that include, but shall not be limited to, clothing, shoes and other footwear, DIY products, furniture and furnishings, carpets and other floor coverings, household textiles, major household appliances (whether electrical or not), small electric household appliances, tools and other miscellaneous accessories, glassware, tableware, household utensils, non-prescription medical goods and other pharmaceutical products, therapeutic appliances and equipment, perfumes, bicycles, recording media, games, toys, hobbies and craft materials, tools and equipment, musical instruments, plants and flowers, pets and pet related products, books and stationary, greetings cards, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches and clocks, petrol, tobacco and tobacco products and financial services
4. Northamptonshire Police advise that all access gates to serve the residential development are lockable in order to create a secure form of development.

## **10. BACKGROUND PAPERS**

10.1 N/2015/0333

## **11. LEGAL IMPLICATIONS**

11.1 The development is CIL liable.

## **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:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0970

**LOCATION:** 162 St Andrews Road

**DESCRIPTION:** Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 4 residents - retrospective

**WARD:** Semilong Ward

**APPLICANT:** Miss Amanda Holland  
**AGENT:** Miss Amanda Holland

**REFERRED BY:** Councillor L Marriott  
**REASON:** Overconcentration, parking issue and loss of family house

**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 change of use to a house in multiple occupation (HIMO) would not lead to an over concentration of HIMOs within the locality or lead to any significant impact on the character and amenity of the surrounding area or existing parking conditions. The property is of sufficient size to accommodate the level of accommodation proposed and is in accordance with the requirements of Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 A retrospective application for the change of use from residential dwelling (Class C3) to a house in multiple occupation (Use Class C4) for 4 persons. No external alteration has been proposed.

**3. SITE DESCRIPTION**

3.1 The application site is located along St Andrews Road, which comprises a row of terrace properties. The surrounding area is overwhelmingly residential in character consisting of tightly packed residential streets, however there are industrial properties located at the rear of the site.

The area is included in the Article 4 Direction which has removed permitted development rights for the change of use to HIMO Class C4 use.

3.2 The property fronts directly onto a street, and has a long rear garden, with no car parking spaces provided on site. The property consists of two bedrooms on the first floor with a bathroom and communal room and on the ground floor two further bedrooms and a kitchen, WC and conservatory.

3.3 The property is currently in use as a HIMO for four occupants.

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

4.1 None.

#### **5. PLANNING POLICY**

##### **5.1 Statutory Duty**

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

##### **5.2 National Policies**

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

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

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

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

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

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

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

Policy H1 - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to

services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

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

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

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

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

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

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

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

Northamptonshire County Parking Standards SPG 2016  
Planning Out Crime in Northamptonshire SPG 2004

#### 5.6 **Other Material Considerations**

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

Proposals for HIMOs should:

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

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

Comments received are summarised as follows:

- 6.1 **Councillor Leslie Marriott** – objected to the application on the grounds of oversubscribed with similar premises, that there is an ongoing requirement, given the new school on the former Royal Mail site, for more family homes in the area the proposal reduces this and there is no allocation for parking and the area is over congested with vehicles. Requested the application be determined by planning committee.

6.2 **NBC Private Sector Housing** – HIMO license has recently been issued in respect of this property.

6.3 **Northamptonshire Highways** – no comments to make in relation to this application

## 7. APPRAISAL

7.1 The key issues in connection with this application relate to the acceptability of the property for conversion to a HIMO and the subsequent impact on the surrounding occupiers through residential amenity, parking in the area and cumulative impact.

### Principle of the development

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

### Size of property

7.3 It is considered that room sizes are sufficient to allow satisfactory amenity and that there are adequate facilities for the proposed occupancy. Private Sector Housing have responded and issued a license in respect of the property to be occupied by 4 persons under the Housing Act 2004. The application therefore complies with Principle 2 of the Council's adopted Planning Policy Statement on HIMOs.

### Area of concentration

7.4 Updated Council records evidence that the application would not lead to an over-concentration of authorised and licensed HIMOs within a 50m radius of the application site, there are two other licensed HIMOs located within the 50m radius, these are the two neighbouring properties at No.160 and No.161 St Andrews Road. The application therefore complies with Principle 1 of the Council's adopted Planning Policy Statement on HIMOs, which states that '*... applications should result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material change or adverse impact on the character of the area; or more than 15% of HIMOs within a 50m radius.*'

7.5 It is considered that this method of assessing HIMO concentration in an area would acceptably safeguard existing housing stock, as is required by Policy H5 of the West Northamptonshire Joint Core Strategy.

### Parking

7.6 No off-street parking is provided, however, the plan indicates cycle storage in the rear garden, and the site is located within walking distance (0.2m) of a main bus route, and local shops along the A508 which is one of the main roads into the town centre.

7.7 The latest Northamptonshire Parking Standards SPG advised that HIMO shall provide on plot parking at the ratio of 1 parking space per bedroom. Where less than one parking space per bedroom on plot parking is proposed, the Highway Authority may require a parking beat survey of the surrounding streets. However, the site does not have any off-street parking facility and there was no such provision to serve the previous use as a dwellinghouse. As this is a retrospective

application, the Highway Authority has not requested that a parking beat survey to be carried out and also raised no objections to this application.

### **Bin storage**

- 7.8 There is an allocated refuse area at the rear of the property for the storage of refuse and recycling, and is therefore considered to comply with Principle 4 of the Council's adopted Planning Policy Statement on HIMOs.

### **Amenity**

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

## **8. CONCLUSION**

- 8.1 The proposed development is acceptable and should be permitted. The proposed change of use to a HIMO would not lead to an over concentration of HIMOs within the locality or lead to any significant impact on the character and amenity of the surrounding area or existing parking conditions. The property is of sufficient size to accommodate the level of accommodation proposed, and hence would not conflict with and national and local planning policy guidance.

## **9. CONDITIONS**

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

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

## **10. BACKGROUND PAPERS**

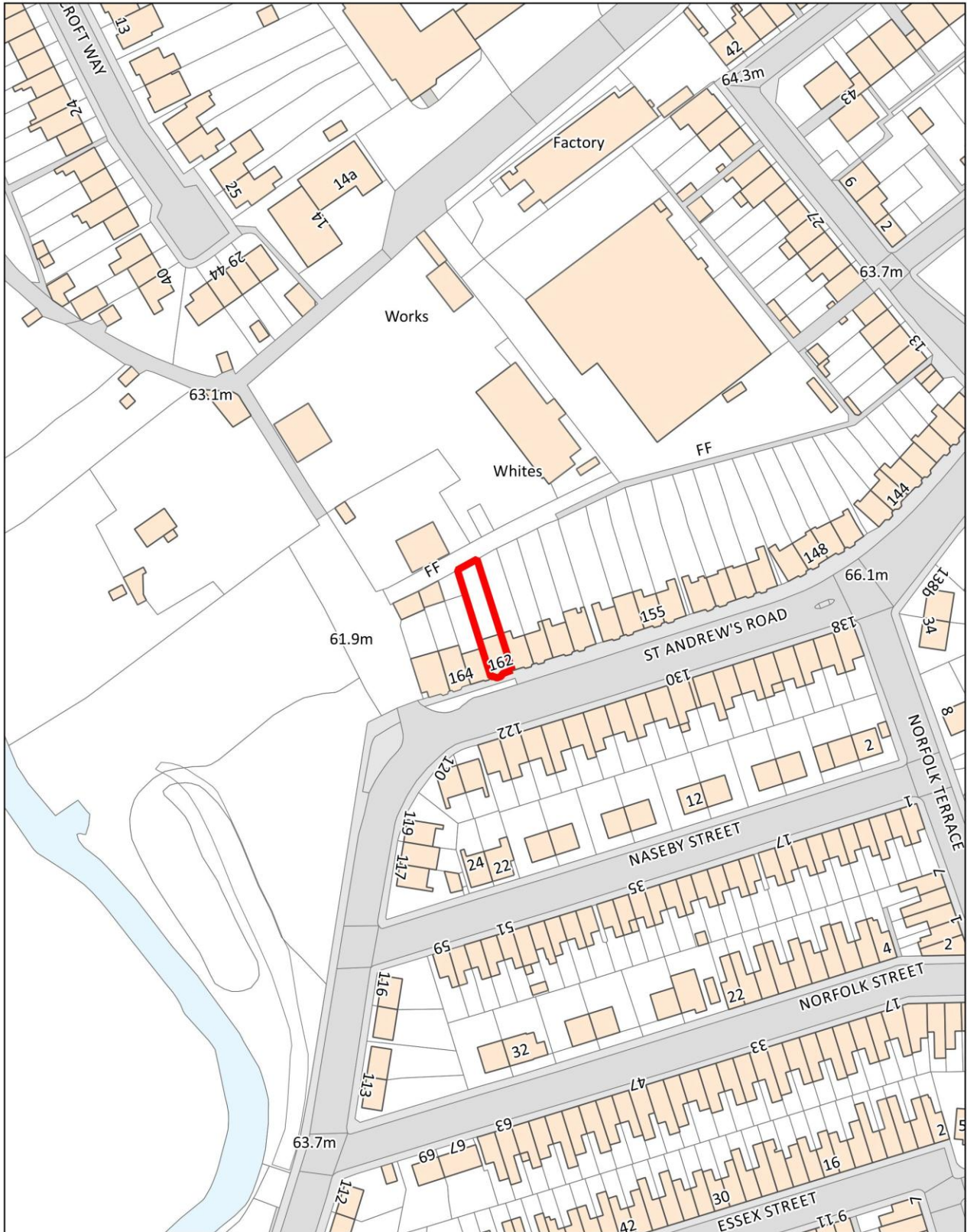
- 10.1 None.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable.

## **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: **162 St Andrews Road**

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Date: 13-10-2016

Scale: 1:1,250

Drawn by: -----



**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1055

**LOCATION:** 3 Uppingham Street

**DESCRIPTION:** Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 3 residents  
**WARD:** Semilong Ward

**APPLICANT:** Mr Jimmie Brennan  
**AGENT:** Mr Jimmie Brennan

**REFERRED BY:** Councillor L Marriott  
**REASON:** Overconcentration, parking issue and loss of family house

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

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

**2. THE PROPOSAL**

2.1 Permission was originally sought to change the use of the property from a single dwellinghouse to a house in multiple occupation (HIMO) for 4 residents, however, due to the fact that highways required a parking beat survey for 4 residents the applicant decided to amend the application to 3 tenants. The revised proposal therefore is to maintain the floor layout as existing.

