



# **PLANNING AGENDA**

**Thursday, 7 June 2018**

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

5:00 pm

**Members of the Committee**

**Councillor:** Brian Oldham (Chair), Jamie Lane (Deputy Chair)

**Councillors:** Alan Bottwood, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Nazim Choudary, Zoe Smith, Arthur McCutcheon and Brian Markham.

**Chief Executive**

**George Candler**

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# PLANNING COMMITTEE

## AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 4<sup>th</sup> July, 25<sup>th</sup> July, 5<sup>th</sup> September, 26<sup>th</sup> September, 17<sup>th</sup> October, 21<sup>st</sup> November, 19<sup>th</sup> December 2017 and 16<sup>th</sup> January, 13<sup>th</sup> February, 13<sup>th</sup> March, 10<sup>th</sup> April, 8<sup>th</sup> May and 7<sup>th</sup> Jun 2018.

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 Thursday, 7 June 2018  
at 5:00 pm.

**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**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
- 10. ITEMS FOR DETERMINATION**
  - (A) N/2018/0051 - ERECTION OF A PORTACABIN TO BE USED IN CONJUNCTION WITH CAR WASH FACILITY (RETROSPECTIVE). FAR COTTON SERVICE STATION, 11 LONDON ROAD**
  - (B) N/2018/0364 - REPAIRS AND LANDSCAPING OF OPEN GREEN SPACE INCLUDING RESTORATION OF EXISTING RAILING, STEPS AND HERITAGE BOARDS. INSTALLATION OF FENCING ALONG THE TOP OF THE EXISTING BRICK WALL RUNNING ALONG ST ANDREWS ROAD. LANDSCAPING WILL INCLUDE REMOVAL OF SMALL TREES AND CLEARANCE OF GROUND VEGETATION. INCLUSION OF A NEW PLAY-MAZE AND FOOTPATH ALONG LENGTH OF THE SITE ALSO TO BE INCLUDED. CASTLE MOUND SITE, ST ANDREWS ROAD**
  - (C) N/2018/0435 - INSTALLATION OF AUTOMATED ENTRY GATE SYSTEM TO EXISTING CAR PARK. WOODSTOCK, BILLING ROAD**
  - (D) N/2018/0448 - DEMOLITION OF EXISTING COMMUNITY CENTRE AND CONSTRUCTION OF 3NO NEW BUNGALOWS. KINGS HEATH COMMUNITY CENTRE, NENE DRIVE**

- (E) N/2018/0454 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 94 ST LEONARDS ROAD
- (F) N/2018/0514 - CHANGE OF USE FROM CHILDREN'S NURSERY (USE CLASS D1) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS. 47 HOLLY ROAD
- (G) N/2018/0529 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2017/0736 (ERECTION OF 3 SELF-CONTAINED FLATS) TO AMEND DEVELOPMENT TO MATCH ADJOINING PROPERTY IN TERMS OF RIDGE HEIGHT AND FRONT BUILDING LINE. LAND ADJOINING 54 THORN HILL
- (H) N/2018/0603 - CREATION OF 11NO PARKING SPACES INCLUDING 1NO DISABLED PARKING SPACE, WITH NEW FOOTPATHS AND RETENTION OF EXISTING STREET LIGHT. PARKING AREA, PEMBROKE GARDENS
- (I) N/2018/0644 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 37 HENRY BIRD WAY
- (J) N/2018/0658 - ERECT NEW MUGA (MULTI USE GAMES AREA) IN PLACE OF PART OF EXISTING CAR PARK WITH ASSOCIATED LANDSCAPING TO RESURFACE MUGA SURROUNDS, INSTALL BENCHES, BOLLARDS, REDEFINE RESULTANT CAR PARK LAYOUT AND UPGRADED PLANTING. CAR PARK PAY AND DISPLAY, UPPER BATH STREET

- 11. ENFORCEMENT MATTERS
- 12. ITEMS FOR CONSULTATION
- 13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

#### **SUPPLEMENTARY AGENDA**

**Exempted Under Schedule  
12A of L.Govt Act 1972  
Para No:-**

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



## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 8 May 2018

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Choudary, Davenport, Golby, J Hill, Kilbride, B  
Markham and Smith.

**OFFICERS:** Peter Baguley (Head of Planning), Rita Bovey (Development  
Manager), Nicky Toon (Development Management Team Leader),  
Jonathan Moore (Senior Planning Officer), Theresa Boyd (Planning  
Solicitor), Ed Bostock (Democratic Services Officer).

#### 1. APOLOGIES

Apologies for absence were received from Councillors M Markham and McCutcheon.

#### 2. MINUTES

The minutes of the meeting held on 10<sup>th</sup> April 2018 were agreed and signed by the  
Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

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

**N/2017/1356**

Councillor Russell  
Martin Pollard

**N/2018/0071**

Shailesh Patel

**N/2018/0112**

Councillor Smith  
Barry Waine

**N/2018/0167**

David Johnson  
Marlene Taylor

**N/2018/0466**

Kathryn White

#### 4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Oldham declared a personal interest in item 10d as the Ward Councillor  
and advised that he would leave the room whilst the discussion took place.



Councillor Kilbride declared a personal and disclosable pecuniary interest in items 5a and 7a as a board member of Northampton Partnership Homes (NPH).

Councillor Smith declared a predetermination in items 10c and 10i. She advised that she would be speaking on item 10c and would leave the room whilst both of the items were being discussed.

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

At this juncture Councillor Kilbride left the meeting, having declared a personal and disclosable interest.

The Development Manager submitted a verbal report which sought the Committee's approval for the non-material amendment application N/2018/0638 to an application previously approved in 2016 at Little Cross Street. The alterations sought to change the colour of window frames on a block of flats from grey to white, and the doors from grey to black, to match the current design. It was noted that the timeframe was too narrow for the application to be presented at the next Planning Committee and that as the amendments were non-material, the officer's recommendation was for approval.

**RESOLVED:**

That the application be **APPROVED** as per the officer recommendation.

**7. OTHER REPORTS**

**(A) PLANNING APPLICATIONS FOR THE REPLACEMENT OF WEATHERBOARD CLADDING, RENDERING OF EXISTING BRICKWORK, REPLACEMENT OF WINDOWS TO UPVC FRAMES AND INSTALLATION OF BIN STORAGE FOR 43 APARTMENT UNITS AT THORPLANDS.**

The Development Manager submitted a report and elaborated thereon. Members were advised that to save time, delegated powers were sought for the Head of Planning to determine 42 individual applications relating to refurbishment of flats throughout the Thorplands estate. It was noted that all representations would be duly considered.

Members discussed the report.

**RESOLVED:**

That the Committee **AGREED** to delegate decision making authority to the Head of Planning to determine the relevant planning applications as referred in the report and that any representations received be agreed with the Chair first.

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

At this juncture Councillors Golby and Birch joined the meeting.

Councillor Kilbride re-joined the meeting.

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. Members heard that an appeal relating to 101 Harborough Road had been dismissed with the Inspector concurring with the Council's decision. An appeal relating to a House in Multiple Occupation (HiMO) at 49 Birchfield Road had been allowed; the Inspector gave little weight to the recommendation from the Highway Authority and the appeal was allowed as the site is in a sustainable location.

**RESOLVED:**

That the report be noted.

**(B) PROPOSALS FOR A RAIL FREIGHT INTERCHANGE (INCLUDING WAREHOUSING) AND ASSOCIATED HIGHWAY WORKS. LAND TO THE WEST OF JUNCTION 15 OF M1 MOTORWAY, NORTHAMPTONSHIRE**

The Development Management Team Leader submitted a report and elaborated thereon. Members were asked to note that that delegated authority would be given to the Head of Planning by the Borough Secretary in consultation with the Cabinet Member for Planning, to agree a Statement of Common Ground and prepare a Local Impact Report to be submitted to the Planning Inspectorate, in relation to the report considered by the Committee in November 2017.

Members discussed the report.

**RESOLVED:**

The Committee noted that delegated authority be given to the Head of Planning to agree a Statement of Common Ground with the Applicant and to produce a Local Impact Report for submission to the Planning Inspectorate, by the Borough Secretary in consultation with the Cabinet Member for Planning, in accordance with Part 8, Part B, Paragraph 2.1.4 of the Council's Constitution.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

There were none.

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

**(A) N/2018/0389 - LISTED BUILDING APPLICATION FOR THE INSTALLATION OF TRACK LIGHTING IN THE WEST WING AND ONE ROOM IN THE EAST WING. ABINGTON MUSEUM MANOR HOUSE ABINGTON PARK, WELLINGBOROUGH ROAD**

The Development Manager submitted a report and elaborated thereon. It was noted that lighting had decreased in quality following the removal of several display cabinets in the museum's east and west wings, and that the works proposed would be reversible.

Members discussed the report.

**RESOLVED:**

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

**(B) N/2018/0397 - LISTED BUILDING APPLICATION FOR THE INSTALLATION OF PRIMARY AND SECONDARY BARRIERS AND CONTROL ACCESS THROUGH EXISTING OPENINGS WITH NEW SLIDING DOORS, DOOR FURNITURE AND ELECTRONIC LOCKS. THE GUILDHALL, ST GILES SQUARE**

The Development Management Team Leader submitted a report and elaborated thereon. It was noted that Historic England had not objected to the application and that the officer recommendation was for approval subject to the conditions contained within the report.

Members discussed the report.

**RESOLVED:**

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

**10. ITEMS FOR DETERMINATION**

**(A) N/2017/1356 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, TOGETHER WITH CREATION OF LIGHTWELL AND ENLARGED CELLAR WINDOW TO FRONT ELEVATION. 28 BYRON STREET**

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained additional representations from objectors. It was noted that the Highway Authority had objected to the application due to excessive parking demand and that a further condition had been added to ensure that the basement would not be used as a bedroom at any time.

Councillor Russell, as the Ward Councillor, spoke against the application and stated that due to the small size of the property, the loss of amenity for occupants would be profound.

Martin Pollard, the property owner, spoke in favour of the application and explained that having previously managed a HiMO, it was important to him that the property be a good home for future occupants.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and additional condition 7) to ensure that the basement would not be used as a bedroom at any time.

**(B) N/2018/0071 - CHANGE OF USE OF DWELLINGHOUSE (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (CLASS C4) FOR 6 OCCUPANTS. 39 ST MICHAELS MOUNT**

The Senior Planning Officer submitted a report and elaborated thereon. It was noted that the Highway Authority had objected to the application due to the “severe” parking situation in the area. Members were asked to note Conditions 3 and 5 which related to the use of the basement.

Shailesh Patel, the property landlord, spoke in favour of the application and commented that it had previously been licensed as a HiMO. He advised that he had a good management team in place to look after the property.

The Committee were advised that although the concentration of HiMOs in a 50m radius was higher than the Council’s adopted IPPS, at 15.1%, it would be difficult to argue that 0.1% would result in significant harm in planning terms.

Members discussed the report.

**RESOLVED:**

That the application be **REFUSED** against officer recommendation for the following reasons:

- 1) The proposal would result in a concentration of 15.1% of properties within a 50m radius of the application site being in use as a house in multiple occupation, exceeding the maximum threshold of 15% as set down in the Council's House in Multiple Occupation Interim Planning Policy Statement. This would be detrimental to the character of the area leading to potential adverse impacts on residential amenity and resulting in an imbalanced mix of housing in the area contrary to the aims of the National Planning Policy Framework, Policy H30 of the Northampton Local Plan and Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.
- 2) Due to there being no residual parking capacity for vehicles in the area, and the fact that the proposed change of use would generate a greater parking demand than existing, the proposed development would have a detrimental impact upon parking provision, highway safety and surrounding amenity contrary to Policy H5 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

**(C) N/2018/0112 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 7 OCCUPANTS. 14 ABINGTON GROVE**

At this juncture Councillor Smith moved to public seating.

The Senior Planning Officer submitted a report and elaborated thereon. It was explained that planning permission had previously been refused to change the property to a 9 bed HiMO and that the Highway Authority had raised an objection due to the parking demand being “severe”.

Councillor Smith, as the Ward Councillor, spoke against the application and asserted that parking was still problematic in some locations considered “sustainable”.

After addressing the Committee, Councillor Smith left the room whilst the discussion took place.

Barry Waine, town planner on behalf of the applicant, spoke in favour of the application and commented that the IPPS recognised people living in shared accommodation were more likely to walk or cycle rather than drive and noted that the application complied with all of the Council’s policies regarding HiMOs.

The Senior Planning Officer explained that the Planning Inspector gave more weight to the IPPS than the Northamptonshire Parking Standards, referencing recent appeal decisions on similar applications on nearby streets.

Members discussed the report.

**RESOLVED:**

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

**(D) N/2018/0167 - GARAGE EXTENSION WITH FIRST FLOOR EXTENSION OVER AND REAR GROUND FLOOR INFILL. 16 CLAYSTONES**

Councillor Smith re-joined the meeting.

Councillor Oldham left the room at this juncture, having declared an interest.

Councillor Lane took the Chair.

The Development Management Team Leader submitted a report and elaborated thereon. Members’ attention was drawn to the addendum which contained further representations from neighbouring properties and a statement from the applicant addressing some concerns. It was explained that whilst the owner used the property to teach, the volume of students were low so no material change of use of the property has taken place. It was noted that the application complied with the Council’s policies and standards.

David Johnson, of a neighbouring property, spoke against the application and stated that the application contravened the Council’s own parking standards and that the report omitted negative factors.

Marlene Taylor, of a neighbouring property, spoke against the application and stated that the application did not meet the Council's minimum standards regarding parking. She asked that permitted development rights be removed and a bat survey be carried out.

The Head of Planning advised that permitted development rights were being removed in relation to the installation of additional windows in the eastern elevation and referred to Condition 3 within the report.

Members discussed the report.

**RESOLVED:**

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

**(E) N/2018/0206 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 15 TOWCESTER ROAD**

Councillor Oldham re-joined the meeting and took the Chair. Councillor Hill left the room at this juncture.

The Senior Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from the Highway Authority regarding the rear access. It was explained that the officer recommendation was for approval of the application subject to the conditions contained within the report.

