



PLANNING AGENDA

Tuesday, 4 September 2018

The Jeffrey Room, The Guildhall, 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, The Guildhall, St. Giles Square, Northampton, NN1
1DE
on Tuesday, 4 September 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) N/2018/0436 - MODIFICATION OF SECTION 106 AGREEMENT IN RELATION TO SUBMISSION OF SINGLE RESERVED MATTERS APPLICATION, EDUCATION CONTRIBUTIONS, TRIGGER FOR OTHER FINANCIAL CONTRIBUTIONS AND AFFORDABLE HOUSING DELIVERY AND VIABILITY REVIEWS. UPTON PARK DEVELOPMENT, UPTON VALLEY WAY NORTH
8. **NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
9. **NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
10. **ITEMS FOR DETERMINATION**
(ADDENDUM – Copy herewith)

- (A) N/2017/1653 - DEMOLITION OF EXISTING BUILDINGS WITHIN THE SITE BOUNDARY (TANNERS PUBLIC HOUSE, TAKEAWAY UNITS & POST OFFICE) AND PROPOSED DEVELOPMENT OF 17NO. NEW DWELLINGS TO INCLUDE 11NO. INDIVIDUAL RESIDENTIAL UNITS AND 6NO. PROPOSED FLATS WITH 400 SQM OF RETAIL UNITS ON GROUND FLOOR AND PROVISION OF PARKING. DEMOLITION OF 12NO. EXISTING GARAGES AND CAR PARKING SPACES TO BE REPLACED WITH 10NO. NEW GARAGES AND NEW CAR PARKING SPACES FOR EXISTING RESIDENTS' USE ONLY. THE TANNERS PH, 32 FARMFIELD COURT**
- (B) N/2018/0476 - ERECTION OF 14NO. 3-BEDROOM DWELLINGS WITH PARKING. THE SILVER CORNET PUBLIC HOUSE, 21 WELLAND WAY**
- (C) N/2018/0683 - DEMOLITION OF 16NO. DOMESTIC GARAGES AND CONSTRUCTION OF 2NO. NEW BUILD DWELLINGS. LOCKUP GARAGES, LONGLAND ROAD**
- (D) N/2018/0787 - ERECTION OF SINGLE STOREY EXTENSION TO SIDE OF PROPERTY. 16 RAISINS FIELD CLOSE**
- (E) N/2018/0913 - PROPOSED SINGLE STOREY ANNEX TO REAR. 59 LANGDALE ROAD**
- (F) N/2018/0969 - INSTALLATION OF PLAYGROUND FOR CHILDREN AND YOUNG PEOPLE PLUS 5NO. ITEMS OF OUTDOOR GYM EQUIPMENT. SPORTS COURT, CRESTWOOD ROAD**
- (G) N/2018/1024 - CONVERSION AND EXTENSION OF COACH HOUSE INTO 1NO. SELF-CONTAINED DWELLING. 2 BOSTOCK MEWS**
- (H) N/2018/1060 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 20 ROE ROAD**

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.”

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 31 July 2018

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

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Toon (Development Management Team Leader),
Adam Smith (Principal Planning Officer), Theresa Boyd (Planning
Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillor Choudary.

2. MINUTES

The minutes of the meeting held on 3rd July 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 were
granted leave to address the Committee:

N/2017/1583

Councillor Russell
Councillor Hallam
Tony Howell
Perry Akhtar
Catherine Chapman

N/2018/0446

Shashi Patel
Gary Owens

N/2018/0450

Gary Owens

N/2018/0671

Councillor Stone

N/2018/0700

Chris Parr

N/2018/0734, N/2018/0735, N/2018/0736

Chris Parr

N/2018/0782

Peter Strachan

N/2018/0867

John Bright

David Start

N/2018/0876

Councillor Smith

N/2018/0923

Gary Owens

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor M Markham declared a disclosable and pecuniary interest in items 7a, 10b, 10c, 10f, 10g and 10n as a board member of Northampton Partnership Homes (NPH).

Councillor Kilbride declared a disclosable and pecuniary interest in items 7a, 10b, 10c, 10f, 10g and 10n as a board member of NPH. He further declared a personal interest in items 10d and 10i and stated that he would leave the room whilst the latter was discussed.

Councillor Bottwood declared a disclosable and pecuniary interest in items 7a, 10b, 10c, 10f, 10g and 10n as a board member of NPH.

Councillor Birch declared a predetermination in respect of item 10l and advised that she would leave the room whilst the item was discussed.

Councillor Russell declared a predetermination in respect of item 10a and advised that she would leave the room after speaking on the item.

Councillor Smith declared a predetermination in respect of item 10k and advised that she would leave the room after speaking on the item.

Councillor Kilby-Shaw declared a personal interest in item 10h but advised of no predetermination.

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

With the agreement of the Chair, the order of items on the agenda was rearranged to allow the meeting run more efficiently.

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. She reported an appeal

relating to Cattle Market Road had been dismissed with the Inspector concurring with officers that the design would cause significant overlooking to nearby properties and adversely impact on the setting of the adjacent listed bridge and that the applicant would have no obligation to maintain associated flood defences. An appeal relating to a HIMO application on Hood Street was allowed; the Inspector acknowledged that there was no residual parking, however the location was considered sustainable due to the close proximity of bus stops and other local amenities. The Inspector also noted that there was no evidence to prove a link between HIMOs and highway safety issues.

RESOLVED:

That the report be noted.

(A) N/2017/1583 - INSTALLATION OF FREESTANDING TWO STOREY RESTAURANT WITH ASSOCIATED DRIVE THROUGH, CAR PARKING AND LANDSCAPING AND ASSOCIATED WORKS. INSTALLATION OF 1NO. EXTERNAL PLAY AREA, 2NO CUSTOMER ORDER DISPLAYS AND ASSOCIATED CANOPIES. MORRISONS SUPERSTORE, KETTERING ROAD

At this juncture, Councillor Russell moved to public seating.

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which detailed the thrust of the guidance in the recently published NPPF which remains unchanged and relevant to the proposal. In addition, it was highlighted that the addendum includes further representations from residents and from Kingsley Park Allotment Association. It was also noted that the application was originally submitted in December 2017, however the determination of the application had been delayed due to extensive discussions between the applicant's highway consultant, and NCC Highways, with NCC Highways subsequently raising no objections to the application.

Councillor Russell, in her capacity as the Ward Councillor, spoke against the application and voiced her concern with the proposed opening hours, the potential increase in litter, light pollution, traffic and obesity. She stated that there was no mention in the Local Plan for fast food outlets and asked that the Committee take residents' objections into consideration.

Having addressed the Committee, Councillor Russell left the room for the remainder of the discussion.

Councillor Hallam, on behalf of his constituents and as the Cabinet Member for Environment, spoke against the application and stated that there were alternate locations better suited for a McDonalds. He further stated that the proposal was not in the spirit of the original agreement to use the land and that the highway would not be able to cope with the increase in traffic.

In response to a question, Councillor Hallam stated that there were at least 3 schools within walking distance of the site.

Tony Howell, a local resident, spoke against the application and voiced concern around potential highway issues, littering, vermin and obesity. He also stated that the proposed opening hours would exacerbate existing antisocial behaviour in the car park late at night and suggested that there were more suitable locations for such a development.

Perry Akhtar, local franchisee, spoke in favour of the application and stated that the development would have a positive impact on the neighbourhood, creating around 100 new jobs. He explained that waste management was taken seriously; 3 litter picks would take place daily and the site would have a dedicated car park attendant. He further stated that a full transport assessment had been undertaken as part of the application.

In response to questions, it was explained that a 2 storey building was more land-efficient, having a smaller footprint and thus would use less of the existing car park. It was further explained that it was easier from an operational viewpoint to stay open 24 hours a day. Whilst Mr Akhtar acknowledged that people could not be stopped from littering, staff would litter-pick in an area 200m from the business.

When asked about the business's viability if the opening times were restricted, the Committee heard that the applicant would be willing to accept opening hours of 6am-12midnight.

Catherine Chapman, highway consultant on behalf of the applicant, advised that analysis of Kettering Road was undertaken at the behest of councillors and residents. She further advised that the expected increase in traffic over the next 20 years had been factored in to all assessments.

The Principal Planning Officer noted that the Environmental Health Officer had not requested any variation of the opening hours and that due to the differing nature of the proposed development and nearby supermarket, comparisons could not easily be drawn.

Responding to a question regarding noise levels, the Head of Planning explained that the houses to the rear of the supermarket were located on a smaller road and had a lower threshold for noise; Kettering Road, having more background noise, had a higher threshold.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report, with additional Condition 14 to restrict opening hours from 06:00 to 00:00 midnight only.

7. OTHER REPORTS

(A) PRIOR NOTIFICATION APPLICATIONS FOR THE DEMOLITION OF GARAGES IN THORPLANDS

At this juncture Councillors M Markham, Kilbride and Bottwood left the room.

Councillor Russell re-joined the meeting.

The Development Manager submitted a report and elaborated thereon. The Committee heard that for the sake of expediency, they were asked to delegate powers to the Head of Planning to determine the relevant prior notification applications. It was noted that all relevant policies would be complied with, and that any representations would be duly considered.

Members discussed the report.

RESOLVED:

That the Committee **AGREED** to delegate decision making authority to the Head of Planning to determine the relevant prior notification applications as referred in the report.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(B) N/2018/0446 - DEVELOPMENT OF 4NO SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING. LOCK UP GARAGES, WITHAM WAY

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which detailed the thrust of the guidance in the recently published NPPF which remains largely unchanged and relevant to the proposal. The Committee heard that 12 parking spaces would be provided to serve the 4 properties. It was noted that there would be a minimum of 30m between any existing properties on Witham Way and the proposed development.

Shashi Patel, of a neighbouring property, spoke against the application and commented that there was a need for community infrastructure to be created before more houses were built. He further commented that it was a shame to lose green space in the area and voiced parking and access concerns, and also security concerns regarding the removal of the gate onto the space.

Gary Owens, Project Manager at Northampton Partnership Homes, spoke in favour of the application and advised that the access was wide enough for refuse vehicles. He further explained that the creation of additional properties would increase security by virtue of having more residents able to survey the area.

In response to a question around access for emergency vehicles, Mr Owens reported that highway requirements had been met.

Members discussed the report.

RESOLVED:

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

(C) N/2018/0450 - DEVELOPMENT OF 8NO SEMI-DETACHED DWELLINGS WITH ASSOCIATED PARKING. OPEN SPACE, DERWENT DRIVE

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which detailed the thrust of the guidance in the recently published NPPF which remains largely unchanged and relevant to the proposal. The Committee heard that 24 parking spaces would serve the 8 proposed dwellings and that an area of green space would be retained.

In response to questions, the Committee were informed by Gary Owens, Project Manager at Northampton Partnership Homes, that the maintenance of the retained open space would fall under an existing contract.

Members discussed the report.

RESOLVED:

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

(F) N/2018/0700 - CONVERSION AND EXTENSION INCLUDING ADDITIONAL FLOOR, PROPOSED BALCONIES AND EXTERNAL ALTERATIONS TO FORM 40 NO. APARTMENTS. NEW BIN AND CYCLE STORAGE AND NEW RESIDENTS PLAY AREA. ALTERATION TO CAR PARK LAYOUT AND ERECTION OF BOUNDARY FENCING. OVERSLADE HOUSE, 11 OVERSLADE CLOSE

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which detailed the thrust of the guidance in the recently published NPPF which remains largely unchanged and relevant to the proposal. The Committee heard that works to the currently vacant building would include an additional floor and balconies to form 40 new apartments, with the development served by 59 parking spaces, cycle and bin stores and a residents' play area.

Chris Parr, Project Manager for NPH, confirmed that the nearby MUGA was not owned by the Council, however a children's play area would be provided as part of the development.

In response to a question, the Principal Planning Officer explained that the choice to opt for lower boundary fencing was due to the development being oriented towards families; high fencing and gating would have given the site an institutionalised feel which would not have been desirable.

In response to a question, Chris Parr confirmed that acoustic checks had shown that there would be adequate sound proofing between the apartments.

Members discussed the report.

RESOLVED:

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

(G) N/2018/0734, N/2018/0735, N/2018/0736 - EXTENSION OF EXISTING CAR PARK AND INSTALLATION OF NEW BARRIER TO CAR PARK. CAR PARKS, BOUVERIE WALK, STOCKLEY STREET AND MELBOURNE WALK

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an updated NPPF, however the thrust of the guidance remains largely unchanged and relevant to the applications. The Committee heard that the 3 applications sought to improve parking provision in the area by increasing the number of spaces, erect barriers and improve/relocate existing children's play equipment. It was noted that there had been no objections to the applications.

Members discussed the report.

RESOLVED:

That the 3 applications be **APPROVED** subject to the conditions and reasons as set out in the report.

(N) N/2018/0923 - DEVELOPMENT OF 4NO DWELLINGS WITH ASSOCIATED PARKING. LOCK UP GARAGES, WEST OVAL

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an updated NPPF, however the thrust of the guidance remains largely unchanged and relevant to the application. The Committee heard that the site was currently used as a construction compound for NPH. The garages would be demolished to provide space for 3 terraced and 1 detached property with 11 parking spaces to serve them.

In response to a question, the Committee were informed that the car parks would be accessible by way of an electric fob to prevent unauthorised use; residents would be able to apply for additional fobs at a cost.

Members discussed the report.

RESOLVED:

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

(D) N/2018/0614 - LISTED BUILDING APPLICATION FOR INTERNAL WORKS INCORPORATING ROOM REPAIR TO WALLS OF H6 AND H9 CLASSROOMS AS WELL AS REMOVAL OF MODERN PARTITION WALLS TO STAIRS. QUINTON HOUSE SCHOOL UPTON HALL, UPTON LANE

At this juncture, Cllrs M Markham, Kilbride and Bottwood re-joined the committee meeting.

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an updated NPPF, the thrust of the guidance remains largely unchanged and relevant to the application. The Committee heard that the setting and appearance would not be affected by the proposed works, and that no original features would be disturbed.

Members discussed the report.

RESOLVED:

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

(E) N/2018/0671 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS. 35 ALBANY ROAD

The Development Management Team Leader submitted a report and elaborated thereon. She advised that the agenda front sheet contained a typographical error and that the application was for a change of use to HIMO for 5 occupants and not 6. The Committee were informed that the room sizes met PSH standards, that there were no other HIMOs in a 50m radius and that NCC Highways had not objected to the application.

Councillor Stone, in her capacity as the County Ward Councillor, spoke against the application and commented that local concerns had not been heeded and that there had been fatalities on the road in recent years.

Responding to a question, Councillor Stone explained that as a County Councillor, she had had discussions with NCC Highways where she felt like issues were being ignored or forgotten.

Members discussed the report.