2.2 There will be a shared lounge, dining room, kitchen and bathroom on the ground floor and three bedrooms on the first floor.

### **3. SITE DESCRIPTION**

- 3.1 The application site consists of a two storey end of terrace Victorian dwelling located within a residential area as designated in the Northampton Local Plan. The area is covered by an Article 4 Direction which has removed permitted development rights for change of use to a HIMO.
- 3.2 The property fronts directly onto the street and has a short rear garden, with no car parking spaces provided on site. The site is in a residential area of similar style housing. Immediately adjoining the property to the north are single storey outbuildings occupied by a roofing company. To the south is an adjoining residential dwelling.

### **4. PLANNING HISTORY**

- 4.1 None.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **5.2 National Policies**

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

Northamptonshire County Parking Standards SPG 2016  
Planning out Crime in Northamptonshire SPG 2004

#### 5.6 **Other Material Considerations**

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

Proposals for HIMOs should:

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

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received as a result of consultation on the original proposal for 4 residents:

6.1 **NCC Highways** - advises that the applicant undertakes a parking beat survey due to the known pressure in the area for on street parking and the expectation that the change of use could result in increased on-street parking.

6.2 **NBC Private Sector Housing** - the applicant should be advised that the premises will require licensing under the additional licensing scheme.

- 6.3 **Councillor Leslie Marriott** - would like to refer the matter to the Planning Committee on the basis that the Semilong area is oversubscribed with HIMOs, there is an ongoing requirement for family homes in the area, it would exacerbate parking issues in the area, a matter which the police are really concerned about.

Comments received following re-consultation on amended proposal for 3 residents:

- 6.4 **NCC Highways** – no comments to make.

## **7. APPRAISAL**

### **Principle of the development**

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

### **Size of property**

- 7.2 The plans indicate a living room, dining room, kitchen and bathroom on the ground floor and three bedrooms on the first floor. It is considered that room sizes are sufficient and that there are adequate facilities for the proposed occupancy. The application therefore complies with Principle 2 of the Council's adopted Planning Policy Statement on HIMOs.

### **Area Concentration**

- 7.3 It would appear from Council records that there is not a significant concentration of HIMOs in the surrounding area with 2 other HIMOs within a 50 metre radius of the property. This would clearly fall within the 15% recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

The premises could be conditioned to restrict the use of the premises to a maximum of 3 occupants, the impact of which would not be significantly different to that of a conventional family home. It is therefore considered that the proposal would not lead to an over concentration of HIMOs within the locality and that there would not be significant impact on the character and amenity of the area as a result.

### **Parking**

- 7.4 No off-street parking is provided. Given that the lawful use of the property as a dwelling would also be likely to generate some vehicle movements, it is considered that the use as a HIMO for 3 occupiers would not create significant additional traffic. It is noted that the site is located within walking distance of an off licence and general store at the corner of Uppingham Street and St Andrews Road, and within walking distance of bus stops and the linear park on St Andrews Road. It is also within walking distance of employment areas at Grafton Park, St Georges Street and Barrack Road. Cycle parking can be accommodated within the rear garden, and a condition is proposed to secure this.
- 7.5 Following the reduction of the proposal to 3 residents, the Local Highway Authority did not request that a parking beat survey to be carried out, as there will be no additional occupant as compared with the existing 3-bed dwelling, and raise no objections to the proposal.

### **Refuse storage**

- 7.6 There is sufficient room for the storage of refuse bins in the back garden. A condition will be applied to secure this. This proposal would therefore be in compliance with Principle 4 of the Council's adopted Planning Policy Statement on HIMOs.

### **Amenity**

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

## **8. CONCLUSION**

- 8.1 Taking the above into account it is considered that the use of the property as a HIMO for 3 residents is in compliance with policy requirements 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: Site location plan, TP/LB/JB/1 (existing ground floor and first floor plans only).

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

3. The development hereby permitted shall be occupied by a maximum of three residents at any one time.

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

4. Within one month from the date of this decision, details of the provision for the secure storage of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented within 1 month of the Local Planning Authority's written approval and shall be maintained in accordance with the approved details.

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

5. Within one month from the date of this decision, details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented within 1 month of the Local Planning Authority's written approval and shall be maintained in accordance with the approved details.

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

**10. BACKGROUND PAPERS**

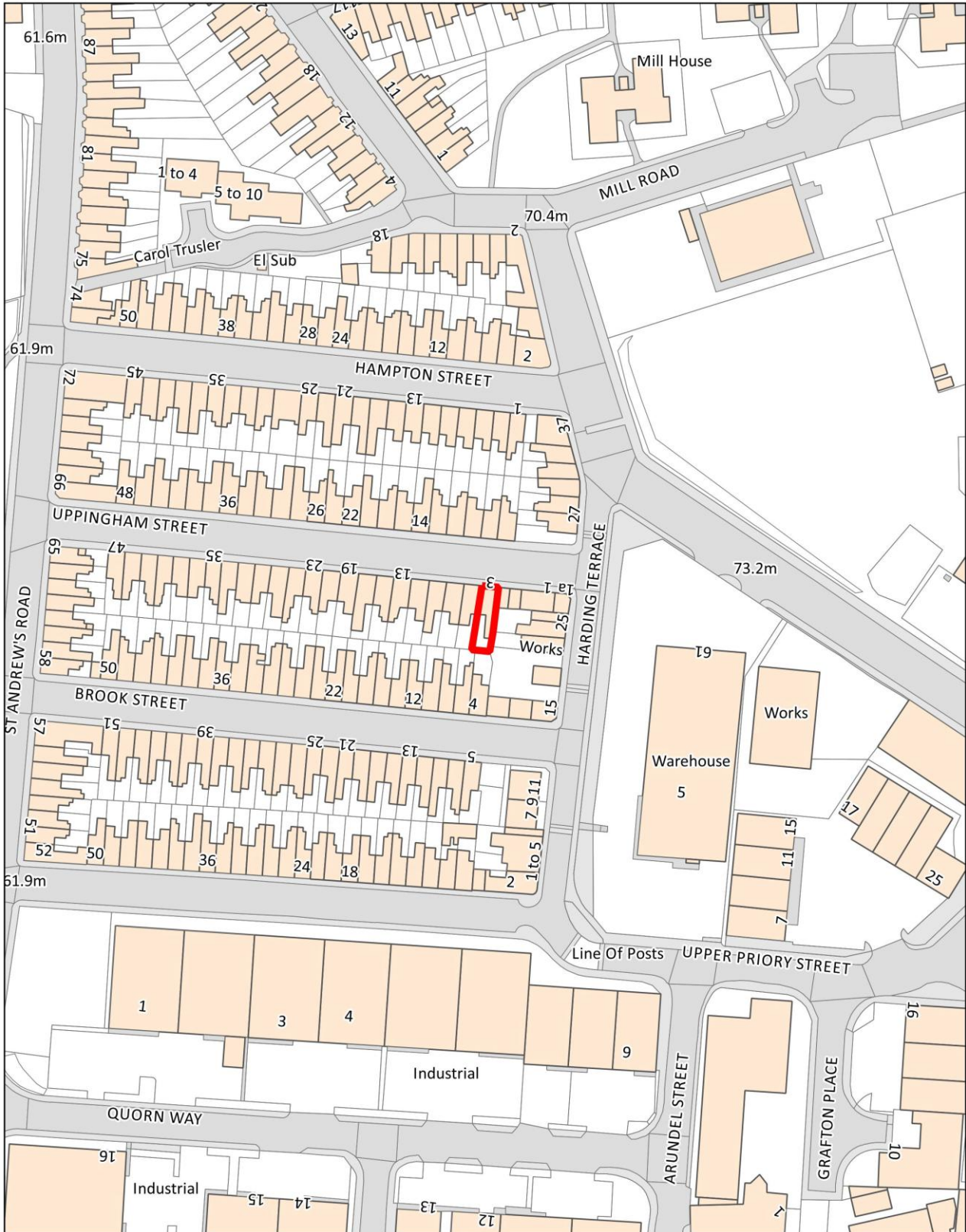
10.1 None

**11. LEGAL IMPLICATIONS**

11.1 The development is not CIL liable.

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

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>3 Uppingham Street</b></p>	<p>Date: 13-10-2016</p>
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<b>PLANNING COMMITTEE:</b>	25 <sup>th</sup> October 2016
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>DIRECTOR:</b>	Steven Boyes
<b>APPLICATION REF:</b>	N/2016/1102
<b>LOCATION:</b>	59 Meshaw Crescent
<b>DESCRIPTION:</b>	Part conversion of garage to kitchen
<b>WARD:</b>	Park Ward
<b>APPLICANT:</b>	Mr Jason Chambers
<b>AGENT:</b>	Mr Jason Chambers
<b>REFERRED BY:</b>	Director of Regeneration, Enterprise and Planning
<b>REASON:</b>	Applicant is a Council employee
<b>DEPARTURE:</b>	No

#### **APPLICATION FOR DETERMINATION:**

#### **1. RECOMMENDATION**

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

The proposed development for a partial garage conversion would not have any adverse impact on the appearance and character of the original dwelling, surrounding area and amenity of adjoining occupiers. The proposed development would comply with saved Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, Residential Extensions and Alterations Design Guide SPD and advice contained in National Planning Policy Framework.

#### **2. THE PROPOSAL**

- 2.1 The current application seeks planning permission for a part conversion of the existing garage. The proposed development would replace the existing window and door with an enlarged window in the rear elevation, and would introduce a new lantern on the existing roof of the garage. There would be no elevational changes in the front elevation.
- 2.2 Planning permission is required for the proposed conversion work as a planning condition was imposed in the original planning permission back in 1962 for the development of the dwelling stating that the garage shall be used for the storage of motor vehicles only.