In response to a question, it was explained that whilst parking restrictions were in place, the area was well served by public transport links and close to a local centre.

Members discussed the report.

**RESOLVED:**

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

**(F) N/2018/0287 - TWO STOREY/SINGLE STOREY REAR EXTENSION WITH INTERNAL ALTERATIONS AND NEW OBSCURE GLAZED WINDOW TO FIRST FLOOR SIDE ELEVATION. 34 SAM HARRISON WAY**

Councillor Hill re-joined the meeting.

The Development Management Team Leader submitted a report and elaborated thereon. It was explained that a Condition had been added to ensure that a side facing window be obscurely glazed and non-opening to protect neighbours' privacy.

Members discussed the report.

**RESOLVED:**

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

**(G) N/2018/0338 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 114 OXFORD STREET**

The Development Management Team Leader submitted a report and elaborated thereon. The Committee were informed that the Highway Authority had not objected to the application, and that there was sufficient space for waste and cycle storage.

In response to a question, the Committee heard that planning permission would be required to convert the garage into a liveable space.

Members discussed the report.

**RESOLVED:**

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

**(H) N/2018/0466 - SINGLE STOREY EXTENSION TO COMMUNITY CENTRE. BLACKTHORN COMMUNITY CENTRE, LONGMEAD COURT**

The Senior Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further information regarding external plant from the agent. The Committee heard that the nearest residential property was 30m away and that a Condition had been included to ensure that materials used matched the existing building.

Kathryn White, the Chief Executive of Growing Together Northampton, spoke in favour of the application and commented that the proposed development was part of a plan to improve a deprived area of the town.

Members discussed the report.

**RESOLVED:**

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

**(I) N/2018/0485 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS. 98 LUTTERWORTH ROAD**

Councillor Smith left the meeting at this juncture, having declared a predetermination.

The Development Manager submitted a report and elaborated thereon. She explained that the applicant declined to have a parking beat survey carried out but due to the sustainable location and compliance with the IPPS policies, it was not a requirement.

Members discussed the report.

**RESOLVED:**

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

**11. ENFORCEMENT MATTERS**

There were none.

**12. ITEMS FOR CONSULTATION**

There were none.

The meeting concluded at 7:46 pm



Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



**List of Appeals and Determinations – 7<sup>th</sup> June 2018**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2016/1602</b> APP/V2825/W/17/3190740	DEL	Erection of 5no one bedroom flats following the demolition of the former public convenience building at NBC Public Conveniences, Cattle Market Road	<b>AWAITED</b>
<b>N/2017/0326</b> APP/V2825/W/17/3181521	DEL	Proposed additional seating area in garden to existing café at the Old Bakehouse Gallery and Cafe, 137 Harborough Road	<b>AWAITED</b>
<b>N/2017/0582</b> APP/V2825/W/18/3193491	DEL	Proposed vehicle crossover and paving front garden for parking at 73 Kingsley Road	<b>AWAITED</b>
<b>N/2017/0789</b> APP/V2825/W/18/3194483	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants (Retrospective) at 20 Hood Street	<b>AWAITED</b>
<b>N/2017/1047</b> APP/V2825/W/17/3190506	DEL	Change of Use from 3no. flats (Use Class C3) to House in Multiple Occupation for 7 occupants (Sui Generis) at 26 St Pauls Road	<b>AWAITED</b>
<b>N/2017/1277</b> APP/V2825/W/18/3196912	DEL	Erection of a marquee style structure on a concrete base to provide vehicle storage at the rear of the existing industrial unit at Unit 4, Horsley Road	<b>AWAITED</b>
<b>N/2017/1294</b> APP/V2825/D/18/3195725	DEL	Loft conversion with dormer to rear (retrospective) at 4 Harold Street	<b>AWAITED</b>
<b>N/2017/1299</b> APP/V2825/W/17/3192483	DEL	Conversion of dwelling to 2no flats at 2 Elizabeth Walk	<b>AWAITED</b>
<b>N/2017/1394</b> APP/V2825/D/18/3196570	DEL	Two storey front extension, and single and two storey rear extension at 191 Main Road	<b>AWAITED</b>
<b>N/2017/1471</b> APP/V2825/W/18/3197472	DEL	Alterations to shop front including two storey and single storey rear extension and separate entrance to first floor flat at 16 Stanley Street	<b>AWAITED</b>
<b>N/2017/1558</b> APP/V2825/D/18/3199758	DEL	Detached garage for private car at 45 Lichfield Drive	<b>AWAITED</b>
<b>N/2018/0017</b> APP/V2825/D/18/3199066	DEL	Single and two storey rear extension to detached dwelling house with new window to side elevation. Extension to existing detached garage at 8 Loire Close	<b>AWAITED</b>

**Public Inquiry**

None

**Hearings**

None

**Enforcement Appeals**

None

**Tree Preservation Order (TPO) Appeals**

None

The Address for Planning Appeals is:

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

Appeal decisions can be viewed at - <https://acp.planninginspectorate.gov.uk>

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

Author and Contact Officer:

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



## Addendum to Agenda Items Thursday 7<sup>th</sup> June 2018

### 10. ITEMS FOR DETERMINATION

**10a**

**N/2018/0051**

**Erection of a portacabin to be used in conjunction with car wash facility (retrospective)  
Far Cotton Service Station, 11 London Road**

No update.

**10b**

**M/2018/0364**

**Repairs and landscaping of open green space including restoration of existing railing, steps and heritage boards. Installation of fencing along the top of the existing brick wall running along St Andrews Road. Landscaping will include removal of small trees and clearance of ground vegetation. Inclusion of a new play-maze and footpath along length of the site also to be included**

**Castle Mound Site , St Andrews Road**

No update.

**10c**

**N/2018/0435**

**Installation of automated entry gate system to existing car park  
Woodstock, Billing Road**

No update.

**10d**

**N/2018/0448**

**Demolition of existing Community Centre and construction of 3no new bungalows  
Kings Heath Community Centre, Nene Drive**

No update.

**10e**

**N/2018/0454**

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants  
94 St Leonards Road**

Item **WITHDRAWN** from agenda.

**10f**

**N/2018/0514**

**Change of Use from Children's Nursery (Use Class D1) to House in Multiple Occupation (Use Class C4) for 6 occupants  
47 Holly Road**

**Additional Officer comment:**

It should be noted that Policy H31 of the Northampton Local Plan is a saved policy. However, this is a very dated policy. Members, at the May 2014 Planning Committee, considered a report that assessed all of the Local Plan saved policies and resolved that the amount of weight that could be given to each of the saved policies varied, depending on circumstances.

In the case of Policy H31, it was resolved that the policy was contrary to the objectives of the NPPF and had been directly superseded by more up-to-date policies. In the case of the Houses in Multiple Occupation, the most pertinent are Policies H1 and H5 of the Joint Core Strategy and the Council's Interim Policy Statement. An assessment of the merits of the proposed development is included within the Committee report and it is concluded that the scheme is in conformity with the requirements of this document. As a consequence, Local Plan Policy H31 cannot be given any weight in the determination of this planning application.

**10g**

**N/2018/0529**

**Variation of Condition 2 of Planning Permission N/2017/0736 (Erection of 3 self-contained flats on land) to amend development to match adjoining property in terms of ridge height and front building line**

**Land Adjoining, 54 Thorn Hill**

No update.

**10h**

**N/2018/0603**

**Creation of 11no parking spaces including 1no disabled parking space, with new footpaths and retention of existing street light**

**Parking Area, Pembroke Gardens**

No update.

**10i**

**N/2018/0644**

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants**

**37 Henry Bird Way**

No update.

**10j**

**N/2018/0658**

**Erect new MUGA (multi use games area) in place of part of existing car park with associated landscaping to resurface MUGA surrounds, install benches, bollards, redefine resultant car park layout and upgraded planting**

**Car Park Pay and Display, Upper Bath Street**

Following comments from NCC Highway, ball stopping netting has been added to the top to suspend and strain over the whole of the MUGA.

**NCC Highway** – following the submission of the revised plan, no comment to make on the application.



<b>PLANNING COMMITTEE:</b>	7 <sup>th</sup> June 2018
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>HEAD OF PLANNING:</b>	Peter Baguley
<b>APPLICATION REF:</b>	N/2018/0051
<b>LOCATION:</b>	Far Cotton Service Station, 11 London Road
<b>DESCRIPTION:</b>	Erection of a portacabin to be used in conjunction with car wash facility (retrospective)
<b>WARD:</b>	Delapre & Briar Ward
<b>APPLICANT:</b>	Motor Fuel Group
<b>AGENT:</b>	Mr Graham Adcock
<b>REFERRED BY:</b>	Councillor V Culbard
<b>REASON:</b>	Obtrusive addition
<b>DEPARTURE:</b>	No

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## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

The proposed retention of the cabin on a temporary basis would have no significant adverse impact on the streetscene, character of the area or the amenities of adjoining and nearby residential occupiers. The proposal thereby accords with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

### 2 THE PROPOSAL

- 2.1 The proposal is for the retention of a portacabin which is being used in association with the running of the existing car wash facility within a service station.
- 2.2 The portacabin is 7.34m in length, 2.9m in width and 2.4m in height and finished in bright blue colour.

### 3 SITE DESCRIPTION

- 3.1 The application site comprises an established petrol filling station, which also incorporates an existing car wash as well as car sales. The car wash facility was given planning permission in 1989.
- 3.2 The site adjoins the rear garden of the house at 2 Southfield Avenue. The portacabin is visible from the neighbour's garden as the existing garden fence is lower than the structure.

## **4 PLANNING HISTORY**

- 4.1 748 / 68 – Erection of motor service station building – Approved 29/10/68
- 4.2 89/1278 – Provision of car wash – Approved 13/12/89

## **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:

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:

Policy S10 – Sustainable Development Principles

Policy BN9 – Planning for Pollution Control

### **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 (Design)

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environment Agency** – This proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee. Therefore have no comment to make on this application.
- 6.2 **Public Protection** – Whilst have received a complaint about noise and light pollution from the hand car wash, would have to investigate using powers under Section 79/80 of the Environmental

Protection Act 1990, therefore have no comments. There are currently no live nuisance complaints relating to the hand car wash being investigated.

6.3 **Councillor V Culbard** – Calls in the application on the grounds that this is ugly and obtrusive for nearby residents.

6.4 One letter of representation received from a neighbouring occupier making the following points in summary:

- Rubbish is left lying around
- Smoking is taking place which should not be done near flammable liquids
- Cabin is a major eyesore
- Wires coming out of the back of the cabin are draped over neighbouring fence
- Site owners should take responsibility for the fence, which should be taller
- Will not be satisfactory due to noise levels

## 7 APPRAISAL

7.1 The issues to consider relate to the impacts of the cabin, rather than the wider issues of the use of the site as a car wash, this being an existing established use.

7.2 In respect of the impact on adjoining occupiers, the cabin is located adjacent to the side of a neighbouring residential garden at 2 Southfield Avenue. The neighbouring garden is at a lower level. As the building (2.4m in height) is higher than the existing boundary fence, it is partly visible from the garden in question. However in terms of its physical impact, including any overshadowing or overbearing, taking into account of the commercial character of the application site, it is not considered that it would be so harmful to warrant a refusal of the application.

7.3 A further consideration is the wider visual impact of the cabin. This can be seen from London Road, at a distance, and therefore does have some impact on the street scene. However, when viewed within the wider context of the overall site, it is not considered that this visual impact is significant. As the building is of a temporary nature and appearance, it is therefore not considered acceptable for this to be retained on a permanent basis. The applicants have confirmed that they would accept a temporary permission and it is recommended that a three year temporary consent is issued. If the business requires a storage facility beyond this time, it will be necessary to find a more appropriate permanent solution.

7.4 The concerns raised by the neighbouring occupier relate to the existing use of the car wash itself, and the activities of the operatives. In this respect, it must be noted that the use was permitted in 1989 with no specific planning conditions restricting the type of car wash i.e. either a mechanical car wash or as a hand car wash. The area now used for hand car washing is within the area where the mechanical car wash was permitted and therefore the use within this area is permitted under the previous approval. Whilst the cabin may ease the continuation of the car wash use, in planning terms, the car wash use could continue in any event. Therefore any consideration of the impacts of the wider use, rather than the cabin, would not form a proper basis for a refusal of the application.

7.5 As referenced by the comments from Public Protection, any impact such as excessive noise or light pollution which may occur would be considered under separate Environmental Health Legislation and therefore not material to the consideration on the retention of the portacabin in this instance.

## 8 CONCLUSION

8.1 The continued retention of the portacabin on a temporary basis would have no significant impact on the amenities of adjoining occupiers, or on the streetscene and the character and appearance of the area. The application is recommended for approval subject to conditions.

## 9 CONDITIONS

(1) The building hereby permitted shall be removed and the land restored to its former condition on or before June 30<sup>th</sup> 2021.

Reason: In the interests of amenity as the Local Planning Authority consider the building is only acceptable as a temporary expedient in accordance with Policy E20 of the Northampton Local Plan.

