



PLANNING AGENDA

Tuesday, 3 July 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

If you have any enquiries about this agenda please contact democraticservices@northampton.gov.uk or 01604 837722



PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 3rd July, 31st July, 4th September, 25th September, 23rd October, 20th November, 18th December 2018, and 22nd January, 19th February, 19th March, 16th April, 7th May, 4th June, 2nd July and 30th July 2019.

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

Who Can Speak At Planning Committee Meetings?

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

How Do I Arrange To Speak?

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

Methods of Registration:

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

by email to: democraticservices@northampton.gov.uk

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.

- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 3 July 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**
 - (A) **PLANNING APPLICATIONS FOR THE INSTALLATION OF NEW CAR PARK BARRIERS TO EXISTING CAR PARK AT SPRING BOROUGHS AND ST JAMES IN 7 DIFFERENT LOCATIONS**
8. **NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
9. **NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
10. **ITEMS FOR DETERMINATION**
(addendum attached)
 - (A) **N/2017/1479 - REFURBISHMENT AND EXTENSION OF EXISTING BUILDING (71-77B ABINGTON STREET), INCLUDING ADDITIONAL FLOORS ABOVE GROUND FLOOR RANGING IN HEIGHT FROM TWO TO FIVE STOREYS, 48NO RESIDENTIAL DWELLINGS (USE CLASS C3), CAR PARKING, LANDSCAPING, ASSOCIATED SERVICING, REFUSE STORAGE AND BICYCLE STORAGE. 71 - 77B ABINGTON STREET**

- (B) N/2018/0187 - DEMOLISH EXISTING BUILDINGS TO ENABLE THE DEVELOPMENT OF A THREE STOREY BUILDING TO ACCOMMODATE A 2 FORM ENTRY PRIMARY SCHOOL, 4 FORM ENTRY SECONDARY SCHOOL AND SIXTH FORM (USE CLASS D1) INCLUDING ASSOCIATED WORKS, CAR PARKING, BOUNDARY TREATMENT AND THE REFURBISHMENT OF THE EXISTING SPORTS PAVILION AND PROVISION OF SCHOOL PLAYING FIELDS. WOOTTON HALL POLICE HEADQUARTERS WOOTTON HALL PARK, MEREWAY
- (C) N/2018/0447 - DEVELOPMENT OF 4NO FLATS WITH ASSOCIATED PARKING AND REMOVAL OF EXISTING GARAGES. LOCK UP GARAGES, MEDWAY DRIVE
- (D) 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
- (E) N/2018/0602 - CREATION OF 10NO PARKING SPACES WITH NEW FOOTPATHS. PARKING AREA, CHAPEL GREEN
- (F) N/2018/0616 - CONVERSION OF CURRENT MEMORIAL GARDEN SPACE INTO FULLY ENCLOSED MULTI USE GAMES AREA (MUGA). DELAPRE PRIMARY SCHOOL, ROTHERSTHORPE ROAD
- (G) N/2018/0665 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 17 VICTORIA ROAD
- (H) N/2018/0743 - TWO STOREY SIDE AND REAR EXTENSIONS. 18 TANFIELD LANE
- (I) N/2018/0771 - CONTINUE TEMPORARY USE OF LAND FOR CAR PARKING TO SERVE 56-60 ST MICHAEL'S ROAD. 23 CHAPEL PLACE

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

Thursday, 7 June 2018

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Choudary, Kilbride, Kilby-Shaw, B
Markham, M Markham, McCutcheon and Russell

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Ben Clarke (Principal Planning Officer), Theresa Boyd
(Planning Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillor Golby.

2. MINUTES

The minutes of the meeting held on 8th May 2018 were agreed and signed by the
Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED:

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

N/2018/0364

Chris Parr

M/2018/0435

Chris Parr

N/2018/0448

Chris Parr

N/2018/0514

Ian Greenhill
Lucy Warner

N/2018/0603

Councillor G Eales
Chris Parr

N/2018/0658

Chris Parr

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor M Markham declared a disclosable and pecuniary interest in items 10b, 10c, 10d, 10h and 10j as a board member of Northampton Partnership Homes (NPH).

Councillor Bottwood declared a disclosable and pecuniary interest in items 10b, 10c, 10d, 10h and 10j as a board member of NPH.

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

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Head of Planning and elaborated thereon. Members were informed that no updates were available; the Inspectors were currently inundated with more than 1000 appeals on phone boxes in other parts of the country.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

- (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**

Councillors M Markham and Bottwood left the meeting at this juncture.

The Development Manager submitted a report and elaborated thereon. It was explained that the development would include improvements to existing amenity and landscaping works. Members noted that the application was supported by Historic England and the Council's conservation officers and that a letter of support had been received from a local resident.

In response to a question, the Committee heard that no additional lighting would be included as part of the development.

Members discussed the report.

REOSOLVED:

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

(C) N/2018/0435 - INSTALLATION OF AUTOMATED ENTRY GATE SYSTEM TO EXISTING CAR PARK. WOODSTOCK, BILLING ROAD

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the proposed entry gate system would improve security and have a neutral impact on visual amenity and the highway system.

Members discussed the report.

RESOLVED:

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

(D) N/2018/0448 - DEMOLITION OF EXISTING COMMUNITY CENTRE AND CONSTRUCTION OF 3NO NEW BUNGALOWS. KINGS HEATH COMMUNITY CENTRE, NENE DRIVE

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the existing Community Centre had been vacant for some time and that another was located nearby. The proposed development was similar in character to the surrounding area and would not have a significant adverse impact, and Members noted that parking demand would reduce following the change of use.

In response to questions, it was reported that 3 parking spaces for use by those with disabilities would be provided as part of the development.

Members discussed the report.

RESOLVED:

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

(H) N/2018/0603 - CREATION OF 11NO PARKING SPACES INCLUDING 1NO DISABLED PARKING SPACE, WITH NEW FOOTPATHS AND RETENTION OF EXISTING STREET LIGHT. PARKING AREA, PEMBROKE GARDENS

The Development Manager submitted a report and elaborated thereon. The Committee heard that due to a lack of parking in the area, residents used the grass verges to park their vehicles. The proposed development would create formal parking with 1 disabled space and the trees would be retained.

Councillor G Eales, in his capacity as Ward and County Councillor, spoke in favour of the application and stated that additional parking was something that the area desperately needed.

Chris Parr, Major Projects Manager for NPH, explained that the development was part of a wider refurbishment project and that all parking and garage sites were being looked at across the town, estate by estate.

Members discussed the report.

RESOLVED:

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

(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

At this juncture Councillor McCutcheon joined the meeting.

The Principal Planning Officer submitted a report and elaborated thereon. He also referred to the additional comments from the Highway Authority in the addendum. It was explained that the north of the site would comprise of a multi-use games area and parking to the south. The development would result in a reduction of parking provision, however Members noted the close proximity of the Mayorhold car park.

In response to questions, the Committee heard that air quality mitigation could only be secured when the development was directly linked to an increase in traffic. In this case, the MUGA was likely to be used most by residents in close proximity to the facility and as such, would not be expected to lead to a deterioration in air quality.

Members discussed the report.

RESOLVED:

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

(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

At this juncture Councillors M Markham and Bottwood re-joined the meeting.

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the portacabin shared a boundary with residential properties, although amenity was unlikely to be affected, and that its location would not affect vehicle parking or manoeuvring. It was noted that a Condition was included to ensure that the structure was removed within 3 years.

Members discussed the report.

RESOLVED:

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

(E) N/2018/0454 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 94 ST LEONARDS ROAD

This item was withdrawn from the agenda.

(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

The Development Manager submitted a report and elaborated thereon. She also referred to the additional comments in relation to Local Plan Policy H31 in the addendum. It was explained that the garage, previously used as an office, would be converted back to a garage. Whilst the Highway Authority objected to the application on parking grounds, Members were advised that it complied with the Interim Planning Policy Statement with regard to sustainability.

Ian Greenhill, a local resident, spoke against the application and voiced concerns around parking and waste. He further commented on anti-social behaviour that, in his view, accompanied HIMO's.

Lucy Warner, a local resident, spoke against the application and commented on parking problems in the area and possible unlicensed HIMO properties in the area.

In response to questions, Members were advised that they were obligated to make a decision within a timeframe and that the applicant could appeal against non-determination

Members discussed the report.

RESOLVED:

That the application be **REFUSED** against the officer recommendation on parking and highway safety grounds. Formal wording of the decision notice to be agreed with the Chair before it was issued.

(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

The Development Manager submitted a report and elaborated thereon. It was noted that a previous application for a non-material amendment was refused by the

Committee. This application would bring the property in line with the adjoining properties with a slight increase in ridge height.

Members discussed the report.

RESOLVED:

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

(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

The Development Manager submitted a report and elaborated thereon. The Committee were informed that the previous application for a 5-bed HIMO had been withdrawn following objections from County Highways. It was noted that there were no objections from Private Sector Housing or the Highway Authority.

Members discussed the report.

RESOLVED:

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

The Members revisited the reason for refusal for Item 10F as they were concerned that the kitchen facility would not be adequate to serve the number of residents proposed. It was resolved that the views from Private Sector Housing were to be sought on the matter and that Members would be informed of the outcome after the meeting.

Notes after meeting: Private Sector Housing confirmed that the kitchen facility as proposed would comply with existing standards and no additional reason for refusal on this ground would be necessary and reasonable. All members of the Committee were informed of the findings.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 6:41 pm

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



List of Appeals and Determinations – 3rd July 2018

Written Repts Procedure

Application No.	DEL/PC	Description	Decision
N/2016/1602 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	AWAITED
N/2017/0326 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	DISMISSED
N/2017/0582 APP/V2825/W/18/3193491	DEL	Proposed vehicle crossover and paving front garden for parking at 73 Kingsley Road	DISMISSED
N/2017/0789 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	AWAITED
N/2017/0942 APP/V2825/W/18/3198037	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 94 St Leonards Road	AWAITED
N/2017/1047 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	DISMISSED
N/2017/1277 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	DISMISSED
N/2017/1294 APP/V2825/D/18/3195725	DEL	Loft conversion with dormer to rear (retrospective) at 4 Harold Street	DISMISSED
N/2017/1299 APP/V2825/W/17/3192483	DEL	Conversion of dwelling to 2no flats at 2 Elizabeth Walk	ALLOWED
N/2017/1394 APP/V2825/D/18/3196570	DEL	Two storey front extension, and single and two storey rear extension at 191 Main Road	DISMISSED
N/2017/1418 APP/V2825/W/18/3195459	DEL	Prior Notification for Change of use from Offices (Use Class B1) to 9 dwellings (Use Class C3) at 59 Clarke Road	AWAITED
N/2017/1471 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	ALLOWED
N/2017/1558 APP/V2825/D/18/3199758	DEL	Detached garage for private car at 45 Lichfield Drive	ALLOWED
N/2017/1686 APP/V2825/W/18/3197240	DEL	Erection of 4 Bedroom 3 Storey detached dwelling and associated off road parking at Land adj to 9 Holyrood Road	AWAITED
N/2018/0017 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	SPLIT DECISION

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



PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

DESCRIPTION: Planning applications for the installation of new car park barriers to existing car parks at Spring Boroughs and St James in 7 different locations

WARD: Castle/St James

APPLICANT: Northampton Partnership Homes

REFERRED BY: Head of Planning

REASON: Council owned land

DEPARTURE: No

1. RECOMMENDATION

1.1 That the Committee **AGREE** to delegate decision making authority to the Head of Planning to determine the relevant planning applications as referred in the report below.

2. BACKGROUND AND PROPOSAL

2.1 As part of the ongoing programme to upgrade the existing housing stocks, Northampton Partnership Homes has submitted 7 planning applications proposing to install car park barriers to 7 existing car parks at St Luke's House, Lower Harding Street; Abbey House, Abbey Street; St John's House, St Andrews Street; St Barnabas House, Lower Harding Street; St Mark House, Herbert Street, St Stephens House, Grafton Street and Melbourne House, Melbourne Road.

2.2 The works relate to the installation of a hydraulic system with single access barrier to provide control access to the car parks to improve security. A similar proposal was approved by the Committee at the last meeting on 7th June 2018, at Woodstock, off Billing Road.

2.3 Although Northampton Partnership Homes is the Council's management agent, the parcels of land in question are owned by the Council.

2.4 Formal consultations for the applications are currently underway by means of site notices and the Ward Members have also been consulted.

- 2.5 The Council's Constitution requires that, as the land is owned by the Council, the planning applications should be determined by the Planning Committee. However, due to the volume of applications and the minor nature of the development proposals, it is recommended that delegated authority be given to the Head of Planning to determine the applications, so that Planning Committee's time and resources could be used more effectively.

3. CONCLUSION

- 3.1 Due to the minor nature of the development proposals and the number of planning applications submitted, it is recommended that delegated authority be given to the Head of Planning to determine the applications following the expiration of the consultation period.

4. BACKGROUND PAPERS

- 4.1 N/2018/0678, 0684, 0685, 0686, 0691, 0732 and 0733.

5. LEGAL IMPLICATIONS

- 5.1 As referred in the report.

6. SUMMARY AND LINKS TO CORPORATE PLAN

- 6.1 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.



Addendum to Agenda Items Tuesday 3rd July 2018

7. OTHER REPORTS

7a

Planning applications for the installation of new car park barriers to existing car park at Spring Boroughs and St James in 7 different locations

No update.

10. ITEMS FOR DETERMINATION

10a

N/2017/1479

Refurbishment and extension of existing building (71-77b Abington Street), including additional floors above ground floor ranging in height from two to five storeys, 48no residential dwellings (Use Class C3), car parking, landscaping, associated servicing, refuse storage and bicycle storage

71 - 77B Abington Street

Amended Recommendation:

1.1 Approval in principle subject to:

1.1.1 The prior completion of a S106 Agreement to secure:

- A payment towards construction worker training opportunities; and
- Financial contribution to provide an additional CCTV camera in the town centre including maintenance for 5 years.

1.1.2 The conditions set out in Section 9 of the report and for the following reason:

The proposed development would provide residential development in a prominent location within the Central Area and would contribute towards the mix of uses and viability and vitality of the Town Centre. It is considered that it has satisfactorily been demonstrated that the scheme would not be viable if the required affordable housing provision and that the development of the site and contribution toward the Council's 5-year housing supply outweighs this harm. The amended design is, on balance, considered acceptable, and would not lead to any unacceptable adverse impact on the setting of the nearby conservation area and listed buildings. The site is in a sustainable location in the town centre with good access to facilities and public transport and would not lead to any adverse impacts in relation to drainage, highways, visual or residential amenity. The proposal is therefore considered to be in accordance with the aims and requirements of the National Planning Policy Framework, Policies SA, S1, S3, S10, S11, H1, H5, BN5, BN7, BN9 and N2 of the West Northamptonshire Joint Core Strategy and Policies 1, 2, 5, 10, 11, 16, 18 and 36 of the Northampton Central Area Action Plan.

1.2 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the

necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Amended Condition 2:

In relation to Condition 2, "Drawing 1181" should be replaced with "Drawing 118A".

10b

N/2018/0187

**Demolish existing buildings to enable the development of a three storey building to accommodate a 2 Form Entry Primary School, 4 Form Entry Secondary School and Sixth Form (Use Class D1) including associated works, car parking, boundary treatment and the refurbishment of the existing Sports Pavilion and provision of school playing fields
Wootton Hall Police Headquarters Wootton Hall Park, Mereway**

Revised Plans:

The applicant has submitted a revised elevation plan to add brick detailing to the sports hall and main hall elevations.

The Police Crime Prevention Design Advisor has clarified that in some instances there may still be a deployment of police from the firearms training building adjacent to the site. Therefore, an additional condition is recommended to secure the installation of warning system along the access road as set out below:

25. Prior to the occupation of the new school building hereby permitted, full details of a police deployment warning system to be installed on the application site shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the new school building and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

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

Additional Representations:

A neighbouring resident has submitted photographs showing vehicles parking on the verge along the east-west access road at Wootton Hall Park.

Councillors Larratt and Eldred have submitted a joint email of objection and circulated this to all Planning Committee Members. This email concludes that the application should be refused on the following grounds:

- The loss of open space that is subject to Saved Local Plan policy E9.
- The impact of the proposed fencing on the visual and parkland amenity of the open space.
- The loss of the valued and affordable cricket pitch.
- The loss of other affordable sports and community facilities.
- The loss of protected trees.
- The impact of traffic on existing residents.

In addition, the email from Councillors Larratt and Eldred requests that if Committee Members are minded to approve then the following matters should be conditioned:

- Retention of affordable community and sports facilities.
- Retention of existing cricket pitch in its entirety.
- As little and low fencing as possible.
- The replanting of mature trees (two for every one removed) with ongoing maintenance.
- Improvement of access and egress for residents.
- Abbeyfield pupils should be prevented from being dropped off within the site.
- No s106 funding should go to the Queen Eleanor Roundabout and instead it should be

used to improve the unadopted access road and the street lighting along the residential road.

A third party has also circulated an email of objection to Planning Committee Members. This letter raises the following concerns:

- The proposal would impact on wildlife including protected bats that use trees on site, deer will be forced onto the A45, and trees used for nesting birds of prey and woodpeckers would be lost.
- The pavilion is being left to go to ruin and no one is able to rent it.
- The existing cricket pitch is not being maintained and it is unclear who owns the land.

Officer comment:

The refusal reasons suggested by Councillors Larratt and Eldred are addressed in full of the Committee Report. However, it should be highlighted that this application straddles two very different parcels of land and therefore there are a variety of matters that need to be considered in the round in order to determine the acceptability of the application. Indeed, for example, the Committee Report acknowledges that the development would give rise to landscape harm such as from the enclosure or part of Wootton Hall Park and loss of protected trees. Furthermore, the Committee Report notes that, whilst Wootton Hall Park was identified as a private recreation facility under the Local Plan, it has clearly been used by the community for some time and the proposal would result in a reduction in the area of land available for informal use by the community. However, the report balances the harm against the benefits which include helping to meet a need for school places via the provision of a school for 1,260 pupils and improvements to the appearance of the existing police site which occupies a prominent gateway location for the town. In addition, the proposal offers the opportunity to secure a community use agreement for the sports facilities on the site and the application has indicated that replacement tree planting would be on a two for one basis. In terms of the s106 comments, the need for a financial contribution to the Queen Eleanor roundabout to address highway impact has been evidenced through extensive modelling and discussions between the County Highway Authority and the applicant.

Turning to the third party comments, the County Highway Authority has assessed the suitability of the access arrangements for the proposal and raises no objections subject to conditions and the aforementioned s106 contribution to mitigate highway impact on adopted roads. In terms of the wildlife comments, the application has been accompanied by the requisite ecological surveys and the County Ecologist raises no objections subject to conditions. The representations regarding the condition and availability of the pavilion and cricket pitch highlight that this site is presently a private recreation facility, albeit that it also functions as an informal recreational and amenity resource for the community as set above and in more detail in the Committee Report.

10c

N/2018/0447

**Development of 4no flats with associated parking and removal of existing garages
Lock up garages, Medway Drive**

No update.