#### **3. SITE DESCRIPTION**

- 3.1 The application site contains a semi-detached, two storey dwelling located to the south of the Meshaw Crescent, which is predominantly a residential area. The local area is characterised by

houses of varying designs and age. The application dwelling sits back in the plot with hardstanding to the front which is currently being utilised for parking.

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

4.1 Application 62/0384 - approved in September 1962.

#### **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.

##### **5.2 National Policies**

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

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

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

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

Policy S10 Sustainable Development Principles - encourages development which achieves high standards of design and a strong sense of place.

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

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

Policy E20 - Design of new development

Promotes good design in new development and extensions and ensures acceptable levels of privacy, light and amenity to adjoining properties.

Policy H18 - Residential Extensions

Relates specifically to domestic extensions and consideration should be given to design and appearance and impact on neighbouring properties.

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

- Residential Extensions and Alterations Design Guide SPD

- Northamptonshire Parking Standards SPD (Adopted September 2016)

## **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 None received.

## **7. APPRAISAL**

### **Main issues**

7.1 The main issues to consider are the impact on the appearance and character of the host building, surrounding area, neighbour amenity and highway safety.

### **Impact on appearance and character of host building and surrounding area**

7.2 The proposed development would result in part conversion of the existing garage with some external elevational changes in the rear elevation. The existing door and window would be replaced with an enlarged window. The front elevation of the application dwelling would remain unaltered. It is considered that the proposed alterations would be in keeping with the host building and would have no adverse impact on the street scene. The proposed development would accord with saved Policies H18 and E20 of the Northampton Local Plan Council's Residential Extensions and Alterations Design Guide SPD and advice contained in National Planning Policy Framework.

### **Impact on amenity of neighbours**

7.3 The neighbouring property no. 57 Meshaw Crescent to the western side of the application property would be screened by the main dwelling, and would not be affected by the proposed development. The neighbouring property at no. 61 would be able to see part of the elevational changes in the rear elevation and the proposed lantern on the existing roof. Owing to the scale and design of the proposed developments and the existing boundary treatment, it is not considered that the proposal would create adverse impact in terms of overlooking or loss of light to no. 61. The neighbouring properties to the rear are located some 25 metres away, it is not considered to have any adverse impact resulting from the proposed development.

### **Highway Safety**

7.4 The application site would have sufficient onsite parking and would accord to the Northamptonshire Parking Standards SPD (Adopted 2016).

## **8. CONCLUSION**

8.1 The proposal is considered acceptable as it would not have any undue impact on the appearance and character of the host building, surrounding area or residential amenity and is fully compliant with development plan policy.

## **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, Block plan and 5910/01.

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

**10. BACKGROUND PAPERS**

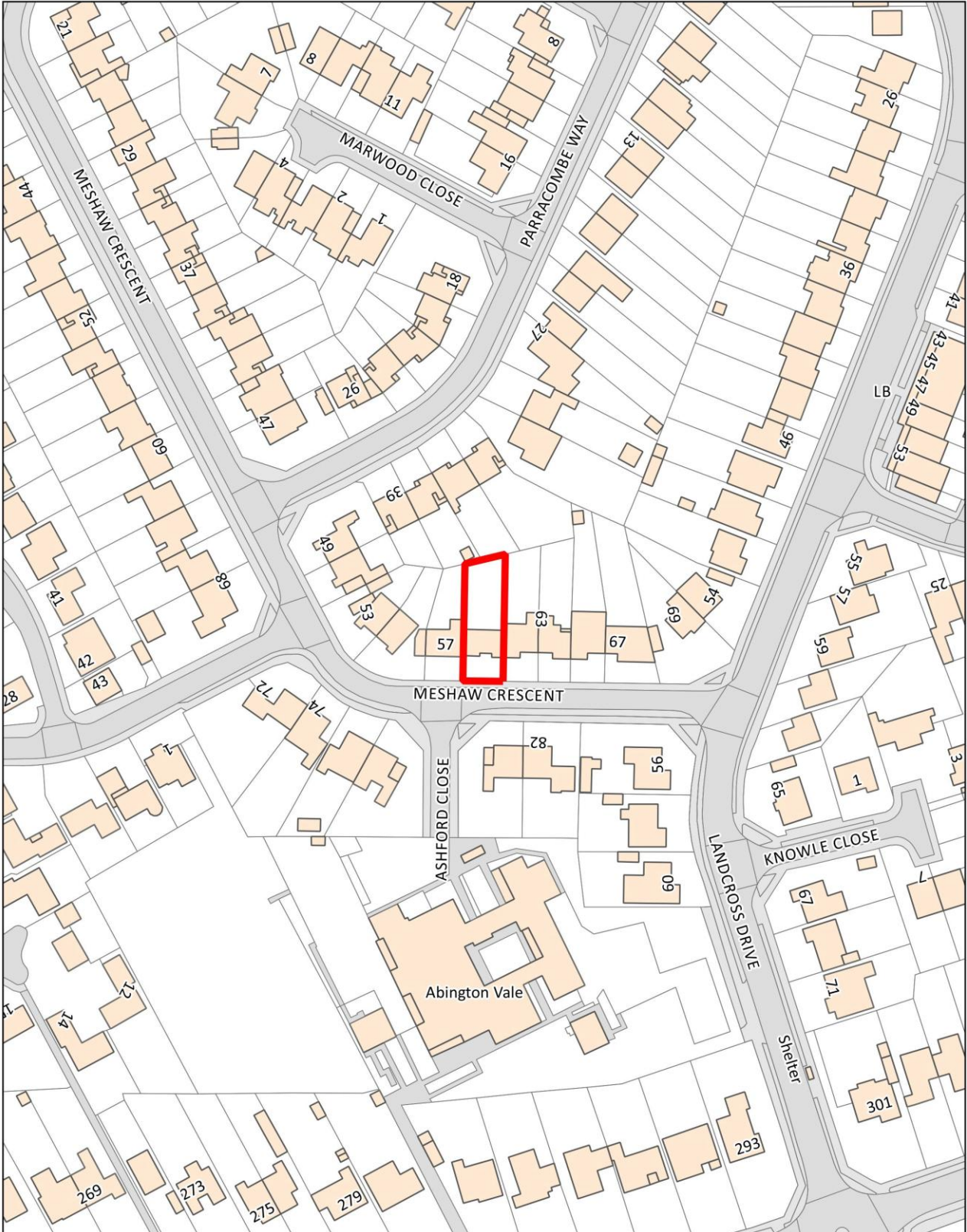
10.1 N/2016/1102.

**11. LEGAL IMPLICATIONS**

11.1 The development is not CIL liable.

**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: **59 Meshaw Crescent**

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**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1123

**LOCATION:** 1 Marjoram Close

**DESCRIPTION:** Change of use of dwelling (Use Class C3) to dwelling and chiropractic studio and erect single-storey side extension

**WARD:** East Hunsbury Ward

**APPLICANT:** Mr David Ballentine  
**AGENT:** Collins & Coward

**REFERRED BY:** Councillor P Larratt  
**REASON:** Adequate parking in the area

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION:**

**1.1 REFUSAL** for the following reason:

Due to the potential number of customers and nature of the business, the proposed development would likely result in a significant and unacceptable increase in general activities, noise disturbance and traffic in a quiet residential area detrimental to the residential amenity of the locality, contrary to Policy B20 of the Northampton Local Plan and aims of the National Planning Policy Framework.

**2. THE PROPOSAL**

**2.1** Permission is sought for erection of a single storey side extension and change of use of the dwelling to include a Chiropractic studio (Use Class D1).

**2.2** The proposed extension would be sited on the elevation facing Saffron Close and be constructed in brick work and render to match the existing house. The applicant and his partner would be the only staff working within the business, one being full time and the other part time. The proposed hours of operation would be from approximately 9am to 6pm Mondays to Fridays, and occasional Saturdays from 9am to 12pm. There would be no Sunday working. A general chiropractic session lasts for twenty minutes with a ten minute crossover for one client leaving and another arriving.

### **3. SITE DESCRIPTION**

- 3.1 The application site consists of a detached dwelling in quiet residential area at the intersection of Marjoram Close and Saffron Close. There are private rear and side gardens, and parking for two cars on an existing driveway to front. There is an existing integral garage providing a third off road space. The area is characterised mainly by detached dwellings with off road parking and is relatively quiet in terms of through traffic. The site is not in a conservation area.

### **4. PLANNING HISTORY**

- 4.1 Planning permission was refused in July 2016 for the same proposal (N/2016/0608) for the following reason:

“Due to the potential number of customers and nature of the business, the proposed development would likely result in a significant and unacceptable increase in comings and goings, noise disturbance and traffic in a quiet residential area detrimental to the residential amenity of the locality and contrary to Policy B20 of the Northampton Local Plan and aims of the National Planning Policy Framework.”

Rather than appeal against the decision, the applicant has re-submitted the current application and provided some additional information and clarification in respect of the proposal. The applicant considers that the information submitted with the last application was misleading given that the proposal included two employees when in fact it is only the applicant and his partner who would be working at the site.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), 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 Relates to residential amenity and design  
Paragraphs 32 and 35 Promotes safe and suitable access  
Paragraph 123 Noise pollution

#### **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 protecting, conserving and enhancing the natural and built environment.

BN9 Pollution Control - development that is likely to cause pollution will only be permitted if measures can be implemented to minimise pollution.

#### 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 - new development will be granted subject to the design of any new building or extension reflecting the character of its surroundings and being designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

H18 Residential Extensions - planning permission for extensions to dwellings will be granted subject to the design and appearance of the extension being acceptable, the design being in keeping with appearance and character of the original dwelling and the effect upon neighbouring properties.