RESOLVED:

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

(H) N/2018/0782 - CREATION OF WETLAND HABITAT AREAS, REED BEDS, BANKED MARGINS AND NEW ISLANDS IN AND AROUND THREE BALANCING/AMENITY LAKES, TOGETHER WITH CLEARANCE OF OVERGROWTH AROUND LAKE EDGES TO OPEN UP VIEWS AND MAKE SURROUNDING FOOTPATHS SAFER. BROOK VIEW, BILLING BROOK ROAD

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained several clarifications to the agenda and an updated NPPF, the thrust of which remains largely unchanged and

relevant to the application. The Committee heard that the site was overgrown and had been subjected to substantial fly tipping over the years. The application sought to use the cleared silt to create islands for further planting, improve the water quality for wildlife and improve security around the sites. It was noted that the application was supported by Natural England.

Peter Strachan, of Growing Together Northampton, spoke in favour of the application and explained that the lakes, created in the 1960s, were not sustainable; the application, subject to extensive consultation, sought to change that. He further explained that a multi-agency approach had been taken, notably Northamptonshire Police, who had been involved in discussions and were supportive of measures to make the area more accessible.

In response to a question, Mr Strachan confirmed that the new design of the lakes would make the site more sustainable; silt would be trapped so that it could be removed more easily, every 5 to 7 years.

Members discussed the report.

RESOLVED:

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

- (I) **N/2018/0845 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2016/1264 (VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2000/981 TO ALLOW THE USE OF THE BUILDING AS A FREE SCHOOL) TO ALLOW THE SPIRES ACADEMY TO OCCUPY THE BUILDING FOR LONGER THAN THE CONSENTED PERIOD FOR A FURTHER 12 MONTHS UNTIL 15 FEBRUARY 2020. THE SPIRES ACADEMY, STATION CLOSE**

Cllr Kilbride left the room at this juncture.

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an updated NPPF, however the thrust of which remains largely unchanged and relevant to the application. The Committee heard that planning consent for the building was due to expire on 15th February 2019; this application sought to extend the period of use for a further 12 months.

Members discussed the report.

RESOLVED:

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

- (J) **N/2018/0867 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 144 SOUTHAMPTON ROAD**

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an updated NPPF, however the thrust of which remains largely unchanged and relevant to the application. The Committee were informed that the property was situated within Flood Zone 2, however the ground floor bedroom sat above the flood danger level. It was noted that this change in use would bring the concentration of HIMO's in a 50m radius to 11.6% if approved. Due to the fact that the change in use would result in a comparable number of occupants to the existing use as a dwelling, the officer recommendation was for approval, despite an objection from NCC Highways.

John Bright, a local resident, spoke against the application and stated that he took issue with the concentration figures, as he had supplied the Planning Department with addresses of further suspected HIMO's and had yet to hear back about them. He further highlighted concerns around parking and waste.

David Start, of a neighbouring property, spoke against the application and voiced concerns regarding waste, parking and the recent flooding that took place. He commented that the street was being turned into a business by landlords.

In response to a question, the Committee heard that the adopted HIMO policy was currently under review.

The Head of Planning confirmed that officers had asked for revised and expanded comments from NCC Highways in time for the meeting, however they had not been received by the time the addendum was published. In respect of recent appeal decisions, it was for the Highway Authority to provide more evidence to support their conclusions.

Members discussed the report.

A motion was proposed to approve the application. There was no seconder.

RESOLVED:

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

Due to there being no residual parking capacity for vehicles in the area, and the fact that the proposed change of use would generate a greater parking demand than existing, the proposed development would have a detrimental impact upon parking provision, highway safety and surrounding amenity contrary to Policy H5 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

(K) N/2018/0876 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, TOGETHER WITH BASEMENT NEW WINDOW. 93 TURNER STREET

Councillor Smith moved to public seating.

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an amended Condition 2, and reference to the updated NPPF, the thrust of which remains largely unchanged and relevant to the application. The Committee heard that the property's basement, with the inclusion of a new basement window, would be converted to a living room. It was noted that there were no other HMOs in a 50m radius and that the bedrooms all met Private Sector Housing standards. Although the NCC Highways had objected to the application the location was deemed sustainable due to the close proximity of public transport links and shops.

Councillor Smith, as the Ward Councillor, spoke against the application and stated that the lack of parking in the area had led to some dangerous parking habits by residents. She further stated that the parking problems did not change from one application to another, so neither would the comments by NCC Highways.

Having addressed the Committee, Councillor Smith left the room whilst the item was discussed.

Members discussed the report.

RESOLVED:

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

(L) N/2018/0883 - INSTALLATION OF SHUTTERS TO ALL WINDOWS, SECURITY FENCING (2.4M HIGH) AND SECURITY CAMERAS. ST CRISPINS COMMUNITY CENTRE, ST CRISPIN DRIVE

Cllr Birch left the room at this juncture. Cllr Smith re-joined the committee.

The Development Manager submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an updated NPPF, however the thrust of which remains largely unchanged and relevant to the application. The Committee heard that following several instances of vandalism, there was a need to improve security to the facility. It was noted that the colours of the new shutters would match the existing building.

Members discussed the report.

RESOLVED:

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

(M) N/2018/0916 - LOFT CONVERSION WITH REAR DORMER (PART RETROSPECTIVE). 21 OAKLEY STREET

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained an updated NPPF, the thrust of which remains largely unchanged and relevant to the application. The Committee heard that the proposed dormer would be visually

dominant as it would expand across the entire width of the roof. It was noted that ideally, a dormer would be a minimum of 27m from the nearest habitable room; this would be 17m. The Development Management Team Leader reported that a similar nearby application had been refused and dismissed at appeal.

In response to a question, it was explained that due to the property being situated within a conservation area, there would be issues with a dormer to the front or rear of the property.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** as per the officer recommendation, for the reasons set out in the report.

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 9:07 pm

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



List of Appeals and Determinations – 4th September 2018

Written Reps Procedure

| Application No. | DEL/PC | Description | Decision |
|--|--------|--|----------------|
| 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/2017/1418 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/2017/1429 APP/V2825/W/18/3198793 | PC | Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 35 Hunter Street | AWAITED |
| N/2017/1607 APP/V2825/W/18/3204102 | DEL | First floor extension over existing attached garage, conversion of existing garage into dining room/playroom and office at 15 Barn Owl Close | AWAITED |
| 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/2018/0003 APP/V2825/W/18/3198383 | PC | Prior Notification of Change of Use from Light Industrial (Use Class B1c) to 8no Dwellings (Use Class C3) at 20 Southampton Road | AWAITED |
| N/2018/0531 APP/V2825/D/18/3206745 | DEL | Ground and first floor rear extension at 30 Riverstone Way | AWAITED |

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

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PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0436

LOCATION: Upton Park Development, Upton Valley Way North

DESCRIPTION: Modification of Section 106 Agreement in relation to submission of single Reserved Matters Application, education contributions, trigger for other financial contributions and affordable housing delivery and viability reviews

WARD: Upton Ward

APPLICANT: Morris Homes
AGENT: HOW Planning

REFERRED BY: Head of Planning
REASON: Amendments to S106 Agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 That the Committee **AGREE** to vary the Section 106 legal Agreement dated 27th March 2015 (the original Agreement) to include the following:
- Amend the financial contributions on a pro-rata basis and the relevant timing of the payments of those obligations.
 - Remove the obligation to provide allotments and instead to include a financial contribution for the provision, maintenance and/or enhancement of burial grounds.
 - Reflect the fact that the planning permission will now be implemented by one developer.
- 1.2 That delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to agree any such further amendments to the planning obligations contained in the original Agreement as is reasonably necessary.

2. THE PROPOSAL

- 2.1 The applicant has proposed to vary the original Agreement in relation to planning permission N/2011/0997 relating to the Upton Park Development. The outline permission was granted in March 2015, for up to 1,000 dwellings, including a primary school, local centre and public open

space. However, due to various constraints on the site and changes in the flood mitigation measures, this has reduced the quantum of developable land within the site boundaries. The reserved matters application (N/2018/0426) which has been received by the Council and currently still outstanding, relates to 860 dwellings.

- 2.2 As a result of the reduction in the number of dwellings that can be delivered, the applicant has requested a review of the level of financial contributions to reflect what can be achieved on the site.
- 2.3 In addition, the original Agreement required a number of the significant contributions to be paid prior to the commencement of development on site, or in the very early phases. This raised viability issues for the development and the applicant has requested that these are structured in a more appropriate manner, giving priority to education contributions in the first instance.

3. SITE DESCRIPTION

- 3.1 Under the current reserved matters application, the site proposes 860 dwellings and 3 commercial units (Use Classes A1 (shop) and A3 (restaurant/café)) along with the provision for a primary school and associated infrastructure.
- 3.2 This part of the Upton development stretches from West Street in Upton to Upton Valley Way North to the west. Quinton House School and associated land is located to the north with the development stretching to Weedon Road. To the south is Upton Country Park.

4. PLANNING HISTORY

- 4.1 N/2011/0997 - Outline Planning Application for up to 1,000 residential units, primary school and local centre up to 2,000msq. All matters reserved except access. Approved 31/03/2015.
- 4.2 N/2018/0426 - Application for Reserved Matters pursuant to Outline Planning Permission N/2011/0997 for the erection of 860 dwellings and 3 commercial units (Use Classes A1 (shop) and A3 (restaurant/café)) along with garages, roads, sewers, landscaping and ancillary works. Current application.
- 4.3 N/2018/0427 - Construction of access road linking West Street and the outline planning permission site (ref. N/2011/0997) to the west known as Upton Park Development, land off Weedon Road, Upton. Current application.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Paragraph 8 – There are three dimensions to sustainable development giving rise to the need for the planning system to perform an economic, social and environmental role.

Paragraph 11 – Central to the National Planning Policy Framework is a presumption in favour of sustainable development.

Paragraph 14 – the need to demonstrate a five year housing land supply

Paragraph 34 – developer obligations expected from a development

Paragraph 57 – the use of viability assessments

Paragraph 59 – To support the Governments objective of significantly boosting the supply of homes, without unnecessary delays.

Paragraph 122 – support development that makes efficient use of the land, taking account of different types of housing, viability, infrastructure and services, character of the area and well designed, attractive and healthy places.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy SA – Presumption in favour of sustainable development
Policy S3 – scale and distribution of housing development
Policy S5 – sustainable urban extensions
Policy H1 – housing density and mix and type of dwellings
Policy H2 – affordable housing provision
Policy BN1 – green infrastructure connections
Policy BN2 – biodiversity
Policy BN3 – woodland enhancement and creation
Policy BN5 – the historic environment and landscaping
Policy BN7 – flood risk
Policy BN7a – water supply, quality and waste water infrastructure
Policy INF1 – approach to infrastructure delivery

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – new development (design)
Policy H14 – residential development, open space and childrens play facilities
Policy R11 – shopping facilities/local centre in major residential development
Policy L13 – local community facilities
Policy L24 – local allotment gardens

6. APPRAISAL

- 6.1 The outline planning permission for the development was subject to a Section 106 legal Agreement which was completed on 27th March 2015 and secured a number of planning obligations.
- 6.2 The original Agreement set the contributions for education and highway improvements as an overall figure. The developers have requested that this is reviewed to take account of the reduction in the numbers of dwellings to be constructed. The financial contributions have been discussed with NCC (Education) and Highways England and a pro-rata figure agreed.
- 6.3 The second area of concern is the timing for payment of the contributions and the applicant is seeking to spread the contributions more evenly through the stages of the development.

Discussions have taken place with NCC who are agreeable, on the basis that the primary education is given high priority and the secondary education contribution can be made at a later stage of the development.

- 6.4 Trigger points for payments have been proposed by the applicant, which have been assessed against a viability appraisal.
- 6.5 The original proposal indicated an area of land to be designated for allotments. Given the constraints on the land the site was unable to achieve the quantum of development originally intended. As a result the applicant and Homes England reviewed the quantum of open space within the development, which identified that the provision was over and above policy compliant, even if the allotment area was then identified for further housing.
- 6.6 Amended plans have been submitted in respect of the reserved matters application, which replaces the allotment land with housing. The applicant has suggested a financial contribution to open space in lieu of this. Accordingly the original Agreement needs to be amended to reflect these changes.
- 6.7 Discussions have taken place with the NBC Communities Team, who have confirmed there are vacant allotments in the area and whilst the new allotments in St Crispins have some interest they are not fully subscribed. In preference, the Communities Team requested a financial contribution towards the provision and/or maintenance and/or enhancement of burial grounds within the Borough instead.
- 6.8 In terms of delivery of the development, the original Agreement refers to the reserved matters being submitted in phases. This would have allowed for situations where the development was to be implemented by more than one developer. In this instance, the site is now to be developed by Morris Homes, who will implement the development, but working from either end of the site. The original Agreement therefore also needs to be amended to take into account of this change.
- 6.9 In order to ensure the timely delivery of the development, the request to vary the relevant obligations, therefore, does not seem unreasonable to ensure timely delivery of the development.

7. CONCLUSION

- 7.1 Given the requirements of Policy INF1, the obligations set out in the original Agreement are considered to be onerous obligations on the developer due to the reduction in quantum of development, the timing of payment of the financial contributions and the viability for the development, which would then affect delivery of the much needed housing. The Council are keen to see the development completed in a timely manner and facilities completed and occupied to serve the local community around the local centre. It is considered that in this instance, the proposed amendment is acceptable.