10d

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**

Two additional representations received from residents of the area, including one point not raised in previous representations, namely that the first floor extension would affect neighbouring property at no. 96 due to invasion of privacy and loss of light.

Officer Comment:

The impact on this property is discussed in the Committee report.

10e**N/2018/0602****Creation of 10no parking spaces with new footpaths
Parking area, Chapel Green**

No update.

10f**N/2018/0616****Conversion of current memorial garden space into fully enclosed Multi Use Games Area (MUGA)
Delapre Primary School, Rothersthorpe Road**

No update.

10g**N/2018/0665****Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants
17 Victoria Road**

Additional neighbour comments received:

- Concern over number of illegal HIMOs in the locality
- Would have a detrimental impact on the town centre and appearance of the area
- Impact on parking
- More support needs to be given to local families living in the area

10h**N/2018/0743****Two storey side and rear extensions
18 Tanfield Lane**

Additional neighbour comments received:

Concerned that the proposed substantial extension would set a precedent for other developments and thus ruining the communities' peace and harmony. Concerned about the length of time building works taking place. There are no dimensions revealed in the plans, so cannot get an accurate picture of what the extension would actually look like.

Officer comment:

Every application is dealt with on its own merit. There are other similar developments that had been implemented in the area.

10i**N/2018/0771****Continue temporary use of land for car parking to serve 56-60 St Michael's Road
23 Chapel Place**

No update.



PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1479

LOCATION: 71 - 77B Abington Street

DESCRIPTION: Refurbishment and extension of existing building (71-77b Abington Street), including additional floors above ground level ranging in height from two to five storeys, 48no residential flats (Use Class C3), car parking, landscaping, associated servicing, bin and cycle storage

WARD: Castle Ward

APPLICANT: LDI Northampton (Development) Ltd
AGENT: AZ Urban Studio Limited

REFERRED BY: Councillor D Stone
REASON: Overdevelopment and pressure on services

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

- 1.1 The proposed development would provide residential development in a prominent location within the Central Area and would contribute towards the mix of uses and viability and vitality of the Town Centre. It is considered that it has satisfactorily been demonstrated that the scheme would not be viable if the required affordable housing provision and S106 contributions are applied and that the development of the site and contribution toward the Council's 5-year housing supply outweighs this harm. The amended design is, on balance, considered acceptable, and would not lead to any unacceptable adverse impact on the setting of the nearby conservation area and listed buildings. The site is in a sustainable location in the town centre with good access to facilities and public transport and would not lead to any adverse impacts in relation to drainage, highways, visual or residential amenity. The proposal is therefore considered to be in accordance with the aims and requirements of the National Planning Policy Framework, Policies SA, S1, S3, S10, S11, H1, H5, BN5, BN7, BN9 and N2 of the West Northamptonshire Joint Core Strategy and Policies 1, 2, 5, 10, 11, 16, 18 and 36 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

- 2.1 Full planning permission is sought for the erection of two additional storeys above the existing building comprising Nos. 71-77B Abington Street to create 48 self-contained flats with lift access to all floors, car parking, refuse and cycle storage areas to the rear. The existing retail units at ground floor and the office/storage space above at first floor level would be retained with the additional floors constructed above. The proposal includes a raised area of open private amenity space at second floor level accessed via an enclosed staircase situated to the rear of the building in the car park area, providing an additional means of escape from the building. There would also be two rear wings on supporting vertical pillars projecting into the existing car park from second floor level, the western wing would be 2 storeys high, and the eastern wing 3 storeys. The proposal also includes alterations to the Abington Street façade at first floor level to include rendering with new shop front canopies and new window openings.
- 2.2 The current proposal has been amended from the original submission for 52 flats, reducing the number of units by four, reducing the number of floors on the rear west outrigger, and incorporating additional security measures, while segregating the rear service yard to delineate residential parking, commercial parking and service arrangements to the rear of the shops. Several of the ground floor retail units also benefit from servicing from Abington Street.

3. SITE DESCRIPTION

- 3.1 The application site comprises a distinctive 1970s 2-storey red brick building of functional appearance located along the northern side of Abington Street in the heart of Northampton Town Centre. The ground floor consists of a row of retail units some 67 metres in length with ancillary storage and offices above connected to the shop units. Some of the ground floor units are currently vacant. The site has a car park to the rear, owned by the applicant and used by tenants associated with the retail units and rented out privately. The rear car park is bound by two storey offices to the rear on Notre Dame Mews, with taller three and five storey buildings located beyond the car park to the east of the site on Lower Mounts.
- 3.2 In addition to retail and commercial uses, there are some night time uses within the vicinity of the site, one adjoining the site which has recently re-opened as the Wedgewood Public House.

4. PLANNING HISTORY

- 4.1 No recent planning applications.

5. PLANNING POLICY

5.1 Statutory Duty

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

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

5.2 National Policies

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

Paragraph 14 at the heart of the NPPF is presumption in favour of sustainable development.

Paragraph 17 advises on the need to secure high quality design and a good standard of amenity for all existing and proposed occupiers and encourages the use of brownfield land.

Paragraph 32 advises that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 47 advises on the requirements to maintain the delivery of a 5 year housing supply to meet objectively assessed housing needs.

Paragraph 49 advises that housing applications should be considered with a presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if a 5-year housing supply cannot be demonstrated.

Paragraph 50 seeks to ensure an appropriate mix of housing is planned for and delivered.

Paragraphs 56 and 57 advises that good design is a key aspect of sustainable development.

Paragraph 131 advises on the need to take account of sustaining and enhancing heritage assets.

Paragraph 132 advises when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation.

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

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

- SA - Presumption in Favour of Sustainable Development
- S1 - The Distribution of development
- S3 - Scale and distribution of housing development
- S10 - Sustainable Development Principles
- S11 - Low Carbon and Renewable Energy
- H1 - Housing Density and Mix and Type of dwellings
- H2 - Affordable Housing
- H5 - Managing the existing housing stock
- BN5 - The Historic Environment and Landscape
- BN7 - Flood Risk
- BN9 - Planning for Pollution Control
- INF1 - Approach to Infrastructure Requirements
- INF2 - Contributions to Infrastructure Requirements
- N2 - Northampton Central Area

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 2 - Tall Buildings
- Policy 5 - Flood Risk and Drainage
- Policy 10 - Parking
- Policy 11 - Town Centre Boundary
- Policy 16 - Central Area Living
- Policy 18 - Abington Street East

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG (2004)
Northampton Shop Front Design Guide (2011)
Planning Obligations Supplementary Planning Document (2013)
Affordable Housing Interim Planning Policy (2013)

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** - no objections on heritage grounds, consider that the impact on the nearby conservation area and setting of listed buildings would be acceptable. The set back of the roof extension would reduce its visual dominance.
- 6.2 **Environmental Health (NBC)** - refuse provision and general layout is considered to be acceptable. The applicant has proposed some mitigation against noise to the residential units from their acoustic report and recommend conditions relating to noise to control noise from adjacent public house and extended extraction equipment.
- 6.3 **Highways (NCC)** - no objection although parking spaces are under the minimum size which is not ideal, however note that this is an existing car park and the number of spaces is not increasing. Recommend condition for Construction Environmental Management Plan.
- 6.4 **Highways England** - no objection.
- 6.5 **Anglian Water** - no objection subject to standard surface and foul water drainage condition.
- 6.6 **Northamptonshire Archaeology (NCC)** - the site lies within an area of probable medieval and civil war defence thought to have run just inside the line of Lower Mounts and York Road. The site is considered to have potential for archaeological remains. Would expect to see some preliminary evaluation work, given the scale of proposals, which can be secured by condition.
- 6.7 **Northamptonshire Crime Design Advisor (NCC)** - no objection Pleased that the applicant has considered the security issues associated with this site seriously and has now submitted measures to reduce the likelihood of crime occurring. Suggests condition to secure security measures regarding the proposed fencing, control of secure access gates, and security of staircase.
- 6.8 **Construction Futures** – request financial contribution of £5,044 towards construction training.
- 6.9 **Environment Agency** - no objection, recommend condition for provision of foul water sewerage.
- 6.10 **Lead Local Flood Authority (NCC)** - no comments to make.
- 6.11 **Development Management Team (NCC)** - no contribution is required towards Primary or Secondary Education. Early Years contributions are under review. Request S106 contributions towards fire hydrants and libraries.
- 6.12 **Town Centre Conservation Area Advisory Committee (TCCAAC)** - commented on original proposal. Concern over impact on local services including parking and traffic. Consider that the proposal represents a missed opportunity and the resulting frontage would be out of scale with surrounding buildings especially those opposite the site. Would have a negative impact on the adjacent public house and listed buildings on St Giles Terrace and St Giles conservation area.
- 6.13 **NHS England** - no objection, impact of development is not significant on healthcare facilities.

- 6.14 **Councillor Danielle Stone** - objects to and calls in the application on the grounds of over-development and pressure on services.

7. APPRAISAL

Principle of residential development

- 7.1 The Central Area Action Plan (CAAP) encourages the repopulation of the town centre of Northampton. The National Planning Policy Framework also has a presumption in favour of sustainable development and the need to maintain a 5 Year Housing Land Supply.
- 7.2 Policy 16 of the CAAP allows for a mix of residential uses in the Central Area, advising that within or adjacent to the Town Centre Boundary, developments comprising of one or two bedroom apartments will be acceptable. The development of the site for 48 residential units would contribute towards the Council's 5 year housing supply in a sustainable location with good access to surrounding facilities and public transport.

Impact on shopping character of the town centre

- 7.3 The ground floor of the site is located within a Primary Retail Frontage as defined in the CAAP, where retail uses should ideally be retained. The proposal includes the retention of all of the existing ground floor commercial units and their first floor storage/ office space above with the exception of one unit (73b) which would provide an entrance lobby into the proposed flats. This property is currently vacant and was last used as a "sui generis" use (pay day loan shop) and, therefore, would not lead to loss of a retail unit. Weighing up the wider benefits of the proposal in terms of the creation of a sustainable form of development and the provision of additional new housing, then the minor loss of a commercial unit would be acceptable. In addition, the use of the upper floors for residential purposes would contribute towards the vitality and viability of the town centre.

Design, Impact on appearance and character of area and nearby heritage assets

- 7.4 Policy 1 of the CAAP seeks to promote high quality design in new development and to preserve and enhance the central area's heritage assets. These aims are also reflected in Policies S10 and BN5 of the Joint Core Strategy and in the NPPF.
- 7.5 Abington Street, in general, is characterised by a wide range in building designs and material palettes. In terms of the application site, the appearance of the existing building does little to contribute to the appearance of the area with a number of vacant retail units and dated red brick addition above which is of limited architectural merit and rundown appearance. The rear of the site comprises access to the service areas for the existing shop units and car parking and is of no visual merit.
- 7.6 The design has evolved following pre-application discussions with the applicant. The principal elevation fronting onto Abington Street proposes two additional storeys with a set-back in order to introduce a degree of visual subordination which would also assist in reducing the impact of the overall increase in height in comparison with adjacent buildings. The introduction of front balconies would add some interest to the building and, in general, the fenestration is considered an improvement to the existing façade. In terms of materials, the proposed extensions would comprise a mix of red/orange brickwork, white render and dark grey cladding, the specific details of which would be agreed by condition. The proposal also includes alterations and improvements to the ground floor shop canopies and the application of render and additional fenestration to the first floor over the ground floor shops. The proposed modern design of shop front canopies is considered in keeping with the host building and, subject to a satisfactory finish, the front render would improve the appearance of the host buildings.

- 7.7 At the rear, two large wings projecting into the rear car park supported on vertical columns are proposed. While it is noted that the proposed two projections would cover a significant proportion of the site, there would still be sufficient space retained so as not to create over-development.
- 7.8 The extended extraction flue belonging to the ground floor restaurant would have minimal visual impact being set back from Abington Street and only rising a metre above the roof height.
- 7.9 St. Giles Conservation Area is situated to the south of the site extending along St. Giles Terrace and includes a group of Grade II listed terraces. Within Abington Street, and in close proximity to the application site, are situated Northampton Library and the Quakers Meeting House, both Grade II listed. Whilst the front façade of the application site is visible from St. Giles Terrace and within the Conservation Area, the proposed set-back of the upper floors would reduce the visual dominance of the development, such that it is not considered the proposal would lead to any undue impact on the setting of nearby heritage assets. The Conservation Officer raises no objections in this regard.

Residential amenity of future occupiers

- 7.10 National Planning Policy advises on the need for securing high standards of residential amenity which is also reflected in Policy H1 of the Joint Core Strategy. The proposed flats are all over 40 square metres in floor area which in the absence of adopted local minimum floor standards, is considered reasonable to provide satisfactory levels of amenity. All habitable rooms would be served by window openings giving sufficient light and outlook.
- 7.11 The proposed refuse storage area would be of sufficient size and capacity and within a short distance of the rear elevation allowing easy access to all flats via the rear of the building. There would also be an elevated rear amenity space providing occupants with an external garden space. The applicant has submitted a Noise Assessment with their application proposing mitigation measures to control the potential impacts of noise arising from the adjacent public house including sound insulation glazing and appropriate ventilation measures, and acoustic lining proposed on the facades closest to the public house to reduce any noise transfer. The Council's Environmental Health Officers agree that, subject to appropriate planning conditions, this is acceptable. The extraction relating to the ground floor restaurant is to be extended also which is addressed by planning condition.

Impact on amenity of neighbouring properties

- 7.12 Policy H1 of the Joint Core Strategy and Paragraph 17 of the NPPF relate to protecting the amenity of nearby occupiers. The closest residential properties in direct line with the eastern wing of development are approximately 38 metres away to the east at Compton House, which is occupied as student accommodation. Due to the separation distance, overlooking between windows would be reasonably limited. To the rear of the site is a block of two storey offices at Notre Dame Mews which is around 18 metres from the rear elevation of the eastern rear projection at its closest point, again a reasonable separation. The adjacent unit fronting Abington Street is a public house. The other adjacent unit on Abington Street is a nail bar at ground floor level with storage space above and a café further along at ground floor level.
- 7.13 There are residential properties to the northwest at Albert Place, however due to the separation of approximately 39 metres at the closest point, the impact on neighbouring amenity would be reasonably limited in terms of overlooking, loss of light, overbearing and outlook. Due to the separation of 18 metres between the side walls of proposed two rear wings it is considered that the impact would be acceptable in terms of direct overlooking, loss of light, outlook and overbearing between proposed occupiers.
- 7.14 Planning permission was granted in 2017 for conversion of a building to 21 student flats on Albert Place which is 27 metres away at closest from the proposed west projection, however this separation is considered reasonable in terms of residential amenity. Given front separation, the effect on the properties opposite the site on Abington Street would be limited which are generally

of a commercial nature. The applicant has also provided a Daylight/ Sunlight Assessment with their application to demonstrate that there would not be a significant impact on surrounding properties.

Parking and Highways

- 7.15 The existing rear car park is owned by the applicant and used by tenants of the commercial premises and members of the public on a permit basis and can accommodate 50 cars. Policy 10 of the CAAP sets out maximum standards for residential parking within the town centre which would equate to an average of 1.5 spaces per residential unit requiring 72 car parking spaces and 1 cycle space per dwelling for the development as proposed. Northamptonshire County Council Highway Authority in September 2016 revised their Parking standards to include minimum standards based on the number of bedrooms. In this instance, the proposal includes a total of 40 parking spaces to the rear of the site accessed off Albert Place and an adjacent service zone to allow turning space for delivery vehicles and servicing. Cycle storage will be provided at a rate of one space per apartment in accordance with CAAP standards which can be secured by condition.
- 7.16 In terms of the rear service yard, this would be located at the western end of the site separate from the main car parking area. To avoid conflict between the users of residential car parking and commercial vehicles, this has been re-configured and is considered acceptable to the Local Highway Authority. Servicing for the retail units will occur also from the front from Abington Street.
- 7.17 The applicant's Transport Assessment concludes that the proposed development is considered sustainable given the proximity to bus and rail services and facilities and services within the town centre shops.
- 7.18 The Local Highway Authority are satisfied with the proposed level of parking and raise no objections subject to a condition securing a Construction Environmental Management Plan. Highways England raise no objections.

Security and Crime Prevention

- 7.19 Revised plans have been submitted to address the concerns of the Crime Prevention Design Advisor. The proposal includes secure cycle and refuse storage, measures to improve security, secure boundary line with fencing and CCTV/ lighting. There are also two proposed pedestrian access points at either side of the service yard to be controlled by fob access and a sliding vehicular access gate controlled by keypad or fob access. In addition, the rear amenity space would be accessible only to the car park via a means of the rear enclosed staircase. The provision of security measures would be controlled by planning condition. This accords with Policy S10 of the West Northamptonshire Joint Core Strategy, the County Supplementary Planning Guidance "Planning out Crime" and Paragraph 58 of the NPPF.

Drainage and Flood Risk

- 7.20 The applicant advises that the development will use the existing drainage system. The Lead Local Flood Authority and the Environment Agency raise no objections. Anglian Water suggest standard conditions relating to surface and foul water drainage. Drainage would also be controlled under Part H of the Building Regulations. This accords with Policy 5 of the CAAP and Policy BN7 of the Joint Core Strategy.

S106 Contributions, Affordable Housing, Community Infrastructure Levy and Viability

- 7.21 National Planning Guidance advises that a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. A flexible approach should be taken in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable. Assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the National Planning Policy Framework is clear that where safeguards are necessary to make a particular development acceptable in

planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.

- 7.22 Policy H2 of the JCS sets out a requirement for affordable housing at 35% for developments of 15 or more dwellings. This would equate to a requirement of 17 units within the development being affordable. The applicant has submitted a Viability Appraisal, the conclusions of which advise that the scheme is currently suffering in terms of viability and cannot support a policy compliant scheme. The Viability Appraisal has been reviewed by an independent consultant on behalf of the Council who has concluded that the development as proposed would equate to a profit level of 11.59% of Gross Development Value which is below the current market expectations of 18-20%. On this basis, it is considered the scheme would allow no requirement for affordable housing or other S106 contributions but would be required to provide Community Infrastructure Levy payments.
- 7.23 Based on this assessment, it is considered not reasonable to require any affordable housing provision on the site, which would make the scheme unviable and therefore undeliverable. Whilst it is acknowledged that development of this scale often would generate a need for healthcare, no request for contributions has been received from the relevant healthcare bodies. The Council's Planning Obligations SPD sets out a requirement for the provision of open space for new residential development of 15 dwellings or more which is initially required on-site. In view of the provision of on-site amenity space and the proximity of Becket's Park and the outcome of the Viability Assessment then it is considered that no contribution can be required in this instance.
- 7.24 It is also noted that the County Council have requested financial contributions towards the provision of library service and fire hydrants, the latter of which would be addressed through Building Regulations. In terms of libraries, it is considered that there is insufficient justification in policy terms.
- 7.25 Notwithstanding the above, discussions are ongoing with applicant and the Council's Town Centre Manager in terms of the possibility of providing a S106 contribution towards town centre improvements. It should be noted that a request has been received from Construction Futures for the provision of 68 construction training weeks and a financial contribution of £5,044 to be made in this regard. An update will be reported to the Committee on the addendum to this agenda on these two matters.
- 7.26 The development would be subject to CIL payments which are not subject to negotiation.
- 7.27 It is considered that it has satisfactorily been demonstrated that the scheme would not be viable if any affordable housing is applied. This consideration needs to be weighed against the benefits of re-developing the site in a prominent town centre location and the contribution towards the Council's 5-year housing supply.