B20 Businesses from Home - states that planning permission will be granted for change of use from residential to an employment use to enable home working provided that:

- The Home working is carried out by those who live in the same residential unit
- There is no loss of amenity to neighbours
- The use reverts to residential once the home working ceases

#### **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2016  
Residential Extensions and Alterations Design Guide SPD 2011

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

Comments received are summarised as follows:

- 6.1 **NBC Environmental Health** - No objection provided hours of use are controlled and no external plant is attached to the extension. (The applicant has confirmed that there would be no external plant).
- 6.2 **NCC Highways** - No objection; there are no known parking issues in the area. Due to layout of the houses and addition of drives to properties in the area, there is an abundance of on street parking. As the business will be closed after 6pm, it is unlikely to impact on residents ability to park in the area, it should also be noted that Saffron Close is a cul-de-sac and therefore has a limited number of vehicle movements.
- 6.3 **East Hunsbury Parish Council** - Highway safety concerns given that property is close to junction of Marjoram Close and Saffron Close. Would result in significant comings and goings in a residential area. There should be a condition that no signs are installed.
- 6.4 **Councillor P Larratt** - There is sufficient off road parking and there are already other businesses in the area run from home that do not cause nuisance. Called in the application for determination by the Planning Committee.

6.5 **5 letters of support** have been received from nos. 7 Dunnock Lane, 7 Wisley Close, 27 Henty Bird Way, 2 Marjoram Close and 5 Saffron Close.

- Site is conveniently located
- Rely on the applicant for health reasons
- There are no parking concerns

## **7. APPRAISAL**

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

7.1 Although the proposed single storey side extension would be visible from Marjoram Close and Saffron Close, it is considered that the design, roof form and scale is in keeping with the host building and would not detract from the street scene as it would not be too prominent visually. The proposed materials would match the existing house and any approval would be subject to a matching materials condition to ensure that it complements the host building. It should be noted that officers also raised no concerns to this element on the previous application.

### **Impact on living conditions of neighbours**

7.2 The area is a residential street and quiet in nature with low levels of on street parking. The proposed use is considered to be intensive and the number of customers could be up to 4 per hour. Given the expected number of clients it is considered that the proposed use would attract a significant increase in comings and goings to the area, resulting in more traffic movements and general disturbance in this otherwise quiet residential street.

7.3 Although it is acknowledged that the type of operation in itself is not a noisy activity, the associated visitor/customer activities that raise the main concern. The property has three on-site parking spaces, but in view of the number of customers proposed, and taking into account the parking requirement for the existing occupiers, the proposed use is likely to result in cars having to park on Saffron Close, causing inconvenience and nuisance to properties opposite and around the application site. It is considered that the effect would have an unacceptable adverse effect on neighbouring amenity.

7.4 The likely impact would be contrary to the National Planning Policy Framework which states that planning decisions should avoid noise from giving rise to significant adverse impacts and quality of life. Saved Policy B20 of the Northampton Local Plan relates to business from home and states that permission will be granted for home working provided that there is no loss of amenity to neighbouring residents. While it is acknowledged that there is scope to impose conditions relating to hours of operation on any grant of planning permission, the fact remains that the number of potential customers would be difficult to control.

### **Parking and Highways**

7.5 The site currently has three off road parking spaces, one in the existing garage and two on the existing driveway. The Local Highway Authority raised no objections. It is their opinion that as there are no known parking issues in the area, there is capacity to accommodate additional on street parking on surrounding streets without impacting adversely on highway safety.

### **Community Benefits**

7.6 One of the principal benefits of the use is that it would provide a community facility serving the local area. This must be carefully balanced against the other material considerations cited above.

It is considered that the harm to residential amenity in this instance outweighs the benefits of the proposed use.

#### **Other issues**

- 7.7 The Parish Council are concerned that the applicant does not erect any signage advertising their business. This would be controlled under separate Advertisement Regulations.

### **8. CONCLUSION**

- 8.1 The proposed development would result in a significant adverse impact on residential amenity of the area. The application is therefore recommended for refusal as it fails to comply with development plan policy and national guidance.

### **9. BACKGROUND PAPERS**

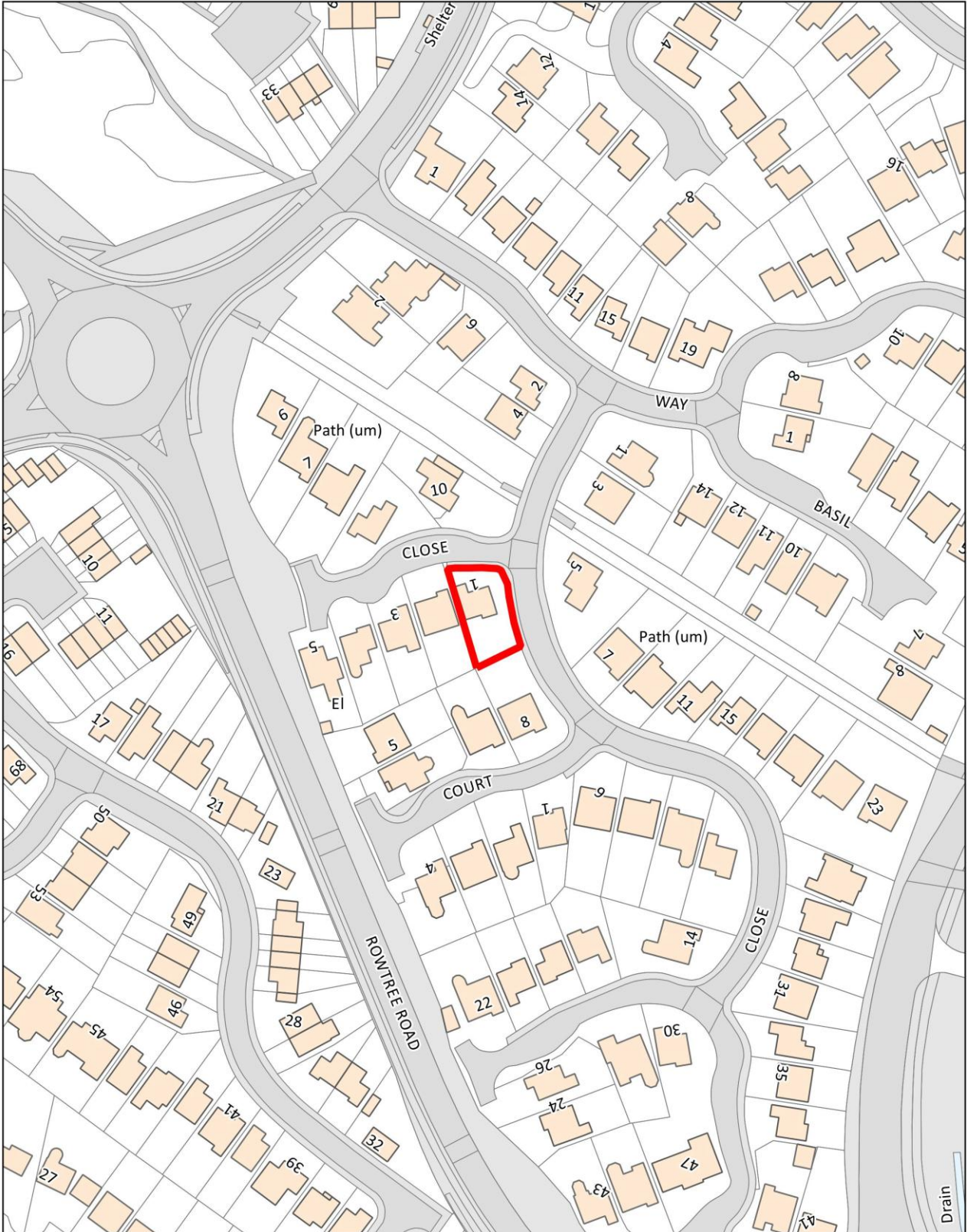
- 9.1 N/2016/1123.

### **10. LEGAL IMPLICATIONS**

- 10.1 The development is not CIL chargeable.

### **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: **1 Marjoram Close**

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**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1151

**LOCATION:** 10 Toms Close

**DESCRIPTION:** Demolition of an existing single storey out-house and the construction of a two storey extension to the rear of the existing property; change external finish of house to brick

**WARD:** Nene Valley Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Michael Dyson Associates Ltd.

**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 have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area. The proposed development would therefore comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposal is for a two storey extension to the rear of the dwelling following the demolition of an existing outhouse. Also proposed is the cladding of the building in a brick finish.

**3. SITE DESCRIPTION**

3.1 The site comprises a semi-detached house within a cul-de-sac of similar properties. The houses are constructed of pre-cast concrete using the "Airey" system.

**4. PLANNING HISTORY**

4.1 None.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **5.2 National Policies**

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

Paragraph 56 - Good design should contribute positively to making places better.

### **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.

### **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 – Design

Policy H18 – Household Extensions

### **5.5 Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD

## **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 No comments received.

## **7. APPRAISAL**

7.1 The issues to consider are the impact on the street scene and on the amenities of adjoining occupiers.

7.2 The property would be faced with buff brickwork in place of the existing precast concrete construction, with the necessary structural work also taking place within the building. The proposal also includes a 3.26m projection two storey rear extension. The construction of this would follow the demolition of an attached outbuilding which projects 5.6m from the rear wall of the building, with a similar structure remaining at the neighbouring property.

- 7.3 In terms of the street scene impact, it is considered that the re-facing of the building would improve the building by giving it a more conventional appearance and would improve the heat efficiency of the structure.
- 7.4 This appearance of the building would differ from that of the neighbouring, attached, property at 9 Toms Close. However, it is not considered that this would have a detrimental impact on the street scene overall. In any event the change of appearance is necessary to make the building habitable in the long term. It is also likely that the other buildings in the street may be similarly altered in due course as with the neighbouring property at 11 Toms Close, for which there is an application on the current Committee agenda.
- 7.5 In terms of the impact on adjoining occupiers, it is considered that the retained outbuilding at the neighbouring property would ensure that there would not be any impact on the ground floor windows of this property. The nearest first floor window of the neighbouring property is a bathroom and beyond that the landing, meaning that the nearest habitable room window would be over 7m from the side wall of the proposed extension, resulting in no undue adverse impact as a result of overshadowing or visual dominance. The 1m separation from the boundary of the wall of the extension would also minimise the impact on the neighbouring garden from overshadowing or visual dominance.
- 7.6 To the rear of the site is the Collingtree Golf Course, this would be unaffected by the proposals.