8. BACKGROUND PAPERS

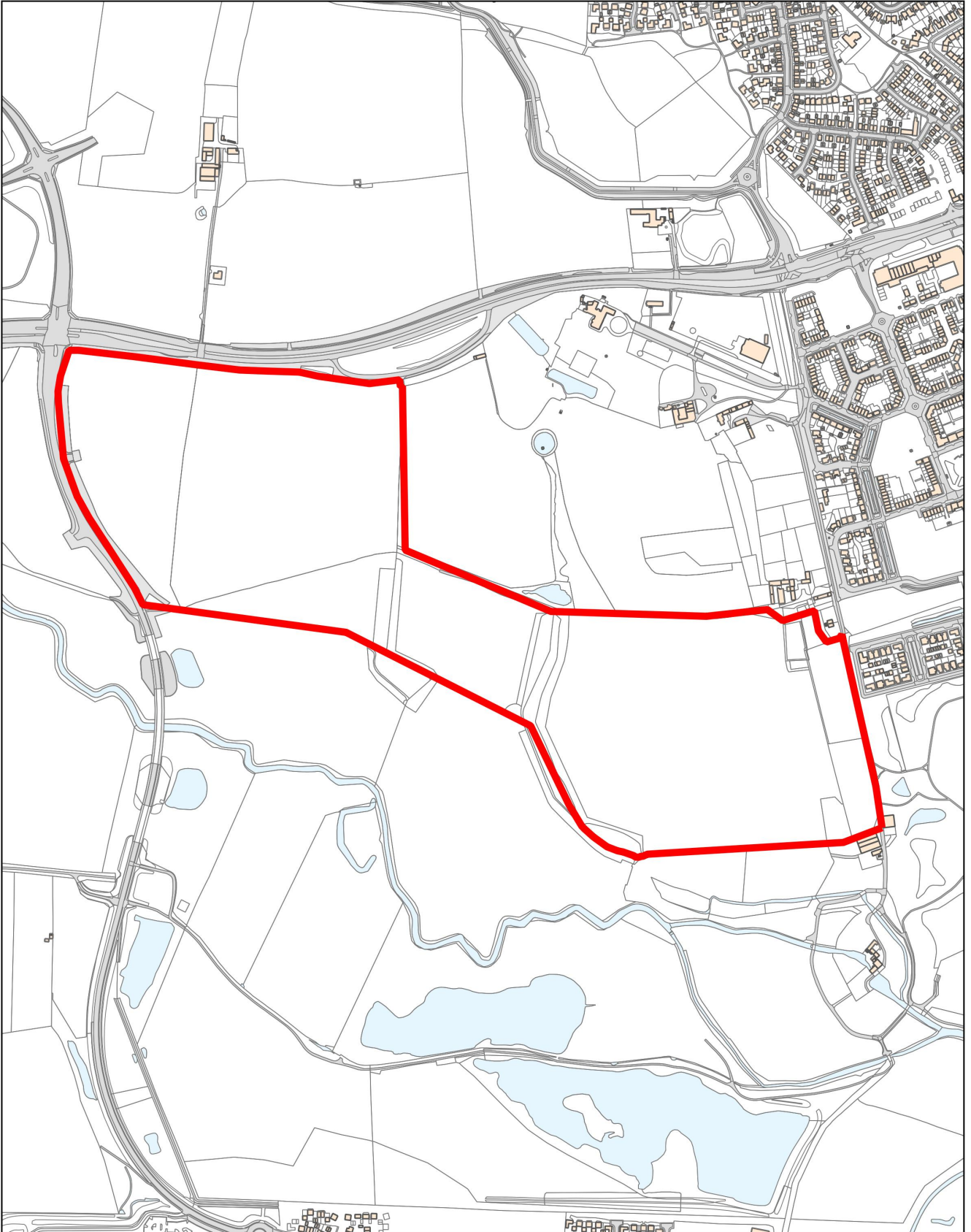
- 8.1 N/2018/0436, N/2018/0426 and N/2018/0427.

9. LEGAL IMPLICATIONS

- 9.1 None.

10. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **Upton Park, Weedon Road**

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Addendum to Agenda Items Tuesday 4th September 2018

7. OTHER REPORT

7a

N/2018/0436

Modification of Section 106 agreement in relation to submission of single Reserved Matters Application, education contributions, trigger for other financial contributions and affordable housing delivery and viability reviews

Upton Park Development, Upton Valley Way North

No update.

10. ITEMS FOR DETERMINATION

10a

N/2017/1653

Demolition of existing buildings within the site boundary (Tanners Public House, Takeaway Units & Post Office) and proposed development of 17no. new dwellings to include 11no. individual residential units and 6no. proposed flats with 400 sqm of retail units on ground floor and provision of parking. Demolition of 12no. existing garages and car parking spaces to be replaced with 10no. new garages and new car parking spaces for existing residents' use only

The Tanners PH, 32 Farmfield Court

Item **WITHDRAWN** from the agenda.

10b

N/2018/0476

Erection of 14no. 3-bedroom dwellings with parking

The Silver Cornet Public House, 21 Welland Way

No update.

10c

N/2018/0683

Demolition of 16no. domestic garages and construction of 2no. new build dwellings

Lockup garages, Longland Road

Amended Condition 5

No development shall take place, except for the demolition works, until the details of the existing and proposed ground levels and finished floor levels of the development has been 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.

Amended Condition 7

No development shall take place, except for the demolition works, 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.

Amended Condition 12

Prior to the construction of the development hereby approved above ground floor slab level, a revised noise assessment report in accordance with BS4142 shall be submitted to and approved in writing by the Local Planning Authority for protecting the dwellings from external noise. The revised noise assessment report shall include any necessary mitigation measures against external noise source. The approved measures/scheme shall be implemented concurrently with the development, completed before the first occupation or use of the development and thereafter retained.

Reason: To protect the enjoyment of future occupiers of their dwellings amenity in accordance with Policy BN9 of the Northamptonshire Joint Core Strategy.

10d

N/2018/0787

**Erection of single storey extension to side of property
16 Raisins Field Close**

No update.

10e

N/2018/0913

**Proposed single storey annex to rear
59 Langdale Road**

No update.

10f

N/2018/0969

**Installation of playground for children and young people plus 5no. items of outdoor gym
equipment
Sports Court, Crestwood Road**

No update.

10g

N/2018/1024

**Conversion and extension of coach house into 1no. self-contained dwelling
2 Bostock Mews**

The proposed plan has been amended since the publication of the Committee Report to clarify the details of the first floor fenestration and therefore Condition 2 has been changed below.

Amended Condition 2:

The development hereby permitted shall be carried out in accordance with the following approved plans: A696-SLP; A696-1b and A696-2.

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

10h

N/2018/1060

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

20 Roe Road

No update.



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/1653

LOCATION: The Tanners PH, 32 Farmfield Court

DESCRIPTION: Demolition of existing buildings within the site boundary (Tanners Public House, Takeaway Units & Post Office) and proposed development of 17no. new dwellings to include 11no. individual residential units and 6no. proposed flats with 400 sqm of retail unit and retail unit/takeaway on ground floor and provision of parking. Demolition of 12no. existing garages and car parking spaces to be replaced with 10no. new garages and new car parking spaces for existing residents' use only.

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner

REFERRED BY: Head of Planning
REASON: Major application requiring S106 legal agreement and Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a S106 Agreement to secure:

- 1.1.1 i) 35% on-site affordable housing;
- ii) Pre-School and Primary School Education payment.

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

The proposed development represents an acceptable land use and would not have a significant adverse impact upon the character and appearance, neighbour amenity, flood risk and the highway system. The proposal is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S1, S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local 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.

2 THE PROPOSAL

- 2.1 The applicant seeks planning permission to redevelop the site in order to construct 11 houses and 6 flats. The flats would be located in a single three storey building that would also contain 2 commercial units. One of these would be used for retailing (falling within Use Class A1) and the second would be made available for use either as a retail unit or as a takeaway (Use Class A5). A separate community room has also been included as part of the development.
- 2.2 The development also includes a total of 63 car parking spaces, including 14 garages (of which 6 would be made available for existing residents) and 4 car parking spaces that would be used by staff working in the commercial units.

3 SITE DESCRIPTION

- 3.1 The application site originally consisted of a public house, which has since been demolished. Adjacent to this site is a small local centre, which contains an element of convenience retailing, in addition to some takeaway uses. The surrounding area is generally characterised through the presence of residential accommodation, which is a combination of flats and houses. The majority of buildings in the vicinity were constructed during the middle portion of the twentieth century and have a style of architecture not untypical of the time. Buildings within the vicinity are generally of either two or three storeys.
- 3.2 In regards to the topography of the surrounding area, the site does generally slope in a west to east direction, although there are a number of variations in the vicinity. The site is surrounded by Billing Brook Road (to the east) and Farm Field Court to the west. The dwellings on the western side of Farm Field Court are located on higher land than the application site.

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport (Officer Note: see comments for 10a relating to highway safety).

Section 12 - Achieving well-designed places.

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 policy is material to this application:

E20 – New development

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

6 **CONSULTATIONS/REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Anglian Water** – Request a condition regarding surface water management.

6.2 **Development Management (NCC)** – Request Section 106 obligations for the provision of pre-school and primary education and the library service.

6.3 **Ecology Advisor (NCC)** – No objections.

6.4 **Environmental Health (NBC)** – Request conditions regarding noise, delivery times and possible land contamination. Controls should be established regarding cooking odours. A condition is also recommended regarding the submission of a Construction Environment Management Plan.

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

6.6 **Lead Local Flood Authority (NCC)** – No objections, but request conditions regarding to the finalisation of a drainage strategy.

6.7 **Northamptonshire Police Crime Prevention Design Advisor** – The scheme has been amended to remove previously unacceptable overhang and to provide a security gate to the delivery vehicle area. Recommendations are made regarding the necessity to have a lockable gates to the private access gates for the houses and advice is made regarding lock and glazing specifications.

6.8 One representation outlining the need for a retail unit to be provided within the development, owing to the location of the development.

7 **APPRAISAL**

Principle of the development

- 7.1 The application site is adjacent to predominantly residential properties and the provision of residential accommodation is considered to be compatible with this prevailing characteristic. The Council cannot currently demonstrate a five year housing land supply, this development would make a contribution to addressing this need in the existing built area of the town. Furthermore, the development would ensure that 35% of the permitted dwellings are occupied on affordable tenures. Therefore, the proposal would contribute to ensuring that a variety of house types are provided. In addition, the development would also provide a mixture of houses and flats, which would aid in the general delivery of needed new housing.
- 7.2 In order to secure a satisfactory standard of development, and in line with the advice of the Council's Environmental Health section, conditions are recommended regarding suitable investigations into the possibility of land contamination and, if necessary, for this to be suitably remediated.
- 7.3 The proposal has also been assessed by the Lead Local Flood Authority, and amended where required. It is considered that the development would not have a significant adverse impact upon flood risk, either on the site or elsewhere in the wider area.
- 7.4 The proposed development would replace an existing collection of buildings that are predominantly in commercial uses and a now demolished public house. Given this context, it is considered that the redevelopment of the site would not result in any greater adverse impact in respect of air quality.

Design and appearance

- 7.5 It is considered that the design of the proposed dwellings is compatible with the prevailing vernacular and, as such, would not represent incongruous features in the locality. In order to secure a satisfactory standard of development, a condition is recommended that would ensure that the Council approves the building materials prior to commencing works taking place.
- 7.6 In terms of the design and layout, the houses would face towards both Farm Field Court and Billing Brook Road. This would ensure a greater level of natural surveillance of these roads. This is of particular importance owing to the presence of on street car parking in Farm Field Court.
- 7.7 In respect of the layout of the houses, there would be suitable separation distance between the opposing sets of rear wall that would ensure that the occupiers of the each new dwelling would have a satisfactory level of light, outlook and privacy, including to the rear gardens. However, it is noted that the creation of future extensions may erode this characteristic and, as a consequence, it is recommended that that the application be approved subject to a condition removing permitted development rights for the erection of future extensions.
- 7.8 On account of the proposed dwellings maintaining the general linear form of development that is prevalent within the vicinity and particularly to the north, it is considered that there would be no substantial detrimental impact upon the amenities of surrounding properties in terms of considerations such as light, outlook and privacy.
- 7.9 The proposed scheme has been amended during the course of the planning application in order to reduce the lengths of the private pedestrian accesses and to ensure that each dwelling has a private lockable gate. A further condition would enable the Council to approve details of the final boundary treatments in order to create a secure and attractive form of development.
- 7.10 In terms of the second building, it is compatible in terms of general design cues to others within the vicinity and as such, it is considered that the proposal would not represent an incongruous feature. The design of the proposed development would also not result in any significant loss of privacy of surrounding occupiers. It is noted that the three storey element would be adjacent to two storey houses on the southern side. However, there is an offset of the proposed development and

therefore it is considered that the proposal would not create an overbearing effect on the occupiers of neighbouring properties. Furthermore, it is noted that the design of the existing houses feature a diminished level of fenestration on the northern elevation (i.e. the elevation closest to the application site) and for these reasons, it is considered that the proposal would not result in significant harm to the amenities of existing residents.

- 7.11 The remaining element on the southern boundary of the site would be single storey, which is unlikely to lead to a significant decline in the amenities of existing residents.
- 7.12 The element of the proposal has also been amended over the course of the application in order to remove recessed walkways, which would not be desirable from a crime prevention perspective. Moreover, access to the flats would be via the eastern elevation only. This ensures that residents of the development would not come into conflict with delivery traffic to the commercial and community uses on the ground floor. In addition, the scheme now incorporates a sliding gate to the delivery area in order to create a more secure form of development that would not impede vehicular traffic within Farm Field Court.

Highways

- 7.13 The proposed development contains sufficient car parking to meet the likely needs of the development and no objections have been received from the Highway Authority. However, a condition is recommended that would ensure that the parking spaces are provided prior to the permitted development first coming into use or occupied. In addition, it is noted that the flats include suitable cycle storage and that the site is also in close proximity to a bus stop on Billing Brook Road that is served by buses travelling to the Weston Favell Centre and the town centre.
- 7.14 The proposed garages are of a conventional and functional design, which is considered appropriate. They would also benefit from a good level of natural surveillance, which would aid the security of this element of the proposal. Furthermore, the houses to the west of these erections are sited on higher land and, as a consequence, there would be no significant loss of light and outlook to surrounding residents.

Commercial and community uses

- 7.15 The scheme includes the provision of two commercial units – one to be used for retail purposes, and the second to be either a retail unit or takeaway. Given that the proposal would result in the loss of existing facilities, it is considered that this element of the proposal would support the undertaking of economic activity within the area. Furthermore, the operation of such facilities would assist in the creation of a more sustainable form of development, given that they would perform a convenience retailing function. It is also noted that one of the units could be used as a takeaway, which is considered to be an appropriate use, if required, owing to the proximity of the site to a residential area and the fact that it would replace existing facilities and would widen the array of uses that could occupy the building, which reduces the likelihood of a vacant unit being created in the future.
- 7.16 In order to secure a good standard of development, a condition is recommended that would ensure that the details of any extraction equipment are approved by the Council. This is required in order to ensure that any cooking odours are properly attenuated and that the installation of such equipment does not adversely affect visual amenity. Such information cannot be submitted at this stage in the proceedings as the relevant unit may come forward for retailing purposes.
- 7.17 In line with the advice of the Council's Environmental Health section, a condition is recommended that would require details of any plant and equipment in order to ensure that their operation does not generate excessive noise and disturbance that would be detrimental to the amenities of the occupiers of the proposed and existing dwellings.

- 7.18 Suitable refuse storage has been included within the development in order to serve the two commercial units, and it has been demonstrated that delivery lorries can enter and leave the site safely without detriment to highway safety.
- 7.19 In addition, the proposal includes a small community room, which represents the creation of a new facility that has hitherto not been provided within the Farm Field Court area. As such, it is considered that the proposal would result in an increase in the array of facilities within the vicinity.