Other issues

- 7.28 The site has the potential to contain archaeological remains. NCC Archaeology comment that a condition should be secured requiring a programme of archaeological works.

8. CONCLUSION

- 8.1 The residential development of the site is considered acceptable and would contribute to the Council's 5 Year Land Supply and assist in re-populating the town centre. The design and appearance is acceptable and the proposal would not lead to any undue impacts on nearby heritage assets or highway safety, and would be designed to improve security and crime prevention.

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: 15005 (08) 001A, 002A, 003A, 004A, 005A, 006A, 100C, 101B, 102D, 103F, 104F, 105F, 106C, 110D, 111, 115B, 116, 1181, 120B, 500/I.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy 1 of the Central Area Action Plan and S10 of the West Northamptonshire Joint Core Strategy.

4. Prior to commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP should include (but not be limited to):

- Details of the proposed construction access to the site.
- Details of routing to /from the site.
- Details of hours of operation and delivery times.
- Details of any wheel washing and measures to prevent the discharge of dust and other materials onto the public highway and the surrounding area. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and residential amenity to accord with the aims and objectives of the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

5. Prior to first occupation, full details of security measures to include details of external lighting, access to the approved units and parking and servicing area shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented prior to the first occupation of the residential units and retained thereafter.

Reason: In the interests of crime prevention to accord with Policy S10 of the West Northamptonshire Joint Core Strategy.

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

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

7. A detailed scheme of landscaping for the site shall first be submitted to the Local Planning Authority for approval in writing. The scheme shall be carried out in accordance with the approved details and retained thereafter.

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.

8. 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.

9. Prior to the occupation of development and notwithstanding the submitted details, 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 residential development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy 1 of the Central Area Action Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

10. Notwithstanding the submitted details, further details of the appearance of the bin storage facilities as shown on drawing number 15005 (08) 102D shall be provided prior to the occupation of the development hereby permitted. The bin storage shall be provided in accordance with the approved details prior to occupation of the development and retained as such thereafter.

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 and H1 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner.

12 No development shall commence until a foul water strategy and surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No residential units shall be occupied and no hard standing constructed until the strategies have been agreed and the development carried out in accordance with these details.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy 5 of the Central Area Action Plan and Policy BN7 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner.

13. The car parking spaces as shown on drawing no. (08)102 Rev D shall be laid out in accordance with the approved details prior to occupation of the residential development hereby permitted and shall be retained as such thereafter.

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy 10 of the Central Area Action Plan and aims of the National Planning Policy Framework.

14. Prior to development commencing, the applicant shall submit to the Local Planning Authority an assessment of the noise exposure of habitable rooms towards the rear of the property from any external plant from the existing retail units. Noise levels shall be assessed in line with the standards set out in Northampton Borough Council's Planning Practice Guidance for noise sensitive developments. Where noise levels in any habitable room may exceed:

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

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

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

15. No development shall start on site until details have been submitted to and approved in writing by the Local Planning Authority addressing the proposed kitchen ventilation/extraction system for the existing ground floor restaurant that will be used on the site, including the required maintenance regime for the system. The details shall be prepared by a competent person for the purpose of assessing potential noise nuisance to surrounding dwellings. The details should be drawn up with regard to Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems” produced by Department of Environment Food and Rural Affairs. The agreed details shall be fully implemented before the occupation of the development hereby approved and the equipment shall be installed, operated and maintained in accordance with the approved details and shall be retained thereafter.

Reason: To ensure that the future residents are not detrimentally affected by the use of the site in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner.

16. The development hereby approved shall be implemented in fully accordance with the mitigation measures contained within the applicant's Environmental Noise and Impact Assessment produced by XC02 dated October 2017.

Reason: In the interests of residential amenity to comply with Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

10.1 N/2017/1479.

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: **71 - 77B Abington Street**

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Date: 18-06-2018

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0187

LOCATION: Wootton Hall Police Headquarters, Wootton Hall Park, Mereway

DESCRIPTION: Demolish existing buildings to enable the development of a three storey building to accommodate a 2 Form Entry Primary School, 4 Form Entry Secondary School and Sixth Form (Use Class D1) including associated works, car parking, boundary treatment and the refurbishment of the existing Sports Pavilion and provision of school playing fields

WARD: East Hunsbury Ward

APPLICANT: Education and Skills Funding Agency
AGENT: JLL

REFERRED BY: Head of Planning
REASON: Major application requiring S106 agreement

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to:

1.2 The prior completion of a S106 Agreement to secure:

- i) A payment towards the provision of highway improvements at the Queen Eleanor gyratory;
- ii) Construction worker training opportunities and a financial contribution towards the operation of the scheme; and
- iii) The Council's monitoring fee, subject to the Head of Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.3 The Conditions set out in section 9 below and for the following reason:

The proposed development, as part of a balanced assessment, is considered acceptable subject to conditions and a Section 106 Legal Agreement, and no objections are raised with regards to the National Planning Policy Framework; Policies S1, S10, S11, C2, RC2, E1, E6, BN1, BN2, BN5,

BN7, BN9, INF1, and INF2 of the West Northamptonshire Joint Core Strategy and Saved Policy E9, E20 and B14 of the Northampton Local Plan.

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

2 THE PROPOSAL

- 2.1 The application seeks full planning permission for the redevelopment of the northern parts of the Northamptonshire Police Headquarters and Wootton Hall Park to provide an All-Through School (Use Class D1) with associated car parking, boundary treatment, playing fields including Multi Use Games Areas (MUGAs) and the refurbishment of existing sports pavilion for use ancillary to the school.
- 2.2 The All-Through School would be for 1,260 pupils with ages between 4 – 19 years old (more specifically a 2 Form Entry Primary School, 4 Form Entry Secondary School and Sixth Form). The new school building would be three storeys in scale with a flat roof and a staggered built form wrapping around the northern and western road frontage with Mereway and Wootton Hall Park and enclosing internal playgrounds. The new school building would have a floor space of some 8,932 sqm, with the primary school accommodation located to the eastern side of the building and the secondary school accommodation located to the centre of the building. The western part of the building includes the main reception/entrance, office accommodation, dining hall and kitchen, and also a first floor sports hall. The playgrounds and a landscaped strip to the frontage of the site would be enclosed by fencing and walls.
- 2.3 The new school would be served by 270 parking spaces, of which 50 would be located on the northern part of the site and 220 would be located in Wootton Hall Park as part of an enlargement of the existing car park serving the pavilion building. The road and junction between the two parts of the site would be widened as part of the proposal, as would the junction to the existing pavilion car park, with three new pedestrian crossings provided. The servicing for the building would benefit from a separate access located to the west of the site adjacent to a new substation. The proposal also includes provision for 154 cycle parking spaces.
- 2.4 The application also includes the provision of school playing fields on the northern half of Wootton Hall Park including three football pitches, a three court MUGA to the north, and a one court MUGA to the side of the pavilion. The playing fields and MUGAs would be enclosed by weldmesh fencing varying in height between 2 metres and 3.6 metres, with the taller sections of fencing enclosing the MUGA (2.4 metres in height) and providing ball stops to the car parks located behind the goals for the football pitches (3.6 metres).
- 2.5 In addition, the proposal includes alterations to the existing path running through the park, a new path through the retained part of the paddock and post and rail fencing along the road between the new school building and playing fields.
- 2.6 The school facilities such as the main hall, drama studio, playing fields, MUGAs and pavilion would also be available for wider community use outside of school hours.

3 SITE DESCRIPTION

- 3.1 The application site is in East Hunsbury and occupies a prominent gateway site that fronts directly onto Mereway (A5076), close to the Queen Eleanor Roundabout and the A45. The site can be split into two distinct elements set to the north and south sides of the road at Wootton Hall Park.

- 3.2 The northern part of the site comprises part of the Northamptonshire Police Headquarters and includes various office buildings (a number of which are three storeys with flat roofs), car parks and an outdoor public order training centre. It was designated as an existing business area under the Local Plan, but the policy relating to this designation was not saved following the adoption of the Joint Core Strategy. The northern part of the site is neighboured by a police firearms training building to the east and an ambulance station and offices to the west, with residential properties located to the northern side of Mereway.
- 3.3 The southern part of the site comprises the northern half of Wootton Hall Park and includes a football pitch, pavilion building, car parking, part of the outfield of a cricket pitch and an overgrown paddock area. The southern half of Wootton Hall Park falls outside the application site and includes the remainder of the cricket pitch and a temporary building that houses Wootton Park School. The planning permissions for the sports facilities and pavilion on Wootton Hall Park were granted in the 1980s subject to planning conditions restricting their use to employees of Northamptonshire County Council only. However, it is apparent that there has been some use of the facilities by the community since this permission and, in 2013, land and the pavilion building at Wootton Hall Park were added to the Council's list of Assets of Community Value, although this entry has now expired. The existing school use on Wootton Hall Park was granted a temporary planning permission which expires 30th September 2019. Wootton Hall Park is designated as a Locally Important Landscape Area (LILA) under the development plan. It was also previously designated as Greenspace and Private Recreation land on the Proposals Map under the Local Plan, but the policies relating to these designations were replaced by the Joint Core Strategy. Wootton Hall Park is neighboured by housing to the east, the main complex of the Northamptonshire Police Headquarters and housing to the south and offices with associated car parking to the west.
- 3.4 The site benefits from a number of mature trees and these are predominantly covered by Tree Preservation Order (TPO) No. 168 that runs along the roads that neighbour and cut across the site.

4 PLANNING HISTORY

4.1 Northern part of site – Police Headquarters

The site has a long and complex planning history relating to the Police Station on the site with the most recent application on the site comprising as follows:

N/2015/0235: Variation of condition no.1 of planning permission N/2009/0851 to allow permanent retention of office buildings. Permitted for a three year period.

4.2 South part of site – Wootton Hall Park

87/1078: Sports hall, club facilities and outdoor pitches with associated social activities. Permitted.

89/1058: Erection of sports and social pavilion. Permitted.

N/2016/0545 / 16/00015/CCDFUL: Erection of temporary modular units and associated alterations for education use for a temporary period of three years. Permitted by NCC.

N/2017/1664: Use of Outdoor Sports Pitches including pavilion for education purposes (Use Class D1) and the erection of perimeter fencing. Pending consideration at time of drafting report. (Officer Note: This application has effectively been superseded by the current application, however to date this application has not been withdrawn by the applicant).

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 Planning Principles
Section 4 - Promoting Sustainable Transport
Section 7 - Requiring good design
Section 8 - Promoting healthy communities
Section 10 - Meeting the challenge of climate change, flooding and coastal change
Section 11 - Conserving and enhancing the natural environment 2

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:

S1 – The Distribution of Development
S10 – Sustainable Development Principles
S11 – Low Carbon and Renewable Energy
C2 – New Developments (Travel and Highway Networks)
RC2 – Community Needs
E1 – Existing Employment Areas
E6 – Education, Skills and Training
BN1 – Green infrastructure
BN2 – Biodiversity
BN5 – Historic Environment and Landscape
BN7 – Flood Risk
BN9 – Planning for Pollution Control
INF1 – Infrastructure Delivery
INF2 – Infrastructure Requirements

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 saved policies are material to this application:

E9 – Locally Important landscape Areas
E20 – New Development (Design)
B14 – Development for non-business uses in business areas

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards 2016
Biodiversity SPD 2015
Planning out Crime in Northamptonshire SPG 2004
Planning Obligations SPD

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water** – There is presently available capacity for wastewater and sewerage from the development. Therefore, raise no objections subject to a surface water condition and informatives.
- 6.2 **Arboricultural Officer (NBC)** – No objections subject to landscaping and tree protection conditions. The landscaping scheme should include a wide range of planting stock from ground cover to extra heavy standards.
- 6.3 **Archaeological Advisor (NCC)** – The submitted archaeological desk based heritage assessment indicates that there is a moderate potential for Iron Age and Roman activity within the application area as a whole and there is also a suggestion that activity related to the Battle of Northampton should not be discounted. The proposed development will have a detrimental impact on any below ground archaeological deposits. This does not however represent an over-riding constraint on the development provided a condition is imposed to secure the investigation and recording of any remains that are affected.
- 6.4 **Construction Futures** - Request opportunities for construction worker trainees and a financial contribution towards the operation of the scheme.
- 6.5 **East Hunsbury Parish Council**
- A suitable and robust traffic management should be agreed to cope with the increase in traffic when the school is at full capacity.
 - No comments to make on the revised application.
- 6.6 **Ecological Advisor (NCC)** – The application involves a number of ecological issues, however it should be possible to address these through conditions as set out below:
- Given the scale of the site and range of potential bird nesting opportunities, recommend a condition rather than an informative requiring that any removal of hedgerows, trees or shrubs, or demolition of buildings or structures that may be used by nesting birds is conducted outside the breeding season of 1 March through 31 August inclusive.
 - Having regard to the submitted bat survey, no objections to the loss of trees identified as low potential for roosting bats providing the Reasonable Avoidance Measure Strategy is implemented when these trees are felled.
 - Nesting/roosting and foraging opportunities for birds and bats will be reduced by the proposal and this should be mitigated by the installation of a range of bird and bat boxes and a landscaping scheme to include a range of native species and other species of acknowledged biodiversity benefits.
 - A lighting strategy should be designed to prevent disturbance to bats.
- 6.7 **Public Protection (NBC)**
- Air Quality - A baseline air quality assessment has been undertaken and mechanical ventilation is proposed to protect the occupiers acoustically and inlet positions should be chosen and presented in more detailed plans that protect on both air quality and noise matters. Conditions to secure this more detailed work should be added to any decision document.
- Noise - The noise assessment concludes that mechanical ventilation will be required to secure a reasonable level of internal acoustic amenity and further detailed work on ventilation should be secured by condition. In addition, a condition requiring a noise scheme to protect the surrounding residential occupiers from use of the external MUGAs at the rear of the development should be added.
- MUGA Lighting - Should floodlighting be proposed to allow later evening use in winter months, then a lighting condition should be added to any decision document.

Plant Noise - A condition should be imposed to demonstrate that any plant complies with the noise levels discussed in the noise report.

Site Investigation - Site investigation has been undertaken and no significant contamination issues have been identified.

6.8 **Highway Authority (NCC)**

Parking and pick-up / drop-off

One of the main considerations of this application has been the provision for parking and pick-up / drop-off. Multiple site visits were made to the temporary school to assess the level of picking up / dropping. This, along with the information including the transport assessment, in conjunction with census data, has been used to help determine the provision necessary for the new school once at full capacity. The LHA is now content that the number and layout is acceptable. This is however contingent on a detailed parking and pick-up / drop-off management plan to be secured by condition.

Footway / cycle connectivity

With the addition of the toucan crossing facility on the Wootton Hall Park to link the shared pedestrian and cycleway, the LHA is content that the connectivity is acceptable. It was previously raised that there should be a footpath on the access road (road to the car parks), however it has clarified that the secure line of the school is the building itself and therefore members of the public have a route to the pavilion and back, which is an improvement to the existing.

As the development will not result in an increase in traffic passed the point of the eastern car park entrance, there is not any requirement to make improvements further into the road. Nevertheless, pedestrians from the existing housing estate to the east will be able to access the footways through the car parks.

Transport Infrastructure contributions

After analysis of the transport assessment, the LHA required additional work to update the assessment to include the forecast 2031 year, consistent with the strategic planning horizon. Highways England also requested additional work is carried out on the modelling for the Queen Eleanor Gyratory. The LHA did not require further assessment at the Queen Eleanor junction as it is already known to be over capacity in the future year of 2031. Therefore, the methodology we apply is based upon the proportional impact of development site traffic when considered as a percentage of total growth between the base and forecast assessment years. We have costed mitigation schemes for the Queen Eleanor Interchange, which form the basis for the levels of contribution being sought. Therefore, following review of the proportional impact, it has been agreed a contribution for improvements to the Queen Eleanor gyratory is acceptable mitigation for the development proposed.

Travel Plan

The Travel Plan has not been approved; a revised full Travel Plan should be secured by condition.

- 6.9 **Highways England** – No objections on the basis that a financial contribution has been agreed with the local highway authority for contributions to the highway network.
- 6.10 **Lead Local Flood Authority (NCC)** – No objections subject to a surface water drainage condition.
- 6.11 **Natural England** – No comments.
- 6.12 **Northamptonshire County Council Development Management** – No financial contributions for education or libraries would be required but recommend a condition for fire hydrants and sprinkler systems and an advice note relating to super-fast broadband.
- 6.13 **Northamptonshire Police Crime Prevention Design Advisor** - Northants Police has been actively involved in the stakeholder consultation process for this application and are in broad agreement with the general layout and are pleased that the unauthorised access from the adjacent

housing development is not going to be formalised as part of this application. However there are some areas of concern that remain unresolved:

- The fencing proposed for the school site adjacent to the firearms range is inadequate and the Police will erect their own fencing.
- The school should be built to comply with the guidance in SBD New Schools 2014, including for example security rated doors and windows, however the overall layout as presented in this application complies with the layout guidance so a SBD accreditation would not be difficult to achieve.
- There may still be a requirement for an armed police response from the firearms training building and therefore it is recommended that “wig wag” lights should be installed along the access road to alert parents and pupils that police vehicles are deploying.

6.14 **Sport England** - Sport England raises **no objection** to this application which is considered to meet exception 5 of our adopted Playing Fields Policy, subject to conditions requiring the submission of community use agreement, the erection of the secure fence line in accordance with the plans and a condition removing permitted development rights for further fences.

6.15 A representation has been received from the **Office of the Police and Crime Commissioner for Northampton** which includes the following points:

- The existing buildings on the site were originally utilised as residential flats but were changed to offices over the years and are no longer fit for policing purpose.
- The firearms range adjacent to the site is entirely self-contained and will be retained for training purposes only with any other department (including rapid deployment) moved to other sites.

6.16 A representation has been received from the **Principal of Wootton Park School** which details that:

- The school is committed to working with NCC to meet the increasing demand for school places in Northampton.
- There is a substantial demand for places at the school with the school oversubscribed a current waiting list of over 100 children for 2018-2019.

6.17 **Three neighbouring residents** have submitted **objections** to the **current application** including the following points:

- There is no footpath or safe walking route for pedestrians along the east-west road from the Police Firearms Training Centre and the houses in Wootton Hall Park.
- There is no signage for give way or stop signs for the car parks.
- The current infrastructure is not coping with traffic flow during peak times.
- Hardwick Road should be opened up to pedestrian and vehicular traffic to Wootton Hall Park.
- Concerned that the car park locations will result in obstructions along the access road.
- Informal parking is likely to take place in residential areas.
- Support initial concerns raised by Sport England regarding the truncation of the cricket pitch.
- Proposal should include an indoor sports facility such as for basketball.
- A construction working hours condition should be imposed.