## **8. CONCLUSION**

- 8.1 The proposed development would have no adverse impact on the street scene or on the amenities of adjoining residential occupiers.

## **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: 102-(PL)-8009, 020-(PL)-8009, 021-(PL)-8009, 022-(PL)-8009, 023-(PL)-8009.

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

(3) Details of all proposed external facing materials shall be 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 and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

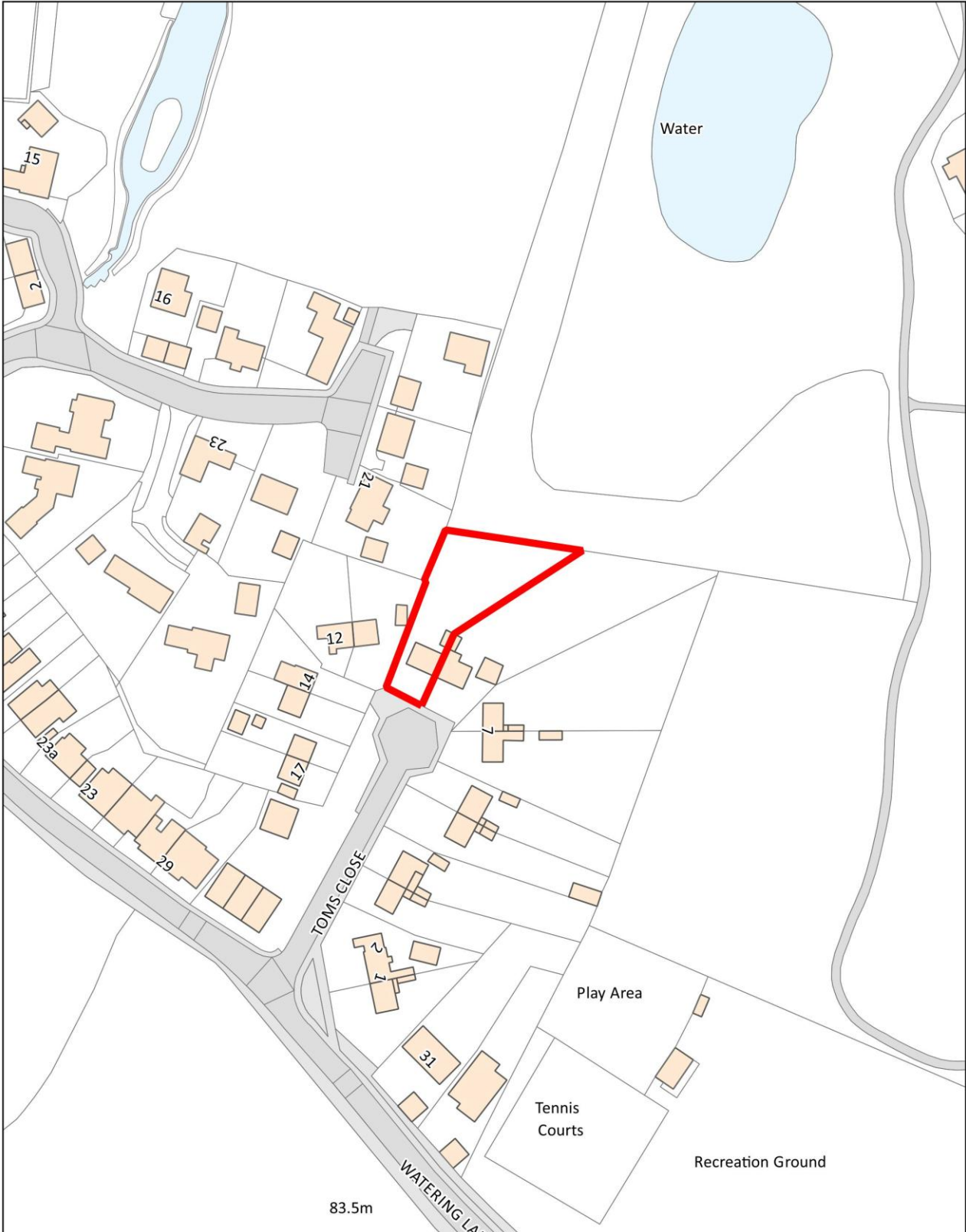
- 10.1 Application file N/2016/1151


## **11. LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>10 Toms Close</b></p>	<p>Date: 13-10-2016</p>
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**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1152

**LOCATION:** 11 Toms Close

**DESCRIPTION:** Construction of two storey side extension, new porch to the front and a conservatory to the rear. Existing garage is to be demolished and replaced by a double garage. External finish of house in brick

**WARD:** Nene Valley Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Michael Dyson Associates Ltd

**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 have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area. The proposed development would therefore comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposal is for a two storey side extension following the demolition of an existing outbuilding and garage, also proposed is a rear conservatory as well as the cladding of the building in a brick finish.

**3. SITE DESCRIPTION**

3.1 The site comprises a two-storey semi-detached house within a cul-de-sac of similar properties. The houses are constructed of pre-cast concrete using the "Airey" system.

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

4.1 None.

#### **5. PLANNING POLICY**

##### **5.1 Statutory Duty**

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

##### **5.2 National Policies**

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

Paragraph 56 - Good design should contribute positively to making places better.

##### **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.

##### **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 – Design

Policy H18 – Household Extensions

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

Residential Extensions and Alterations Design Guide SPD

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

6.1 No comments received.

#### **7. APPRAISAL**

7.1 The issues to consider are the impact on the street scene and on the amenities of adjoining occupiers.

- 7.2 The property would be faced with buff brickwork in place of the existing precast concrete construction, with the necessary structural work also taking place within the building. The proposal also includes a front porch, a 3.7m wide two storey side extension and a 3.98m long rear conservatory, as well as a detached double garage, following the removal of the existing garage and shed.
- 7.3 In terms of the street scene impact, the re-facing of the building would improve the building by giving it a more conventional appearance and would improve the heat efficiency of the structure.
- 7.4 This appearance of the building would differ from that of the neighbouring attached property at 12 Toms Close, however it is not considered that this would have a detrimental impact on the street scene overall. In any event the change of appearance is necessary to make the building habitable in the long term. It is also likely that the other buildings in the street may be similarly altered in due course as with the neighbouring property at 10 Toms Close, for which there is an application on the current Committee agenda.
- 7.5 The porch, side extension and garage would also be visible from the street and would be in brickwork to match the altered appearance of the main building. The porch is of limited scale and typical design, whilst the extension would be set well back from the front elevation of the property and would therefore have a limited, and acceptable, impact on the street scene.
- 7.6 In terms of the impact on adjoining occupiers, the two storey extension would be 7m from the boundary with the neighbouring property at 10 Toms Close, there would be no undue impact in terms of loss of light or overshadowing. There are no side facing windows on no. 10, therefore no overlooking or loss of privacy would result from the proposals. The proposed conservatory would be 2.8m from the boundary with the other neighbouring property at no. 12 Toms Close, and whilst the side of the conservatory facing the boundary would be glazed, any overlooking would be avoided by the separation distance and by the boundary treatment.
- 7.7 The proposed garage would be 8m in length and would be 2.5m high to the eaves and 3.65m high overall. This would be in a brick finish. The garage would be close to the boundaries of the neighbouring properties at both 10 Toms Close and 21 Glebe Farm Close. In respect of 10 Toms Close, although the full 8m depth of the garage would be visible from this property, this neighbour has a very large garden and it is considered that the impact of this would be limited. Only the 4.8m wide end of the garage would be seen from 21 Glebe Farm Close and it is considered that the impact on this property would be acceptable. No representation has been received from neighbouring occupiers on the application.

## **8. CONCLUSION**

- 8.1 The proposed development would have no adverse impact on the street scene or on the amenities of adjoining residential occupiers.

## **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: 030-(PL)-8009, 031-(PL)-8009, 032-(PL)-8009 Rev A, 033-(PL)-8009 (Proposed Elevations) Rev A, 033-(PL)-8009 (Proposed Garage), 103-(PL)-8009.

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



(3) Details of all proposed external facing materials shall be 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 and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

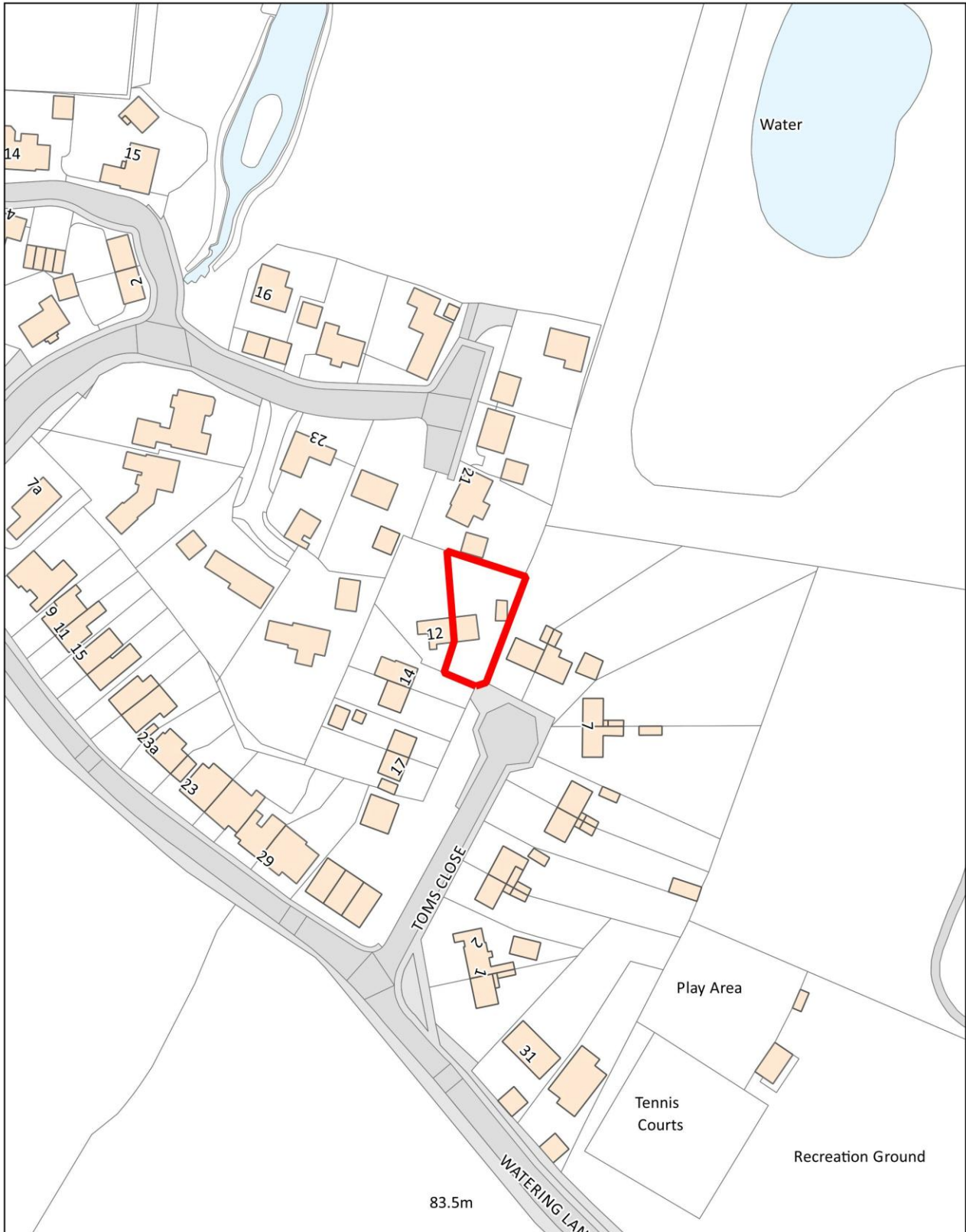
10.1 Application N/2016/1152.