Legal agreement

- 7.20 By reason of the scale of the development, it is necessary to enter into a legal agreement in order to secure at least 35% of the development for occupation on affordable tenures. This would ensure that the development is compliant with the Council's policies on developer obligations and would also contribute to providing a variety of housing that would be available on a variety of tenure types. This assists in the creation of a more sustainable community.
- 7.21 Given that the proposal would provide a quantum of family housing, where children would be reasonably be expected to reside, it is considered necessary and reasonable for an obligation to be included within the Section 106 Agreement to make a contribution towards the provision of education in the vicinity.
- 7.22 Whilst it is noted that the County Council have requested a financial contribution towards the provision of the library service, it is considered that there is insufficient policy justification to request such a contribution and, with reference to the statutory legal tests for securing legal obligation, cannot be supported. Such a conclusion is consistent with previous decisions made by the Council.

8 CONCLUSION

- 8.1 It is considered that the proposed development represents an acceptable form of development and use that would also contribute to addressing the need for new housing within the Borough. Subject to conditions, it is considered that the proposal would not have a significant adverse impacts upon the occupiers of neighbouring properties and any adverse impacts can be mitigated.

9 CONDITIONS

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

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

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

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

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

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

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

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

5. Full details of facilities for the secure and covered parking of bicycles to serve the flats shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details 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 the National Planning Policy Framework.

6. Full details of the provision for the storage of refuse and materials for recycling to serve the flats and commercial uses 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(s) hereby permitted and retained thereafter.

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

7. Notwithstanding the details submitted, a scheme shall be submitted to and agreed in writing by the Local Planning Authority that specifies the internal and external sources of noise on the commercial uses and the provisions to be made for its control. Development shall be carried out in accordance with the approved details, be fully implemented prior to the commencement of the uses hereby permitted and shall be retained thereafter.

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

8. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required in order to agree such details in a timely manner.

9. 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 in accordance with the requirements of Condition 2 and where remediation is necessary a remediation scheme must be prepared in accordance 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.

10. Prior to the commencement of any part of the development, a Construction Environmental Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority.

The Construction Environmental

Management Plan shall include and specify the provision to be made for the following:

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

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

Reason: To protect the amenities of adjoining premises and to minimise the impact on the highway network, in accordance with the National Planning Policy Framework. This condition is required to agree such details in a timely manner.

11. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include,

i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).

ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.

iii) BRE 365 infiltration test results.

Reason: In the interests of mitigating the impact of flood risk in accordance with the National Planning Policy Framework. This condition is required in order to ensure the agreement of such details in a timely manner.

12. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted.

A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

Reason: In the interests of mitigating the impact of flood risk in accordance with the National Planning Policy Framework. This condition is required in order to ensure the agreement of such details in a timely manner.

13. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved

Flood Risk Assessment document reference number WIE14322-FRA-1-3-1 dated May 2018 and supplemented July 2018 prepared by Waterman Infrastructure & Environment Limited. These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: In the interests of mitigating the impact of flood risk in accordance with the National Planning Policy Framework.

14. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of mitigating the impact of flood risk in accordance with the National Planning Policy Framework.

15. Notwithstanding the details submitted, full details of any extraction equipment shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

16. The commercial units hereby approved shall only be open to customers between the hours of 07:30 and 23:00 on any one day.

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

17. Deliveries to the commercial units shall not take place before 08:00 or after 20:00 on any day.

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

18. The car parking, garages and vehicle manoeuvring areas as shown on drawing (P)03 Rev. B shall be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

19. Notwithstanding the details submitted, full details of the gate to serve the rear access to the commercial units as shown on drawing (P)03 Rev. B shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development and shall be retained thereafter.

Reason: In the interests of creating a safe and secure form of development in accordance with the requirements of the National Planning Policy Framework.

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the dwellings hereby permitted on Plots 1-11 (as shown on drawing (P)03 B.

Reason: To prevent overdevelopment of the site in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to agree such details in a timely manner.

Informatives:

Northamptonshire Police recommend the following:

All external doors to retail units should meet the requirements of LPCB LPS 1175 SR2 or equivalent standard.

All individual flat entrance doors should meet the requirements of PAS24:2016.

Internal bike storage area should be secured with a single leaf door locked with a key to thumb turn and only accessible from the stair well. Individual security rated anchor points per flat are required.

10 BACKGROUND PAPERS

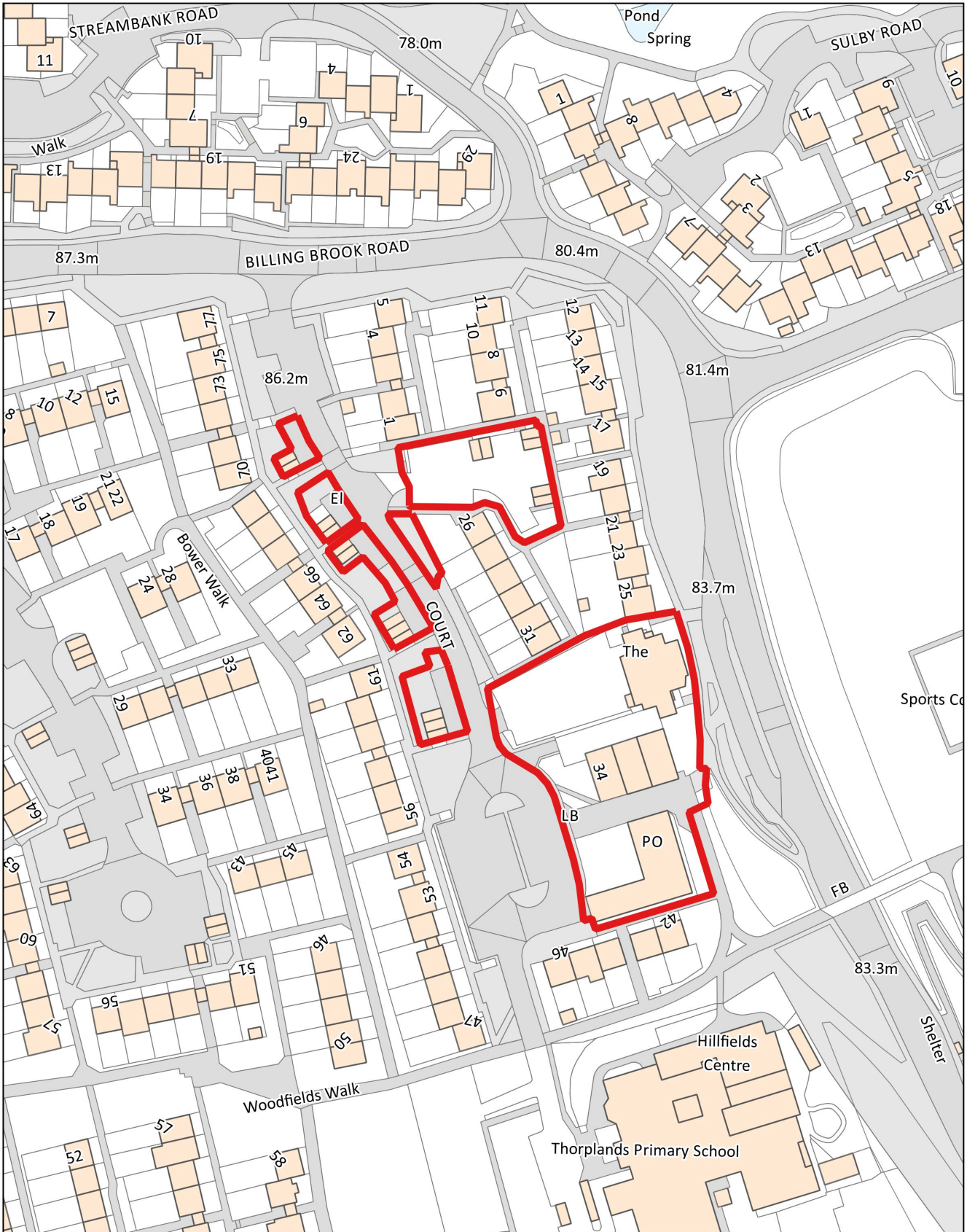
10.1 None.

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **The Tanners Ph, 32 Farmfield Court**

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Date: 22-08-2018

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0476

LOCATION: The Silver Cornet Public House, 21 Welland Way

DESCRIPTION: Erection of 14no 3-bedroom dwellings with parking

WARD: Kings Heath Ward

APPLICANT: Tameer Construction Ltd
AGENT: Fox Architectural Design Ltd

REFERRED BY: Head of Planning
REASON: Part 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:

1.2 The principle of residential development for the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5-year housing supply. The development would result in the reuse of a derelict brownfield site with associated social, economic and environmental benefits. 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 SA, S1, S3, S10, H1, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the erection of 14 x 3 bedroom dwellings with associated parking for 14 vehicles on the former Silver Cornet Public House site.

2.2 The proposed dwellings would be terraced three storey properties. They are positioned facing outwards towards Welland Way, South Oval and Park Walk. Three of the dwellings will have on plot parking spaces to the side. Parking for the remainder will be in a courtyard parking area to the rear and accessed from the service road off South Oval. There are no parking restrictions within the area.

3 SITE DESCRIPTION

- 3.1 The application site is located on the corner of South Oval and Welland Way on the Kings Heath Estate. The site was formerly occupied by the Silver Cornet Public House, however this has since been demolished and the site has remained derelict for over 11 years. The site is bounded by Welland Way to the north, South Oval to the east, an unnamed access road that leads to the rear of the adjacent residential flats to the south and Park Walk, a pedestrian walkway that links Park Crescent East and Park Square, to the west. Beyond Park Walk is Kings Heath Park. The site slopes upwards in a western direction. The surrounding area primarily consists of residential accommodation of a variety of scales and types.

4 BACKGROUND/PLANNING HISTORY

- 4.1 The application site is one of two former public house sites located on the Kings Heath Estate. The other former Morris Man public house site was granted planning permission in 2013 (N/2013/0048 refers) for the erection of 15 dwellings. The site, which is almost identical to the current application site has since been developed.
- 4.2 The current application site was granted outline planning permission for the erection of 14 dwellings in 2017 (N/2016/1439 refers).
- 4.3 Prior to that, the site was granted permission for 8 dwellings and 4 flats in 2006 (N/2006/0272 refers). An extension of time to implement the planning permission was granted in 2012 (N/2012/0028). Despite this, the site has remained undeveloped and derelict and has been a source of constant complaints to Enforcement Officers and Northamptonshire Police for anti-social behaviour and fly tipping.

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 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 109 - developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 124 - Good design is a key aspect of sustainable development.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Paragraph 178 – Ground conditions and pollution.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 - Achieving well-designed places

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

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

Policy SA: Presumption in Favour of Sustainable Development
Policy S1: The Distribution of Development
Policy S3: Scale and Distribution of Housing Development
Policy S10: Sustainable Development Principles
Policy H1: Housing Density and Mix and Type of Dwellings
Policy BN7: Flood Risk
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 policy is material to this application:

Policy E20 – New Development (design)

5.5 **Supplementary Planning Documents**

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

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** – object to the application as the proposal does not provide 2 on plot parking spaces per dwelling. Also state that rear parking courts are not accepted for the dwellings facing onto South Oval and Welland Way as they are underutilised, especially when there is a street frontage. Make general comments about the requirement for access widths, visibility splays and advise about building proximity to the highway boundary.
- 6.2 **NCC Lead local Flood Authority** – following the receipt of amended details are satisfied that their concerns have been met. State they are awaiting confirmation for connection and discharge from the Water Authority.
- 6.3 **NCC Development Management** – no requirement for a contribution to early years or primary education as there is currently sufficient capacity within the schools to accommodate the number of pupils that are likely to be generated. Secondary capacity is extremely limited and this matter would fall to be addressed under CIL. Suggest a condition for the provision of fire hydrants and sprinkler systems. Request a contribution towards Libraries and advise on broadband provision.
- 6.4 **NBC Public Protection** - no objection subject to conditions requiring a land contamination assessment, mitigation measures to support the Low Emission Strategy and advisory note regarding construction hours.
- 6.5 **NBC Asset Management** – the application incorporates land which is owned by Northampton Borough Council. The Council have not granted consent to the applicant to use or develop this land, and have not agreed to transfer the land in question to the applicant. On this basis the Asset Management department would object to the proposed application until a satisfactory arrangement relating to the land within NBC ownership has been arrived at.
- 6.6 **Anglian Water** – No objection subject to a condition regarding hard standings.

- 6.7 **Police Crime Prevention Design Adviser** – no objection to the latest version of the layout for the site and many of the recommendations made previously have been incorporated into this layout. States that a lot of security for the site relies on the electronic gate and it is important that this is suitably robust. States that all gates leading from the rear parking court should be key lockable from both sides for convenience with a slam to lock mechanism. Rear fences abutting the rear parking court should comprise a mix of close boarded fence with trellis topping. All new doors and windows will need to meet the requirements of ADQ of Building Regulations and should be third party accredited to ensure the necessary level of security can be delivered. All ground floor doors and windows should have one pane of laminate glass to P1A standard. The CCTV overlooking the parking spaces to the sides of the dwellings should be capable of being monitored from within the individual dwellings to which the space belongs. CCTV in the courtyard should be removed as the cameras are viewing public space rather than private. The landscaping on the corner should be densely planted against the side wall of plots 11 and 12. The development would be capable of being credited with Secured by Design and this is recommended.

7 APPRAISAL

Principle

- 7.1 Both the NPPF and the JCS have a presumption in favour of sustainable residential development. The application site is located on a residential estate which contains schools, shops, community centres and a church, all within walking distance. In addition the site is within walking distance of the Heathfield Way Industrial Estate and is served by three bus services with a bus stop almost opposite the site on South Oval.
- 7.2 By reason of the site's sustainable location, it is considered that the principle of developing this site for residential purposes is acceptable. Furthermore the site comprises land that has been previously developed. Redevelopment of brownfield land is encouraged under the NPPF. The proposal would allow for the appropriate re-use of this previously developed and now unused site, in a manner that is complementary to the existing surrounding land uses.
- 7.3 In addition, the Council cannot presently demonstrate a five year housing land supply. Therefore in accordance with the presumption in favour of sustainable development in paragraph 11 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 towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Layout and design

- 7.4 Saved Policy E20 of the Northampton Local Plan and Policy S10 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.
- 7.5 The application site comprises a former public house site. The proposed development proposes the provision of 14 dwellings, which is a density that is consistent with the prevailing character of surrounding development. The terraced dwellings will be situated in three separate blocks facing outwards overlooking Welland Way, South Oval and Park Walk which overlooks the Kings Heath Park. The houses will be two and a half storey in height with dormers in the front elevation and rooflights in the rear providing second floor accommodation. The proposal includes the provision of 14 off-street car parking spaces, which is considered to be an appropriate provision given the location and scale of the proposed dwellings.
- 7.6 The proposed scale is in keeping with the surrounding area and reflects the development at the former Morris Man public house site. Whilst roof dormers are not a general design characteristic of immediately surrounding development they do feature on the new houses on the former Morris Man public house site. It is considered that, due to the variety of building types within the vicinity, the overall impact upon visual amenity of the area would not be significant.