## **10 BACKGROUND PAPERS**

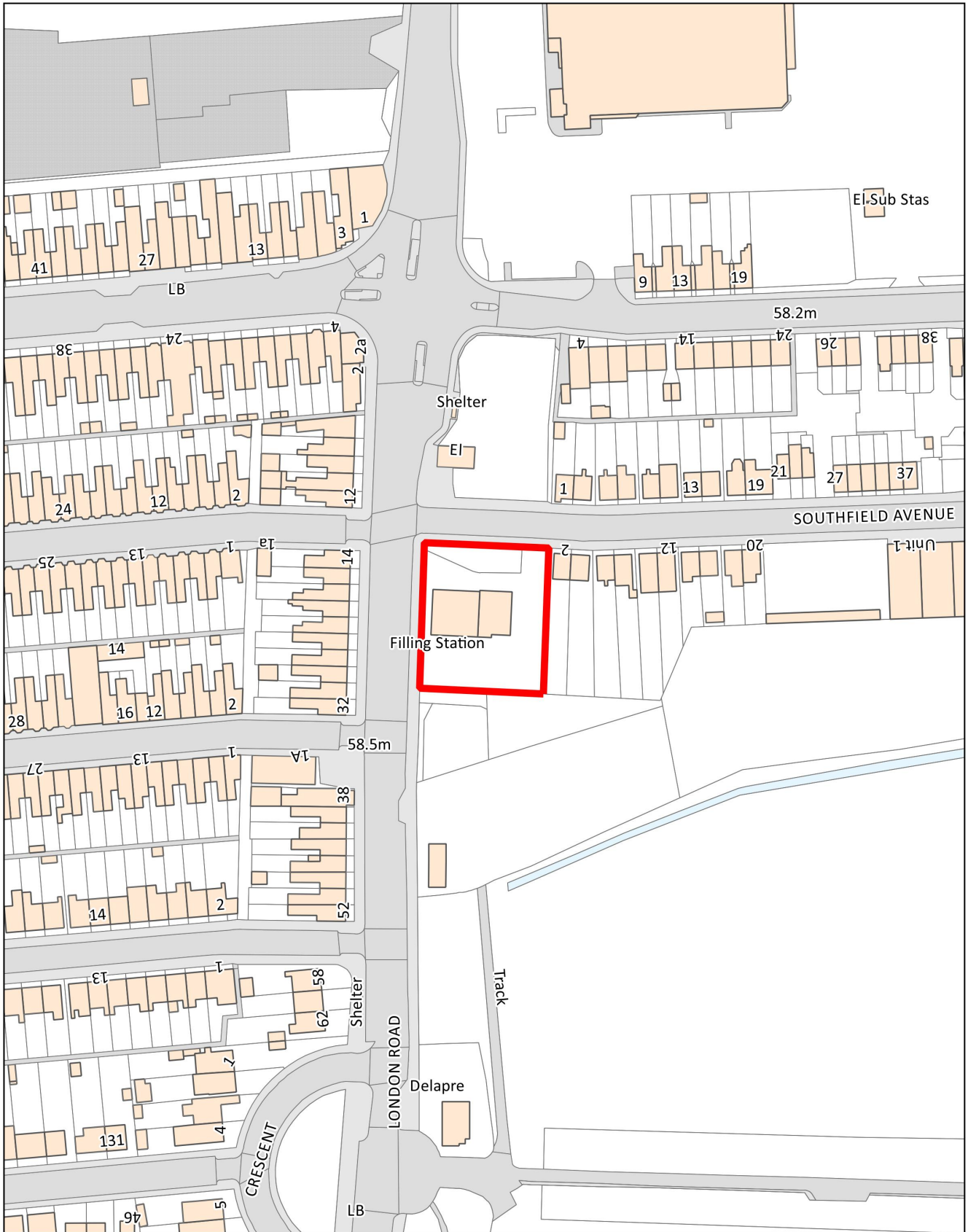
10.1 Application file N/2018/0051.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **11 London Road**

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**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0364

**LOCATION:** Castle Mound Site , St Andrews Road

**DESCRIPTION:** Repairs and landscaping of open green space including restoration of existing railing, steps and heritage boards. Installation of fencing along the top of the existing brick wall running along St Andrews Road. Landscaping will include removal of small trees and clearance of ground vegetation. Inclusion of a new play-maze and footpath along length of the site also to be included

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** N/A

**REFERRED BY:** Head of 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 works would preserve and enhance the historic Castle Mound site, the only remaining part of Northampton Castle. The works would enhance the interpretation of the history of the site and would have no impact on the amenities of adjoining occupiers. The proposal therefore complies with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies 1 and 24 of the Northampton Central Area Action Plan, Policy AB3 of the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

**2 THE PROPOSAL**

- 2.1 The proposal is for the repair and landscaping of the existing green space, including the restoration of railings, steps and heritage boards. A new path will be installed including a timber boardwalk bridge, boulders to represent the castle wall and a play maze with low stone walling to represent the castle rooms.
- 2.2 New 1m high mesh fencing will be installed on top of the existing boundary wall. Existing pathway would be resurfaced and improved.

**3 SITE DESCRIPTION**

- 3.1 The site comprises an area of public open space which forms part of the site of Northampton Castle. The site is undulating in nature reflecting the remains of the castle and includes existing pathways and interpretation boards. The site is adjacent to a car park to the south, housing to the east and north and a main road to the west, beyond which is the car park of Northampton Station.
- 3.2 Access to the site is via a footpath from the car park to the south. The site is also accessible from St Andrews Road.

## **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 Central Area Action Plan (2013), and the adopted 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:

Paragraph 129 - Identify and assess the particular significance of any heritage asset and take this into account when considering the impact of a proposal

Paragraph 135 - The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. A balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

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

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

S10 – Sustainable Development Principles  
BN5 – The Historic Environment and Landscape

### **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: Enhance the setting of the Castle Mound

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

### **5.6 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 following policies are relevant to the determination of this proposal -

Policy AB3 – South Spring Boroughs: Heritage Gateway.

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Archaeological Officer** – Confirm that revised plans address previous concerns as no new tree planting is now proposed and it has been confirmed that archaeological finds will not be placed under glazing. Recommend a standard archaeological condition amended to reflect that an approved scheme of investigation is in place but also to clarify that there shall be no glazing over found remains.
- 6.2 **Police Crime Prevention Design Advisor** – No objections.
- 6.3 **Historic England** – The proposed development of Castle Mound will enhance the character of Northampton Castle and will aid the regeneration of Spring Boroughs. Removal of some existing trees and vegetation will help to open up the site and make it more publically accessible. The ‘boardwalk / bridge’ over the alignment of the moat, glacial boulders representing the castle wall, maze partly demarcating rooms in the inner bailey and information boards will improve public appreciation and understanding of the castle. The two aspects (public display of part of the barbican and new tree planting) of the original proposals that were of concern have now been omitted from the amended proposals. Consider that the application meets the requirements of the NPPF.
- 6.4 **NBC Conservation** - The site itself is not a designated heritage asset, however, whilst not part of the Scheduled Monument, the site is historically sensitive as it forms part of the former Northampton Castle site. The site should therefore be considered a non-designated heritage asset. The principle of enhancing the area with features designed to encourage a greater appreciation of the historic value of the area is welcomed. It will however be very important to ensure the works are sympathetic to the known significance of the site and the buried archaeology ensuring the archaeological remains are safeguarded, enhanced and better appreciated.
- 6.5 **Arboricultural Officer** - The arboricultural proposals supporting the application to develop the Landscape Park are well considered and in the context of the proposed development are entirely justified and reasonable, raise no objections to the suggested tree removals.
- 6.6 **On letter of support** from a local resident – the proposal to enhance the Castle Mound area with heritage trail and measures to make the area more accessible to local residents and those interested in local history is very welcome on a long neglected but important historic site.

## **7 APPRAISAL**

- 7.1 The issues to be considered are the impact on the historical significance of remaining parts of the Castle Mound and the extent to which the understanding of the significance of the site would be enhanced by the proposed works.
- 7.2 The works have been designed to both enhance the area and to provide better interpretation by making reference to the drawbridge, castle walls and the layout of rooms. As little of the castle site still remains, and little is visible within what does remain, this will allow for an enhanced interpretation of the site and a better appreciation of its history.
- 7.3 The comments made by relevant statutory consultees indicate no concerns as to any damage to the assets occurring subject to compliance with the submitted plans and in particular on the basis

that there is no display of archaeological finds under glazing, which is no longer seen as good practice. A condition to this effect is therefore proposed.

- 7.4 Tree planting had also been previously proposed, this also has been removed from the proposal as this has the potential to cause damage to archaeological remains. Removal of some trees to open up the site is proposed and this would enhance the site and has raised no objections from the Arboricultural Officer. The planting of flowers is also indicated however this element of the proposal does not in fact require permission, but would nevertheless enhance the site.
- 7.5 In respect of any impact on adjoining occupiers, it can be noted that the site is close to residential occupiers. However, the site is already open to the public and includes existing paths. Whilst the new works may increase access to the site it is not considered that this would be likely to result in significant numbers of new visitors in the long term. Therefore it is considered that the impact on the amenities of neighbouring occupiers would be limited and would be acceptable. No objection has been received from the Police Adviser who comments that it is not considered that anti-social behaviour would result.
- 7.6 The site is adjacent to a large surface car park from which access is available, and is within walking distance from both the town centre and the railway station, meaning there would be no concerns over parking requirements for those accessing the site.

## **8 CONCLUSION**

- 8.1 The proposed works would enhance a neglected area of the town centre and would enhance the historic area of the Castle Mound, the only remaining part of Northampton Castle. The works would enhance the interpretation of the history of the site and would additionally have no impact on the amenities of adjoining 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: Location Plan, N1477 GA\_2B, Tree Location and Removal Plan, Timber Bridge Abutment Sketch, Timber Kit Bridge Type B.

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

(3) The development shall be carried out in accordance with the programme of archaeological work in accordance with the submitted written scheme of investigation (reference SP 7491 6055) except that archeological features shall not be preserved in situ with glazing.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

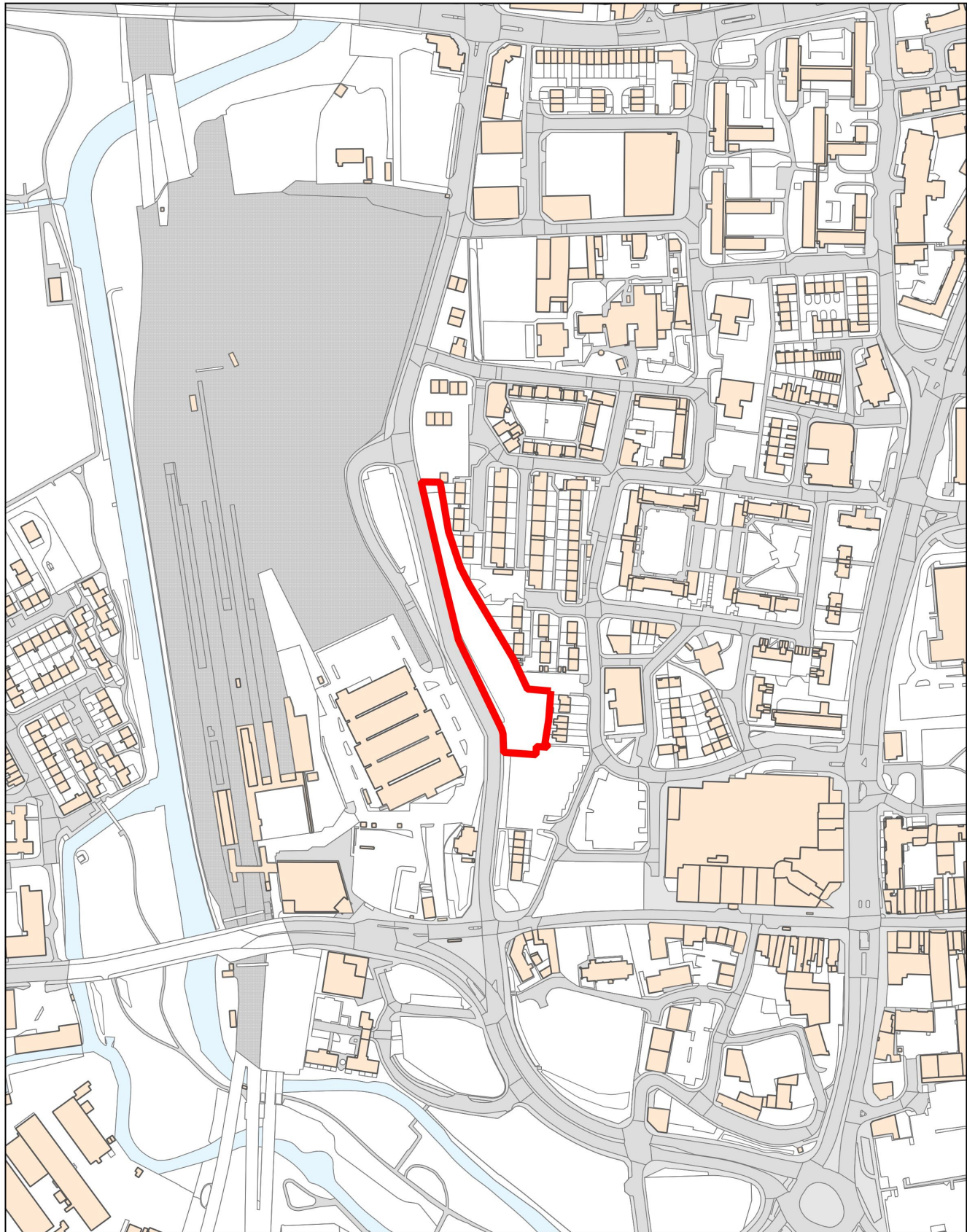
- 10.1 Application file N/2018/0364.

## **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: **Castle Mound, St Andrews Road**

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**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0435

**LOCATION:** Woodstock, Billing Road

**DESCRIPTION:** Installation of automated entry gate system to existing car park

**WARD:** Rushmills Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** N/A

**REFERRED BY:** Head of 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 adverse impact on the street scene, on the amenities of adjoining occupiers or on highway safety, whilst providing enhanced security. The development is therefore in conformity with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The proposal relates to the installation of a security barrier to control access to the car park.

**3 SITE DESCRIPTION**

3.1 The site consists of the existing car park serving a block of flats under the control of Northampton Partnership Homes.

**4 PLANNING HISTORY**

- 4.1 N/2016/1696 - Prior Notification for demolition of 1 block of 2 garages – Prior Approval Not Required – 08/01/2017
- 4.2 N/2016/1697 - Change of use of two communal rooms into two one bedroom self-contained dwellings – Approved 15/02/2017

## **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:

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. Policy of particular relevance is:

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 policy is material to this application:

Policy E20 – New Development (Design)

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

## **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 **Local Highway Authority** – No comments to make as the site is well off the highway.

## **7 APPRAISAL**

7.1 The issues to consider are principally the visual impact of the proposed works. In this respect the barrier is of a conventional design and would not, therefore, appear out of character with the area.

7.2 The barrier would prevent unauthorised access to the car park which would be beneficial to the security of residents of the flats.