6.18 It should also be noted that **twelve neighbour objections** were received in respect of **application N/2017/1664** (which has effectively been superseded by the current application but has not, to date, be withdrawn by the applicant) for the use of the outdoor sports pitches including pavilion building for education purposes (Use Class D1) and the erection of perimeter fencing. These objection letters include the following points:

- The land has been used and enjoyed by the local community for many years.
- The fencing will restrict the use of the area by the community as a whole.
- The application would take the area of the field presently used by dog walkers; important that space is left for dog walkers.
- The area is protected under the Local Plan as an open space similar to Abington Park.
- The land is on the register of Community Assets and the Parish Council have applied for more land to be added.
- An open space protection application was submitted in 2015 for Wootton Hall Park, the same as the Racecourse but this has not been progressed.

- Unclear whether the southern section of Wootton Hall Park would be left open for residents.
- The pavilion and sports ground should be run by a third party.
- No provision for community use of pavilion.
- The benefits of the landscape designation and open space would be lost if the site is fenced.
- Fencing will change views.
- The site has never been fenced off for the previous use and any fencing is unnecessary.
- An existing public right of way across the site would be lost.
- The fencing will result in unsafe pedestrian access with residents from Wootton Hall Park and the Police Firearms Training Centre being forced to walk on the road.
- Concerned about school use extending up to boundary fences of residential houses.
- Object to loss of protected trees.
- Concerned that wildlife such as deer will not be able to access paddock and the loss of trees would also impact on wildlife.
- The air quality of the park is poor due to the close proximity of the A45 and any loss of trees and increased traffic would worsen this.
- Increase in traffic.

7 APPRAISAL

Principle of development

- 7.1 The proposed location of the school would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton.
- 7.2 However, the application site straddles two parcels of lands with very different planning policy considerations and there are also planning considerations relating to proposed education facilities and other detailed planning matters to be taken into account. As such, there are a variety of matters that will need to be considered in the round in order to determine the acceptability of the proposed development and these are addressed below.

Education facilities

- 7.3 Policy E6 of the Joint Core Strategy states that “New Educational Facilities will be encouraged and should be developed at sites which are accessible by sustainable transport modes”. Furthermore, Paragraph 72 of the NPPF details that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities and that Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. Paragraph 72 of the NPPF also details that local planning authorities should give great weight to the need to create, expand or alter schools.
- 7.4 Northampton is experiencing an increase in the number of families with young children through a rising birth rate and high levels of in-migration, with the latest JCS Infrastructure Delivery Plan (December 2017) detailing that the need for Primary School places is growing in Northampton and that 6 new secondary schools will be required to serve the wider Northamptonshire area. There is, therefore, a clear and identified need for educational facilities and this consideration weighs heavily in favour of the proposal.

Loss of employment

- 7.5 The northern part of the site was designated as an existing employment site under the Northampton Local Plan. Whilst the specific Local Plan Policy under which the site was designated was not saved, Saved Policy B14 nevertheless remain in place and sets out that within existing business area planning permission will not be granted for development outside the business use class unless such development would be of significant benefit to the local community and would lead to substantial employment opportunities. In addition, Policy E1 of the Joint Core Strategy similarly seeks to protect against the unjustified loss of employment uses and details that

the change of use of existing employment sites to other (non-employment generating) uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment purposes in the long term, there is a clear conflict with adjoining uses, or its release would offer significant benefits to the Local area.

- 7.6 The proposal would result in the loss of the existing offices for the police on the northern part of the site and no marketing or other evidence has been submitted to demonstrate whether there is demand for such facilities. However, it is noted that the Northamptonshire Police have submitted representations that the offices were originally designed for residential accommodation before being converted to offices and are no longer fit for policing purpose. It is also acknowledged that the buildings are dated, in a poor condition and have been vacated by the police. In addition, it is noteworthy that Policy E2 of the Joint Core Strategy seeks to encourage a sequential approach to the provision of new offices and therefore directs new offices to the central area of Northampton rather than out of centre locations such as the application site. Furthermore, it is noted that once the school reaches its full capacity it is projected that some 131 FTE staff will be employed on the site. Moreover, it is considered that the redevelopment would provide significant community benefits to the area through the provision of school places to meet an identified need, as set out above, and improving the visual appearance of this prominent gateway location for the town, as set out in the Design section below.

Community facility, sports facilities and open space

- 7.7 The southern half of the site comprises part of Wootton Hall Park (i.e. the northern half of the park) and currently contains a pavilion building with car park, an adult football pitch, part of the outfield of a cricket pitch and an overgrown paddock area. The remainder (i.e. southern half) of Wootton Hall Park falls outside the site and contains the main part of the cricket pitch and temporary buildings that are presently housing Wootton Park School.
- 7.8 Policy RC2 of the Joint Core Strategy relates to community facilities, sports facilities and open space, and seeks to resist their loss unless it can be demonstrated that:
- There is evidence that improvements can be made through the provision of a replacement facility of equal or better quality taking into account accessibility; or
 - The proposal will bring about community benefits that outweigh the loss of the facility; or
 - Having regard to the relevant open space study, the space is surplus or is little used
- 7.9 In addition, Paragraphs 70 and 74 of the NPPF seeks to protect against the unjustified loss of community facilities, open space, sports and recreational buildings and land, including playing fields, with Sports England comprising a statutory consultee for sport related matters.
- 7.10 The original planning permissions for the pavilion and sports pitches at Wootton Hall Park restrict the use of the site to employees of the County Council only and the site was identified as a greenspace used as a private recreation facility under the Local Plan; albeit these Local Plan policy designations were not saved following the adoption of the Joint Core Strategy. The ownership of Wootton Hall Park has historically been split across the middle, with the northern half (i.e. the application site) in the ownership of NCC and managed by the NCC Sports & Social Club and the southern half in the ownership of Northamptonshire Police and used ancillary to their headquarters (e.g. physical exercise, dog training etc). However, it is apparent that the land has been used by the community for some time, such as through football and cricket clubs using the pitches and pavilion, community groups/members hiring the pavilion, dog walking and other informal recreational uses. Indeed, this is evidenced by the pavilion and football pitch until recently being on the Council's list of Assets of Community Value. The land was added to the aforementioned list following a nomination from the Parish Council and the basis for this nomination was that the land provides valuable community space in the form of open space, sports pitches and changing rooms. It is noted that third party comments have also been received regarding the loss of footpaths running through the site, however there are no designated rights of way through the site.

- 7.11 The Open Space, Sport and Recreation Needs Assessment and Audit 2009, which supports the Joint Core Strategy, sets out the different types of open space across the Borough and categories Wootton Hall Park as an outdoor sports facility. This document sets out that outdoor sports facilities are a wide-ranging category of open space which includes both natural and artificial surfaces for sport and recreation that are either publicly or privately owned. It also highlights that outdoor sports facilities also often function as a recreational and amenity resource for the community, with secondary functions including dog walking and a ball kick about area.
- 7.12 The Playing Pitches Strategy 2018 finds that all currently used playing pitches require protection and specifically highlights the need to protect the existing cricket pitch at Wootton Hall Park and secure the use of cricket facilities. However, the document sets out that the future of the Wootton Hall pitch is uncertain, noting that the pitches are currently closed.
- 7.13 The proposed extension to the existing car park would not impact on the existing playing pitches, but the new fencing would enclose the football pitches to the west of the site. In addition, the new MUGAs would also be enclosed by fencing and would result in a small reduction in the playing field area. As such, the proposal would result in an overall loss of playing field area and would also reduce the area of Wootton Hall Park that is available for informal recreational activities for the community. However, the southern half of Wootton Hall Park would remain available for such activities to take place. Furthermore, the application has been amended since its submission to remove a previously proposed fence line that would have cut across part of the outfield of the existing cricket pitch. As such, parts of the application site would also remain open for informal community use and the proposal would not prejudice the future use of the existing cricket pitch – as detailed above, the protection of this cricket pitch is a key priority in the latest Playing Pitches Strategy. In addition, the existing football pitches within the site would not be lost and would remain as an ancillary sports facility to the educational use. Moreover, the proposal includes additional outdoor sports facilities, in the form of a three court MUGA and a one court MUGA. Furthermore, the applicant has indicated that the pitches, MUGAs, and pavilion (as well as the new sports hall on the northern part of the site) would be available for community use outside of school hours.
- 7.14 Sport England initially objected to the application due to the proposed fence line truncated the existing cricket pitch. However, following the receipt of amended plans removing this fence line, and subject to conditions to secure a community use agreement for the sports facilities and preventing the erection of fencing across the outfield of the existing cricket pitch, the Sport England objection has been withdrawn.
- 7.15 Overall, it is considered that the benefits of the improved sports facilities and securing a community use agreement of the sports facilities would outweigh the harm arising from the small reduction in playing field area and the reduction in the area of Wootton Hall Park that is available for informal recreational use and as an amenity resource for the community.

Design and layout – Main school site

- 7.16 Policy S10 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan seek high quality design and this approach is supported by the NPPF.
- 7.17 The northern half of the application site occupies a prominent gateway location for the town, but currently contains three storey flat roof buildings from the 1960s that have a dated appearance and are set well back from Mereway, to the rear of a parking area such that they have no positive presence to Mereway. The only merits of the northern part of the site are the trees running around the boundaries, a number of which are covered by a Tree Preservation Order.
- 7.18 The proposed school building would be sited much closer to Mereway than the existing buildings with an articulated plan form that would help to break up the bulk and scale of the new building and, together with the number and strong rhythm of windows, would provide a significantly improved frontage and positive design statement to Mereway. A landscaped strip of varying widths would also be maintained to the Mereway frontage and, whilst a couple of trees of varying

quality would be lost in this area, the higher quality trees would be retained, including two good quality oak trees protected by a Tree Preservation Order on the northwest corner of the site. In addition, there would also be some scope for additional tree planting and landscaping to this frontage to help soften the appearance of the development.

- 7.19 Trees would also be lost to the western frontage of the building along the access road to Wootton Hall Park, but these trees are not covered by the Tree Preservation Order and are identified as low quality in the submitted Arboricultural Assessment. The building would positively turn the corner with Mereway and the access road for Wootton Hall Park, with the wing on the corner benefiting from windows to both the Mereway and access road elevations. The new sports hall for the school would be located to the south west corner of the site and has been positioned at first floor level to allow for a ground floor active frontage on the corner and for the main entrance to the school building to face towards and provide surveillance of the sports facilities at Wootton Hall Park. Furthermore, the proposed use of cladding for the sports hall, in contrast to brick for the remainder of the building, would help to break up the appearance of the elevations and provide a narrative for the lack of windows to this part of the building. The submitted plans also shows the school logo on the cladding and, whilst this would need separate advertisement consent, it nevertheless shows how the use of advertisements could help to further break up the appearance of the elevations containing the sport hall. The central section of the western elevation accommodates the service yard area (partly beneath a roof overhang), substation, plant room and kitchens and, as a result this part of the building has limited features. However, when viewed as part of the whole elevation, it is considered that this element of the building design is acceptable in design terms.
- 7.20 The rear/playground elevations would also benefit from the proposed articulation in built form and a strong rhythm of windows, with only the relatively short main hall elevation having limited features. As such the rear elevations, overall, would provide an interesting design and a good enclosure of the playgrounds. The new building would have good separation to the police firearms training building, with the new car park on the site of the existing public order training area also helping to provide a buffer between the main school site and police activities. Some trees covered by the Tree Preservation Order would be lost to the southern frontage of the school building along the east-west access road in order to facilitate the development. However, there would be scope for some replacement planting to seek to replicate the existing tree lined appearance of this part of the access road and thus limit this harm. Furthermore, the proposal would significantly improve the appearance of the site when viewed from the east-west access road.
- 7.21 In considering the design and layout of the building, it should be noted that there is a narrative to the articulation of the building, with the eastern wing predominantly containing the primary school, the central wings containing the secondary school and the western wing contain the main entrance, halls and service yard.
- 7.22 Overall, it is considered that the design and layout of the proposed school building would provide a positive gateway building on Mereway, whilst still maintaining a presence to Wootton Hall Park and a good enclosure for the new playgrounds. As such, it is considered that the proposed school building would provide an enhancement to the character and appearance of the area and that this would be an important benefit of the scheme that would outweigh from the loss of some of the existing trees on the northern part of the site, including the loss of trees that are covered by a Tree Preservation Order.

Locally Important Landscape Area – Southern part of site

- 7.23 The southern part of the site is allocated as a Locally Important Landscape Area (LILA) under Saved Policy E9 of the Northampton Local Plan. Saved Policy E9 details that special importance must be attached to the effect of development on the character of LILAs and the supporting text to this policy sets out that LILAs make an important contribution to the town's local character and appearance, are valued by residents and their long term protection is important. The Appendix to the Local Plan provides the following character definition of the LILA at Wootton Hall Park:

The park comprises a mix of paddock (principally to the north east corner) sports field and mature trees, mostly around the boundary. It is the setting for Wootton Hall which is used as the police headquarters. The park in its entirety provides an attractive landscape in contrast to the office, residential development and ring road which surrounds it.

- 7.24 Policy BN5 of the Joint Core Strategy is also relevant to such landscapes and seeks to conserve and enhance them in recognition of their individual and cumulative significance and contribution to West Northamptonshire's local distinctiveness and sense of place.
- 7.25 The proposal has been amended since its submission to omit the previously proposed fence line running across the cricket outfield and, as this cricket pitch forms an important landscape feature of the wider park, this revision is important in helping to maintain the character of the park and wider landscape. However, the proposal would still enclose the football pitches in the northern half of Wootton Hall Park with fences as well as introducing fenced and hard surfaced MUGAs such that it would adversely impact on the open and green feel of the park. In addition, the car park enlargement would encroach into the paddock area and create a large car park within the north eastern quarter of the park and thus would further reduce the existing green space within the park and also result in the loss of some trees. The road widening would also encroach into Wootton Hall Park and result in the loss of several trees covered by a Tree Preservation Order. Although, it should be noted that the majority of the trees covered by this Order are only considered to only be of moderate quality in the submitted Arboricultural Report. Furthermore, the highest quality tree, a beech tree located to the north east of the pavilion would not be adversely affected by the proposals. Nevertheless the boundary trees collectively make an important contribution to the character of the park and the loss of several trees would therefore harm the character of the landscape. In light of the above, the proposed works within the park would collectively give rise to harm to the character of the LILA including harm from the loss of trees which are the subject of a Tree Preservation Order. This harm could be limited, to some extent, by conditions requiring replacement tree planting in the form of heavy standards to recreate the tree lined character of the parks northern boundary and controlling the appearance of the fencing enclosing the pitches and the fencing and surface treatment of the MUGA.
- 7.26 Overall, the proposal would clearly detract from and give rise to harm to the LILA, including harm from the loss of openness, greenspace and protected trees, and this harm needs to be balanced against the benefits of the scheme. In this instance, however, it is considered that the benefits from the provision of a new school and securing a community use agreement for the sports facility would outweigh the harm to the LILA.

Ecology and Trees

- 7.27 Policies BN1 and BN2 seek to enhance existing green infrastructure and biodiversity as well as safeguard protected species. The Green Infrastructure Plan 2016 identifies the site as forming part of Northampton's Green Infrastructure Network and classifies the site as comprising a Component H: Urban Open Space, which covers parks and playing fields. Furthermore, it details that Urban Open Spaces (and their associated trees, lakes and grassland) function as 'green lungs' within the urban area of Northampton.
- 7.28 The application is accompanied by an Ecology Assessment and a Bat Survey and would involve the loss of areas of grassland, vegetation and trees including a large portion of the existing paddock area as well as the demolition of buildings. However, the proposal also includes replacement tree planting on a two for one basis and opportunities for biodiversity enhancements such as a micro meadow to the frontage of the site. Furthermore, the County Ecologist has reviewed the submitted studies and raises no objections to the proposals. Although this is on the basis that a range of bat and bird box are installed to mitigate the loss of nesting and roosting opportunities and also that the landscaping scheme is designed to achieve biodiversity benefits. In addition, the County Ecologist recommends conditions relating to disturbance to nesting birds and bats. As such, subject to conditions, no objections are raised to the application on ecology grounds

- 7.29 The site benefits from a number of mature trees and these are predominantly covered by Tree Preservation Order (TPO) No. 168 that runs along the roads that neighbour and cut across the site. The implications of the proposal on trees is addressed in detail in the Design and LILA sections above and, in summary, the proposal would retain the highest quality trees within the site but would result in the loss of a number of trees running along the boundaries of the site and in particular several trees flanking the east-west road running through the centre of the site. The loss of the trees in the northern half of the site is considered to be outweighed by the benefits of the redevelopment of this part of the site, subject to replacement tree planting. However, there would be harm to the character of the area from the loss of several trees in the southern half of the site to facilitate a suitable access road to serve the car parking for the school, but it is considered that this harm would be weighed against the wider benefits of the scheme arising from the provision of a new school.
- 7.30 In considering the impact of the proposals on trees, it should be noted that the Council's Arboricultural Officer does not object to the loss of the trees as part of the application subject to conditions which include seeking heavy standard trees are part of any replacement planting scheme. Furthermore, the applicant has indicated that any replacement tree planting would be on a two to one basis and this could be secured as part of a landscaping scheme.

Amenity

- 7.31 Saved Policy E20 of the Local Plan and the Core Planning Principles in the NPPF seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

Neighbouring residents

- 7.32 The application site is neighboured by residential properties to the east, which are served off the access road running east-west through the middle of the site. The new school building and playgrounds are set well away from these neighbouring properties, although the enlarged carpark and the one court MUGA would be located to the eastern side of Wootton Hall Park. However, the new car park would be some 22 metres away from the rear boundary of the nearest residential property and the MUGA would be some 30 metres away such that a reasonable separation distance from these facilities would be maintained to neighbours. In addition, a section of the existing paddock would also be retained between the carpark, the MUGA and the nearest neighbours and, given its nature, the extent of any ancillary school activities in this area would be limited and would not give rise to an unacceptable impact on neighbours.
- 7.33 The use of the sports facilities in the southern part of the site would change from a recreational facility to ancillary educational use, with new MUGAs proposed and opportunities for community use of the facilities outside of school hours. However, the proposal does not include any flood lighting and the MUGAs are set away from neighbours, such that it is considered that the impacts of the sports facilities on neighbours would not significantly differ from those that could arise from the existing lawful use of the site.
- 7.34 NBC Environmental Protection has assessed the application and raised no objections with regards to its impact on neighbours subject to a condition relating to plant noise to protect surrounding residents. The comments from Environmental Protection also initially suggested conditions requiring a noise assessment for the MUGAs, however on the basis that no flood lighting is proposed for the MUGAs, the Environmental Health Officer subsequently advised that such an assessment was not necessary.
- 7.35 The construction phase of the development would have potential to impact on neighbours and it is therefore recommended a Construction and Environmental Management Plan (CEMP) is imposed should planning permission be forthcoming to address this.
- 7.36 Overall, subject to a plant noise and CEMP condition, no objections are raised with to the impact of the proposal on the amenity of neighbouring residents.