- 7.7 The proposed layout includes dwellings that front onto South Oval, Park Crescent West and Park Walk. As a result of this, the development would include adequate active frontages onto key public areas.
- 7.8 The proposed houses include the provision of adequate private garden spaces to meet the future needs of the occupiers of the development. The proposed dwellings are separated and arranged in such a way as to ensure that each property would have a suitable level of light and outlook. The relationship between units 1 and 2 is such that there could be an element of overlooking of the rear garden of unit 1 from upper side windows in unit 7. For this reason it is suggested that a condition be applied to ensure that these side windows are obscure glazed. These windows serve a bathroom on the first floor and a secondary bedroom window on the second floor so it would be acceptable for them to be obscure glazed. The addition of the condition would preserve privacy as required by saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the National Planning Policy Framework.
- 7.9 By reason of the layout and scale of the proposed buildings and separation distances it is considered that the development would not cause any undue detrimental impact on the occupiers of existing neighbouring properties as required by Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the National Planning Policy Framework.
- 7.10 The rear parking area would benefit from a good degree of natural surveillance from the first floor windows of the entire development. The applicant has proposed that the area features 2m brick walls and electronic entrance gates which would make this private space secure. Whilst boundary treatment is necessary for security purposes a solid brick wall would be unacceptable due to the detrimental impact on visibility. For this reason the proposed brick walls adjacent to the car park should be replaced by fencing which allows for visibility when cars enter/leave the site. A condition requiring that boundary treatment is agreed prior to the commencement of development is recommended. This would also apply to the brick walls that are proposed to be sited adjacent to the individual car parking spaces. It is noted that these spaces will be overlooked by side kitchen windows and it is proposed to install CCTV in the houses to which these parking spaces belong. A condition requiring details of security measures to be submitted is recommended.

Highway Impacts

- 7.11 Although the site has been vacant for a number of years, it should be recognised that it was previously used as a public house. As a consequence of this, the former use of the site would have attracted a significant amount of traffic. It is not considered therefore that the development of the site for residential purposes would pose any unduly significant impact on the highway network.
- 7.12 The Highway Authority has referred to the 2016 Parking Standards stating that two parking spaces per dwelling should be provided for houses with 2/3 bedrooms. The application was submitted following the grant of previous permissions and pre-application advice given in 2015 when it was indicated that one space per dwelling would be acceptable in this location. Subsequent permissions for this site have been granted on this basis. The proposal provides 14 spaces which therefore represents a shortfall of 14 spaces according to current standards.
- 7.13 In response to this, the site is within a sustainable location in close proximity to local services, public open space, employment sites and public transport routes. Due to the constraints in the size of the site the only mechanism to improve the ratio of dwellings to car parking spaces would be to reduce the number of dwellings within the development. The applicant has indicated that this approach would not be viable. Furthermore the applicant submitted a highway report with a previous application which has analysed census data and car ownership for houses in the Kings Heath Ward. The report concluded that the proposed development would not have a significant adverse impact upon the highway network. Requiring additional parking spaces on site would reduce the likelihood of delivering an effective housing land supply and would leave a vacant site, which has been a longstanding site for anti-social behaviour, undeveloped.

- 7.14 Each property has a rear garden with separate gated access which could be used for cycle storage. It is recommended that a condition is applied to ensure that secure cycle storage is provided.
- 7.15 The Highway Authority has stated that rear parking courts are not accepted. The development at the former Morris Man site features a rear courtyard and the current scheme is loosely based on that development. The rear parking court would be accessed from a service road which also serves the rear of the adjacent three storey flats facing onto Park Walk. The proposal indicates that the rear parking area would benefit from a good degree of natural surveillance from the first floor windows of the entire development. It is considered that with appropriate boundary treatment this area will be secure. For these reasons the proposal is considered to be satisfactory.

Other Matters

- 7.16 The Council's Environmental Health Officer recommends a ground contamination condition should planning permission be forthcoming. 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. As the proposal is not in an Air Quality Management Area and given the proposed parking arrangement it is considered it would not be reasonable to seek charging points in this instance. In addition matters relating to the energy efficiency of buildings are addressed under the Building Regulations therefore 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, a condition is recommended to require the submission of a Construction Environment Management Plan.
- 7.17 NCC Development Management suggest that that the development should make a contribution to libraries, fire hydrants and sprinkler systems. As there is currently no policy basis for this provision it would be unreasonable to impose such a requirements or condition in this instance.
- 7.18 Additional drainage details have been submitted following the request for clarification on points within the submitted surface water drainage strategy by the Lead Local Flood Authority. Whilst the concerns of the Lead Local Flood Authority have been addressed they state that they are awaiting confirmation from Anglian Water Authority for permission and rate of discharge. This is a technical issue and should not prevent the application from being determined.

8. CONCLUSION

- 8.1 In conclusion the site is in an existing housing area within the urban area of Northampton and the principle of residential development of 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 result in the reuse of a brownfield site with associated social, economic and environmental benefits. Furthermore, subject to conditions, no harm has been identified that would significantly and demonstrable 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: 16-20-P-L (Site Location Plan), 16-20-P-201 Rev A, 16-20-P-210, 16-20-P-211 Rev A, 16-20-P-212 Rev A, 16-20-P-213, 16-20-P-214 Rev A, 16-20-P-215 Rev A, 16-20-P-216, 16-20-P-217 Rev B, 16-20-P-218 Rev B, 16-20-P-220, 16-20-P-221.

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 desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desktop 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 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 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 Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

7. Notwithstanding the details submitted, 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, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with 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 dwellings 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 all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of the appearance of the locality, residential amenity and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

10. The parking spaces and manoeuvring areas shown on the approved plans shall be constructed prior to the occupation of the dwellings 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.

11. No hard-standing areas shall be constructed until the works have been carried out in accordance with the approved surface water strategy submitted with the application.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

12. Prior to the first occupation of any of the dwellings hereby permitted the vehicular access to the rear parking court shall be fitted with automatic electronic gates, the details of which shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include the method of hanging the gates and the associated closing mechanisms. The approved scheme shall be retained thereafter.

Reason: In the interests of highway safety, the free flow of traffic and residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

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 extensions or roof enlargement shall be erected to the dwellings hereby permitted.

Reason: In the interests of residential amenity and to prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

14. Notwithstanding the details submitted and prior to the occupation of the 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 first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

15. Notwithstanding the details submitted, the first and second floors side elevation windows to Unit 7 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 adjoining property in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

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

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and/or re-enacting that order with or without modification), no fences, hedges, gates, walls or any other means of enclosure shall be erected without the prior written consent of the Local Planning Authority, other than those expressly authorized by this permission.

Reason: In order to define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with Policy E20 of the Northampton Local Plan.

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

- i. Traffic management and signage during construction
- ii. Storage areas for plant and materials
- iii. Working hours and delivery times
- iv. Measures to control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- v. Measures to prevent mud and other debris being deposited on the surrounding highway.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. A pre-commencement condition to ensure timely submission of details.

10 BACKGROUND PAPERS

10.1 N/2016/1439, ENQ/2015/1359, N/2012/0028, N/2006/0272

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **21 Welland Way**

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Date: 20-08-2018

Scale: 1:2,000

Drawn by: -----



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0683

LOCATION: Lock Up Garages, Longland Road

DESCRIPTION: Demolition of 16no domestic garages and construction of 2no new build dwellings

WARD: Eastfield 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, subject to appropriate conditions, 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 the existing 16 garages and erection of a pair of semi-detached dwellings with associated parking on a former garage court site in Longland Road.
- 2.2 The proposed new dwellings would comprise of 2 x 3 bed, semi-detached houses. The building block will be rectangular in shape and will be 11.7m wide, 9m deep and 8 m in height with a gabled roof.

- 2.3 In addition, the proposal includes parking courtyard to the side, which will provide 5 parking spaces to serve the 2 new dwellings and a visitor's space.
- 2.4 The current proposal is a revised scheme to the original submission. The amended scheme has reduced the footprint of the houses, providing more garden space and parking arrangement has been improved.

3 SITE DESCRIPTION

- 3.1 The application site consists of a former garage court site with access from Longland Road.
- 3.2 There is a fish and chip shop to the north-western end of the site, which has a large extractor unit, which faces towards the application site. There are other residential properties in the other three sides.

4 PLANNING HISTORY

- 4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

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

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 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
Section 12 – Achieving well-designed places.

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 H6 – Residential development in primarily residential area

- 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 **Environmental 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. The officer has advised that a revised Noise Assessment Report in accordance to BS4142 guidance will need to be submitted, which should include mitigation measures necessary to address any potential issues arising from the nearby noise source. Any window on the side elevation shall be non-opening.
- 6.2 **Arboricultural Officer (NBC)** – No concerns.
- 6.3 **Highway Authority (NCC)** – The gates width should be increased to a minimum 4.5 m.

7 **APPRAISAL**

- 7.1 The main issues for consideration are principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity and highway conditions.

Principle of residential development

- 7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 Saved Policy H6 of the Northampton Local Plan allows for residential development in such residential locations providing that the development is in keeping with the character of the area and does not result in an over-intensive development of the site.
- 7.4 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also marginally contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

Layout and design

- 7.5 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.
- 7.6 The application site comprises a former garages court in a residential area. The demolition of these garages and redevelopment of the site would not result in the loss of residential garden land and would comprise the re-use of brownfield land which is encouraged under the NPPF. The

proposed new dwellings would reflect the scale and massing of neighbouring residential properties and would be an appropriate development in the streetscene.

- 7.7 However, a condition is recommended to restrict any future extensions to avoid overdevelopment of the site.

Residential amenity

- 7.8 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.
- 7.9 In terms of the residential amenities of neighbours, the semi-detached pair will be sited next to a fish and chip shop to the west and existing residential properties to the rear. There is an existing 2m high brick wall that runs along the rear and half of the south-eastern boundary of the application site. This wall has been proposed to be retained and therefore, would partly screen the proposed development.
- 7.10 The flank elevation of the neighbouring property at no.1 Longland Crescent will be located at a separation distance over 14m from the rear elevation of the proposed dwellings. Owing to the fact that the existing 2m high brick wall between this property and the proposed new dwellings would be retained, it is considered that the resulting impact would not be unacceptable in terms of overbearing and overshadowing. There is one first floor non-habitable window on the side elevation of this property, owing to the separation, it is not considered to have any unacceptable impact in terms of overlooking.
- 7.11 The properties along Fullingdale Road have over 25m long gardens and an access road between these properties and the new dwellings. It is considered that the proposal would not give rise to an unacceptable impact with regards to the amenities of this neighbouring properties.
- 7.12 In terms of the amenities for future occupiers of the new dwellings, all habitable rooms would be served by windows and adequate level of daylight and outlook. In addition, a landscape strip is proposed to the frontage and south-eastern edge of the site to provide a buffer. Both dwellings would have private rear gardens of at least 10 metres in depth and the submitted plans also detail provision for bins and cycle to be stored in rear gardens. As such, subject to conditions, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the site.

Parking and highway safety

- 7.13 The proposal would be served off the existing access drive and would benefit from 5 car parking spaces in the courtyard to the side. The Parking Standards seek 2 parking per 3 bed dwelling parking spaces for the proposed development. Therefore, the scheme would exceed the Parking Standards, with one visitor space also provided per dwelling.
- 7.14 The development would also benefit from a generous manoeuvring area to serve the parking area, including a turning head and access gate, which has been widened to 5m as per the initial comments from the Highway Authority.

Other considerations

- 7.15 The Council's Environmental Health Officer recommends a ground contamination condition should planning permission be forthcoming. In addition, a noise impact assessment was submitted during the course of the application. The officer has advised that the current noise assessment report has not been undertaken in accordance with BS4142 and the relevant character corrections for "intermittency" have not been applied to derive a final rating level. It is recommended that a revised noise assessment to be submitted to include any mitigation measures necessary against nearby noise source. A planning condition to that effect is therefore recommended.

- 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 two 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 an air quality management area, such that it is not considered that it would be reasonable to condition that specific 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 The proposed development would be in close proximity with the existing hot food takeaway, however, the existing dwelling at no.70 Longland Road is in a similar relationship. Apart from a landing and a WC window, there is no habitable room window proposed on the side elevation of the nearest proposed dwelling. On balance, it is considered that such a small scale infill development is acceptable and no objection has been raised by Environmental Health on the proposal, provided that no habitable room window would be installed on the side elevation of the development.

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.
- 8.2 Therefore, it is recommended that planning permission is granted subject to conditions below.

9 CONDITIONS

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PH485886/LRG/TP/001, 30430 (P) 01, 30430 (P) 02, 30430 (P) 03 a, 30430 (P) 04 A, 30430 (P) 05 A, Anglian Water Network, 30430 (P) 07 A.

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

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

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

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

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

- 5) 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) The parking spaces and manoeuvring areas together with the access gates as shown on approved plans shall be constructed prior to the occupation of the buildings 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.

- 7) 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.

- 8) 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.

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

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

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

- 11) 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.

- 12) Before the commencement of the development hereby permitted, a revised noise assessment report in accordance with BS4142 shall be submitted to and approved in writing by the Local Planning Authority for protecting the dwellings from external noise. The revised noise assessment report shall include any necessary mitigation measures against external noise source. The approved measures/scheme shall be implemented concurrently with the development, completed before the first occupation or use of the development and thereafter retained.

Reason: To protect the enjoyment of future occupiers of their dwellings amenity in accordance with Policy BN9 of the Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

- 13) The proposed side elevation landing window to Plot 1 shall be non-opening and retained in that form at all times.