## **11. LEGAL IMPLICATIONS**

11.1 The development is not CIL liable.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>11 Toms Close</b></p>	<p>Date: 13-10-2016</p>
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**PLANNING COMMITTEE:** 25<sup>th</sup> October 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1216

**LOCATION:** Northampton & County Club , 8B George Row

**DESCRIPTION:** Change of use in part from Estate Agent (Use Class A2) to coffee shop/restaurant (Use Class A3)

**WARD:** Castle Ward

**APPLICANT:** Northampton & County Club  
**AGENT:** Mr Steven Bignell

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Council Members are Club Members

**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 bring a currently vacant unit in a prominent location in the town centre back into sustainable use. The proposal would preserve the character and appearance of the listed building and the All Saints Conservation Area and would improve the vitality of the immediate area, in accordance with the requirements of Policy 13 of the Central Area Action Plan, Policies S9, S10, and BN5 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposal is for the change of use from a former estate agents to a coffee shop/restaurant under Use Class A3. No external alteration has been proposed.

**3. SITE DESCRIPTION**

3.1 The site comprises an existing commercial unit within the established Northampton and County Club curtilage fronting onto George Row. This is separate from the remainder of the Club and was previously in use as an estate agents.

3.2 The site also forms part of a group of Grade II\* listed buildings and falls within the boundary of the All Saints Conservation Area.

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

990/75 – Change of use to estate agents office – Approved 7<sup>th</sup> January 1976

06/0037/COUWNN - Change of use from estate agents (Class A2) to wine tapas coffee house (Class A3) – Refused 31<sup>st</sup> May 2006.

#### **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, Northampton Central Area Action Plan (2013).

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

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 131 - Account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraphs 132 - In considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 134 - Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

##### **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 S9: Distribution Of Retail Development - Retail floorspace should be firstly located in the primary shopping area and then other town centre locations.

Policy S10: Sustainable Development Principles - Seeks to achieve the highest standards of design and to protect, conserve and enhance heritage assets and their settings.

Policy BN5: The Historic Environment and Landscape – Heritage assets and their settings and landscapes will be conserved and enhanced in recognition of their individual and cumulative significance.

#### 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 13 – Improving The Retail Offer - Within the secondary frontages the change of use from retail (Class A1) will be allowed where it will not result in a significant decline in the total length of identified retail frontage below 60%, or, where this is already below 60% reduce further retail frontage.

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

Comments received are summarised as follows:

- 6.1 **Historic England** - The application should be determined in accordance with national and local policy guidance and on the basis of specialist conservation advice.
- 6.2 **Conservation** - No objection in principle to the change of use, which in itself would not harm the historic interest of the listed building or the character and appearance of the Conservation Area and will secure a use for part of the Grade II\* Listed Building.
- 6.3 **Environmental Health** - The application does not give any information about how odours from the cooking processes will be managed. Would need to be clear that the building can accommodate/suitably site an extraction system, and that the listed building status would allow such an installation.
- 6.4 At the time of writing this report the consultation period is ongoing, therefore any further comments which are received will be reported to Committee by means of the Addendum.

### 7. **APPRAISAL**

- 7.1 The main issues to consider are the impact on the character appearance and historic interest of the listed building, the setting of the conservation area and the impact on the secondary retail frontage of the proposed change of use.
- 7.2 The proposal is for the change of use of the premises only, with no alterations proposed to the structure or appearance of the building. The previous application at this property was refused partly due to the absence of details in respect of proposed extraction systems, and their impact on the listed building. However in respect of the current application, it has been confirmed that the existing kitchen within the club would be used and therefore there would be no need for additional equipment and hence no impact on the listed building in this regard.
- 7.3 It is therefore considered that the proposed use would not have any detrimental impact on the character and historic interest of the building or the conservation area, whilst also ensuring a viable ongoing use for the building.
- 7.4 The site is within a secondary retail frontage within the town centre, and Policy 13 of the Central Area Action Plan as quoted above applies. However, in this case the proposed change of use is from an estate agent under Use Class A2, therefore there would not be any loss of any retail

frontage. The other units in this row are all Class A2 uses, and it is considered that this change of use would in fact improve the vitality of the area.

- 7.5 In terms of the impact on the amenities of surrounding properties, it should be noted that a previous application for the change of use of the premises to a wine bar and café was refused partly over concerns regarding noise impact. In this case, the proposal is for a coffee shop and restaurant which would be open from 9am to 5pm only. It is not considered that such a use would be likely to have any significant impact in terms of noise when compared to a wine bar.
- 7.6 Refuse storage would be provided in conjunction with the existing club and it is considered to be acceptable bearing in mind the scale of the development.
- 7.7 The application has been made for a temporary period only, however the applicants have confirmed that a permanent permission would be preferable to them. This would therefore ensure an ongoing viable use for the building.

## **8. CONCLUSION**

- 8.1 The proposed change of use would not have any adverse impact on the listed building or the conservation area and would improve the vitality of the area through the introduction of a non office use.

## **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, 1143/E01.

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

## **10. BACKGROUND PAPERS**

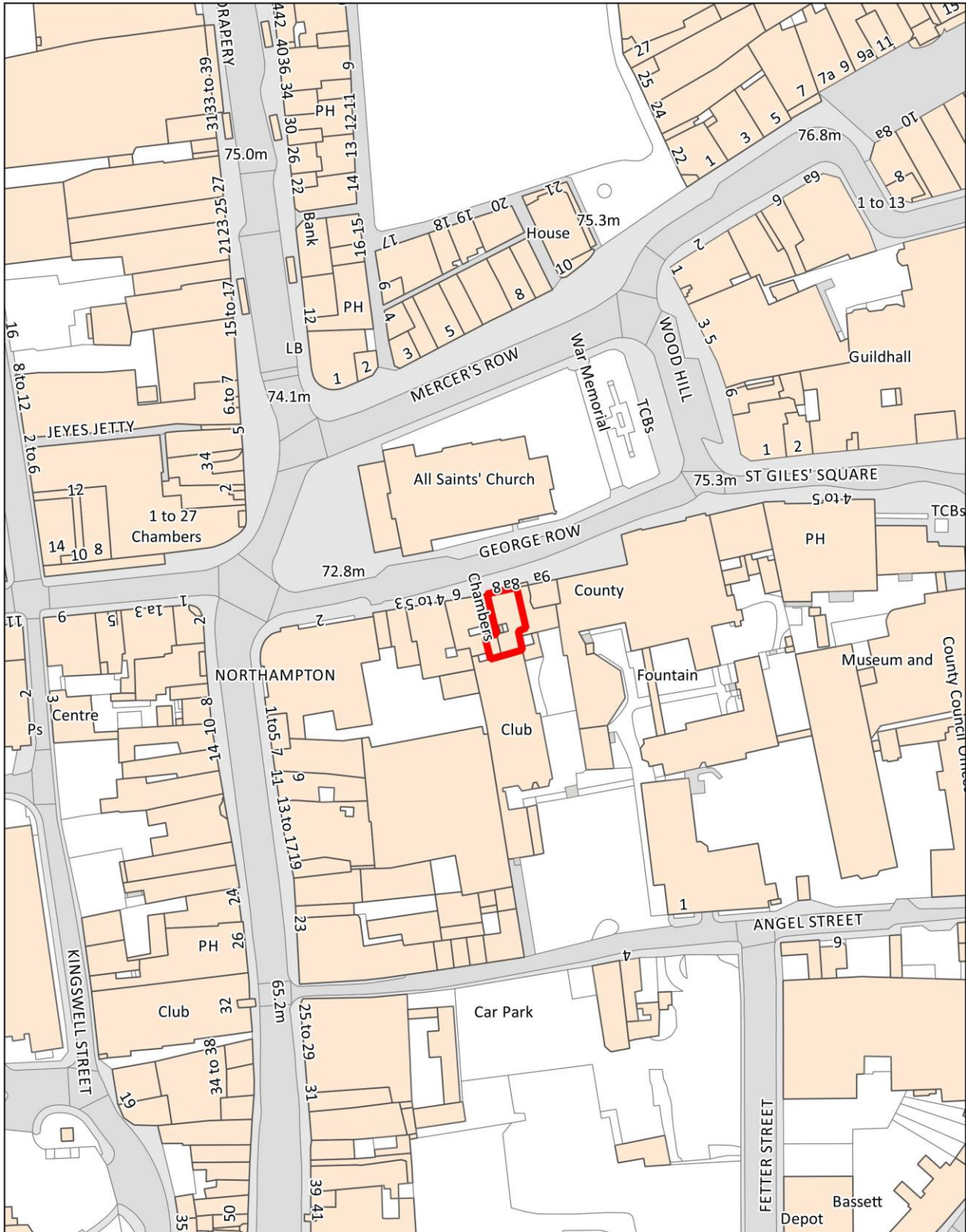
- 10.1 Application file N/2016/1216.