Future occupiers

- 7.37 The development is for sensitive end users and the new school would be located close to a section of the A45 that is designated as an Air Quality Management Area and would also front onto the busy Mereway (A5076). However, the layout of the school building and boundary wall would help to form a barrier to noise and pollution from Mereway and the application has been supported by noise and air quality assessments that demonstrate that, subject to mechanical ventilation, an acceptable noise and air quality environment would be provided for school children. Furthermore, having assessed these documents and a land contamination assessment, the Environmental Health Officer has raised no objections subject to conditions relating to noise and air quality. Therefore, subject to conditions, it is considered that the development would provide an acceptable standard of amenity for future occupiers.

Parking and Highways

- 7.38 The application is accompanied by Transport Assessments and Travel Plans and originally proposed that the new school would be served 219 car parking spaces and 154 bicycle parking spaces, with the original Transport Assessment that supported the application detailing that, in the first instance, a Travel Plan should be employed to seek to reduce the impacts of the development on the Highway network. However, the level of car parking and over reliance on a Travel Plan was not considered to be acceptable and the development has therefore been subject to further assessments, with a revised Transport Assessment and parking layout submitted.
- 7.39 The revised Transport Assessment takes into account other planned developments and finds that the proposed development would not result in capacity issues at the Mereway – Wootton Hall Park junction or the “Tesco Roundabout”. However, the Transport Assessment finds that there are existing capacity issues at the Queen Eleanor roundabout that will require intervention regardless of the development, but that these issues would be worsened by the proposed development by 2031. As such, based on proportional impact methodology, a financial contribution to assist with junction improvements at the Queen Eleanor roundabout and mitigate the impacts of the development has been agreed with the Local Highway Authority, and Highways England have also raised no objections to such an approach. This financial contribution would be secured by a Section 106 Legal Agreement should planning permission be forthcoming and it is recommended that a full Travel Plan is secured by condition.
- 7.40 The application has been amended since its submission to increase car parking provision from 219 parking spaces to 270 parking spaces. The County Highway Engineer has conducted multiple site visits at school drop off and pick up times and is satisfied that the revised number of parking spaces is the necessary level of provision for the new school once at full capacity. This is, however, subject to a detailed parking and pick-up / drop-off management plan which can be secured by condition.
- 7.41 The car parking for the school is sited to the eastern side of the site to seek to prevent vehicles backing up onto Mereway and, as a result, the scheme includes proposals to widen the east-west access road up to the car parks. The Local Highway Authority has assessed the proposed road and car parking layout and raises no objections subject to the provision of three pedestrian crossing facilities including a toucan crossing to the west of the site. In response to the concerns of neighbouring residents regarding access for cars and pedestrians from the residential properties along the access road, the plans have been updated to show junction markings for the car parks, and it has been clarified that the secure line of the school is the building line to the south and western sides of the site, such that pedestrians would be able to utilise the paths in the car park and around the school building as necessary.
- 7.42 Overall, subject to conditions and a Section 106 Legal Agreement, it is considered that the proposal would be acceptable on parking and highway safety grounds.

Sustainability

- 7.43 The supporting submissions detail that the development can achieve BREAAAM Very Good to accord with the requirements of Policies S10 and S11 and it is recommended that a compliance condition is imposed to address this.

Other considerations

- 7.44 Whilst the application site is not located in Flood Zone 2 or 3, it is categorised a major development and has therefore been accompanied by a Flood Risk Assessment and Surface Water Drainage Assessment. The proposal and these documents have been assessed by the Lead Local Flood Authority and Anglian Water and found to be acceptable subject to surface water drainage condition.
- 7.45 Construction Futures have sought the provision of construction worker training opportunities, in addition to a financial contribution towards the operation of the scheme, and this can be secured as part of a Section 106 Legal Agreement.
- 7.46 The County Archaeologist has indicated that Iron Age and Roman activity may have taken place in the vicinity of the site and that the new school would also be close to the site of the Battle of Northampton. As such, it is recommended that an archaeological condition is required to investigate and record any remains that are affected by the development.
- 7.47 The Northamptonshire Police Crime Prevention Design Advisor (CPDA) has had considerable involvement in the evolution of the design of the site at the pre-application stage and broadly supports the layout and design of the scheme. However, notwithstanding the comments from the Office of the Police Commissioner, the CPDA advises that there may still be a requirement for armed police to deploy from the firearms training building in some instances. This matter is being clarified by the CPDA and could be addressed by a condition requiring the installation of an alert system. As such, this matter will be addressed in an Addendum to the Committee.
- 7.48 NCC Development Management suggest in their consultation response that the development should be served by sprinklers, however this matter is addressed by government guidance for schools and the Building Regulations.
- 7.49 The applicant has submitted a Statement of Community Involvement in support of the application which includes details of a public consultation event that took place prior to the submission of the application. The applicant also engaged in pre-application discussions with planning officers and key consultees prior to the submission of the application.

8 CONCLUSION

- 8.1 To conclude, the application site straddles two very different parcels of land and, therefore, there are a variety of matters that need to be considered in the round in order to determine the acceptability of the development.
- 8.2 There is a clear and identified need for schools in the Borough and the benefits of the provision of the school is considered to weigh heavily favour of the scheme. In addition, the proposal would significantly improve the appearance of the northern part of the site, providing a gateway building for the town, and the scheme also offers the opportunity to secure a community use agreement for the sports facilities on the site.
- 8.3 However, the proposal would result in the loss of the existing offices within the site, but these offices are poor quality and the proposal would generate employment associated with the school use. Furthermore, and in any event, it is considered that the benefits of the provision of the school would clearly outweigh the loss of these existing offices.

- 8.4 The southern part of the site comprises a private outdoor sports facility with a football pitch, pavilion building and part of a cricket outfield. Although, it is clear that the facilities have also been used by the community for some time, with the site also functioning as an informal recreational and amenity resource for the community, with secondary functions including dog walking and a ball kick about area. The proposed works would result in a reduction in the area of the playing field and would also introduce fences around the football pitches, which would reduce the area of land available for informal use by the community. However, it is considered that this harm would be outweighed by the benefits of the provision of improved sports facilities including MUGAs and also securing a community use agreement of the sports facilities.
- 8.5 The application site includes a large number of mature trees, the majority of which are covered by a group Tree Preservation Order, and the southern part of the site is also designated as a Locally Important Landscape Area (LILA). The development would result in the loss of a number of these trees and this loss, together with the enclosure of the football pitches, new enclosed MUGA and enlarged car park, would adversely impact on the character and appearance of the LILA. However, the highest quality trees within the site would be retained and the proposed replacement planting is on a two for one basis. Furthermore, it is considered that the benefits of the redevelopment of the northern part of the site would outweigh the loss of the trees in this part of the site. Turning to the adverse impact on the LILA and associated loss of protected trees in the southern part of the site, it is considered that the benefits of the provision of the school and a securing a community use agreement for the sports facilities would outweigh this harm.
- 8.6 The application proposes the widening of the east-west access road and, has been amended following its submission to increase the level of parking provision and include pedestrian crossings and a financial contribution for offsite works to the Queen Eleanor roundabout, such that it is considered acceptable on parking and highway grounds.
- 8.7 Overall, as part of a balanced assessment, it is considered that the application is acceptable and it is recommended that planning permission be granted subject to conditions and a Section 106 Legal Agreement to secure planning obligations.

9 CONDITIONS

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

Reason: For the avoidance of doubt and to conform with the planning application.
3. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP which shall include:
 - i. Traffic management and signage during construction
 - ii. Parking for site operatives and visitors
 - iii. Storage areas for plant and materials
 - iv. The erection and maintenance of security fencing/hoardings and lighting
 - v. Welfare and other site facilities
 - vi. Working hours and delivery times
 - vii. Measures to control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
 - viii. Measures to prevent mud and other debris being deposited on the surrounding highway.
 - ix. Ecological mitigation measures

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

4. Notwithstanding the submitted details, prior to the commencement of development hereby permitted, an Arboricultural Report detailing the tree protection measures for all the trees to be retained as part of the development shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved tree protection details.

Reason: In the interests of the character and appearance of the locality in accordance with Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy and Saved Policies E9 and E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

5. Prior the construction of the development hereby permitted, the implementation of a programme of archaeological work shall be secured in accordance with a written scheme of investigation that has been submitted to and approved in writing by the local planning authority.

Reason: To ensure adequate provisions is made for the investigation and recording of any archaeological remains in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

6. Notwithstanding the submitted details, prior to the construction of the new school building hereby approved above ground floor slab level, a detailed scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the location and species of any existing trees and hedgerows on the land and details of any to be retained; a tree planting method statement; surface treatments for the MUGAs, car parks, footpaths and playgrounds; the finalised route of the path through the paddock area; and a timetable including a phasing plan as appropriate for the implementation of the proposed landscaping. The landscaping scheme shall be carried out in accordance with the approved details and shall be maintained thereafter 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, biodiversity and to secure a satisfactory standard of development in accordance with Policies BN1, BN2 and BN5 of the West Northamptonshire Joint Core Strategy and Saved Policies E9 and E20 of the Northampton Local Plan.

7. The ground levels and finished floor levels of the new development shall be constructed in accordance with approved drawing number PLI_S3_DR_L_0410 Rev PL06 (Strategic Levels).

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Saved Policy E20 of the Northampton Local Plan and Policy S10 of the West Northamptonshire Joint Core Strategy.

8. Notwithstanding the submitted details, prior to the construction of the new school building hereby approved above ground floor slab level, 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 Saved Policy E20 of the Northampton Local Plan and Policy S10 of the West Northamptonshire Joint Core Strategy.

9. Notwithstanding the submitted details, prior to the occupation of the new school building hereby permitted, full details of the works to widen the existing road and junction at Wootton Hall Park, the three new pedestrian crossings and the extension of the shared footway /cycleway, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of the new school building.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. The new car parks (including drop off / pick up areas) hereby approved shall be provided in accordance with the approved plans prior to the occupation of the new school building hereby approved, or in accordance with a phasing timetable that has been submitted to and approved in writing by the Local Planning Authority, and shall be retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

11. Prior to the occupation of the new school building hereby permitted, a parking and drop off / pick up management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

12. Prior to the occupation of the new school building hereby approved, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The approved travel plan shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the reliance on the private car for journeys to work in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

13. Notwithstanding the submitted details, prior to the occupation of the new school building hereby permitted, full details of facilities for the parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to the occupation of the new school building and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

14. Prior to the construction of the new school building hereby approved above ground floor slab level, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site from fixed plant or equipment and the provisions to be made for its control. The approved scheme shall be implemented concurrently with the development and completed prior to the occupation of the new school building hereby permitted and thereafter retained.

Reason: To protect the amenities of nearby occupants from noise in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

15. Prior to the construction of the new school building hereby approved above ground floor slab level, a scheme to protect future users of the new school building from traffic noise and

emissions arising from the proximity of the site to the A45 and Mereway (A5076) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented concurrently with the development and completed prior to the first occupation of the new school building hereby permitted and thereafter retained.

Reason: To protect the future occupiers of the development in accordance with Policy BN9 of the Northamptonshire Joint Core Strategy.

16. Notwithstanding the submitted details, prior to the occupation of the new school building hereby permitted, full details of all of means enclosures to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the appearance of the locality and crime prevention in accordance with Saved Policies E9 and E20 of the Northampton Local Plan and Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

17. 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 gates, fences, walls or any means of enclosure or similar structures other than approved pursuant to Condition 15 above shall be erected or constructed within the site.

Reason: In the interests of the appearance of the locality and crime prevention and to seek to safeguard existing sports facilities in accordance with Saved Policies E9 and E20 of the Northampton Local Plan and Policies S10, RC2 and BN5 of the West Northamptonshire Joint Core Strategy.

18. Prior to occupation of the new school building hereby permitted, a scheme for the installation of electric vehicle charging points within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved electric vehicle charging points shall be provided prior to the occupation of the new school building or in accordance with a timetable that has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of reducing carbon emissions and securing a sustainable development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

19. Prior to the construction of the new school building hereby approved above ground floor slab level, full details of all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of appearance of the locality, residential amenity, protected species and crime prevention in accordance with Policies BN1, BN2, BN5 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policies E9 and E20 of the Northampton Local Plan.

20. Prior to the occupation of the new school building hereby permitted, a community use agreement for the sports facilities within the site shall be submitted to and approved in writing by the Local Planning Authority. The agreement shall include details of pricing policy, hours of use, access by non-educational users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in compliance with the approved agreement.

Reason: To secure well managed community access to the sports facilities and to ensure sufficient benefit to the development of sport in accordance with Policy RC2 of the West Northamptonshire Joint Core Strategy.

21. Notwithstanding the submitted details, prior to the construction of the new school building, car parks, or MUGAs hereby permitted, a detailed surface water drainage scheme for the site including a scheme for the ownership and maintenance of the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and maintained in accordance with the approved details and the new school building hereby permitted shall not be occupied until a Verification Report for the installed surface water drainage system for the site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding both on and off site in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

22. The development shall be constructed to a minimum rating of BREAAAM Very Good and certification of compliance with this sustainability rating by a licenced inspector shall be submitted to and approved in writing by the Local Planning Authority within three months of the occupation of the new school building hereby approved.

Reason: In the interests of minimising the environmental impact of the development, in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

23. The demolition and tree removal works hereby permitted shall be implemented in accordance with Section 2 (Tree Felling Method Statement) of the submitted Ecological Mitigation Strategy dated April 2018.

Reason: To safeguard protected species and biodiversity in accordance with Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy.

24. Notwithstanding the submitted details, prior to the construction of the new school building hereby approved above ground floor slab level, a scheme for bird and bat boxes, including boxes incorporated into the new school building and a timetable for the implementation of the scheme, shall be submitted to and approved in writing by the local planning authority. The approved bird and bat box scheme shall thereafter be implemented in accordance with the approved details.

Reason: To safeguard protected species and biodiversity in accordance with Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

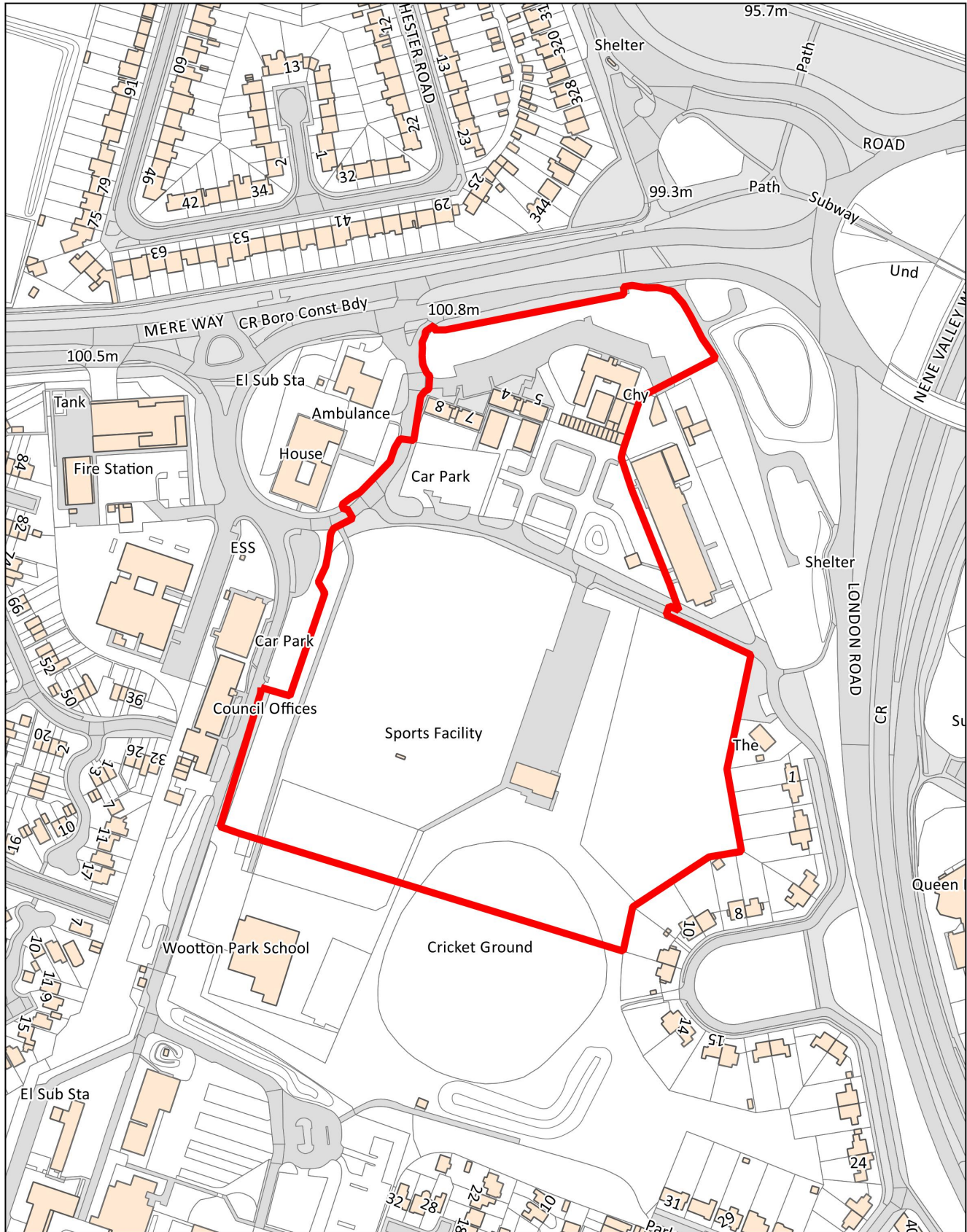
- 10.1 87/1078, 89/1058, N/2015/0235, N/2016/0545 / 16/00015/CCDFUL, N/2017/1664


11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Wootton Hall Police HQ, Mereway</p>	<p>Date: 18-06-2018</p>
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PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0447

LOCATION: Lock Up Garages, Medway Drive

DESCRIPTION: Development of 4no flats with associated parking and removal of existing garages

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:

The principle of residential development on the site for new dwellings is considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. As part of a balanced assessment, it is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies S1, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20 and H10 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of existing garages and erection of 4 x 1 bed flats with associated parking.

2.2 The new flats would be located in the south western half of the site and would be contained within a two storey building with a hipped roof form. The new building would have a width of 17.8 metres, a depth of 10.2 metres and a height of 7.6 metres.

- 2.3 In addition, the proposal includes 8 car parking spaces in a parking court located forward of the proposed flats.

3 SITE DESCRIPTION

- 3.1 The application site is located in a residential area and comprises a garage court set to the rear of residential houses fronting Medway Drive, Severn Drive and Welland Green. The garage court is accessed from a private road running between Nos. 48 and 50 Medway Drive and contains two runs of 17 garages (34 garages in total) located to the north west and south east sides of the site. Land levels in the locality generally rise from the north east to the south west.