Reason: To protect the enjoyment of future occupiers of their dwelling and residential amenity in accordance with Policy BN9 of the Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

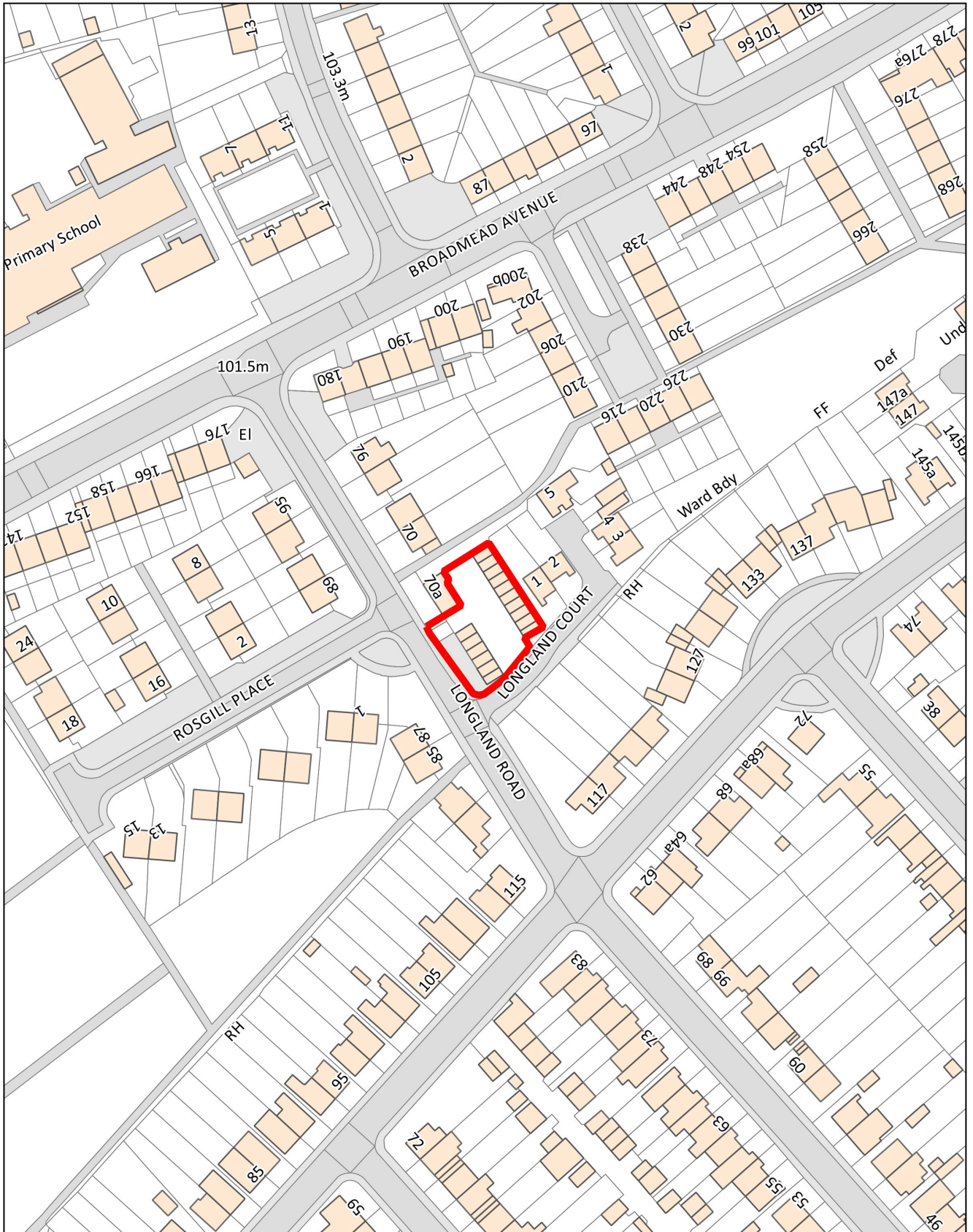
- 10.1 N/2018/0683.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **Longland Road**

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Date: 20-08-2018

Scale: 1:1.250

Drawn by: -----



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0787

LOCATION: 16 Raisins Field Close

DESCRIPTION: Erection of single storey extension to side of property

WARD: Billing Ward

APPLICANT: Mr C Witter
AGENT: Mr Matthew Attewell

REFERRED BY: Councillor C Malpas
REASON: Concern with parking and design

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 extension would have no undue adverse impact on the street scene or on the amenities of adjoining occupants and would not result in an unacceptable loss of parking capacity and thereby complies with 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 National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The proposal is for a single storey side extension, which following amendments, would be constructed in brick to cill height and with UPVC glazing frame above and a clear roof.
- 2.2 This extension would be located forward of the original garage to the side of the property, which has been converted to living accommodation in the past, a change which did not require planning permission.
- 2.3 The extension would project forward of the front elevation of the neighbouring house by 1.5m but would be set back from the front elevation of the host property.
- 2.4 The extension would be used in conjunction with the former garage to provide additional living accommodation as part of the dwelling.

3 SITE DESCRIPTION

- 3.1 The application premises consists of a detached dwelling of modern (1980s) design within a cul-de-sac of similar properties.

4 PLANNING HISTORY

- 4.1 10/83 - Erection of 123 Dwellings - Approved 16/02/83
4.2 N/1993/623 - Two Storey Extension - Approved 04/10/93

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.

5.1 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:

Section 12 - Achieving well-designed places.

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

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 policies are material to this application:

Policy E20 – New Development (Design)
Policy H18 – Extensions

5.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Residential Extensions and Alterations Design Guide SPD

6 CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Billing Parish Council** – (*comments on original plans*) Have concerns and reservations. The garage to this property has already been converted to a habitable room and the erection of a conservatory adjoining the former garage will negate any possible use of the drive for the parking

of vehicles, and on-road parking is already a serious problem in this area. The proposed conservatory will adversely affect the street scene.

6.2 **Councillor C Malpas** - Request that the above application be called in and determined by the Planning Committee for the following reasons:

- The application is not in keeping with the street scene.
- Insufficient on street parking which would be even more limited.
- Inaccurate information regarding parking to the rear. Would appear large areas of garden space has been included.
- Lack of consultation on resubmitted plans.

7 **APPRAISAL**

Impact on the street scene

7.1 The proposal as originally submitted was for an extension which took the form of a UPVC conservatory. Officers had concerns that this would appear out of character within the street scene, as a conservatory would not normally be seen in such a position, open to public view within the street.

7.2 Amendments were therefore requested and the extension as now proposed would have brick up to cill height, then glazing all round with a clear roof above this. It is considered that this would now be appropriate within the street scene as it would result in more of a conventional appearance with an appearance more akin to a porch, a feature which is commonly seen in the area.

Impact on the amenities of adjoining occupiers

7.3 The extension would project 1.5m beyond the front wall of the neighbouring property at 17 Raisins Field Close. This would not have a significant impact on the occupiers of this premises in respect of overshadowing of the front window, due to the separation from this window and the limited scale of the proposed structure.

7.4 Side windows would face towards the bay window at this neighbour, however it has been clarified that these would be opaque panels such as used on the porch of the property. A condition to this effect is proposed and also that these would be non-opening, as shown on the drawing. This would prevent any overlooking impact on this neighbour.

Parking

7.5 In respect of parking, the proposed extension would effectively remove one parking space from the side of the property. However, the property would retain three useable parking spaces to the side and rear which is sufficient for this four bedroom property in respect of adopted parking standards. Whilst it is acknowledged that one of these spaces is within the rear garden area, this is only one of the three spaces and this is an existing and not unusual arrangement. Furthermore, a substantial area of garden remains available in addition to this parking space.

Other Matters

7.6 The comments from Councillor Malpas refer to a lack of consultation. In response, it is confirmed that upon receipt of the amended plans, a full re-consultation exercise was carried out. All representations received have been included in this report.

8 **CONCLUSION**

- 8.1 It is considered that the extension as amended would not result in any undue adverse impact on the street scene or on the amenities of adjoining residents whilst sufficient on-site parking capacity would remain. The development is therefore in line with Development Plan Policy.

9 **CONDITIONS**

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 099/98807 Page 2 of 2 Rev C.

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

(3) The external walls of the extension hereby approved shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

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

(4) The proposed glazing in the northern elevation of the extension hereby approved shall be formed of opaque glazing panels which shall be of fixed non-opening type, 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 at 17 Raisins Field Close in accordance with Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

10 **BACKGROUND PAPERS**

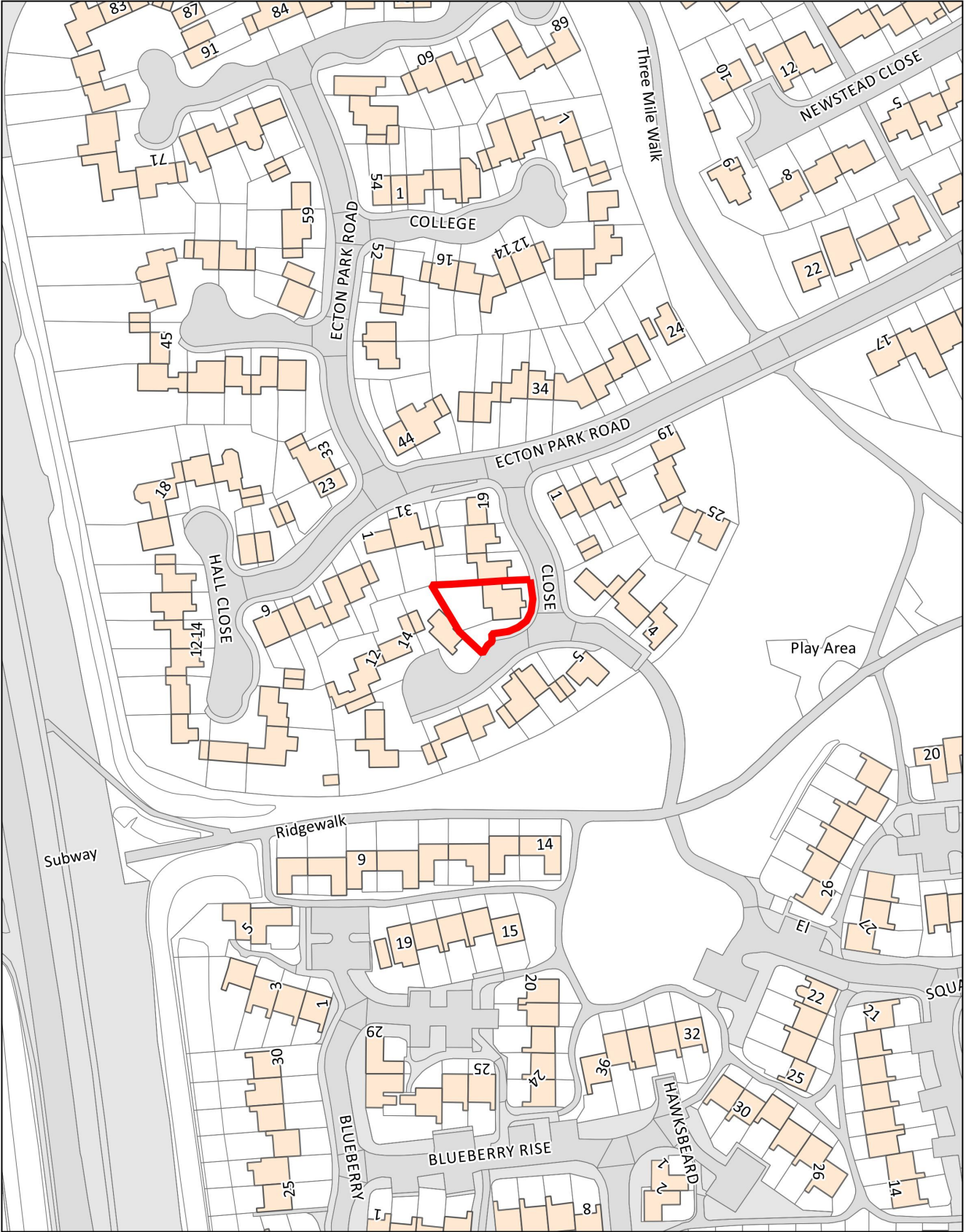
- 10.1 Application file N/2018/0787

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: **16 Raisins Field Close**

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Date: 20-08-2018

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0913

LOCATION: 59 Langdale Road

DESCRIPTION: Proposed single storey annexe to rear

WARD: St Davids Ward

APPLICANT: Movesnap limited
AGENT: Pat Dooley

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 siting, scale and design of the proposed annexe are considered acceptable and would not have an undue detrimental impact on the appearance and character of the host building, wider area, highway safety, parking and neighbouring amenity. The proposed development will comply 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 The current application seeks planning permission to erect a single storey annexe in the rear garden of the existing house. The structure will be 9.75m in length, 3.9m in width and will be 2.715m in height with a flat roof.
- 2.2 The proposed annexe will be built in brick, which will match the existing dwelling.

3 SITE DESCRIPTION

- 3.1 The application site consists of a two storey, semi-detached house. The property has a large and long rear garden.

3.2 The local area is predominantly residential and has similar outbuildings in rear gardens.

4 PLANNING HISTORY

4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

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.

5.1 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:

- Section 12 – Achieving well-designed places

5.2 West Northamptonshire Joint Core Strategy (2014)

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

- S10 Sustainable Development Principles
- H1 Housing Design and Mix

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 policies are material to this application:

- E20 Design of new development/ extensions
- H18 Residential Extensions

5.4 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD.

6 CONSULTATIONS/ REPRESENTATIONS

6.1 None received.

7 APPRAISAL

Design and Appearance

- 7.1 The application proposes the erection of a single storey building in the rear garden to create a residential annexe. The annexe would be subordinate in relation to the main house and accessed via the garden. As such, subject to a condition restricting the occupation of the annexe to be ancillary to the existing property, it is considered that the proposal is acceptable in principle. Whilst the property contains facilities to enable self-contained living, it is considered that the relationship to the existing house and access from within the shared garden contributes to its ancillary nature, which can be further controlled by the proposed condition.
- 7.2 The proposed single storey building would be partially visible in the streetscene. However, the glimpse view and appearance would not be dissimilar to an outbuilding. A condition to match the materials has been recommended to ensure that the proposed annexe would integrate with the main dwelling. It is considered that the proposed annexe would not have an adverse impact on the character of the area.
- 7.3 It is acknowledged that the proposed footprint of the annexe is substantial in size; however, owing to the size of the rear garden, the proposal will not result in an overdevelopment of the site.

Residential Amenity

- 7.4 In terms of residential amenity, all habitable rooms would have a satisfactory outlook and light.
- 7.5 There is an existing 1.2m high wired fence on the west boundary with the neighbouring property at no.57, this will be replaced with a 2m high close boarded fence. There is an existing 2m high close boarded fence between the application property and no.61. Therefore, the proposed annexe would be visible above the fence line. Owing to the design of the proposed annexe with a flat roof, it is not considered that the height of 0.715m over the boundary fence, would be so detrimental in terms of overshadowing and overbearing to warrant a refusal of the application. It is also important to note that an outbuilding could be built in this position under permitted development right, up to 2.5m above ground level provided that the structure does not cover more than 50% of the garden. The proposed structure would only be 0.215m above this limit.
- 7.6 The proposed window to the west elevation would be obscurely glazed, together with the proposed fence, it is not considered to result in unacceptable overlooking. A condition has been recommended to erect the proposed boundary fence prior to first occupation of the annexe to reduce any adverse impact on residential amenity.