## **11. LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable.

## **12. SUMMARY AND LINKS TO CORPORATE PLAN**

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Northampton &amp; County Club, 8b George Row</b></p>	<p>Date: 17-10-2016</p>
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**PLANNING COMMITTEE:** 25<sup>th</sup> October 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/1260

**LOCATION:** St Johns House, St Andrews Street

**DESCRIPTION:** Prior notification of demolition of existing three level walkways providing pedestrian access between St Johns House and St Mark's House

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Northampton Partnership Homes

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

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 That the Authority's **PRIOR APPROVAL WILL NOT BE REQUIRED** for the method of demolition and proposed restoration of the site for the following reason:

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

**2. THE PROPOSAL**

2.1 This application is for prior notification of the proposed method of demolition of three pedestrian walkway bridges which connect two adjacent six and seven storey blocks of flats off St Andrews Street.

**3. SITE DESCRIPTION**

3.1 The application site consists of three elevated walkways between the flats at St John's House and St Mark's House. The surrounding area is residential in character and consists of flats and houses as well as some associated commercial uses.



#### **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), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013) and Spring Boroughs 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:

Section 6 – Delivering a wide choice of high quality homes.

Section 7 – Requiring good design.

Section 8 – Promoting healthy communities.

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

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

H1 – Housing.

S10 – Sustainable development principles.

##### **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.

Policy 24 – Spring Boroughs. This policy supports the regeneration of the area in circumstances where much of the housing stock in the borough is of poor quality and there is need to improve inadequate standards of amenity for residents.

##### **5.5 Other Material Considerations**

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton. The Plan seeks to support proposals which improve the quality of the environment, community facilities, infrastructure, security and connectivity.

## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Building Control** – Confirm the proposed method of demolition is acceptable.
- 6.2 **Environmental Health** – Confirm the proposed method of demolition is acceptable.
- 6.3 One letter received from the occupier of a property in the block, raising the following issues:
- Concerned about safety if the walkways are removed.
  - Questioned whether the walkways could be locked off.
  - If one lift was out of order the other lift could be used instead.
  - Walkway would provide a safe exit in the event of fire.

## **7. APPRAISAL**

- 7.1 This application relates to prior notification for the demolition of three existing raised walkways.
- 7.2 The matters for consideration in applications of this type are the proposed method of demolition and the method the site's restoration. The principle of whether or not the demolition should be carried out is not a matter to be considered.
- 7.3 In respect of the proposed demolition, the walkways would be demolished using an elevated platform. The bridges would then be dismantled from the top down and lowered into skips. The open ends of the walkways where the bridges have been removed will be secured using new stop ends. Rendering to the building will be repaired.
- 7.4 Working hours would be from 7.30am to 5.30pm on Mondays to Fridays and impact on residents of the area would be prevented through adherence to these hours, demarcation of working areas and dust mitigation from cutting equipment.
- 7.5 It is considered, therefore, that the proposed method of demolition is acceptable and prior approval is not required.
- 7.5 Whilst the comments received from a neighbouring occupier are noted, as referred to the above, the principle of whether or not the demolition should take place is not a matter to be considered.
- 7.6 It is considered that the method of demolition and restoration are acceptable.

## **8. BACKGROUND PAPERS**

- 8.1 Application File N/2016/1260.


## **9. LEGAL IMPLICATIONS**

- 9.1 None.

## **10. SUMMARY AND LINKS TO CORPORATE PLAN**

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>St Johns House, St Andrews Street</b></p>	<p>Date: 13-10-2016</p>
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		<p>Drawn by: -----</p>



<b>PLANNING COMMITTEE:</b>	25 <sup>th</sup> October 2016
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>DIRECTOR:</b>	Steven Boyes
<b>APPLICATION REF:</b>	N/2016/1208
<b>LOCATION:</b>	Land adjacent Skew Bridge Ski Slope, Rushden Lakes, Rushden
<b>DESCRIPTION:</b>	Erection of a leisure building to include a cinema, other leisure uses and restaurant units and erection of retail units, cycle hire facilities together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works (16/01662/FUL)
<b>WARD:</b>	Other Authority
<b>APPLICANT:</b>	LxB (RP) Rushden Limited
<b>AGENT:</b>	Quod
<b>REFERRED BY:</b>	Director of Regeneration, Enterprise and Planning
<b>REASON:</b>	Major Fringe Development
<b>DEPARTURE:</b>	No

## APPLICATION FOR CONSULTATION BY EAST NORTHAMPTONSHIRE COUNCIL:

### 1. RECOMMENDATION

- 1.1 That Northampton Borough Council **OBJECT** to the development as proposed.
- 1.2 Northampton Borough Council objected to the original application for the development proposals for Rushden Lakes, allowed on appeal by the Secretary of State in 2014 following a public inquiry, regarding the potential impacts of the development on the viability and vitality of Northampton.
- 1.3 It is acknowledged that the principle of development has been established through the grant of planning permission by the Secretary of State, and subsequent approval of amendments to the original scheme.
- 1.4 However, the site has been subject to several amendments since the original permission in 2014, and the current proposal represents a further increase in the level of retail (Use Class A1) development, in excess of 5,000 sq. m.
- 1.5 As such, the Council consider the development as proposed has the potential to lead to significant adverse impacts on the vitality and viability of Northampton Town Centre.

## **2. THE PROPOSAL**

- 2.1 This is a consultation from East Northamptonshire Council regarding an application for the erection of a leisure building to include a cinema, other leisure uses and restaurant units and erection of retail units, cycle hire facilities together with proposals for access, parking and servicing space, hard and soft landscaping and other associated works.
- 2.2 The proposed development comprises of three main elements:
- A Leisure Terrace comprising a cinema, other leisure uses and restaurant units on the western part of the site, which encompasses the reconfiguration and repositioning of the previously approved Leisure Terrace granted permission in August 2016.
  - An extension to the previously approved Retail Terrace A proposing a further two retail units adjacent to terrace A in the space vacated by the repositioning of the Leisure Terrace.
  - The erection of Retail Terrace D, which replaces the previously approved hotel, leisure club and restaurant.

## **3. SITE DESCRIPTION**

- 3.1 The application site lies entirely within the administrative boundary of East Northamptonshire Council, comprising of two main elements; the Skew Bridge Ski Lake and Delta Lake and an area of brownfield land to the south.
- 3.2 The site extends to roughly 30 hectares and is bound by the River Nene on its northern boundary and the A45 to the south. Beyond the A45, immediately to the south, is an area of mixed commercial, industrial and retail development. The town of Rushden is just over 1km away to the south; Higham Ferrers and Irthlingborough, situated 1km to the east and north respectively.

## **4. PLANNING HISTORY**

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

- 4.4 Another application in 2015, replaced the proposed garden centre and outdoor planting area with a new leisure building, including the provision of leisure facilities, restaurants/cafes and further retail. The submitted details for this application indicated an overall decrease in the extent of A1 uses to that previously 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 is the Development Plan for East Northamptonshire Council.

### **5.2 National Policies**

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

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

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

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

## **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 None.

## **7. APPRAISAL**

- 7.1 The principle of the development of the site has previously been established through the grant of planning permission by the Secretary of State in 2014 and subsequent approval of amended schemes in 2015.

- 7.2 The main issue for consideration therefore, is as to whether the proposed amendments would lead to any significant impact on the viability and vitality of Northampton town centre when compared to the impacts arising from the existing permitted schemes.

- 7.3 In commenting on previous amendments to the original scheme at this site, the Council has accepted that, whilst the proposal will inevitably make the Rushden Lakes scheme more of a 'town centre offer' retail and leisure destination, the varying changes in retail, restaurant and café uses and leisure uses are unlikely to represent any significant increased impacts on more local town centres, particularly given that the Secretary of State and the Inspector's decision placed so much weight on the positive benefits of Rushden Lakes.

- 7.4 The current scheme proposes the reconfiguration and repositioning of the previously approved Leisure Terrace, the extension of the previously approved Retail Terrace A, and the erection of a new retail terrace, Terrace D of some 6,500 sq. m.
- 7.5 Taking into account all subsequent amended schemes since the original grant of approval in 2014, the proposed scheme would increase the extent of retail (Use Class A1) from that originally approved at appeal of 43,289 sq. m to 48,355 sq. m.
- 7.6 Whilst it is accepted that the principle of development of the overall site has previously been established, it is considered that this further incremental increase in the level of retail provision proposed at the site, gives cause to reiterate the Council's initial objection regarding the Rushden Lake Scheme, on the potential impacts on the viability and vitality of Northampton Town Centre.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed further amendments and incremental increase in retail provision, since the original scheme approved by the Secretary of State, would further impact on the viability and vitality of Northampton Town Centre to the detriment of the town centre.