7.3 In terms of the impact on highway safety, the position of the barrier is well away from the highway itself and the Local Highway Authority have confirmed that they would have no concerns with this proposal.

## **8 CONCLUSION**

8.1 The proposed development would have no adverse impact on the street scene or on highway safety and would provide enhanced security for residents.

## **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: Proposed vehicle barrier, Technical Specifications.

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

## **10 BACKGROUND PAPERS**

10.1 Application File N/2018/0435.

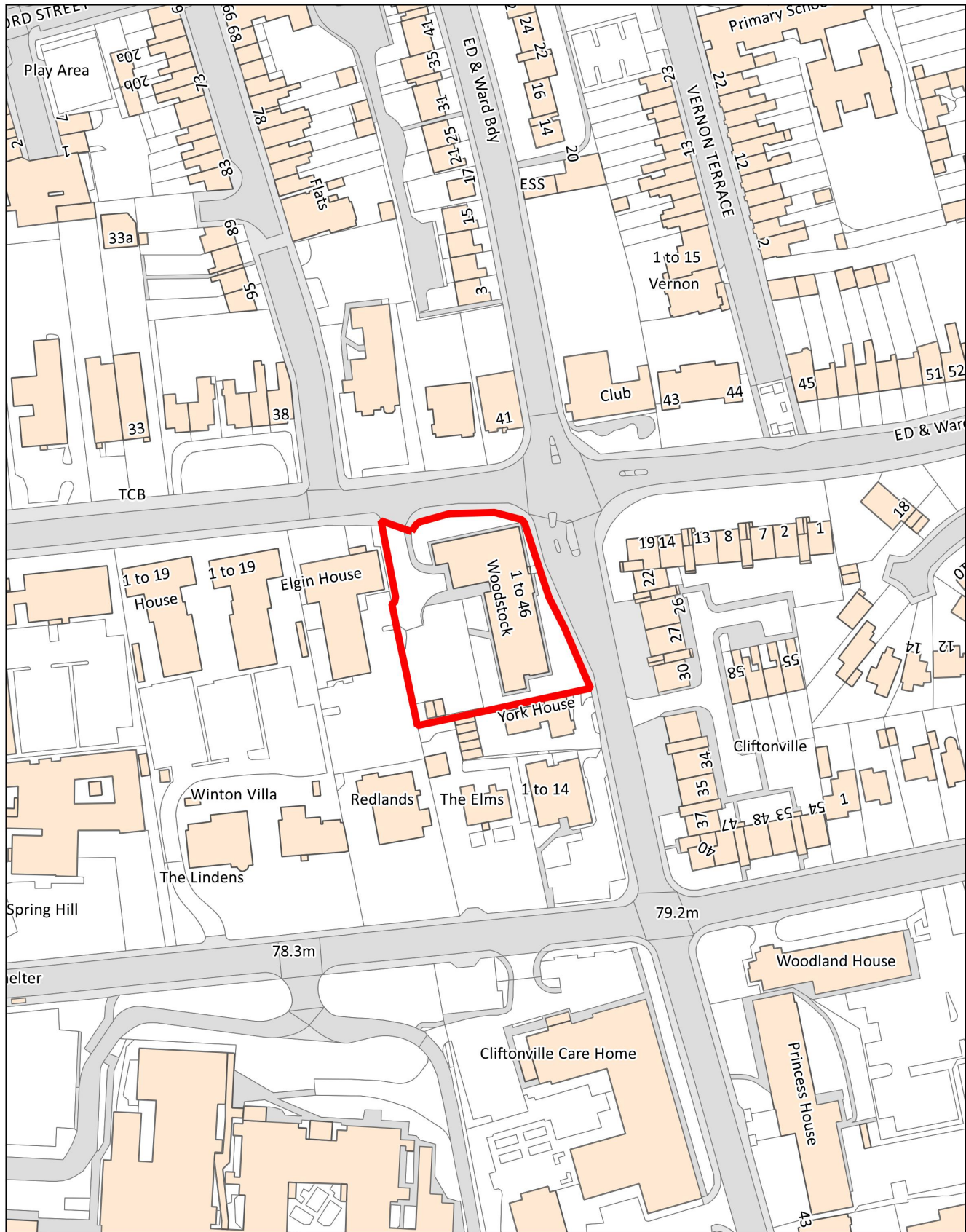
## **11 LEGAL IMPLICATIONS**

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.





 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Billing Road, Woodstock</b></p>	<p>Date: 17-05-2018</p>
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**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0448

**LOCATION:** Kings Heath Community Centre, Nene Drive

**DESCRIPTION:** Demolition of existing Community Centre and construction of 3no new bungalows

**WARD:** Kings Heath Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner

**REFERRED BY:** Head of 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:

It is considered that the demolition of the community room has been adequately justified and the proposed development would provide an acceptable living environment for future residents and would have no undue detrimental impact on the amenities of neighbouring and nearby occupiers. The development would be in keeping with the character and appearance of the area. The level of parking proposed would be acceptable and would not lead to a detrimental impact on highway safety and amenity. The proposed development would therefore comply with Policies S1, S10, H1 and RC2 of the West Northamptonshire Joint Core Strategy, Policies H6, H17 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

### 2 THE PROPOSAL

- 2.1 The proposal is to demolish the Community Centre at Nene Drive and to erect a terrace of three bungalows. The houses would have one bedroom, built to mobility housing standards and would be finished in traditional materials of brick and tile.
- 2.2 The proposal also includes the provision of a total 20 parking spaces to serve the new dwellings and existing residents.

### 3 SITE DESCRIPTION

- 3.1 The application site is located within a cul-de-sac which is accessed from Nene Drive on the Kings Heath Housing Estate. It consists of the Nene Drive Community Room which is a single storey

building located at the centre of the cul-de-sac surrounded by a landscaped area. The site is surrounded by single storey dwellings, one two storey dwelling and communal parking that serves all of the properties.

#### **4 PLANNING HISTORY**

4.1 PA/2017/0217 - Pre-application enquiry regarding erection of dwellings.

4.2 N/1988/0211 - erection of 34 bungalows, 1 warden's house and 1 communal hall with new access road and 21 car parking spaces.

#### **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 seek to secure high quality design and good standard of amenity for existing and proposed occupiers.
- Paragraph 47 requires Authorities to have a five-year housing land supply.
- Paragraph 49 advises that housing applications should be considered with a presumption in favour of sustainable development.
- Paragraph 50 requires a range of housing types to be provided.
- Paragraph 56 good design is a key of sustainable development.
- Paragraph 57 requires development to be of a good quality design.
- Paragraph 70 delivering community needs.
- Paragraph 74 loss of open space, sports and recreational 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 H1 – Housing density and mix and type of dwellings  
Policy RC2 – Community Needs  
Policy S1 – Distribution of Development  
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 – New development  
Policy H6 – Other housing development: within primarily residential areas  
Policy H17 – Housing for people with disabilities

##### **5.5 Supplementary Planning Documents** 28

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Arboricultural Officer** - no objections.
- 6.2 **NBC Public Protection** - makes recommendations regarding vehicle charging points, gas fired boilers and hours of construction work.
- 6.3 **NCC Highways** - note that there is little manoeuvring room in and out of the spaces but as there are already parking spaces there and they are wider than normal bays it is not a concern in this instance.

## **7 APPRAISAL**

### **Principle of Development**

- 7.1 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers.
- 7.2 The West Northamptonshire Joint Core Strategy seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 Saved Policy H6 of the Northampton Local Plan allows for residential development in such residential locations providing that the development is in keeping with the character of the area, does not result in an over-intensive development of the site and does not result in the loss of facilities for which there is a need in the area.
- 7.4 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also contribute to the Council's 5-year housing land supply.
- 7.5 The existing building on the site is the Nene Drive Community Room which was used as a community room but has since closed. The main reason for the closure was the lack of demand from local community groups and the availability of alternative facilities in the local area. Within walking distance of the site is the Kings Heath Community Centre. Over the last five years a number of attempts have been made to increase the use of the community room. This has failed and the facility is incurring Northampton Partnership Homes with significant costs with no income. The decision was taken to investigate the potential of closing the room, relocating existing community groups and to bring the site forward for housing. Consultation with users of the room has resulted in community groups moving to the Kings Heath Community Centre and the Cardigan Close community room in Dallington. It is considered that it has been demonstrated that the loss of the community facility is acceptable in this instance. There was not sufficient need for such a facility and alternative sites nearby are sufficient to provide community needs within the area.
- 7.6 Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

### **Design and Appearance**

- 7.7 The proposed dwellings are of a conventional design. They will be finished in traditional materials of brick and tile with white UPVC windows. It is considered that these are in keeping with the character of the area in terms of their appearance and scale. The proposal for 3 dwellings on the plot is similar to the density of the 3 dwellings to the west of the site.

## **Residential amenity**

- 7.8 In terms of the impact on adjoining occupiers, the properties will front onto the car park area to the east of the site. There will be a separation distance of 26 metres between the front of the proposed dwellings and the front of the dwellings on the opposite side of the car park. To the south of the site the side of plot 3 will face onto the car park. There will be a separation distance of 24 metres between the side of the plot 3 and the rear of properties to the south. The rear gardens of the proposed dwellings will back onto the public footpath that runs to the rear of the site and the front of nos. 104, 106 and 108 Nene Drive. These properties are staggered and there will be a separation distance of approximately 20 metres between them. To the north of the site the side of plot 1 sides onto the public footpath that wraps around the rear and side of the site and beyond this the front elevations of 62 and 64 Nene Walk. There is a separation distance of 10 metres between the side of the proposed dwellings and the properties to the north. This is the same as the relationship between the bungalows to the rear with properties to the north. Whilst it is acknowledged that there will be some overshadowing to the fronts of these properties, due to the single storey height of the proposal, the impact is not considered to be significant enough to warrant refusal.
- 7.9 In terms of overlooking it is noted that there will be side windows in the north and south elevations. These will be secondary windows to living/dining/kitchen areas. Due to the relationship between the proposal and the properties to the north, it is considered that the north side window should be conditioned to be obscure glazed to prevent overlooking. In addition a planning condition is recommended to remove permitted development rights for future extensions to enable the Local Planning Authority to assess any future extensions.

## **Design of the development and living conditions of future occupiers**

- 7.10 The dwellings as proposed are considered to be of an appropriate design and would provide a good level of amenity for the future occupiers. They have been designed to comply with mobility home standards to provide homes for a specially identified need. Garden areas although small would provide an appropriate level of amenity space for future occupiers and are commensurate with surrounding properties. Due to the orientation of the dwellings, an appropriate outlook and level of daylight would be available from the rear of all the proposed houses.

## **Highway Safety and Parking**

- 7.11 There are currently 21 communal spaces within the cul-de-sac. Proposed plans indicate that three disabled parking spaces will be introduced. Considering that the communal parking spaces would previously have been used by visitors to the community room the replacement by 3 one bedroomed dwellings would not significantly increase demand. It can be concluded that the proposal will not unduly impact on highway safety and will provide an appropriate level of parking for future residents. It is also noted that the comments received from the Local Highway Authority indicate no objections to the proposal.

## **Trees and Landscaping**

- 7.12 An Arboricultural Statement has been submitted with the application which identifies that the proposed development will result in the removal 6 trees within the site. The trees are all small and are not of significant amenity value. It states that there loss can be mitigated with landscape planting in new gardens and verges. The Arboricultural Officer has no objections to the proposal on tree-related grounds.

## **Other Matters**

- 7.13 Public Protection Officers have made comments that electric vehicle charging points should be provided and that boilers should meet a minimum standard. As there is currently no dedicated planning policy to support this, it is considered unreasonable to apply a planning condition to this effect.

## **8 CONCLUSION**

- 8.1 It is considered that the demolition of the community room has been adequately justified. The proposed design and appearance of the dwellings are acceptable subject to conditions. Moreover, the residential development of the site would contribute towards the Council's 5-year housing supply. The proposed development would be in keeping with the character of the local area and the overall relationship between the proposed and existing properties is acceptable and would not have any unacceptable adverse impact on the residential amenity of neighbouring properties. The parking arrangement is considered acceptable.
- 8.2 The proposal would therefore comply with Policies S1, S10 and H1 and RC2 of the West Northamptonshire Joint Core Strategy, saved Policies H6, H17 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (P) 01 Rev A, (P) 02 Rev A, (P) 03 Rev A, (P) 04, (P) 05, (P) 06 Rev A.

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

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

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

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

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

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site and to safeguard the amenities of future residents, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

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

7. The side window in the north elevation shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

8. All construction works shall take place between 7:30am and 6pm on Mondays to Fridays and 8:30am and 1pm on Saturdays and no work on Sundays, Bank Holidays and Public Holidays.

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

9. The disabled parking spaces of the development hereby permitted as shown on the approved drawing no. (P) 03 Rev A shall be fully implemented prior to the occupation of the development and retained thereafter.

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H17 of the Northampton Local Plan.