Parking

- 7.7 There is no on-site parking facility. However, there is still capacity to park on-street on an unrestricted basis without impacting on highway safety.
- 7.8 The guidelines within the NPPF states that planning applications should be refused on transport grounds where there is a severe impact on highway safety; however, in this instance, there is no evidence that the proposed development would adversely impact on highway safety.

8 CONCLUSION

- 8.1 The proposed annexe would not have any adverse impact on the character of the main house and the wider area and would have an acceptable impact on residential amenity of adjoining properties. The proposal would not have adversely impact on highway safety.
- 8.2 The proposal would be in accordance with Policies 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.

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: 18/M343/1 and 18/M343/2.

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

3. The external walls of the proposed annexe shall be constructed with materials of the same type, texture and colour as the external walls of the existing dwelling.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing dwelling in accordance with Policy E20 of the Northampton Local plan.

4. The proposed annexe shall remain ancillary to the existing dwelling house at No. 59 Langdale Road and at no time shall it form a separate planning unit.

Reason: For the avoidance of doubt as there is insufficient parking facilities to serve a separate planning unit in accordance with Policy E20 of the Northampton Local Plan.

5. The proposed boundary treatment as shown on the approved plan along the western boundary shall be erected prior to the first occupation of the annexe and shall be retained thereafter.

Reason: In the interests of residential amenity of the potential occupiers as well as the neighbouring property and to ensure that the proposal is in accordance with Policy E20 of the Northampton Local plan.

10 BACKGROUND PAPERS

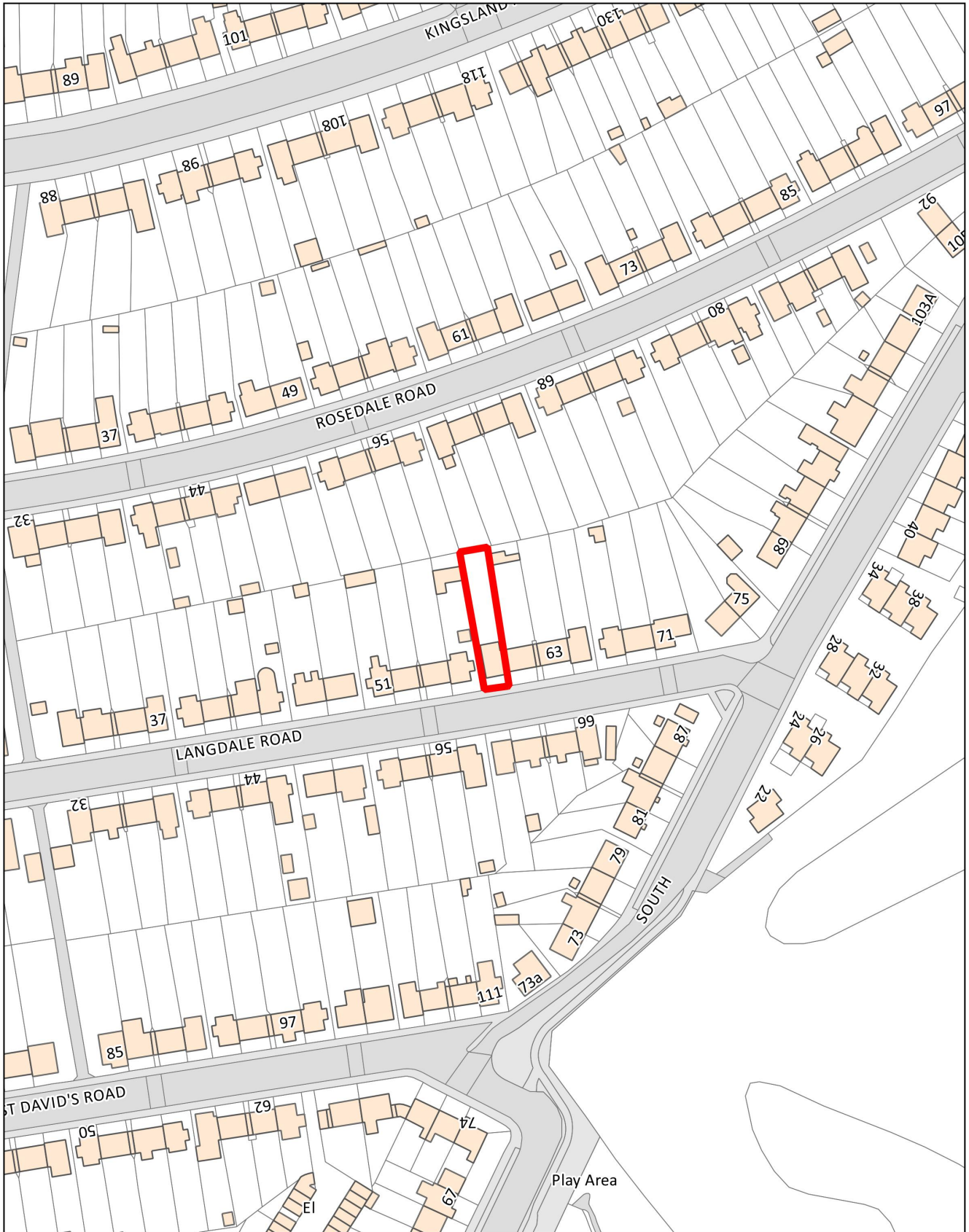
- 10.1 N/2018/0913.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **59 Langdale Road**

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Date: 20-08-2018

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0969

LOCATION: Sports Court, Crestwood Road

DESCRIPTION: Installation of playground for children and young people plus 5no. items of outdoor gym equipment

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: N/A

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

Due to its siting, scale and design, the proposed development would not have an undue detrimental impact on the appearance and character of the area, highway safety and security and would assist in promoting health and well-being in the area 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 Installation of playground for children and young people plus 5 no. items of new outdoor gym equipment.

3 SITE DESCRIPTION

3.1 The site is an area of public open space located between Billing Brook Road and Crestwood Road. It is bounded to the east by residential houses, to the west is Thorplands local centre. The site currently has a multi-use games area, which is located to the south of the site and bounded by trees to the 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), 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 91 – sets out that decisions should aim to achieve healthy, inclusive and safe places which, promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.

Paragraph 96 – sets out that access to a network of high quality spaces and opportunities for sport and physical activity is important for the health and well-being of 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:

S10: Sustainable Development Principles

RC1: Delivering Community Regeneration

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 (Design)

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Environmental Health** – no objections.

6.2 **Councillor Janice Duffy** – the Zebra crossing is unsafe near Woodvale School and needs to be address near a playground.

7 APPRAISAL

- 7.1 The main issues to consider are the impact on the appearance and character of the area, security, neighbouring amenity and highway safety.
- 7.2 The proposal is to replace the existing play equipment which is of poor condition, and to install an additional of 5 no. new items of outdoor gym equipment for adult. The proposal intends to improve the existing facilities and create an inclusive play area for the benefit of the local community.
- 7.3 The site currently has an existing multi use games area (MUGA) which is located to the south of the open space and bounded by trees to the west. The proposal will create two separate areas of play, one for toddlers which will install 6 pieces of play equipment, located to the northern end of the open space. The other junior area will install 3 pieces of equipment located to the west of the area. The 5 pieces of outdoor gym equipment will be located to the south of the MUGA.
- 7.4 The proposal also includes the installation of waste bins, seating and safety surfacing.
- 7.5 The equipment would be located between Billing Brook Road and Crestwood Road. The site has residential properties located to the north and east, the site is raised from the footpath adjacent to Midfield Court and due to the separation distances, it is considered that the proposal would not have a significant detrimental impact on the amenity of the neighbouring properties, in relation to loss of privacy and overlooking.
- 7.6 In terms of noise, it is unlikely that the provision and use of the proposed equipment would generate excessive noise, bearing in mind the site is an existing piece of open space and with the location of an existing MUGA. Environmental Health Officers have no concerns on the proposal. Northamptonshire Police were consulted but made no comments in terms of security and crime prevention.
- 7.7 One observation was received in relation to highway safety from Councillor Duffy, this relates to the zebra crossing outside Woodvale School. She considers that the crossing to be unsafe and should be addressed in relation to the provision of the proposed new play area. The application site is located between Billing Brook Road and Crestwood Road, with Woodvale School being sited 0.7 miles away which would be an approximate 17 minute walk. As the application site is an existing open space and that there are other play equipment and a MUGA on site, it is not considered that it would be reasonable to request any upgrade of the crossing in this instance.

8 CONCLUSION

- 8.1 The proposal would contribute towards the provision of community play facilities within the area and would not adversely impact on the character of the area or neighbouring amenity. The development is in accordance with the requirements of Policies RC1 & BN3 of the West Northamptonshire Joint Core Strategy 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: PL-THOR-001, 1804.18970.

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

10 BACKGROUND PAPERS

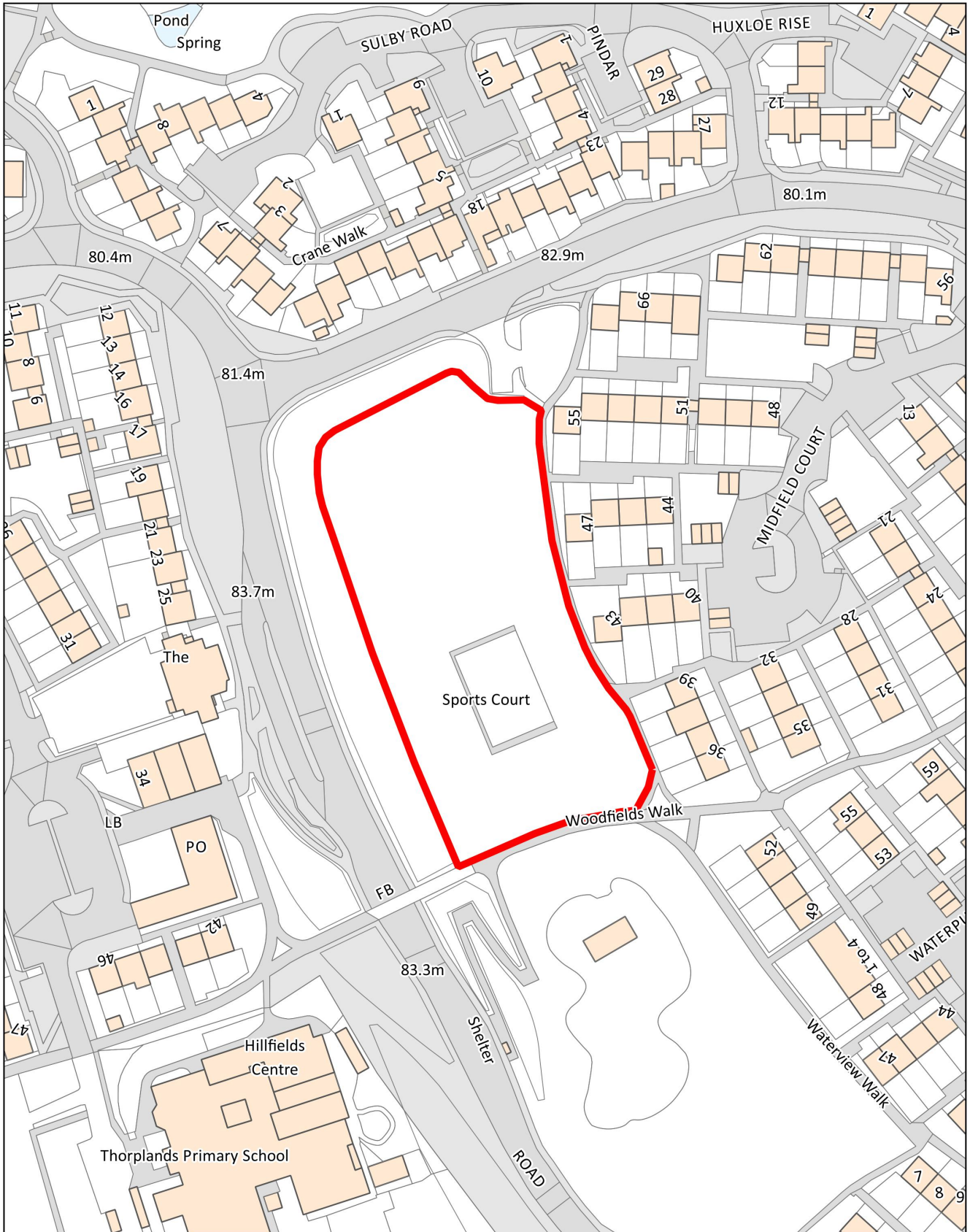
10.1 None.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable but not chargeable.

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: **Crestwood Road**

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Date: 20-08-2018

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1024

LOCATION: 2 Bostock Mews , Bostock Avenue

DESCRIPTION: Conversion and extension of coach house into 1no dwelling

WARD: Abington Ward

APPLICANT: Mr J Lee
AGENT: Design Board-Architectural Services

REFERRED BY: Councillor D Stone
REASON: Parking and overlooking 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 principle of residential development on the site for a new dwelling 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 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks planning permission for the conversion of a rear coach house into a self-contained one bed dwelling. The new property would have a floor space of 72sqm with a lounge and kitchen on the ground floor, and a bedroom and bathroom on the upper floor. It would also benefit from a front yard area with a cycle store and refuse area.

3 SITE DESCRIPTION

3.1 The application site is located to the west side of Bostock Avenue and to the rear of properties on the Wellingborough Road. It comprises an end of terrace two storey house (No. 1 Bostock

Avenue) that has been converted into two flats. In addition, the site includes a two storey coach house to the rear and it is this building that is the subject of the application. The site is separated from the backs of properties on the Wellingborough Road by a cobbled access drive.

4 PLANNING HISTORY

- 4.1 N/2008/0417: Change of use of Coach House to offices (Class B1). Permitted.
- 4.2 N/2008/0201: Removal of lean-to passage to rear of flat and erection of entrance conservatory. Permitted.
- 4.3 N/2008/0149: Change of use of coach house to office (Class B1) (first floor) and store (Class B8) (ground floor). Refused for the following reason:

The proposal would intensify traffic movements on what is a substandard service road with inadequate width. It is considered that the proposed development would form a substandard development detrimental to highway and pedestrian safety and contrary to Policy T3 of the Northamptonshire County Structure Plan and the advice contained in PPG13 Transport.

- 4.4 N/2007/1174: Use of first floor as a flat (application for a Certificate of Lawfulness for an existing use). Granted.
- 4.5 N/2007/1173: Change of use of ground floor to flat. Permitted.

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 11 set out that the presumption in favour of sustainable development.

Paragraph 124 states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development, creating better places to work and live.

Paragraph 127 also addresses the importance of design and its impact on the quality and character of an area, as well as detailing that developments should create places that promote health and well-being, including a high standard of amenity for existing and future users.

Paragraph 109 details developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraphs 170 and 180 requires planning to prevent new development from being put at unacceptable risk from or being adversely affected by air or noise pollution.