## **9. BACKGROUND PAPERS**

- 9.1 N/2016/1208

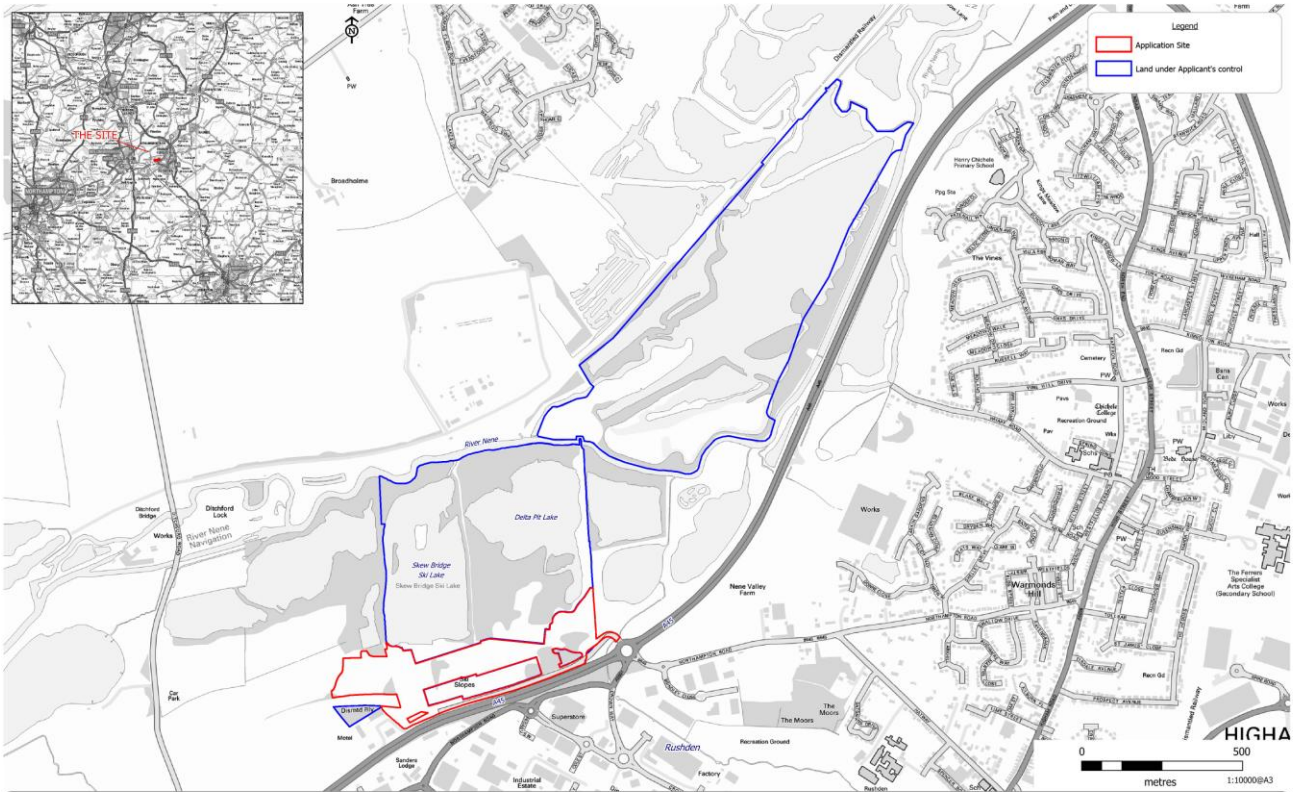
## **10. LEGAL IMPLICATIONS**

- 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.





Rushden Lakes, Leisure and Retail 2016  
 Client: LXB Rushden (RP) Ltd and Shoemaker GP Ltd

Site Location Plan

Scale: 1:10000@A3  
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 Contours Contour Survey data © Crown copyright and database right 2014.  
 Job Number: 12345  
 Drawn by: JAC  
 Checked by: JAC  
 File No.: 12345  
 File Name: 12345  
 File Location: 12345  
 Date (Issue/History): 12/01/2016, 12/01/2016  
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<b>PLANNING COMMITTEE:</b>	25 <sup>th</sup> October 2016
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>DIRECTOR:</b>	Steven Boyes
<b>APPLICATION REF:</b>	N/2016/1219
<b>LOCATION:</b>	Land off Whites Lane, Lower Harlestone, Northamptonshire
<b>DESCRIPTION:</b>	Construction of 53 dwellings including public open space, balancing pond and associated infrastructure (resubmission)
<b>WARD:</b>	N/A
<b>APPLICANT:</b>	BDW Trading Ltd
<b>AGENT:</b>	CC Town Planning
<b>REFERRED BY:</b>	Director of Regeneration, Enterprise and Planning
<b>REASON:</b>	Major Fringe Application
<b>DEPARTURE:</b>	No

## APPLICATION FOR CONSULTATION BY DAVENTRY DISTRICT COUNCIL:

### 1. RECOMMENDATION

- 1.1 That Northampton Borough Council has **NO OBJECTIONS** to the principle of development subject to the issues outlined below being addressed by Daventry District Council:
- No adverse comments being received from the Highway Authority regarding the impact on the local road network;
  - An appropriate contribution reflecting the level of development and infrastructure costs should be provided towards necessary highway works to mitigate the impact of the development including a financial contribution towards the North West Bypass and the Kingsthorpe corridor, in accordance with Joint Core Strategy Policy N4;
  - No adverse comments being received from the Environment Agency, Lead Local Flood Authority or other statutory body regarding flooding or drainage matters;
  - An appropriate contribution should be provided towards the range of infrastructure requirements identified in Joint Core Strategy Policy N4 including a primary school (and, if advised by the County Council, a secondary school), healthcare services and community facilities;
  - The requirements of Joint Core Strategy Policy N4 should be satisfied in terms of how the development would contribute towards an integrated transport network;
  - An appropriate contribution should be provided towards infrastructure items set out in Joint Core Strategy Appendix 4 and the more up-to-date Infrastructure Delivery Plan produced by the West Northamptonshire Joint Planning Unit;

- Securing 35% of the proposed dwellings as affordable housing in accordance with Policy H2 of the Joint Core Strategy with a housing mix in accordance with the Northampton Affordable Housing Interim Statement 2013;
- The private housing mix including more 2 bed dwellings in accordance with the Northampton Affordable Housing Interim Statement 2013.

## **2. THE PROPOSAL**

- 2.1 The application seeks full planning permission from Daventry District Council to erect 53 dwellings including public open space, a balancing pond and associated infrastructure. The development would be accessed from Whites Lane with a main access road running north to south in the western half of the site and two further roads running east west from this. The balancing pond and public open space would be located in the southern part of the site.

## **3. SITE DESCRIPTION**

- 3.1 The application site is located at the junction of Whites Lane and Harlestone Road, immediately to the north of the Borough boundary. Currently the site is agricultural land.
- 3.2 The site forms part of the Northampton West Sustainable Urban Extension (SUE) as identified in the West Northamptonshire Joint Core Strategy.

## **4. PLANNING HISTORY**

- 4.1 This is a resubmission of an application that was refused by Daventry District Council (DDC) on 5<sup>th</sup> August 2016 (reference DA/2016/0077). Whilst no objections were raised by this Council, subject to the same comments as set out at the start of this report, DDC refused the application on the basis that in the absence of a masterplan, this was piecemeal development which could prejudice the Sustainable Urban Extension (SUE), design and appearance of the flats on a visually prominent location and the layout would result in an inward facing development.
- 4.2 This amended scheme seeks to address the issues of the layout and visual impact as well as responding to the reasons for refusal by providing justification for the development.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **5.2 National Policies**

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

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

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

### 5.3 **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” requires local planning authorities to take a positive approach to determining development proposals.

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

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

Policy N4 “Northampton West SUE” sets out how the allocation should be developed including infrastructure provision.

### 5.4 **Supplementary Planning Documents**

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

## 6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 Consultation on the application has been carried out by Daventry District Council and this authority has been included in that consultation process.

## 7. **APPRAISAL**

### **Principle**

7.1 The site forms a small part of the allocated Northampton West SUE. As such it is considered that the principle of residential development is accepted. As the site forms such a small portion of the overall allocation, and is located at the extremes of the SUE, in an almost isolated position, it is not considered that the development of the 53 dwellings would compromise the delivery of the remainder of the SUE. However the site would need to contribute towards the infrastructure associated with the wider SUE.

7.2 The Northampton West Strategic Development Framework (SDF) is currently being produced and seeks to provide a framework for the site specific masterplans for the Upton Park, Upton Lodge/Norwood Farm and Northampton West SUEs, and to inform the planning application process. It is not considered that this would impact on the current application for the reasons outlined at 7.1 above.

7.3 As the application involves a SUE, the development would contribute to the Northampton five year housing land supply.

## **Landscape/Visual**

- 7.4 Given the site's allocation, the change of its appearance from an agricultural field to a housing development has been accepted. The dwellings proposed are of a conventional design and appearance and are considered acceptable for the site.

## **Highways**

- 7.5 The site would be accessed from Whites Lane and the Highway Authority's views will be required as to whether this access and indeed the roads in the immediate vicinity are suitable to serve the development. On a more strategic level, Policy N4 of the JCS requires the development of the SUE to provide contributions towards the North-West Bypass and the Kingsthorpe Corridor and as such this application should be required to contribute proportionately towards this.

## **8. CONCLUSION**

- 8.1 Due to the allocation of the site as part of the Northampton West SUE and considering the presumption in favour of sustainable development identified in the NPPF, it is considered that the principle of the development should be supported subject to the following issues being addressed by DDC:

- No adverse comments being received from the Highway Authority regarding the impact on the local road network;
- An appropriate contribution reflecting the level of development and infrastructure costs should be provided towards necessary highway works to mitigate the impact of the development including a financial contribution towards the North West Bypass and the Kingsthorpe corridor, in accordance with JCS Policy N4;
- No adverse comments being received from the Environment Agency, Lead Local Flood Authority or other statutory body on flooding or drainage matters;
- An appropriate contribution should be provided towards the range of infrastructure requirements identified in JCS Policy N4 including a primary school (and, if advised by the County Council, a secondary school), healthcare services and community facilities;
- The requirements of JCS Policy N4 should be satisfied in terms of how the development would contribute towards an integrated transport network;
- An appropriate contribution should be provided towards infrastructure items set out in JCS Appendix 4 and the more up-to-date Infrastructure Delivery Plan produced by the West Northamptonshire Joint Planning Unit;
- Securing 35% of the proposed dwellings as affordable housing in accordance with Policy H2 of the JCS with a housing mix in accordance with the Northampton Affordable Housing Interim Statement 2013;
- The private housing mix including more 2 bed dwellings in accordance with the Northampton Affordable Housing Interim Statement 2013.

## **9. BACKGROUND PAPERS**

- 9.1 DA/2016/0840

## **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.