## **10. BACKGROUND PAPERS**

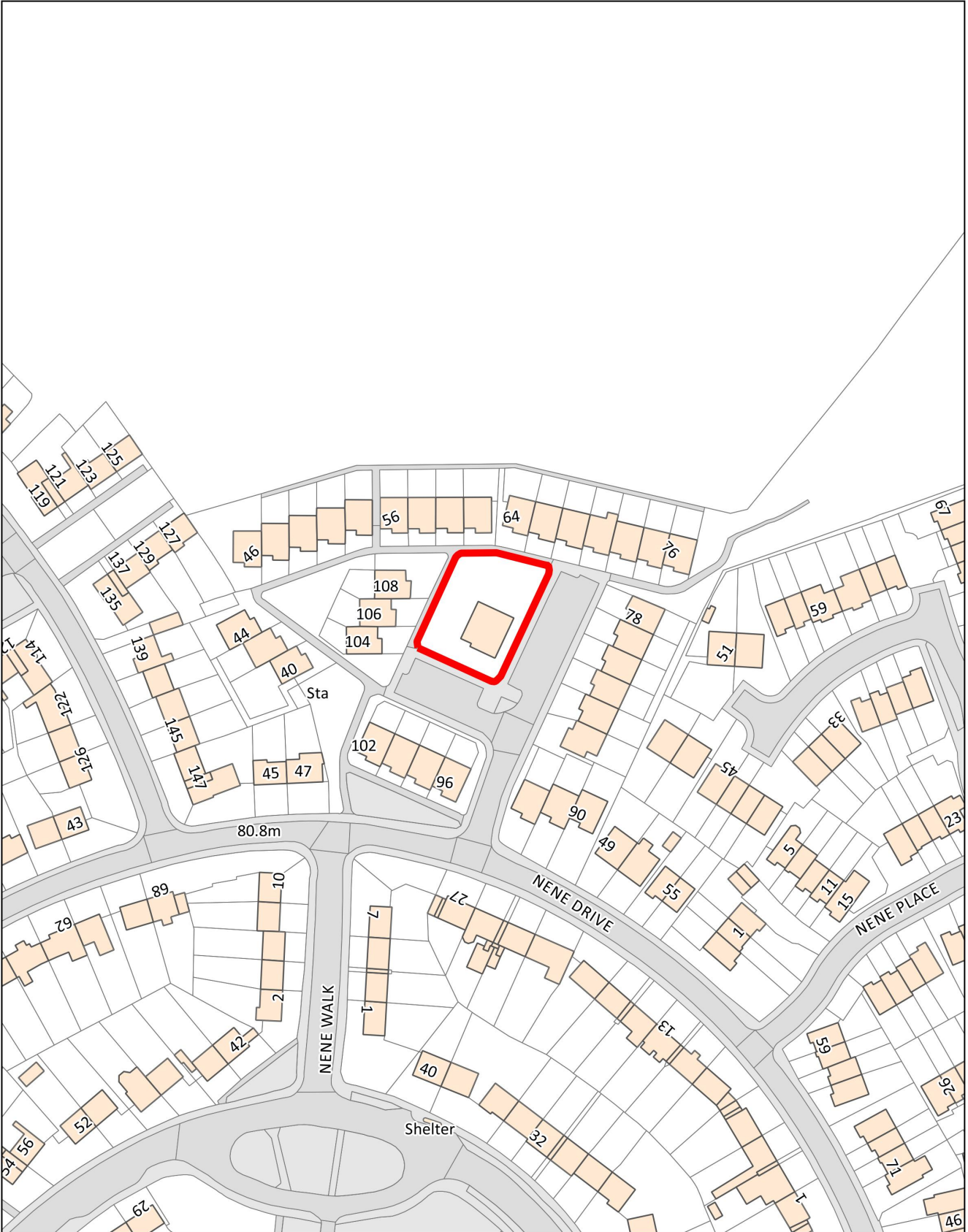
- 10.1 N/2018/0448 & PA/2017/0217

## **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.



Title: **Kings Heath CC. Nene Drive**

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**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0454

**LOCATION:** 94 St Leonards Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants together with first floor rear extension

**WARD:** Delapre & Briar Ward

**APPLICANT:** Mr Arandeep Singh  
**AGENT:** CC Town Planning

**REFERRED BY:** Councillor V Culbard  
**REASON:** Parking and refuse concerns

**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 is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. The proposed extension would be in keeping with the character of the host building and would not result in unacceptable impact on neighbouring properties. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to bus stops and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The proposal is for the change of use of the property to a four bedroom house in multiple occupation for four occupants, together with a first floor extension to the rear.

2.2 Three of the rooms proposed would have en-suite facilities. Parking will be on-street.

**3 SITE DESCRIPTION**

- 3.1 The application site consists of a former three bedroom terraced house, now in use as a house in multiple occupation for 5 people, as per the planning application N/2017/0942 for a change of use to a HIMO for 5 occupants, which was refused in December 2017. However, an appeal against the Council's refusal is pending, as set out in the planning history below. The use is therefore unauthorised. However, as the appeal has already been lodged with the Planning Inspectorate, it would not be expedient to instigate enforcement action at this stage.

## **4 PLANNING HISTORY**

- 4.1 N/2017/0942 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants – Refused 22/12/17, appeal pending.

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

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

### **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.

Policy H5 - Managing the existing housing stock.

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 – New Development (Design).

Policy H30 – Multi-Occupation With A Single Dwelling.

Policy H18 – Residential Extensions

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire **35** 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 refuse and recycling storage.

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – The room sizes, amenities and facilities shown on the submitted plans indicate that the proposed HIMO would meet the requirements for a four occupant HIMO.
- 6.2 **Local Highway Authority** – Object. The LHA have received a number of parking beat surveys submitted as part of numerous planning applications and this demonstrates that there is no residual parking capacity on-street. Furthermore, the cumulative impact from the high concentration of HIMOs in the immediate vicinity is contributing to the excessive demand. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand further and any development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe. Although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the LHA would argue that the cumulative impact of “minor” developments such as this need to be considered as a whole and that the impact on the highway network is severe.
- 6.3 **Environment Agency** – No objection, subject to there being no ground floor sleeping.
- 6.4 **Councillor V Culbard** – Calls in the application. This is a busy road where residents experience issues over parking, rubbish disposal and noise. Any increase in HIMOs would only make this situation worse.
- 6.5 Four representations received from nearby occupiers, making the following points in summary:
- Anti-social behaviour from tenants
  - Parking problems, including illegal parking
  - Lack of parking will affect local businesses
  - Rise in rubbish and litter and accumulation of bulky waste.
  - Damage to community – loss of family homes

## 7 APPRAISAL

### Principle of the development

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

- 7.2 Council records evidence that there are 3 existing HIMOs within a 50m radius of the application site. The use of this property as a HIMO also would equate to 5.2% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

### **Size of property and facilities for future occupiers**

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The Interim Planning Policy Statement for HIMOs (IPPS) also includes minimum sizes for all rooms within a HIMO.
- 7.4 In this case, the room sizes all meet the requirements of the IPPS and it has been further confirmed by Private Sector Housing that the building as proposed is suitable for occupation by four persons.
- 7.5 A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur.

### **Flood risk**

- 7.6 In respect of flood risk, the site is located within Flood Zone 3. The previous application, which was refused, included ground floor sleeping and was therefore refused partially on the basis that residents would not, therefore, be adequately protected from flood risk. The current scheme now has no ground floor sleeping accommodation and the Environment Agency now has no objection to this proposal. A condition is proposed to specify that ground floor sleeping will not take place.

### **Highways / Parking**

- 7.7 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 The application property is located 70m from the nearest bus stop on St Leonards Road and is opposite and surrounded by the St Leonards Road Local Centre which provides a wide range of facilities. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.9 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details should be submitted for the secured cycle storage. There is scope for this to be provided within the existing shed at the rear of the premises.
- 7.10 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.11 The Northamptonshire Parking Standards state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 compared to the previous dwellinghouse use.
- 7.12 In this case, the LHA has objected to the proposal, due to the lack of available parking in the area and the likelihood of inappropriate and illegal parking resulting from the use.
- 7.13 Notwithstanding the LHA position, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal. In

addition, this did not form one of the reasons for the refusal of the previous application, for which an appeal has now been lodged, and would be unreasonable to introduce at this time.

- 7.14 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.15 In view of the sustainable location of the application site and number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that highway impacts would be so adverse as to recommend refusal on this basis.
- 7.16 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

### **Refuse storage**

- 7.17 As with cycle storage, it would be possible to provide refuse storage within the rear garden area and a condition requiring details of such provision is recommended.

### **Impact on the amenity of adjoining and nearby residential occupiers**

- 7.18 Part of the proposal is the erection of a first floor rear extension. This would project just over 4m from the existing first floor rear projecting wing of the property and the rear wall of the neighbouring dwelling. The neighbouring dwelling at 92 St Leonards Road has a rear facing bedroom window, this window faces over a single storey and two storey element of that property. There is, therefore, a small gap through which some daylight is currently available but would be lost. Given the already restricted outlook from this window, it is not considered that this would result in a significant impact that would warrant a refusal of the application.
- 7.19 Also included in the proposal is a side facing window which would serve one of the proposed bedrooms. This would face towards the neighbouring property at 96 St Leonard's Road, which has a side facing obscure glazed window at first floor, serving a bathroom, and a clear glazed window at ground floor. Given the nature of terraced properties, where side facing windows are common, the fact that the first floor window is obscure glazed and overlooking of the garden area which already occurs, it is considered that the impact in this case would be acceptable.
- 7.20 In respect of the change of use, the proposed use falls within Use Class C4, which in effect categorises as a residential use. It is not considered that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional Class C3 dwelling. Indeed, without the Article 4 Direction, planning permission would not be 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.

### **Current Use of the Property**

- 7.21 The property is currently in use as a HIMO for five occupants. This is not an authorised use, and an application for this was refused in December 2017. An appeal against this refusal is pending and therefore until the result of this is known, any enforcement action against this is in abeyance. The current application is made as a "fall-back" position in case the appeal is dismissed, in which case formal enforcement action would be required if the use does not cease voluntarily.

## **8 CONCLUSION**

- 8.1 The proposed change of use to a 4 person HIMO would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the

locality and would provide suitable accommodation for the number of occupants proposed. The issues in relation to parking and highway safety are finely balanced, however, it is considered that the proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal 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: 131016 - 101 rev 8, 131016 - 201 rev 4.

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

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

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

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

7. The development permitted by this planning permission shall be carried out in accordance with Drawing No. 131016 – 101 Rev 8 - Floor Plans and no ground floor room of the premises shall thereafter be occupied or laid out as a room for sleeping purposes.

Reason: To reduce the risk of flooding to the proposed development and future occupants, in accordance with the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

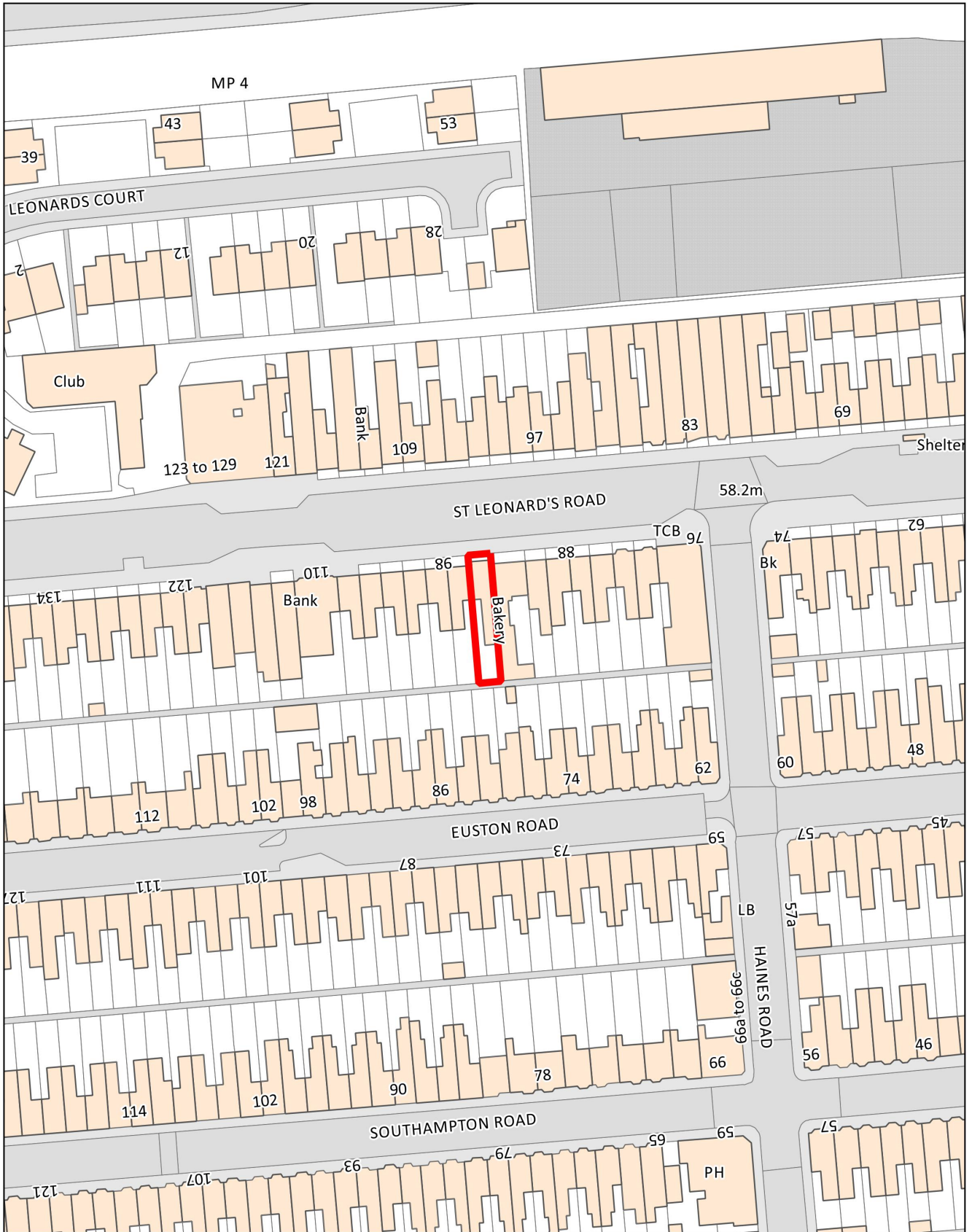
- 10.1 Application file N/2018/0454.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **94 St Leonards Road**

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**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0514

**LOCATION:** 47 Holly Road

**DESCRIPTION:** Change of Use from Children's Nursery (Use Class D1) to House in Multiple Occupation (Use Class C4) for 6 occupants

**WARD:** Abington Ward

**APPLICANT:** Mr M Novitt  
**AGENT:** Archi-tec Architectural Design

**REFERRED BY:** Councillor Z Smith  
**REASON:** Parking concern

**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 is considered acceptable in principle as it would not result in a significant over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for refuse and cycle storage. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

### 2. THE PROPOSAL

2.1 Permission is sought for a change of use from a former children's nursery (Use Class D1) to a house in multiple occupation (HIMO) (Use Class C4) for 6 people. No external alterations are proposed to the property. Parking would be on-street and it is proposed to re-instate the garage at the rear of the dwelling for off street parking.