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Paragraphs 6, 7, 8 and 14 - Presumption in favour of sustainable development.
Paragraph 17 - Core planning principles
Paragraph 32 - Safe and suitable access
Paragraph 49 - Housing applications
Paragraph 50 - Wide choice of high quality homes
Section 7 - Good design

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 – The Distribution of Development
Policy S10 - Sustainable Development Principles.
Policy H1 - Housing
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)
Policy H10 - Backland Development

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 **Public Protection (NBC)** – No objections subject to conditions requiring a land contamination assessment, mitigation measures to support the Low Emission Strategy and advisory note regarding construction hours.
- 6.2 **Highway Authority (NCC)** – No objection subject to the parking space closest to the access being increased in width.
- 6.3 **One letter of objection** has been received to the application. This letter does not state the reason for the objection.
- 6.4 **Two letters of comment** has been received which include the following points:
- There have been instances of vehicles using the parking court damaging boundary fences and seeks assurances that measures will put in place to prevent this happening again should the development be permitted.
 - The rights of access to an existing private garage served off the garage court should be maintained.

7 **APPRAISAL**

Principle of development

- 7.1 The application site is located in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 The Council cannot however presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in paragraph 14 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Layout and design

- 7.3 The Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. In addition, Saved Policy H10 of the Northampton Local Plan seeks to resist backland development unless it can be shown that the development would not be detrimental to the character of the locality or the amenity of neighbours. The supporting text for this backland policy indicates that the purpose of this policy is to address new housing the suburban areas of the town that have exceptionally long rear gardens.
- 7.4 The application site comprises a garages court set in the middle of a perimeter block of houses and thus would not result in the loss of residential garden land. All of the existing garages would be demolished as part of the proposal with a new two storey building erected to the south western side of the site. This new building would contain four flats but would only be two storeys in scale with a hipped roof form such that it would reflect the form of houses in the locality. Furthermore,

the new building has reasonable separation distances to neighbouring properties and there would only be limited views of the development in the streetscene. As such, no objections are raised to the proposed dwellings with respect to the character and amenity of the area.

Residential amenity

- 7.5 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.6 In terms of the residential amenities of neighbours, the side elevation of the proposed building would be adjacent to the rear garden boundaries of Nos. 42 and 44 Medway Drive to the north western side. However, these neighbouring properties have garden depths of some 17 metres and the proposal would have a hipped roof form, such that it is considered that it would not appear unduly prominent or overbearing when viewed from these or any other neighbours to the north western side of the site. In addition, subject to a condition to ensure that no windows can be added to the north western flank elevation of the new building at first floor level, it is considered that the proposal would not give rise to unacceptable levels of overlooking to any neighbour to the north western side of the site.
- 7.7 The proposed building would be set to the side of the rear boundaries of Nos. 7 and 8 Welland Green, with No. 7 having a shorter rear garden than the properties on Medway Drive. However, the rear gardens of Nos. 7 and 8 are set at an angle, with No. 7 also benefiting from a side garden, and as such the outlook from the rear of these properties would not be directly onto the flank of the new building. As such, and given the hipped roof design, it is considered that the proposal would not appear unduly prominent or overbearing when viewed from neighbouring properties to the south east site. In addition, subject to a condition to ensure that no windows can be added to the south eastern flank elevation of the new building at first floor level, it is considered that the proposal would not give rise to unacceptable levels of overlooking to any neighbour to the south eastern side of the site.
- 7.8 The new building would face towards a parking court to the front and an amenity area for the flats to the rear such that it would not give rise to unacceptable overlooking or visual intrusion to neighbours to these sides.
- 7.9 Turning to the amenities of future occupiers of the new one bed flats, all habitable rooms would be served by windows and a landscape strip is proposed to the frontage of the site to provide a buffer area to the ground floor units and this can be secured by condition. The ground floor units would also have their own dedicated amenity area immediately to the rear of the building with a communal area beyond this that would be accessible to all occupiers of the site. A low boundary fence is proposed between the amenity areas for the ground floor units and the communal area to allow surveillance of the communal amenity area, whilst ensuring a buffer area for the ground floor units, and further details of this could be secured by condition. In addition, the submitted plans show a bin store structure in the parking court and further details of this can be secured by condition. As such, subject to conditions, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the site.
- 7.10 Overall, it is considered that the proposal would not give rise to an unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

Parking and highway safety

- 7.11 The application proposals would be served off the existing private access drive and would benefit from a parking court with 8 car parking spaces. The Parking Standards seek 1 parking per dwelling for 1 bed flat and this would be met as part of the proposal, with one visitor space also provided per dwelling. The parking court would also include a turning area and the County Highway Engineer has assessed the scheme and raises no objections. The Highway Engineer

does however make an observation that the size of one of the parking spaces falls short of the Parking Standards, and the plans have subsequently been amended to address this.

- 7.12 The submitted plans show a communal cycle store in the rear communal amenity area and this can be secured by condition.
- 7.13 The proposal would result in the loss of some 34 garages. However, given the age and resultant size of the garages they are not generally suited to the dimensions of modern cars. Furthermore, the location of the garages and lack of surveillance means that the garaging is not convenient for neighbouring properties and feels insecure such that it is not an attractive place for day-to-day parking. As such, it is considered that objections cannot be sustained to the loss of the garaging.
- 7.14 Overall, it is considered that the proposal is acceptable on the grounds of parking and highway safety.

Other considerations

- 7.15 The Council's Environmental Health Officer recommends a ground contamination condition should planning permission be forthcoming.
- 7.16 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and also an advisory note relating to hours of working. However, given the parking court arrangement and that only four dwellings are proposed, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in air quality management area such that it is not considered that it would be reasonable to condition the boilers to be installed in the new houses. With respect to construction hours, the proposal is only for a small scale development and there are controls under the Environmental Health legislation to address such matters should issues arise.
- 7.17 Third party comments have been received regarding rights of access to an existing private garage served off the access drive and damage to fencing along the access drive. Whilst these are civil matters, it is noteworthy that the layout of the proposal would not prejudice the access rights for the existing private garage off the access drive.

8 CONCLUSION

- 8.1 To conclude, the site is in an existing housing area within the urban area of Northampton and the principle of residential development on the site is therefore acceptable under the development plan. However, the Council cannot presently demonstrate a five year housing land supply and it is therefore necessary to assess the proposal against the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits. Furthermore, subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

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

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

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

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

3. The construction of the development hereby permitted shall not take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

4. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

5. Prior to the construction of the development hereby permitted, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

6. Prior to the construction of the development hereby approved above ground floor slab level, 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 in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

7. Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with any other means of enclosure to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the building hereby permitted.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

8. Prior to the construction of the development hereby approved above ground floor slab level, a

detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. 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 Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

9. Prior to the construction of the development hereby approved above ground floor slab level, full 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 occupation 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 in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

10. Prior to the construction of the development hereby approved above ground floor slab level, 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 occupation of the building hereby permitted and thereafter retained.

Reason: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

11. Prior to the construction of the shed shown on the plans hereby approved, full details of the sheds shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

12. The parking spaces and manoeuvring areas shown on approved plans shall be constructed prior to the occupation of the building hereby approved and retained thereafter.

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

13. 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 window(s) shall be installed at first floor level in the side elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

14. 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 gates, fences, walls or any means of enclosure or similar structures other than approved pursuant to Condition 7 above shall be erected or constructed within the site.

Reason: In the interests of residential amenity and crime prevention in accordance with Saved Policies E20 of the Northampton Local Plan and Policies S10 and H1 of the West

10 BACKGROUND PAPERS

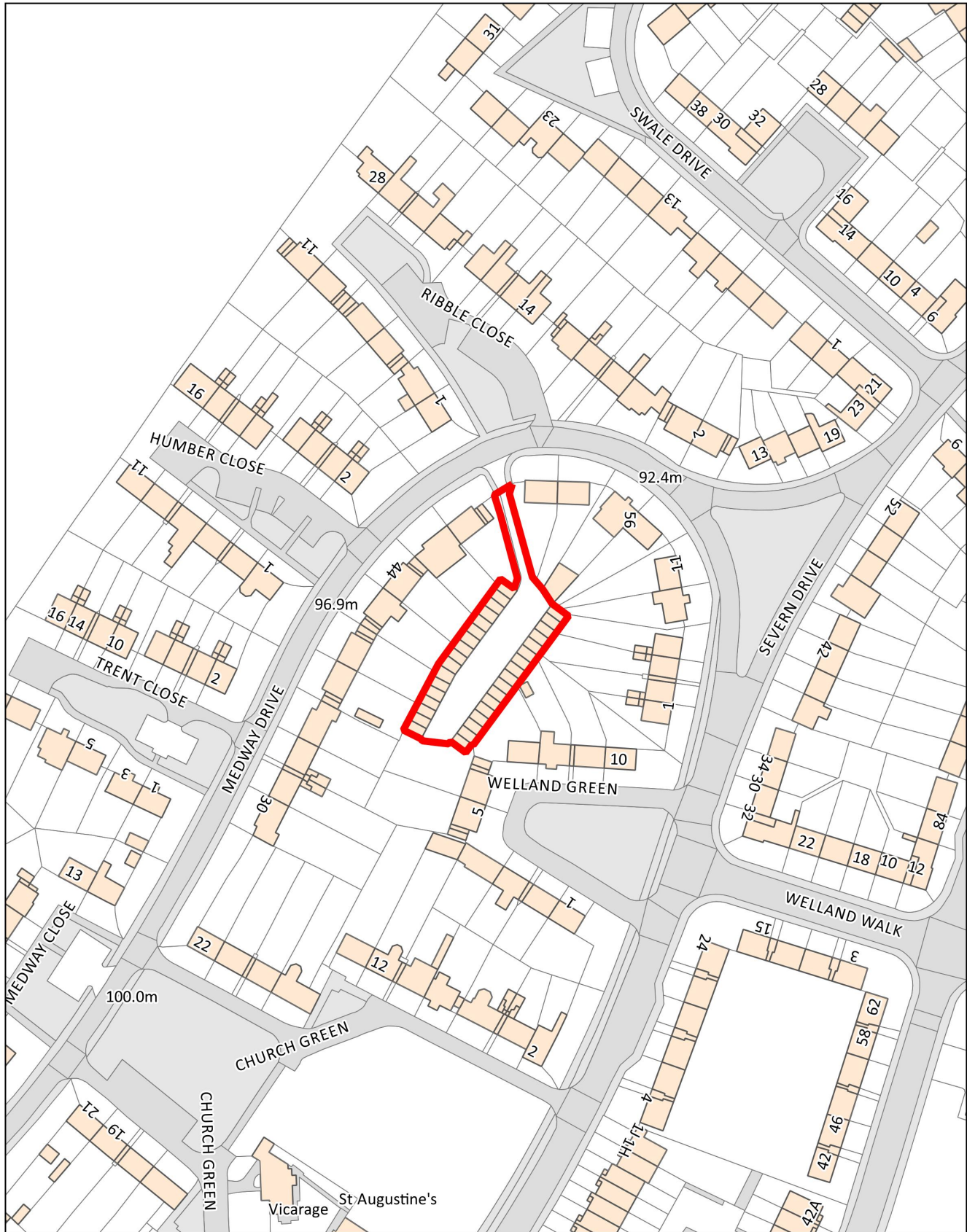
10.1 None.


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>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Medway Drive</p>	<p>Date: 18-06-2018</p>
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PLANNING COMMITTEE: 3rd July 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: Councillors V Culbard and J Davenport
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 SPG 2004
Residential Extensions and Alterations Design Guide SPD

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. Amendments to the Flood Risk Assessment (FRA) will be required to reflect amendments to the proposals, in particular that there will be no ground floor sleeping. At the time of writing this report comments from the EA in respect of the revised FRA are awaited.
- 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 **Councillor J Davenport** – Also requests call in of the application in due to complaints about parking, rubbish and noise, and because of concerns of ground floor bedrooms, due to the recent flooding of the area.
- 6.6 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

6.7 At the time of writing this report a reconsultation is taking place following the submission of a revised Flood Risk Assessment. Any further representations which are made will be reported to Committee by means of the Addendum.

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 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 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 (EA) now has no objection to this proposal. The EA has pointed out that a revised Flood Risk Assessment will be required, this has now been submitted and the EA has been consulted on this, at the time of writing this report their response is awaited and will be reported to Committee by means of the addendum. 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 HIMO's 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 such a significant impact as to 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 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

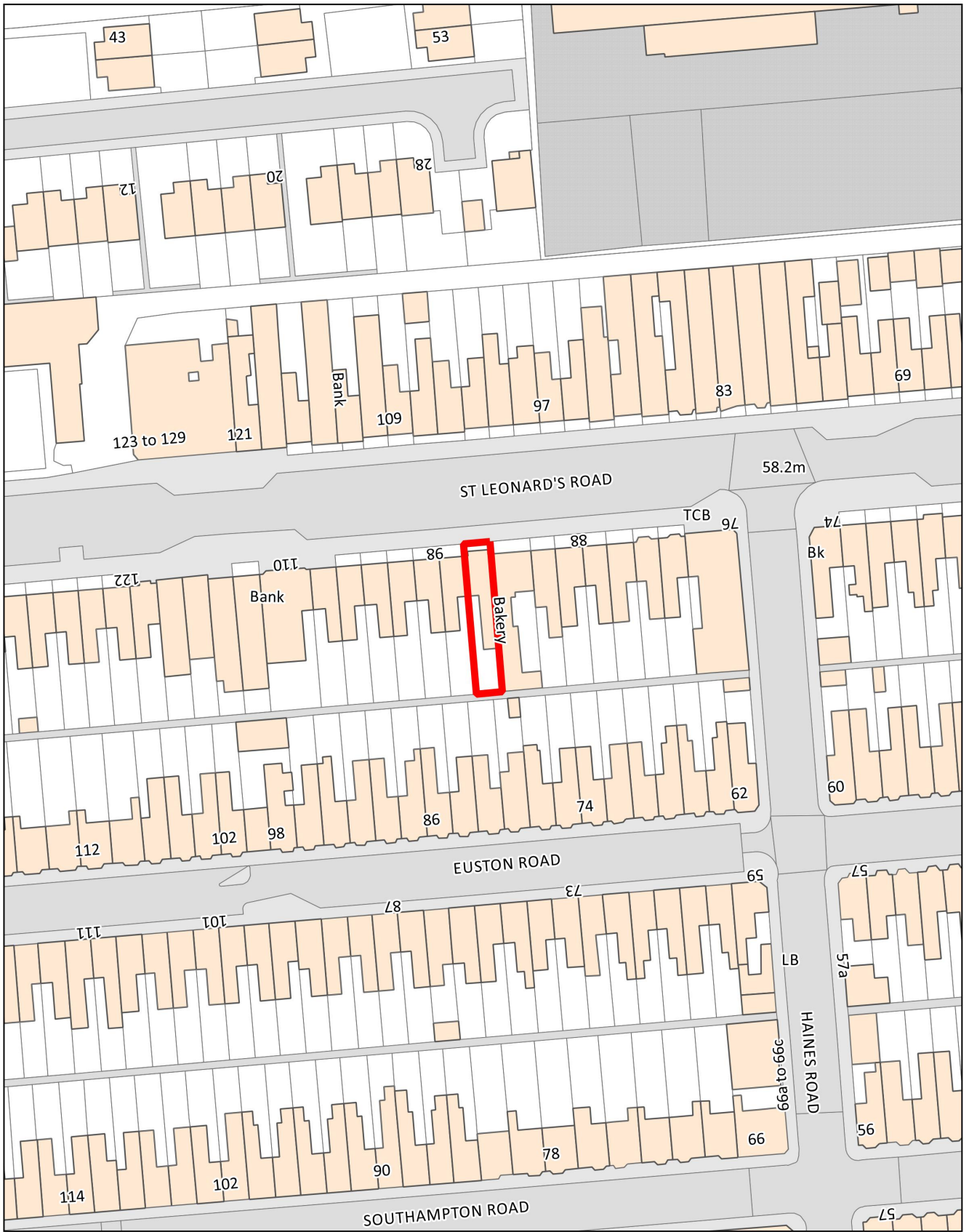
- 10.1 Application file N/2018/0454.

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.



Title: **94 St Leonards Road**

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Date: 22-06-2018

Scale: 1:850

Drawn by: -----



PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0602

LOCATION: Parking Area, Chapel Green

DESCRIPTION: Creation of 10no parking spaces with new footpaths

WARD: Kings Heath 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 10 no. car parking spaces and the provision of new footpaths, on an existing area of grass verge off Chapel Green. The scheme was revised, following comments from the Arboricultural Officer, to reduce the number of spaces from 12 to 10, in order that all the existing trees on site can be retained.

3 SITE DESCRIPTION

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

3.2 Road widths are relatively narrow and with a wide grass verge with trees on the eastern side. There are a number of parking spaces at the end of the cul-de-sac.

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.

5.1 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.

5.2 West Northamptonshire Joint Core Strategy (2014)

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

Policy S10: Sustainable Development Principles
Policy BN3: Woodland Creation and Enhancement

5.3 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)

5.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Highway Authority (NCC)** – no comment to make.

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 **Arboricultural Officer (NBC)** – preferred to see the removal of fewer trees. An Arboricultural Method Statement will be required that will clearly specify the control measures to be implemented during the construction phase that will ensure the least harm to the retained trees.

6.4 1 letter of objection has been received which is summarised as follows:

- No problem to park in front of house and there are plenty of spaces on Welland Way.
- Creating extra parking is unneeded.
- Will ruin the greenery and children usually play on the lawn.
- Concern about trees and wildlife.

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.

7.2 Whilst the proposal would remove an area of green verge within the cul-de-sac, the road way is relatively narrow and is being used by residents for on-street parking. The proposal would provide a more formal parking arrangement including footway and reduce the amount of on-street parking.

7.3 Revised plans have been received to reduce the number of spaces proposed to 10 so that all the existing trees can be retained. It is considered that the proposal would not adversely impact on visual amenity.

7.4 The parking spaces provided are intended to provide a more formal parking arrangement within the cul-de-sac to improve highway and pedestrian safety, 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 situation 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 would not impact on the appearance of the cul-de-sac. 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, KH-Dev2 (received on 18th June 2018).

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

3. Prior to the commencement of development, an Arboricultural Method Statement detailing the measures to protect existing trees during the course of construction shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented during construction of the parking spaces.