### 3. SITE DESCRIPTION

3.1 The application site comprises a three storey mid terraced property located at Holly Road, Abington. The property was originally a dwellinghouse but has been used as a children's nursery

since the 1990s. The use as a nursery has ceased. The property has a basement, a small front garden, a rear garden and a double garage to the rear which has been converted to an office.

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

- 4.1 N/2018/0236 – Change of use from children’s nursery (Use Class D1) to residential dwelling (Use Class C3) – Approved
- 4.2 PA/2018/0070 – Enquiry regarding proposed change of use to House in Multiple Occupation
- 4.3 1996/209 – Extend children’s day nursery – 25 children - Approved
- 4.4 1992/46 – Create children’s nursery for 20 children and 4 members of staff - Approved

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

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

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

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

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

- 5.3 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.
- 5.4 Paragraph 49 - Housing applications should be considered with a presumption in favour of sustainable development.
- 5.5 Paragraph 50 - states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.
- 5.6 Paragraph 100 - Flood risk in determination of planning applications.

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

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

- Policy H1 – Housing Density and Mix and Type of Dwellings
- Policy H5 – Managing the existing housing stock
- Policy S10 – Sustainable Development Principles
- Policy BN7 - Flood Risk

##### **5.8 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
- Policy H30 – Multi-occupation with a single dwelling

## 5.9 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

## 5.10 **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 50 metre 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 Zoe Smith** – called the application in. Consider 6 occupants is excessive and would exacerbate parking problems in the area.

6.2 **NCC Highways** – object. State that a number of parking beat surveys have been submitted within the area as part of numerous planning applications. A survey carried out on the roads in the immediate vicinity in January 2017 showed there was no residual parking capacity. Furthermore, the cumulative impact from the high concentration of HIMOs in the immediate vicinity is contributing to the excessive demand. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand further and any development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe. Although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the LHA would argue that the cumulative impact of minor developments such as this need to be considered as a whole and that the impact on highway safety is severe.

6.3 **Private Sector Housing** – no objection, the room sizes and amenities are suitable for 6 occupiers.

6.4 **Eight neighbour letters and one letter from a passer-by** have been received together with a **petition signed by 35 residents** of Holly Road objecting as follows:

- Already parking issues with no availability and double parking. Proposal will have severe impact on highway safety.
- Consider already an over intensification of HIMOs in the street.
- Noise and anti-social behaviour.
- Impact of transient population on local community.
- Change in character of the area.
- Previous use as a nursery only generated one staff parking space and parents only parked for a maximum of ten minutes. No nursery parking after 6pm.
- Naïve to consider tenants will use public transport and use local facilities.
- Concerns about refuse storage.
- Although the property will have 6 bedrooms this does not limit the number of people using the property at any one time to 6 persons.
- Will create disturbance for adjoining family dwellings.
- Consider converted garage should be changed back to garage use.
- Questions bathroom, kitchen facilities are adequate.
- Similar application on Ivy Road has recently been refused by the Council.

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### **Area concentration**

- 7.2 Council records evidence that there are 7 other HIMOs out of 61 properties within a 50m radius of the application site. The use of this property as a HIMO would equate to 11.5% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted IPPS in relation to HIMOs. It is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

### **Size of property and facilities for future occupiers**

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO IPPS with appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 6 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that they are satisfied that the accommodation proposed meets their requirements.

### **Flood Risk**

- 7.4 The site is not in a flood zone therefore there would be no impact on flooding.

### **Highways/Parking**

- 7.5 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.6 The application property is located within easy walking distance to facilities on Kettering Road. It is considered that the application site is in a sustainable location within 350m of the nearest bus stop on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available in the rear garden and a condition is recommended requiring details to be submitted for approval for secure cycle storage.
- 7.8 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposal has been amended indicating that the garage to the rear will be re-instated which will provide one off street parking space. The proposed development will produce a demand for 6 parking spaces, which is a decrease of 4 spaces required for a children's nursery (1 space per full time member of staff and 1 space per 4 children), and an increase of 3 if the property is used as a dwellinghouse as parking requirement for a 5-bed dwelling is 3 spaces.
- 7.9 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.

- 7.10 Notwithstanding the Highway Authority's objection, there is no evidence to support that all 6 residents would own cars. Given the number of spaces arising from the existing authorised use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.11 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.

### **Refuse storage**

- 7.12 There is sufficient space in the basement or rear garden of the property for bin storage, a condition is recommended to agree the details of refuse storage.

### **Other matters**

- 7.13 The garage at the property has been converted to an office. This was not shown on the original proposed plans and clarification has been requested as to what is happening to this building. The agent has now confirmed that the garage will be re-instated and amended plans have been submitted to this effect.

### **CONCLUSION**

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The issues in relation to parking and highway safety are finely balanced, however, it is considered that the proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the existing authorised use of the property, it would be difficult to uphold a refusal at appeal. The proposal 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, N23-2B.

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

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

6. The basement shall not be used for bedroom or living accommodation at any time.

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

7. The converted garage shall be re-instated as a garage prior to the first occupation of the building hereby permitted and it shall not be used as bedroom or living accommodation at any time.

Reason: For the avoidance of doubt and in the interests of 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**

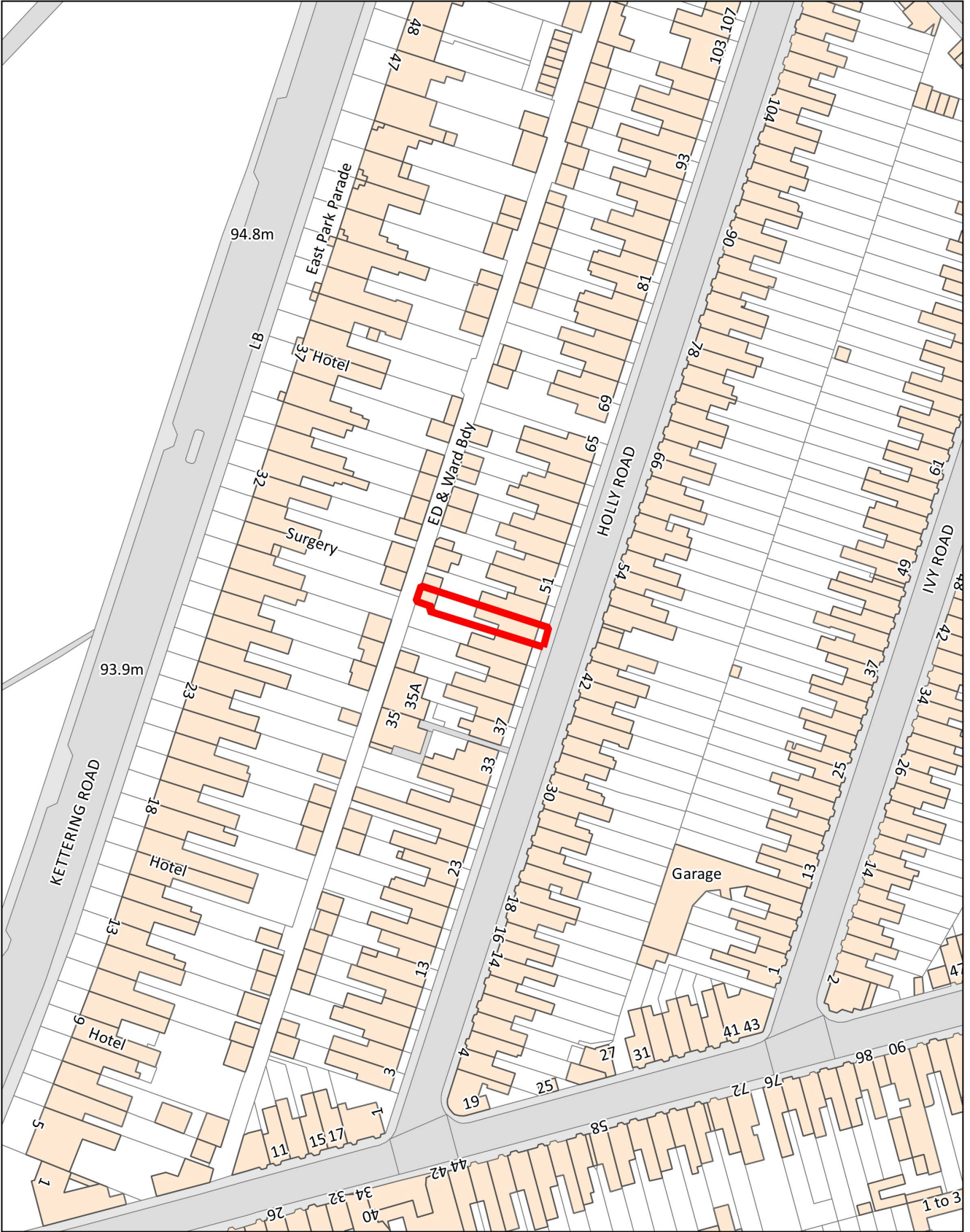
- 10.1 N/2018/0514.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **47 Holly Road**

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Date: 17-05-2018

Scale: 1:1,250

Drawn by: -----



<b>PLANNING COMMITTEE:</b>	7 <sup>th</sup> June 2018
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>HEAD OF PLANNING:</b>	Peter Baguley
<b>APPLICATION REF:</b>	N/2018/0529
<b>LOCATION:</b>	Land Adjoining 54 Thorn Hill
<b>DESCRIPTION:</b>	Variation of Condition 2 of Planning Permission N/2017/0736 (Erection of 3 self-contained flats) to amend development to match adjoining property in terms of ridge height and front building line
<b>WARD:</b>	Delapre & Briar Ward
<b>APPLICANT:</b>	Apex Solutions
<b>AGENT:</b>	Rod Kilsby Partnership
<b>REFERRED BY:</b>	Head of Planning
<b>REASON:</b>	Part NBC owned land
<b>DEPARTURE:</b>	No

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## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

The principle of residential development has already been accepted by the previous planning permission N/2017/0736. Due to its siting, scale and design, the amended scheme would have an acceptable impact on the appearance and character of the host building, wider area, amenity of adjoining occupiers and highway safety/ parking to comply with Policies E20 of the Northampton Local Plan, S10 and H1 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning Policy Framework.

### 2 THE PROPOSAL

#### 2.1 This is a Section 73 application that seeks a variation of the approved plans condition on planning permission N/2017/0736, to amend the design of the previously approved scheme. The revisions include raising the roof ridge of the proposed extension by 30 cm to be in line with the existing roof of the house and bringing the front elevation of the approved development forward by 1.5 metres. The internal layout of the ground floor flat has also been rearranged swapping the position of the lounge/ diner and bedroom around.

### 3 SITE DESCRIPTION

#### 3.1 The application site consists of the existing side garden of 54 and 56 Thorn Hill. The site is located in a residential estate and forms a highly prominent position at the bend of the road. There is a



garage court to the rear of the property outside the application site. Part of the site is Council owned land. The site is not in a conservation area nor is near any listed buildings.

#### **4 PLANNING HISTORY**

- 4.1 Planning permission was granted for erection of 3 self-contained flats under application N/2017/0736. This application was approved by the Committee in September 2017. An application for a non-material amendment was refused earlier this year (N/2018/0098) as it was considered that the amendments proposed require planning permission.

#### **5 PLANNING POLICY**

##### **Statutory Duty**

- 5.1 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.

##### **National Policies**

- 5.2 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:
- 5.3 Paragraph 17: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 5.4 Paragraph 35: create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- 5.5 Paragraph 47: requires Authorities to have a five year housing land supply.
- 5.6 Paragraph 49: advises that housing applications should be considered with a presumption in favour of sustainable development.
- 5.7 Paragraph 57: requires development to be of a good quality design.

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

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

H1 Housing Density, Mix and Type of dwellings  
S10 Sustainable Development Principles

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

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

E20 New development (design)

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

- 5.10 Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire (2004)

## **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 No comments received.

## **7 APPRAISAL**

7.1 The principle of residential development has already been accepted through the previous planning permission N/2017/0736. The current proposal includes a higher roof form and bringing the front wall forward to continue with the existing building line, reducing the degree of visual subordination.

7.2 Given the small scale of the changes in the context of the approved scheme, the proposal is considered acceptable and would be in keeping with the host building and wider street scene.

7.3 In terms of neighbouring amenity, the effect would be reasonably limited in terms of loss of outlook, light, overbearing and privacy due to the separation with the properties to front, side and rear. In terms of parking, this remains unchanged from the previous application and that they will be provided on-street. All rooms would still have sufficient outlook and light. Refuse and cycle storage would be secured by conditions.

## **8 CONCLUSION**

8.1 As compared to the previous approval, the amended design is considered acceptable and would have a satisfactory impact on the appearance and character of the host building and street scene, neighbouring amenity and highway safety.

## **9 CONDITIONS**

1) The development hereby permitted shall be begun before 6<sup>th</sup> September 2020.

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 plan: 17-164B.

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

3) The external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building at 54-56 Thorn Hill.

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

4) The bin storage area shown on approved drawing 17-164B shall be implemented prior to the occupation of the flats and retained in that form throughout the lifetime of development.

Reason: In the interests of residential amenity to accord with Policy H1 of the West Northamptonshire Joint Core Strategy.

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

Reason: To ensure the provision of adequate facilities and to promote sustainable development in accordance with the aims and objectives of the NPPF.

## **10 BACKGROUND PAPERS**

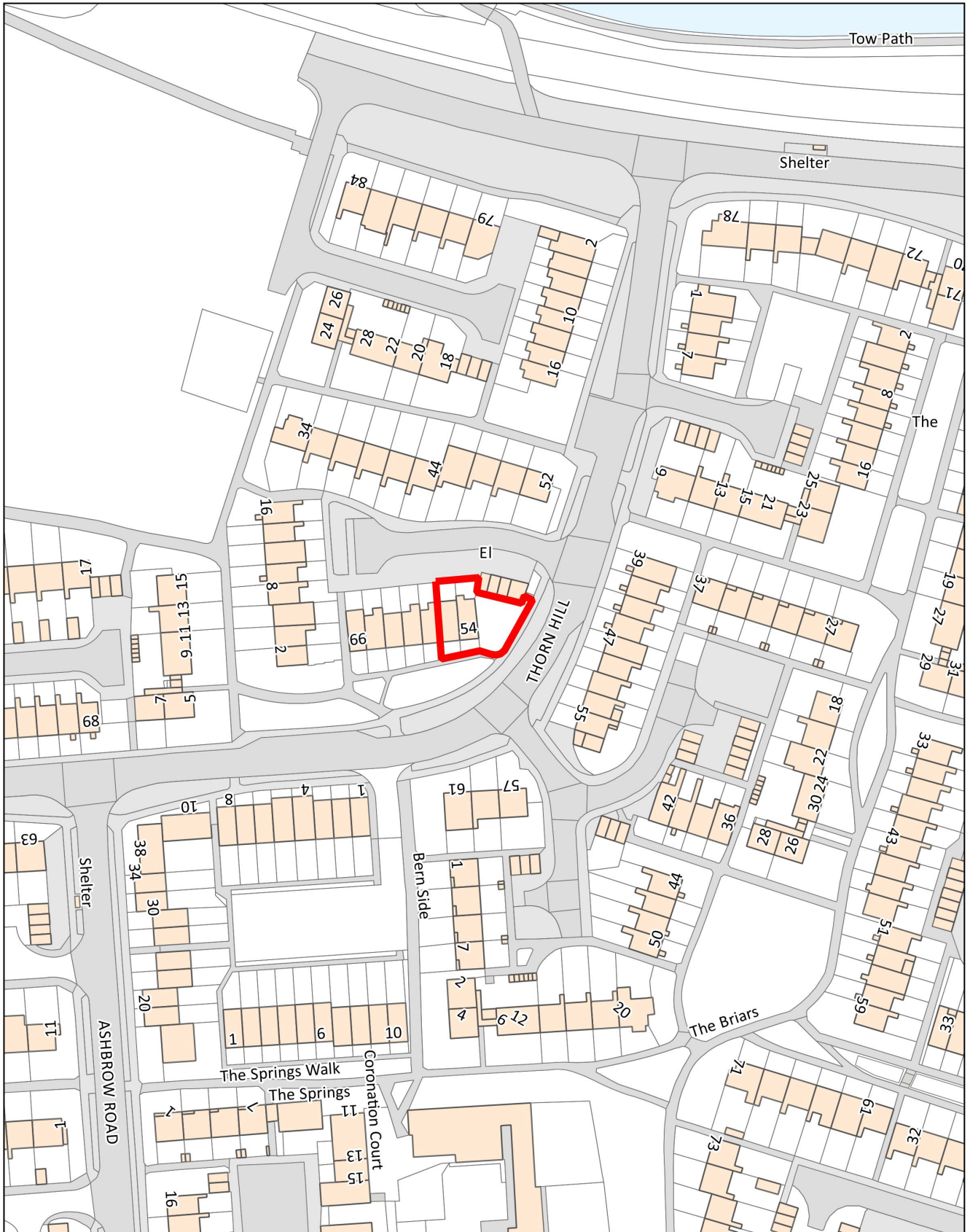
10.1 N/2018/0529 and N/2017/0736.

## **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.



Title: **Land adjoining 54 Thorn Hill**

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Date: 17-05-2018

Scale: 1:1,250

Drawn by: -----



**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0603

**LOCATION:** Parking Area, Pembroke Gardens

**DESCRIPTION:** Creation of 11no parking spaces including 1no disabled parking space, with new footpaths and retention of existing street light

**WARD:** Spencer Ward

**APPLICANT:** Engie  
**AGENT:** Halsall Lloyd Partnership

**REFERRED BY:** Head of 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 is considered acceptable and would improve the parking provision within the street to the benefit of highway safety and surrounding residential amenity in accordance with the requirements of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 The proposal is for the creation of 11 car parking spaces, including 1 disabled space, and the creation of new footpaths, on an existing area of adopted highway land currently comprising an area of grass verge intersected by two footpaths situated to the front of Nos. 12-15 Pembroke Gardens, and an area of grass verge situated to the side of No. 3 Pembroke Gardens. The parking spaces would be unallocated and would remain as part of the adopted highway.

### 3 SITE DESCRIPTION

3.1 Pembroke Gardens is a residential cul-de-sac comprising a mix of Council and privately owned properties.

3.2 Road widths are relatively narrow with some areas of deep highway verge, including a large grassed area, the subject of this application, at the head of the cul-de-sac. There is limited off-road parking with a number of vehicles already using the grass verges for parking.

## **4 PLANNING HISTORY**

4.1 There is no relevant planning history.

## **5 PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **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 35 – developments should be designed to create safe and secure layouts which minimise conflicts between traffic and pedestrians.

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

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

Policy S10: Sustainable Development Principles

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

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

Policy E20 – New development (design)

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Highway Authority (NCC)** – no objection, the exact location of the gulley needs to be shown on the plans to ensure it is not in front of a parking space. Recommend design alterations to the layout of the disabled space.

6.2 **Public Protection (NBC)** – no objection. The applicant should consider installing some EV charging infrastructure or appropriate caballing to provide residents/ tenants with the option of charging electric vehicles.

6.3 1 letter has been received, the concerns of whom are summarised as follows:

- Queries as to whether the disabled parking space will be available to all blue badge holders.

- Number of vehicles currently park on the grass verges. Concerned that vans and lorries that currently park outside their own property will park in the formal spaces provided and interrupt views from property.

## **7 APPRAISAL**

- 7.1 The main issues to consider are the impacts of the proposal visually within the close, and impacts on existing parking conditions and residential amenity.
- 7.2 Whilst the proposal would remove an area of green highway verge within the cul-de-sac, the grass verges in Pembroke Gardens are already subject to informal off-road parking. The proposal would provide a more formal parking arrangement and reduce the extent of unauthorised parking within the street.
- 7.3 Revised plans have been received to re-arrange the parking layout either side of the existing lamp column and drainage gully ensuring that vehicles do not manoeuvre over the gully. The disabled space has also been amended to comply with the Highway Authority's recommendations.
- 7.4 The parking spaces provided are intended to provide a more formal parking arrangement within the cul-de-sac but would not provide specific spaces allocated to particular residents.
- 7.5 In respect of the provision of electric vehicle charging points, Northamptonshire Partnership Homes has confirmed that these are not being considered as the scheme is subject to a limited budget and is required to address existing parking problems in the area. Whilst desirable, it is considered that the more immediate benefits of the scheme outweigh this concern.

## **8 CONCLUSION**

- 8.1 The proposal would provide a more formal and safer parking arrangement for surrounding residents and improve the appearance of the cul-de-sac, reducing the extent of unauthorised parking within the area. As such, the proposal is considered in accordance with policy requirements and recommended for approval.

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, PR-001 Sheet 1 of 1 Version 2.

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

## **10 BACKGROUND PAPERS**

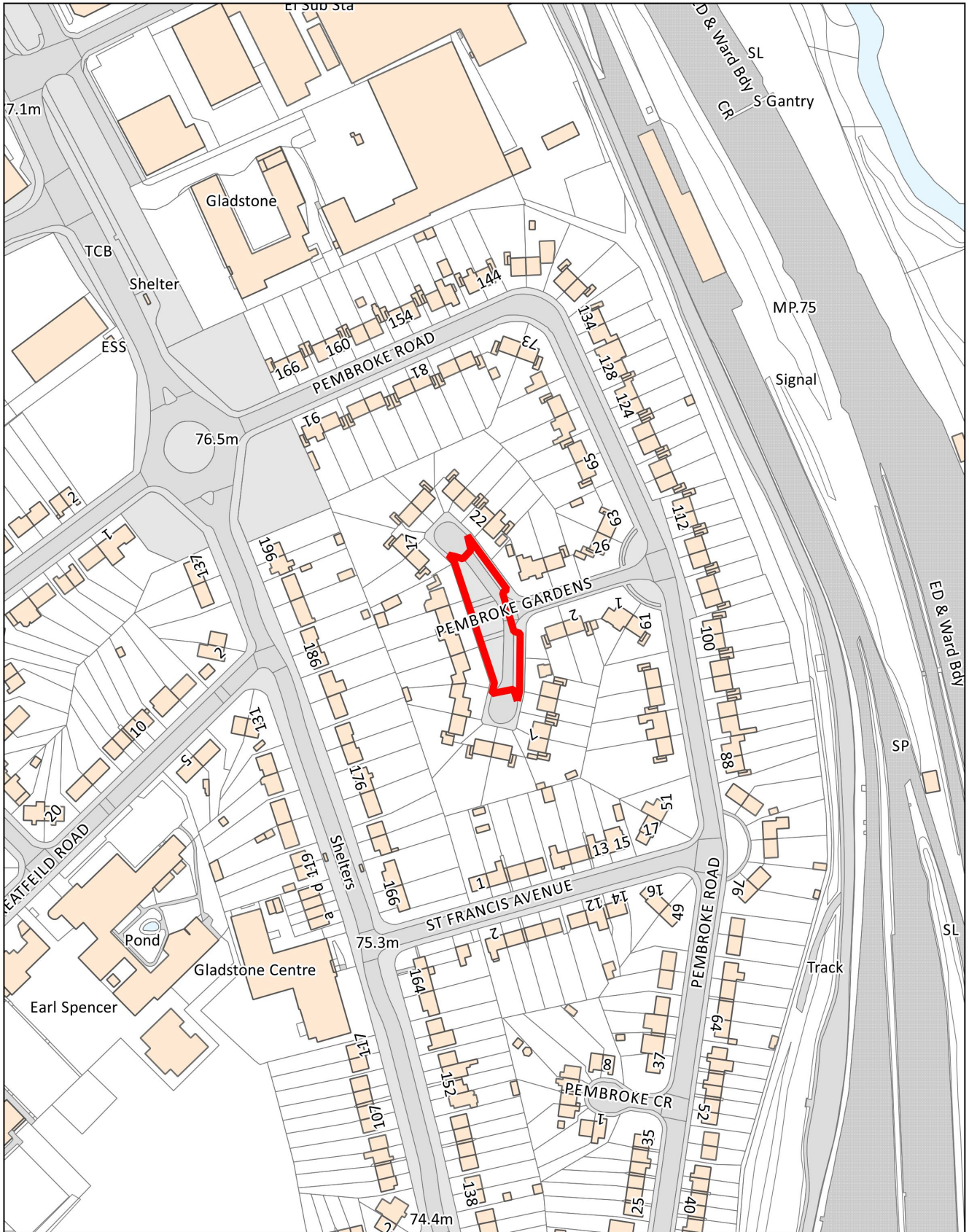
- 10.1 N/2018/0603.

## **11 LEGAL IMPLICATIONS**

- 11.1 None.

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

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



Title: **Pembroke Gradens**

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**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0644

**LOCATION:** 37 Henry Bird Way

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants

**WARD:** Delapre & Briar Ward

**APPLICANT:** Ms Choo Ling Len  
**AGENT:** Wicken Design Associates

**REFERRED BY:** Councillor V Culbard  
**REASON:** Parking and refuse concerns

**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 is considered acceptable in principle as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

### 2 THE PROPOSAL

- 2.1 Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 3 people. No external alterations are proposed to the property. The site has an integral garage and one off-street parking space to the front of the garage.
- 2.2 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

### 3 SITE DESCRIPTION

- 3.1 The application site comprises a three storey, mid terrace, three/four-bedroom property. It is located in a residential area consisting of a mixture of similar terraced dwellings and flats. To the west of the application site is 35 Henry Bird Way which is an end of terrace three storey dwelling, which was granted planning permission for change of use to a HIMO (for 3 persons) at Planning Committee on 10<sup>th</sup> April, 2018. To the east of the site is 1-11 Johnson Court which is a block of 12 flats. To the north of the site is 15 Johnson Court.
- 3.2 The ground floor of the application property consists of an integral garage, an entrance hall with a WC and a lounge/bedroom with doors leading into the rear garden. The first floor has a lounge and kitchen and the second floor has three bedrooms (one with an en-suite bathroom), and a further separate bathroom. The property has one off-street parking space to the front and a rear garden with gated access from Johnson Court.
- 3.3 The site is in close proximity to the new Waterside University Campus and facilities on London Road and St. Leonard's Road. It is also within close walking distance (across a foot bridge) to the supermarket site on Victoria Promenade and the town centre.
- 3.4 The site lies within Flood Zone 2

#### **4 PLANNING HISTORY**

- 4.1 N/2018/0020 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4/5 occupants - withdrawn
- 4.2 PA/2017/0363 – Pre-application advice regarding change of use to HIMO.

#### **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 a good standard of amenity for existing and proposed occupiers.

Paragraph 49 - Housing applications should be considered with a presumption in favour or sustainable development.

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

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

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

Policy H1 - Housing Density & Mix & Type of Dwellings  
Policy H5 – Managing the existing housing stock  
Policy S10 – Sustainable Development Principles  
Policy BN7 - Flood Risk

#### 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  
Policy H30 – Multi-occupation of a single dwelling

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

Northamptonshire Parking Standards (September 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 50metre 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 V. Culbard** – States that this is a quiet street with many retired residents and there are a lack of parking places and issues with rubbish disposal and noise. States that any increase in the amount of residents will put pressure on the street. Called in the application for consideration by the Planning Committee.

6.2 **Highway Authority (NCC)** – No comments to make.

6.3 **Private Sector Housing (NBC)** - advised that the room sizes, amenities and facilities shown on the submitted plans indicate that the proposed HMO would meet the requirements for a three occupant HMO.

## 7 **APPRAISAL**

### **Principle of the development**

7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### **Area concentration**

7.2 Council records evidence that there is one confirmed HIMO (35 Henry Bird Way) within a 50m radius of the application site. The use of the dwelling as a HIMO would equate to 2.12%

concentration in the area. This would clearly fall below the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

### **Size of property and facilities for future occupiers**

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 3 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that the accommodation proposed meets the requirements for a three occupant HIMO.