Reason: In the interests of amenity in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

10 BACKGROUND PAPERS

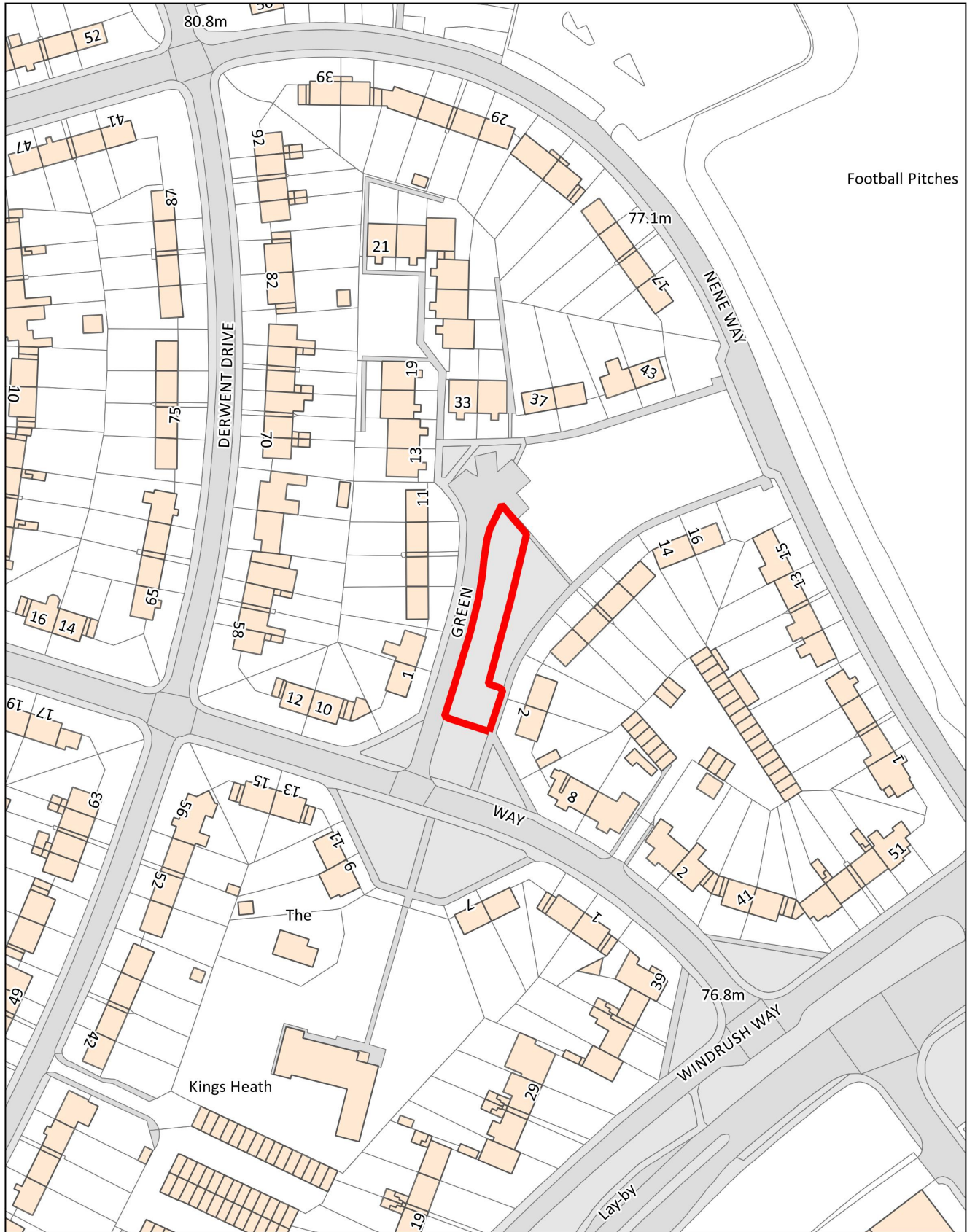
10.1 N/2018/0602.


11 LEGAL IMPLICATIONS

11.1 None.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Chapel Green</p>	<p>Date: 18-06-2018</p>
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PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0616

LOCATION: Delapre Primary School , Rothersthorpe Road

DESCRIPTION: Conversion of current memorial garden space into fully enclosed Multi Use Games Area (MUGA)

WARD: Delapre & Briar Ward

APPLICANT: Mr Stephen Casey
AGENT: N/A

REFERRED BY: Councillor J Davenport
REASON: Would affect character of the area and residents amenity

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development represents an appropriate land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The applicant seeks planning permission to construct a Multi-Use Games Area (hereafter referred to as a MUGA) within the curtilage of the existing primary school. The MUGA would have dimensions of 34.4m and 26m, and be surrounded by fencing, which would have a height of 3m. Access to the MUGA would be solely from within school grounds.

3 SITE DESCRIPTION

3.1 The application site consists of a primary school, sited in between Rothersthorpe Road and Briar Hill Road and located within a predominantly residential area. As a consequence, building types within the area tend not to be overly high. Furthermore, the school grounds are adjoined by a

number of domestic gardens. In terms of the layout of the school site, the bulk of academic buildings are located to the east of the site. Further to the west is a garden area (which is the site of the proposed MUGA), with a playing field being sited further to the west.

4 PLANNING HISTORY

4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 – New development

6 CONSULTATIONS/REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Environmental Health** – Request conditions covering the submission of a noise survey and hours of use.

6.2 **Councillor J. Davenport** – Request that the application be determined by the Planning Committee as the proposal will affect the character of the area and would impact on the ability for residents to enjoy their properties.

6.3 10 letters of objection. Comments can be summarised as:

- The proposal would generate excessive noise

- Privacy would be affected
- The development would adversely affect visual amenity and would be out of keeping with the character of the area
- Traffic could increase, creating parking problems
- The hours of use may be increased, or commercially rented
- Some trees have been felled
- Lighting may be installed in the future
- Balls may cause damage
- Wildlife will be adversely affected
- The construction process will impact amenity

7 APPRAISAL

- 7.1 The proposed development is for the creation of a MUGA, for use as part of the existing school. As a consequence, the development would result in an enhancement of the sports facilities on offer within the school and, potentially, allow for the playing of sports in more inclement weather conditions. Therefore, it is considered that that the proposal would be of some benefits in terms of promoting more healthy lifestyles.
- 7.2 It is noted that some representations received by the Council have commented upon the understanding that the land on which the MUGA is to be sited was acquired for a school garden. In response, it should be acknowledged that, in planning terms, the site forms part of the school and as such, the development does not relate to a change of use of the land. Therefore, given that the space can be used for educational or recreational purposes associated with the school, it is considered that there would not be a material increase in noise or activity that would warrant refusal of the planning application.
- 7.3 The design of the MUGA is of a functional nature, with a maximum fencing height of 3m. Given these factors, it is considered that the proposal would not lead to a significant impact on the amenities of surrounding properties in terms of matters such as light and outlook. This is because there is a reasonable separation distance between the MUGA and surrounding dwellings (which is, in part, due to the significantly sized gardens of those dwellings in Rothersthorpe Road and Briar Hill Road). Furthermore, under permitted development rights boundary fencing of up to two metres can be constructed on the site's boundaries. As a consequence of these factors, it is considered that the proposed development would not result in an overbearing feature. On account of the existing boundary treatments and the existing use of the site, it is considered that the operation of the MUGA would not result in a significant loss of privacy to the occupiers of adjoining properties.
- 7.4 It is noted that comments have been submitted in respect of potential damage to properties arising from balls inadvertently leave the MUGA, which may adversely affect amenity. In order to overcome this, a condition is recommended that would require the installation of protective netting over the top of the MUGA prior to its first use and for this to be retained throughout the life of the development.
- 7.5 In order to ensure that the proposed MUGA does not have an unwarranted level of prominence, an additional condition is recommended that would enable the Council to approve details of the finished appearance of the associated structures.
- 7.6 The documents submitted with the planning application state that the MUGA will be used solely between the hours of 8am and 6pm on Mondays to Fridays only. Given that these hours are likely to coincide with periods where background noise levels are likely to be greatest, it is considered that the proposal would not result in any significant undue loss of amenity to the occupiers of neighbouring properties arising from noise and disturbance. In order to ensure this, and in line with the advice of the Council's Environmental Health section, a condition is recommended to limit the use of the MUGA to these hours only. This would therefore exclude any usage of the MUGA during weekends and bank/public holidays, when a greater level of peace and quiet might reasonably be expected.

- 7.7 It is noted that the Council's Environmental Health section have requested a condition regarding the submission of a noise survey. In response, it is noted that the days and hours of usage of can be controlled by condition. This ensures that the MUGA would only operate during periods when background noise levels would be expected to be higher. Given this conclusion and the fact that the site is already part of a school, where a certain level of activity would be expected, it is considered that the proposal would not be unduly harmful to amenity and therefore such a condition would be unreasonable and unwarranted.
- 7.8 In addition, it should be noted that the proposal does not include any lighting to the MUGA, which would result in diminished usage of the development during event periods, particularly during winter months, which would also serve to minimise the impacts of the development in respect of noise.
- 7.9 Given that the MUGA would operate as part of the school and would not form a separate planning unit in its own right, it is considered that the proposal would not result in a greater number of vehicles arriving or departing the site.

8 CONCLUSION

- 8.1 In conclusion, it is considered that the proposed development represents an appropriate land use that would facilitate the playing of a greater array of sports in schools and, subject to conditions, would not have a significant adverse impact upon amenity.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Plan; Block Plan; and Location Plan.

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

3. Notwithstanding the details submitted, full details of the external finished materials (including colour) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

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

3. Notwithstanding the details submitted, full details of protective netting to the top of the MUGA shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of neighbour amenity, in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

4. The Multi-Use Games Area hereby approved shall only be used between the hours of 8am and 6pm on any one day on Mondays to Fridays, and at no times on Saturdays, Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of residential amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

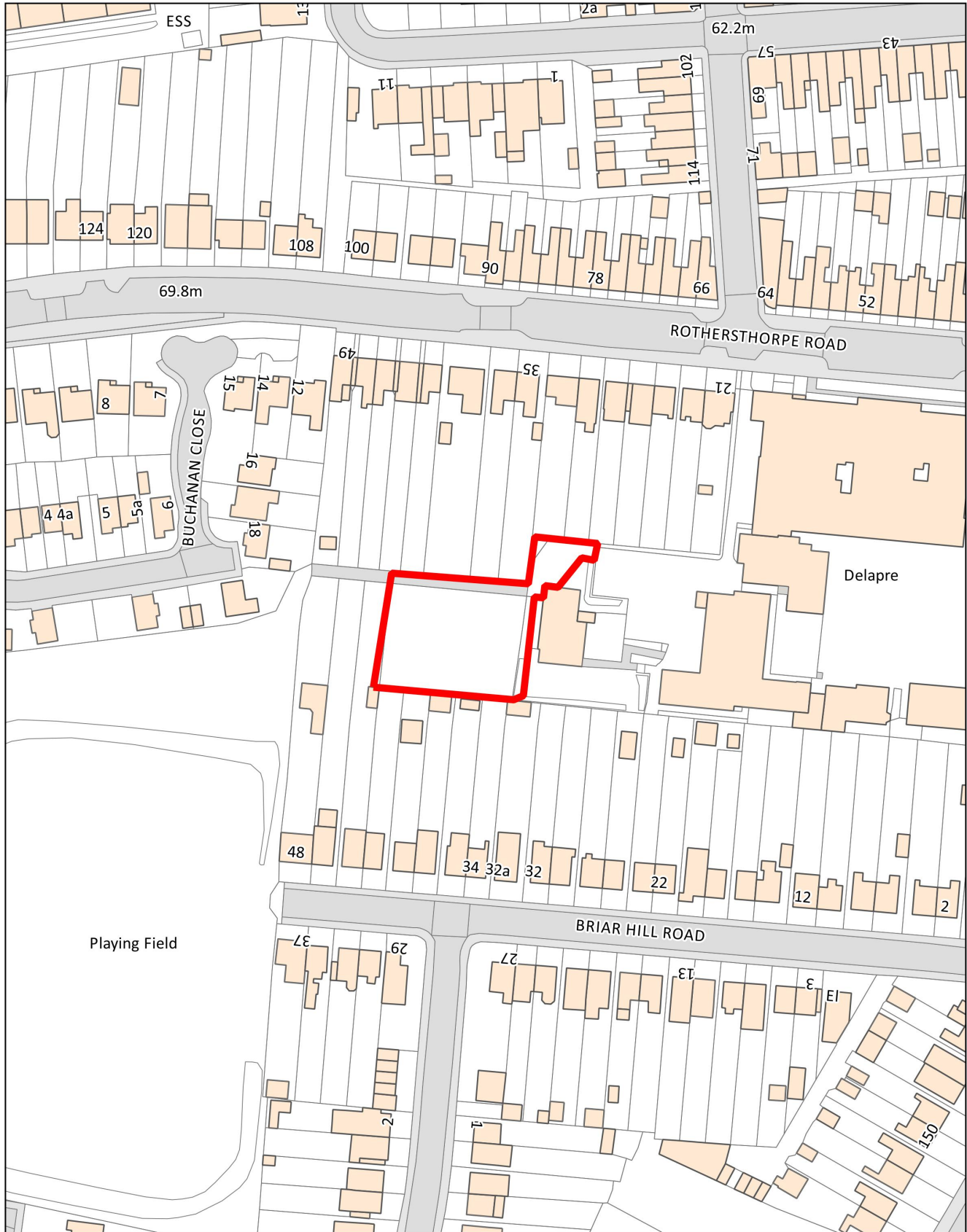
10.1 None


11 LEGAL IMPLICATIONS

11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Delapre Primary School. Rothersthorpe Rd</p>	<p>Date: 18-06-2018</p>
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		<p>Drawn by: -----</p>



PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0665

LOCATION: 17 Victoria Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

WARD: Castle Ward

APPLICANT: Mr Paul Lever
AGENT: N/A

REFERRED BY: Councillor D Stone
REASON: Overdevelopment and impact on community

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 the town centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal would have an acceptable impact on the Boot and Shoe Quarter Conservation Area and thereby complies with Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 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 dwelling house (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 5 people. No external alterations are proposed to the property. The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a small HIMO.

3 SITE DESCRIPTION

- 3.1 The application site comprises an end of terrace, three bedroom dwelling on Victoria Road, located in a residential area with similar terraced properties on both Victoria Road and Ecton Street. The site is only 10 minutes walk to Northampton's main shopping street (Abington Street) and close to Billing Road. The site lies within the Boot and Shoe Quarter Conservation Area. The property is not listed and is not in a flood zone.

4 PLANNING HISTORY

- 4.1 No recent planning applications.

5 PLANNING POLICY

5.1 Statutory Duty

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

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

5.2 National Policies

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

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

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

Paragraph 50 - 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.

Paragraph 100 - flood risk in determination of planning applications.

Paragraph 132 - heritage assets.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

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

Policy BN5 - The Historic Environment and Landscape
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 (design)
Policy E26 - conservation areas
Policy H30 - Multi-occupation within 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:

- 6.2 **Conservation (NBC)** - No objection provided over-concentration does not occur. The proposal will not affect the appearance of the conservation area.
- 6.3 **Highways (NCC)** - The property is in a Permit Zone with parking controlled. The LHA holds the right to restrict number of permits administered.
- 6.4 **Private Sector Housing (NBC)** - room sizes are all adequate.
- 6.4 **Councillor Stone** - called in the application on over-development and impact on balanced communities reasons.
- 6.5 2 neighbour objections received on following grounds:
- Need more families in the area
 - Need for more balanced communities

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 Joint Core Strategy 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 6 other HIMOs within a 50metre radius of the application site. The use of this property as a HIMO would equate to 7.9% concentration in the area (7 out of 89 properties). This would clearly fall within 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 IPPS. A condition restricting the use of the property to a maximum of 5 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 will be satisfied with the accommodation proposed meets their requirements.
- 7.4 The property also has a basement, however it would be used as storage only. No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles.

Flood Risk

- 7.5 Given that the site is not in a flood zone, it is considered that there is no concern over the impact on flood risk.

Highways/Parking

- 7.6 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.
- 7.7 The application property is located within easy walking distance to facilities in the town centre and within 300m of the nearest bus stop on Billing Road. It is considered that the application site is in a sustainable location. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 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 to be submitted for approval for secure cycle storage.
- 7.9 However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.10 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 5 parking spaces, which is an increase of 3 compared to the existing use, as the parking requirement for a 3-bed dwelling is 2 spaces. The Local Highway Authority raise no objections as the surrounding area is covered by a resident parking permit scheme.
- 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 No details have been submitted for refuse storage or bin location. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size.

Amenity

- 7.13 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 Class C3 dwelling.

Impact on appearance and character of Boot and Shoe Quarter Conservation Area

- 7.14 As there are no external changes proposed to the building, there would not be any undue impact on the conservation area. This is a view supported by Council Conservation Officers.

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, the conservation area, flood risk or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed. The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

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: Drawing 300418B and Site Location Plan.

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

- 3) Prior to the occupation of the development, 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: 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

- 4) 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 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 five residents at any one time.

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

6) The existing cellar shall not be used as a bedroom or other habitable room throughout the lifetime of the use as a house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policy H5 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

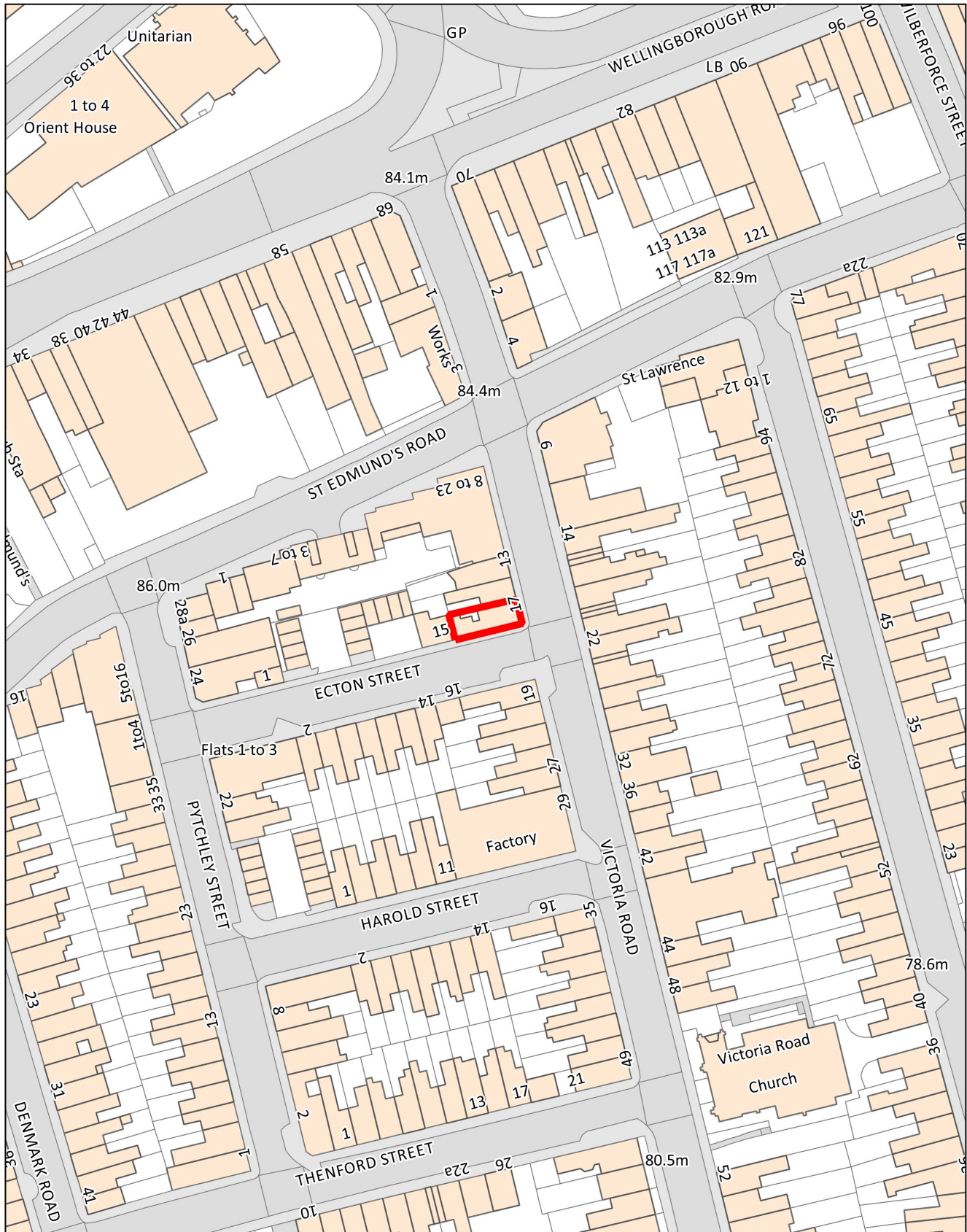
10.1 N/2018/0665.