### **Flood Risk**

- 7.4 It was established through the submission of the previous application at 37 Henry Bird Way that the site lays outside the area of flood hazard mapping due to the fact that the house was built post 1998 floods and land levels were raised and flood risk mitigation implemented. The proposal therefore falls under Environment Agency flood risk standing advice which indicates that the proposal is acceptable. Furthermore it is noted that the proposal does not include ground floor sleeping accommodation.

### **Highways/Parking**

- 7.5 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.6 The application property is located within easy walking distance to facilities at St. Leonards Road, London Road and the town centre. It is considered that the application site is in a sustainable location within 290 metres of a bus stop on London Road. In this regard, the proposal is in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. The application site has an integral garage which will provide secure cycle storage.
- 7.8 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.9 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 3 parking spaces, which is the same requirement for a 4 bedroom dwelling. It can be concluded therefore that the proposal will have a neutral impact on Highway Safety. No comments have been received from the Highway Authority.
- 7.10 In addition there is no evidence to support that all residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.11 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.

- 7.12 Notwithstanding the fact that there is an outstanding application for a HIMO adjacent to the site which may have the potential for cumulative impacts on parking within the locality, in view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that secure bicycle storage will be provided, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld.

### **Refuse/Cycle storage**

- 7.13 Plans have been submitted which indicate that the integral garage shall be used for bin storage in addition to cycle storage. This is considered to be acceptable and a condition will ensure that this facility is retained.

### **Amenity**

- 7.14 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a 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 would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

## **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, Proposed Floor Plan HBW 2/1.

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 amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

4. The refuse and cycle storage shall be implemented in accordance with the details shown on the approved plan HBW 2/1 and be retained throughout the lifetime of development.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. The second floor study room as shown on the submitted plan shall not be used as a bedroom at any time.

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

**10. BACKGROUND PAPERS**

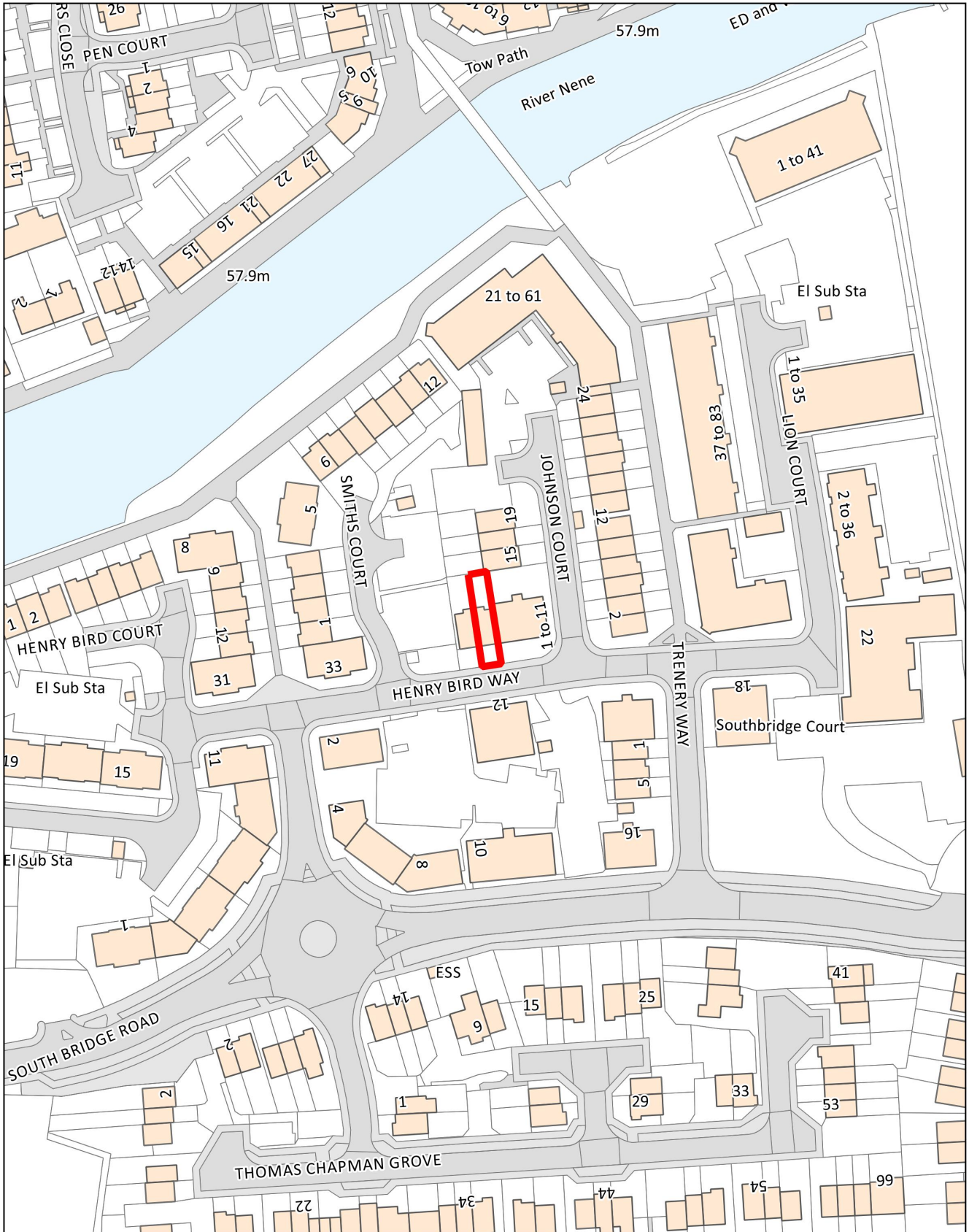
10.1 N/2018/0644.

**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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **37 Henry Bird Way**

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Date: 17-05-2018

Scale: 1:1,250

Drawn by: -----



**PLANNING COMMITTEE:** 7<sup>th</sup> June 2018  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/0658

**LOCATION:** Car Park Pay And Display, Upper Bath Street

**DESCRIPTION:** Erect new MUGA (multi use games area) in place of part of existing car park with associated landscaping to resurface MUGA surrounds, install benches, bollards, re-define resultant car park layout and upgraded planting

**WARD:** Castle Ward

**APPLICANT:** Engie  
**AGENT:** Halsall Lloyd Partnership

**REFERRED BY:** Head of 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 provide a much needed facility for the residents of the area which would assist in the reduction of anti-social behaviour. It is considered that the proposal would have no undue adverse impacts on the street scene, the character of the area or the amenities of adjoining occupiers. The proposal thereby complies with Policies S10, N11 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 1 and 24 of the Central Area Action Plan, Policy OP3 of the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

### 2 THE PROPOSAL

2.1 The proposal is for the construction of a Multi-Use Games Area (MUGA) on an existing car park area. The car park has 21 regular spaces and three disability spaces. This would be reduced to 6 regular spaces and 4 disability spaces. The MUGA itself would occupy the remainder of the space and would be enclosed by mesh fencing up to 2.3m high to prevent the egress of balls. Landscaping around the MUGA would be enhanced also.

### 3 SITE DESCRIPTION



- 3.1 The application site comprises a surface car park which is adjacent to a church and Salvation Army Centre and also close to housing. The site is separated from the town centre by the A508 main road.

## **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), the Northampton Central Area Action Plan (2013) and the Spring Borough 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 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:

Policy S10: Sustainable Development Principles.

Policy N11: Supporting Areas of Community Regeneration.

Policy BN9: Planning For Pollution Control

### **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.

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

### **5.6 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.

Policy OP3 – Children’s Play Space and Other Green Space

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** - Recommended conditions requiring the facility to be locked at 20:00 to avoid incidents of noise and anti-social behaviour, full details of the lighting scheme to be provided. Measures required to prevent balls being kicked onto the adjacent A508.
- 6.2 **Councillor Danielle Stone** – Support the application.
- 6.3 **NCC Highways & Access** – There would be no objections subject to balls being prevented from entering the highway and requested details of floodlighting levels.
- 6.4 **Spring Borough's Voice Neighbourhood Forum** – Fully in support of the MUGA being sited in the way described. Very much in line with the Neighbourhood Plan.
- 6.5 **Spring Boroughs Residents Association** – Support the development wholeheartedly, view it as a positive asset and look forward to it becoming a reality.
- 6.6 Representations in support received from two nearby premises, making the following points in summary:
  - Ability to use the MUGA all year round would be beneficial to local children
  - Fully support the application – young people have nowhere to play football without causing a nuisance. The MUGA would give them somewhere safe to go.

## 7 APPRAISAL

- 7.1 The issues to consider are the visual impact of the proposal and any impact on adjoining occupiers, as well as the impact due to the loss of car parking. To be balanced against this are the benefits of the facility to the community.
- 7.2 In visual terms, the proposed MUGA would be of a standard design and appearance and given that this would replace an open car park, it is not considered that this would have an adverse impact in the street scene. The proposed landscaping would enhance the appearance of the area.
- 7.3 In respect of the loss of car parking, the site is opposite to the Mayorhold multi-storey car park, being separated from this by the main road only and linked by a pedestrian subway, meaning there is not a lack of parking in the area.
- 7.4 Turning to the impact on adjoining occupiers, whilst there are some residential occupiers nearby, the nearest would be over 20m from the MUGA, whilst those facing directly towards it would be over 40m away. Given the context of the area with a main road running past, it is not considered that a significant impact would result. Whilst Public Protection has recommended that the facility is locked at 8pm, the proposal is not designed to be lockable, which is not unusual with facilities of this type. In this case, it is not considered that this is necessary as the facility is designed to serve the wider community. If there is any anti-social behaviour, it would be better if this could be contained in this facility, rather than disperse them closer to residential properties as may occur at present.
- 7.5 There is the possibility of an impact arising from the floodlights, both on residents and also the highway. A condition is proposed requiring such details to be submitted prior to installation.
- 7.6 In considering the benefits of the proposal, it is considered that it will be a positive asset for the area as it would result in a community facility for which there is an identified need, the provision of which would fulfil a policy requirement in the Neighbourhood Plan.

## 8 CONCLUSION

- 8.1 The proposed development would provide a needed facility for the residents of the area which would assist in the reduction of anti-social behaviour and which would have no undue adverse impacts which are not outweighed by such benefits.

## **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: N1447 110 B.

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

(3) Prior to the commencement of development, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first use of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

(4) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner 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 1 of the Central Area Action Plan.

## **10 BACKGROUND PAPERS**

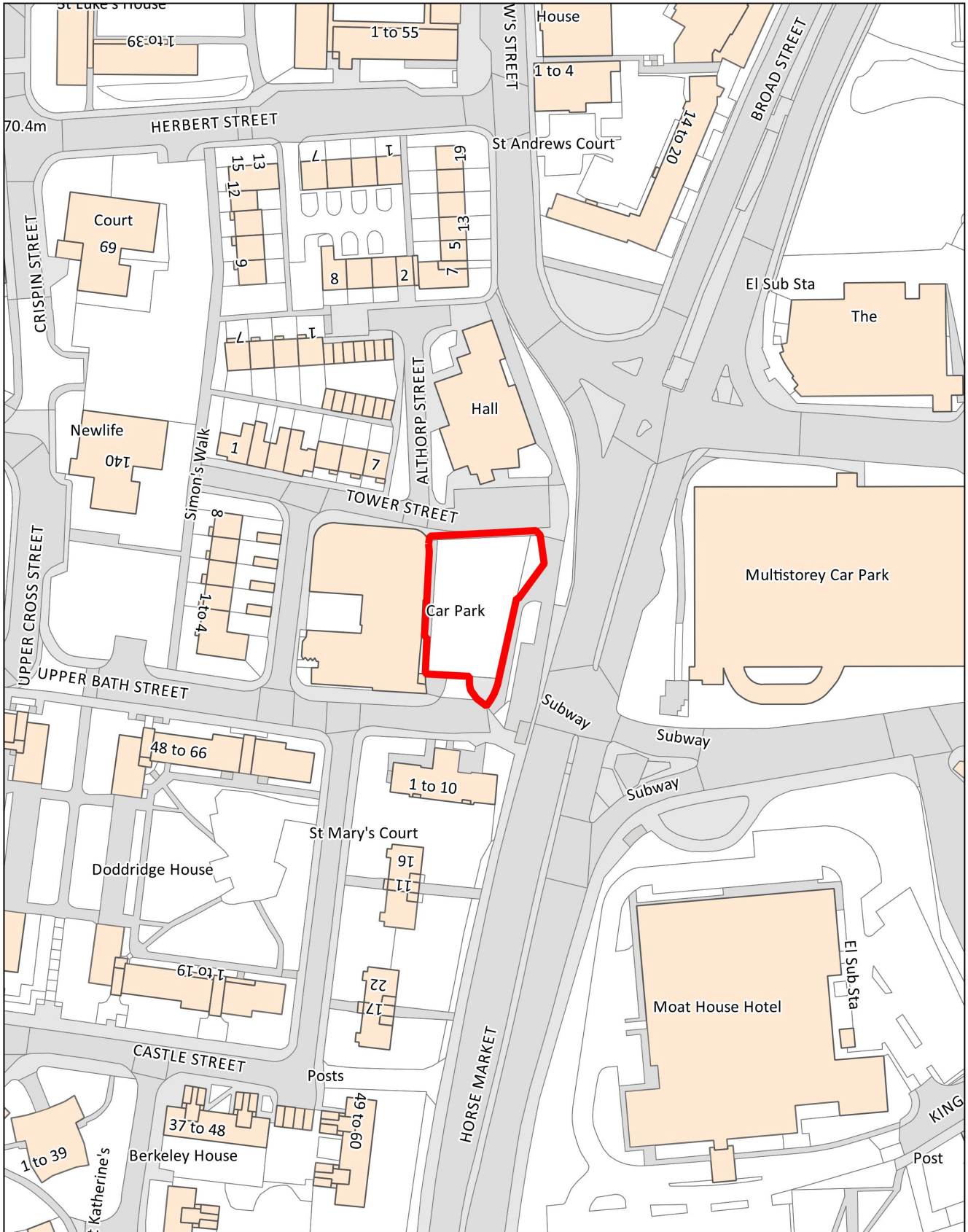
10.1 Application file N/2018/0658.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **Upper Bath Street**

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