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: **17 Victoria Road**

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Date: 18-06-2018

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0743

LOCATION: 18 Tanfield Lane

DESCRIPTION: Two storey side and rear extensions

WARD: Rushmills Ward

APPLICANT: Mr Ifty Choudary
AGENT: RJA Designs

REFERRED BY: Head of Planning
REASON: The applicant is related to a Council Member

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The design and appearance of the proposed development are acceptable and would not lead to any unacceptable impacts on the character of the existing dwelling, local area and adjacent residential amenity. The loss of the garage serving the property would not compromise highway safety and the amenity in the local area. The proposed development would be in accordance with saved Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, the Council's Residential Extensions and Alterations Design Guide, and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 Two storey side and rear extensions to the existing dwelling. The proposal also includes the conversion of an existing integral garage to a family room.

3 SITE DESCRIPTION

3.1 The site consists of a large modern detached dwelling, located at the end of a private drive consisting of five other dwellings of similar designs and age. The front of the dwelling has an integrated single garage and a gravelled parking area for two vehicles. The rear of the site has a substantial garden which is set on a slight incline.

4 PLANNING HISTORY

- 4.1 N/2018/0610 - Two storey side and rear extension and detached triple garage to front garden – withdrawn.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Section 7 - Requiring Good Design

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy E20 – New Development (Design)

Policy H18 – Extensions

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Residential Extensions and Alterations Design Guide SPD

6 CONSULTATIONS/ REPRESENTATIONS

- 6.1 10 representation has been received from neighbouring properties, the comments of whom are summarised as follows:

- Proposal encroaches on adjacent properties in terms of light and overlooking
- Not in keeping with existing properties
- Contaminated soil on site - residents having problems with their gardens
- Existing garage foundation not strong enough to support two storey extension
- Desirable location could potentially become a HIMO
- Private unadopted access road, maintained by residents

- Pressure on amenities, water, sewage, drainage
- More vehicles
- Increased noise
- Out of scale and character with rest of Tanfield Lane

7 APPRAISAL

7.1 The main issues to be considered would be impact on the character of the original house and local area, and the impact on the residential amenity of the neighbouring properties.

Impact on appearance and character of host building and area

7.2 The application property is located towards the end of a row of similar detached houses. The front of the properties overlook the Bold Dragons Cricket Club, with the rear of the property backing onto Tanfield Lane. The local character of the area is therefore defined with similar designs and styles.

7.3 The proposed two storey side and rear extensions would increase the massing of the main dwelling. Whilst the application property has a reasonable sized rear garden, the footprint of the existing house will not change hugely and the proposed extension would not result in overdevelopment of the site. Owing to the proposed design and location of the application property towards the end of the row, the proposed extension will integrate with and would not dominate the main dwelling.

7.4 Due to the location of the application site, the proposed extension would be visible from the front but as the dwelling is located at the end of a private drive with five other dwellings, the proposed front elevation would not be prominent within the wider street scene. The rear of the application site is also visible from Tanfield Lane. The proposed roof of the extension would sit below the main ridgeline and would match the existing roof design. It is considered that the proposed extensions would complement the existing appearance and would accord with advice contained in the Council's Residential Extensions and Alterations Design guide SPD.

7.5 The proposed material to be used would be in keeping with the existing house and a materials to match condition would be imposed on any approval.

7.6 It is considered that the proposed extensions would accord with the saved Policies H18 and E20 in the Northampton Local Plan and National Planning Policy Framework.

Impact on amenity of neighbours

7.7 The proposed rear extension would have some impact on the adjacent neighbouring property at No.20 Tanfield Lane. The neighbouring property has two obscure glazed bathroom windows on the first floor side elevation. Due to the orientation of the site, it is not considered that the impact would be so adverse to warrant the refusal of the application. The neighbouring property currently overlooks the side elevation of No.18 which has an existing bedroom window to bedroom 4. This would be replaced by a bathroom window and a condition is recommended requiring obscure glazing to this first floor side bathroom window which would overcome direct overlooking.

7.8 The rear of the site is on a slight incline with Tanfield Lane behind. The application site has a good separation distance of over 20m with the properties at the rear and therefore impact on these properties would be limited. The proposed extension would have no impact on the neighbouring property at no.16.

7.9 The proposal will add one more bedroom including an en-suite on the first floor and converting the garage into a family room with a utility room to the rear. The proposed extension is considered acceptable and the conversion is not likely to create unacceptable noise as compared with the existing dwelling.

- 7.10 In relation to contamination of the ground, the proposal is of a small scale and only increases the footprint marginally. There will be limited disturbance of the ground and any contamination issue was addressed in the original development of the dwelling.

Parking

- 7.11 The application property is currently a 4-bed property and the proposed extensions would result in one additional bedroom, with the loss of the existing garage. The property would still have two parking spaces to the front of the property. The property is located at the end of a private drive and could accommodate additional parking without affecting the amenity of the adjacent neighbouring properties.
- 7.12 It is considered that the proposed development would have a neutral impact on the highway safety.

Other Matter

- 7.13 Some of the representations received express concerns that the dwelling could be used as a house in multiple occupation (HIMO). The application site is not within an Article 4 Direction area and planning permission is not required for a change of use to a 6 persons HIMO. However, based on the application information, there is no evidence to suggest that the property will be used as a HIMO and therefore the application should be determined on its merits for domestic extension only.

8 CONCLUSION

- 8.1 It is considered that the proposed development for two storey side and rear extensions is of a scale and design appropriate to the main dwelling and surrounding area. There would not be detrimental impact on the residential amenity of the neighbouring properties.
- 8.2 The proposal would be in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, saved Policies H18 and E20 of the Northampton Local Plan, the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document and advice given within the National Planning Policy Framework.
- 8.3 The proposed development is considered acceptable and is recommended for approval subject to the conditions.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: I.C.5/R1 (received on 20th June 2018) and I.C.6.

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.

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.

4. The external walls/cheeks of the rear dormers hereby approved shall be constructed with materials of the same type, texture and colour as the external roof of the existing building.

Reason: In the interests of visual amenity to ensure that the dormers harmonise with the existing building in accordance with Policy E20 of the Northampton Local Plan.

5. The side elevation first floor bathroom window 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 property in accordance with Policy E20 of the Northampton Local Plan.

10 BACKGROUND PAPERS

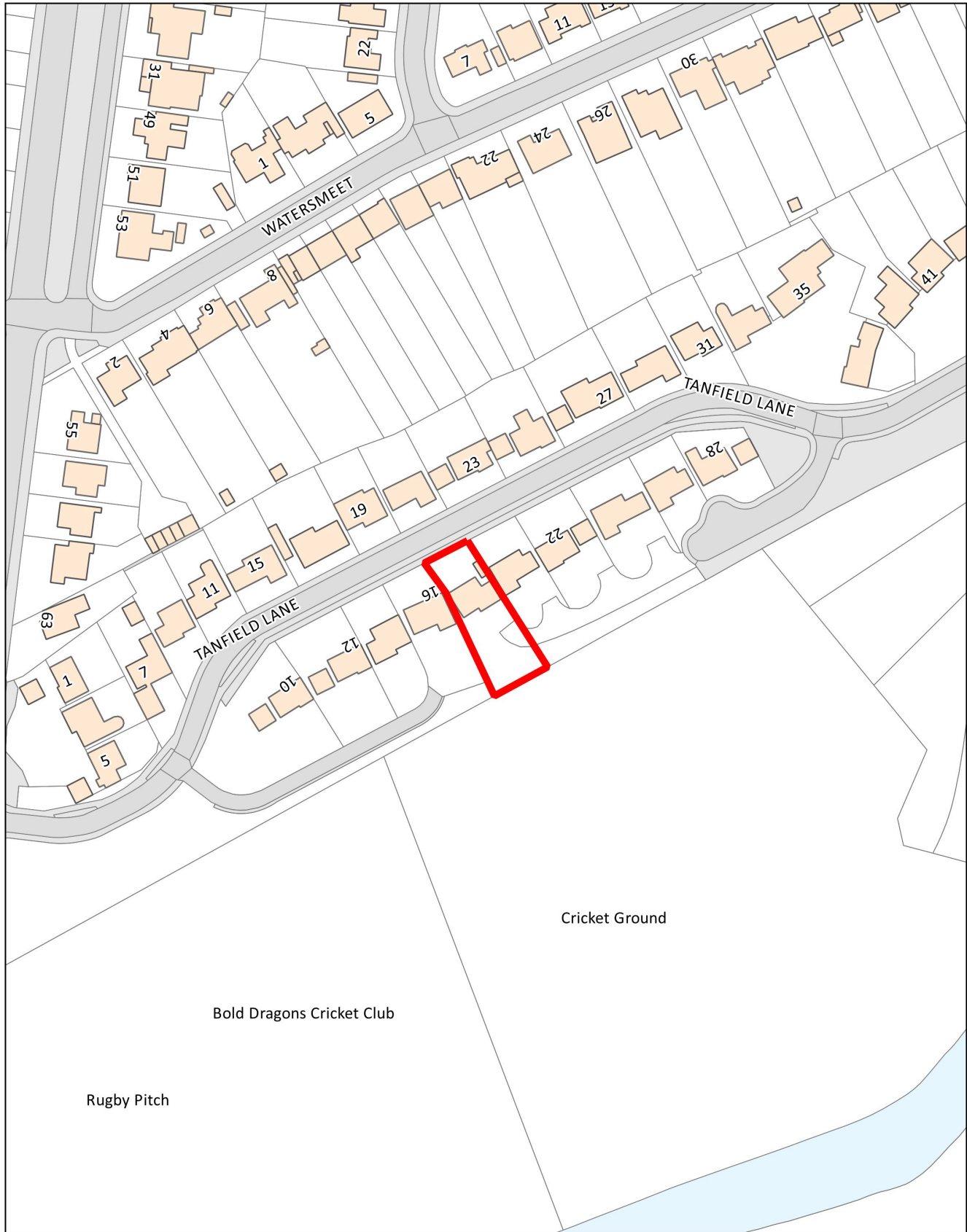
- 10.1 None

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **18 Tanfield Lane**

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Date: 18-06-2018

Scale: 1:1.400

Drawn by: -----



PLANNING COMMITTEE: 3rd July 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0771

LOCATION: 23 Chapel Place

DESCRIPTION: Continue temporary use of land for car parking to serve 56-60 St Michael's Road

WARD: Castle Ward

APPLICANT: Trickers
AGENT: Underwoods LLP

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 continued temporary use of the site for car parking would not prejudice the long term regeneration potential of the site and would preserve the character and appearance of the Boot and Shoe Quarter Conservation Area in compliance with Policy S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Northampton Central Area Action Plan and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is to permit the continued use of the site for car parking on a temporary basis for a period of three years. Planning permission was last granted for a temporary car parking use in July 2014 (N/2014/0482), this consent expired on 1st July 2017. The site was first granted planning permission to be used for car parking in 1998.

3 SITE DESCRIPTION

3.1 The application site is located in an edge of centre position and constitutes undeveloped land surrounded by palisade fencing, walling and the back of factories on St Michaels Road. The car park is approached along Chapel Place which is only wide enough for a single vehicle as it runs north off Abington Square. To the west are properties fronting Abington Square and to the north is

St Michael's multi-storey car park. The space makes up one of a number of similar car parks in the surrounding area that largely serve local companies.

4 PLANNING HISTORY

- 4.1 **98/0642** – Change of use from car sales to car parking at land at Chapel Place – Approved 06/10/1998
- 4.2 **99/0824** – Renewal of temporary planning permission 98/0642 – Approved 06/10/1999
- 4.3 **N/2002/1206** – Renewal of temporary planning permission 990824 for change of use from car sales to car parking – Approved 11/12/2002
- 4.4 **N/2004/1510** – Renewal of temporary planning permission N/2002/1206 for change of use from car sales to car parking – Approved 09/12/2004
- 4.5 **07/0117/VOCWNN** – Renewal of temporary permission for use of land as car park – Approved 22/06/07
- 4.6 **N/2014/0482** – Temporary use of land for car parking to serve 56-60 St Michael's Road – Approved 18/07/2014

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 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. Policies of particular relevance are:

Policy S10 – Sustainable Development Principles
Policy 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 policy include:

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 **Conservation Officer (NBC)** – No objection to renewal for a further three years. The site is not prominent within the Boot and Shoe Quarter Conservation Area and the use has a neutral impact on Conservation Area and on the setting of the grade II listed buildings on St Michael's Road. The current use serves a useful function in providing off-street parking for the listed Tricker's shoe factory.

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

6.3 The application has been advertised by site and press notice, no responses have so far been received. However at the time of writing this report the consultation period is ongoing, therefore any comments which are received, together with any additional comments from statutory consultees, will be reported to Committee by means of the addendum.

7 **APPRAISAL**

Principle of the Development

7.1 The site is not allocated for any specific purpose within the Northampton Central Area Action Plan. Nevertheless the site, owing to its central location, holds the potential to be redeveloped to add vitality and viability to this particular area of the town centre.

7.2 However, in the short term the use of the land provides an important function in supporting a local business, one of the last remaining shoe manufacturers in Northampton.

Impact on the character of the area including the Boot and Shoe Conservation Area

7.3 Due to the location of the site it is not visible from public thoroughfares and therefore its continued use as a car park will not have any significant visual impact. The use also supports the continuing viable use for its original purpose of the adjacent listed building.

Impact on surrounding occupiers

7.4 It is not considered that the continued use on a temporary basis will have any impact on adjoining, mainly commercial occupiers.

Highway Safety

7.5 It is not considered that the proposal would adversely impact on highway safety. The Highway Authority has no objection to the application.

8 **CONCLUSION**

8.1 The proposed continued temporary use of the site for car parking would not prejudice the long term regeneration potential of the site and would preserve the character and appearance of the Boot and Shoe Quarter Conservation Area whilst not having any adverse impact on the amenities of surrounding occupiers.

9 **CONDITIONS**

- (1) The use hereby permitted shall be discontinued on or before 1st July 2020.

Reason: In the interests of amenity as the Local Planning Authority consider the use is only acceptable as a temporary expedient.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: BS168/01, BS1680/03.

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

10 **BACKGROUND PAPERS**

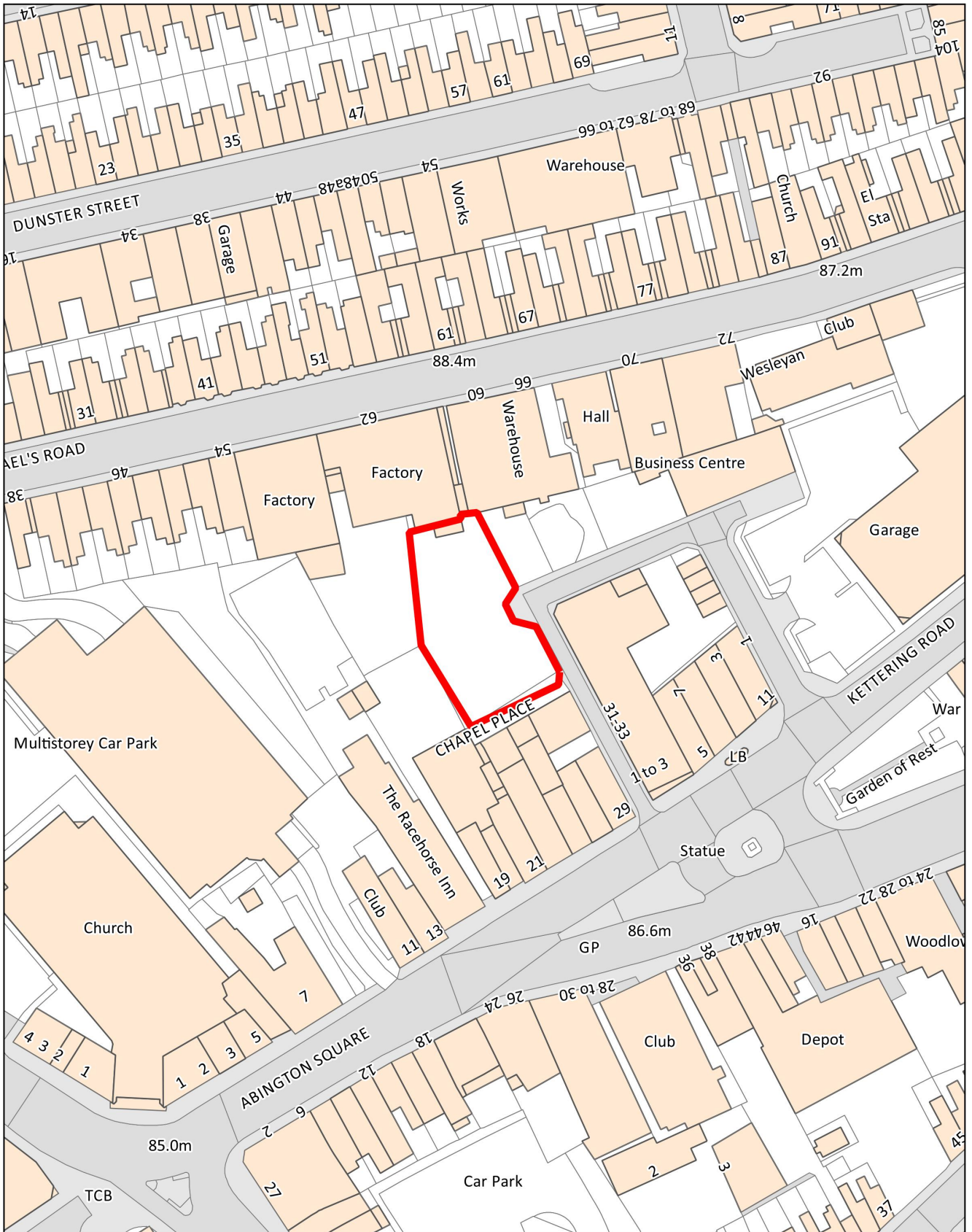
- 10.1 Application file N/2018/0771.

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: **23 Chapel Place**

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Date: 18-06-2018

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