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

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

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)

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 **Councillor Danielle Stone** – Called in the application on the grounds of:

- Overlooking and intrusion into the garden and bedroom of 3 Bostock Avenue; it's far too near to back door of No. 3 and would effectively be a flat in the garden of this neighbouring property.
- Parking pressures.
- Rubbish storage issues.

6.2 **Highway Authority (NCC)** – Based upon the Northamptonshire Parking standards 2016, the proposed development would generate a demand for 1 vehicle. As there is no residual parking capacity in the area, any increase in demand will increase the instances of illegal and unsafe parking, such as parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This is supported by the data gathered in the third party parking beat survey on 20th November 2016 and a survey carried out by the County Highway Engineer on 28 February 2017. This is also a view supported by various departments within Highways as well as the police, who handle the complaints as a result of parking problems.

It is agreed that being in a sustainable location, with easy access to small shops and bus stops, can decrease vehicle usage for short journeys. However, the County Highway Authority would argue that it does not necessarily correlate to decreased vehicle ownership.

Although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the County Highway Authority would argue that the cumulative impact of “minor” developments such as this need to be considered as a whole.

In conclusion, this development will increase the demand further and will increase dangerous parking practices. The County Highway Authority considers any impact that will compromise the safety of motorists and pedestrians to be a severe developmental impact. Therefore, in the interest of highway safety, Northamptonshire Highways must object to the application.

6.3 **Public Protection (NBC)** – No comment received.

6.4 **Three letter of objection** has been received which include the following points:

- The coach house is only a glorified shed.
- The application property is already divided into two flats.
- Invasion of privacy to adjoining neighbour.
- Add more pressure to local roads and exacerbate parking issues on Bostock Avenue.
- Access road to site is regularly parked up such that access to the site will be blocked.
- Refuse bins are already an issue at the end of Bostock Avenue, with bins blocking the pavement and fly tipping.
- Application should be considered alongside application N/2018/0929 at 8 Bostock Mews.
- Adverse impact on property values of neighbours.

7 APPRAISAL

Principle of development

- 7.1 The pre-application site is located in a residential area within the settlement of Northampton and as such a new residential dwelling is acceptable in principle under the Development Plan.
- 7.2 Notwithstanding the above, 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 National Planning Policy Framework (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.

Design and Layout

- 7.3 Saved Policy E20 of the Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.4 The coach house the subject of the application is set to the rear of terraced properties and the proposed works would only involve limited external alterations to the coach house, comprising changes to fenestration details and the addition of conservation style roof lights. As such, it is considered that the proposal would not adversely affect the character and appearance of the area.

Residential Amenity

- 7.5 Saved Policy E20 of the Local Plan, Policy H1 of the Joint Core Strategy and the NPPF 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, part of the existing coach house extends across the rear garden of No. 3 Bostock Avenue, with a first floor window facing down the garden of No. 3 and also high level ground floor windows in the side elevation of the building. These existing windows are both obscure glazed but are openable windows. The application proposes to replace these existing windows with obscure glazed and non-opening windows and this can be secured by condition. The remaining windows to serve the new dwelling would also make use of existing openings, with the new roof lights being high level such that they would offer no outlook. As such, it is considered that the proposal would not result in a significance change in the degree of overlooking to No. 3. Although, to safeguard the amenities of No. 3 and the other neighbouring residential properties to the side and rear of the site, it is recommended that conditions are also imposed to prevent the insertion of any further windows to the new property and remove permitted development rights for extensions.
- 7.7 The new dwelling would also face towards the rear elevation of No. 1 Bostock Avenue, which is subdivided into two flats. However, the windows in the rear outrigger serving No.1 are obscured glazed bathroom windows and therefore it is considered that the proposal would not adversely impact on the residential amenities of occupiers of the flats at No. 1 Bostock Avenue.

- 7.8 With respect to the amenities of future occupiers of the new dwelling, the proposed unit would have its own outdoor amenity space with sufficient space to accommodate refuse storage and a fence is proposed to separate this area from the open area to the side of the existing flats at No.1 Bostock Avenue which can be secured by condition. In addition, both floors of the new dwelling would be served by windows and the new property would not be located any closer to the rear of commercial properties on the Wellingborough Road than the existing flats on the site. As such, it is considered that an acceptable standard of amenity would be afforded for future occupiers of the proposed development.

Parking and Highways

- 7.9 The County Parking Standards seek 1 vehicle and 1 secure covered cycle parking space per bedroom in a new residentially dwelling. The application proposes a cycle store, and this can be secured by condition, but the plot is not large enough to accommodate an on-plot parking space. Furthermore, the County Highway Engineer objects to the application on the basis that there is no residual parking capacity in the area and the proposal would increase parking demand further, leading to unsafe parking practices and detriment to highway safety. However, the site is located in a sustainable location to the rear of local facilities along the Wellingborough Road. As such, and taking into account that the building has a floorspace of 72sqm and could be used for ancillary residential purposes and has previously had permission for an office use (under reference N/2008/0417), it is considered that objections could not be sustained on parking and highway safety grounds of the impacts of any planning application.
- 7.10 In reaching this conclusion, it is noted that a previous application for a mixed office and storage use on the site (under reference N/2008/0149) was refused on highway grounds. However, this was on the basis of delivery vehicles associated with the storage use, with no highway objections raised to a subsequent application for the building to be used for only offices purposes (under reference N/2008/0417).
- 7.11 In addition, it is noted that there is an application under consideration at No. 8 Bostock Avenue to convert this terraced property into 4 flats under reference N/2018/0929, which would also result in a parking shortfall of one space under the County Parking Standards. However, and notwithstanding that the application at No. 8 is still under consideration, given the sustainable location and planning history of the site, it is considered that objections could not be sustained on parking and highway grounds to the proposal individually or collectively with the proposed development at No. 8 Bostock Avenue.

Other Considerations

- 7.12 Third party representations have been received regarding the impact of the proposal on property values, however this is not a material planning consideration.

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, to the Council's housing supply with associated social, economic and environmental 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: A696-SLP; A696-1a and A696-2.

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

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

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

4. Notwithstanding the submitted details, prior to the occupation of the dwelling hereby permitted, 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 first occupation of the dwelling 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 S10 of the West Northamptonshire Joint Core Strategy.

5. Prior to the occupation of the development hereby permitted, the proposed timber fence as shown on the approved plans shall be implemented in accordance with the approved details and retained thereafter.

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

6. Prior to the occupation of development, bicycle storage shall be provided in accordance with the approved details and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the National Planning Policy Framework.

7. 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) others that shown on the approved plans shall be installed in the elevations of the dwelling hereby permitted.

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

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

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

10 BACKGROUND PAPERS

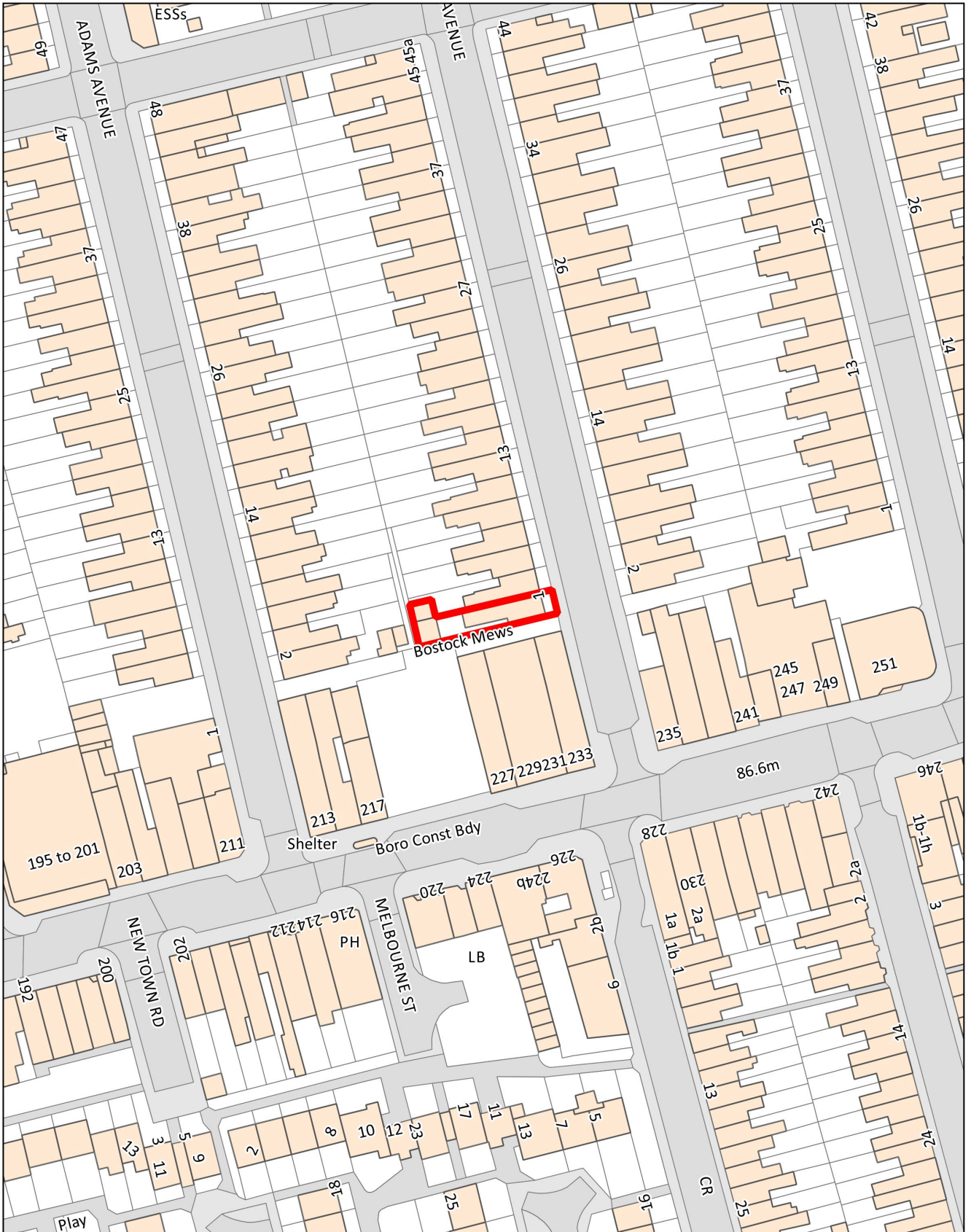
- 10.1 N/2008/0417, N/2008/0201, N/2008/0149, N/2007/1174 and N/2007/1173.

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: **2 Bostock Mews**

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Date: 20-08-2018

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1060

LOCATION: 20 Roe Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

WARD: Abington Ward

APPLICANT: Mrs Riddell
AGENT: Archi-tec Architectural Design

REFERRED BY: Councillor Z Smith
REASON: Concerned about parking and bathroom facility

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, would not be at risk from flooding and would not adversely impact on parking. The site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants. No external alteration is proposed.
- 2.2 The site lies within an Article 4 Direction area, which removes permitted development rights for a change of use from a dwelling to a HIMO.

3 SITE DESCRIPTION

- 3.1 The application site comprises a two storey, mid-terraced property on Roe Road, located in a residential area with similar terraced properties on both sides of the street.
- 3.2 The property has a living/dining room, kitchen and bathroom at ground floor and two bedrooms and a bathroom at first floor level.
- 3.3 The application site does not fall within Flood Zones 2 or 3.

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

- 5.3 Paragraph 8 – sets out that to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations.

5.4 West Northamptonshire Joint Core Strategy (2014)

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

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

5.5 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 - New development (Design)
Policy H30 - Multi-occupation with a single dwelling

5.6 Supplementary Planning Documents

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

5.7 Other Material Considerations

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)
- Proposals for HIMOs should:

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

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Environmental Health** – no objection.

6.2 **Councillor Z Smith** - objects and calls the application in to Committee on the basis that it will exacerbate existing parking problems; doesn't consider the property appropriate for four occupants, especially with the removal of the second bathroom and the existing bathroom being accessed via a kitchen.

6.3 **Northamptonshire Highways** – object, due to the increase in demand for parking, which could lead to dangerous parking practices. The LHA considers any impact that will compromise the safety of motorists and pedestrians to be a severe developmental impact. Previous parking beat surveys indicated that there were no residual parking capacity in the area. Whilst it is acknowledged that there is a good chance not all the residents of a HIMO will have a car, there is nonetheless a greater probability of a higher number of cars being associated with the property. Where parking is already at capacity, producing such a demand could have a significant impact upon highway safety.

6.4 **Private Sector Housing** - meet the requirements for a four occupant HIMO.

6.5 **Two representations** have been received from occupiers of neighbouring property, these relate to the parking and traffic issues in the area and the over concentration of HIMO within the street.

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 indicate that there are 9 confirmed HIMOs within a 50m radius of the application site. The use of this property as a HIMO would equate to less than a 10% concentration in the area. 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 HMOs 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 and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that the level of accommodation and facilities provided is appropriate for 4 occupants.

Flood Risk

- 7.4 The application site falls outside Flood Zones 2 and 3 and, as such, the proposal has no flood risk implications.

Highways/Parking

- 7.5 The Interim Planning Policy Statement for HMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.6 The application property does not benefit from any on plot parking, but is in a sustainable location within easy walking distance to facilities along Abington Avenue and also the Wellingborough Road and there is a bus stop some 482 metres from the site. In addition, there are retail facilities along Abington Avenue which are some 160 metres from the site. The proposal is therefore considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space has been provided to the rear of the house, and a condition recommending that this be provided during the lifetime of the development will be applied to any successful planning decision.
- 7.8 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.9 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The Parking Standard for the proposed development is therefore 4 parking spaces, which is an increase of 2 spaces compared to the previous use of the property as a 2-bed dwelling. A 2 bed house requires 2 parking spaces under the Parking Standards.
- 7.10 The LHA has provided a very detailed analysis of the parking situation in this area, which demonstrates that there is no residual parking capacity on-street. Furthermore, the cumulative impact from the high concentration of HMO 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.
- 7.11 Notwithstanding the Highway Authority's objection, 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.

Refuse storage

- 7.12 Details have been submitted for refuse storage or bin locations. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree to provide refuse storage though the lifetime of the development.

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 C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8 CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely impact upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would accord with the relevant requirements of both national and local planning policy and guidance.

- 8.2 The proposed development is recommended for approval subject to the following conditions.

9 CONDITIONS

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

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

2. The development hereby permitted shall be occupied by a maximum of 4 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

3. The development hereby permitted shall be carried out in accordance with the following approved plan: R32-1.

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

4. The refuse and cycle storage as shown on drawing no. R32-1 shall be provided prior to the first occupation of the building as a house in multiple occupation and be retained through the lifetime of the development.

Reason: In the interests of residential amenity to comply with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

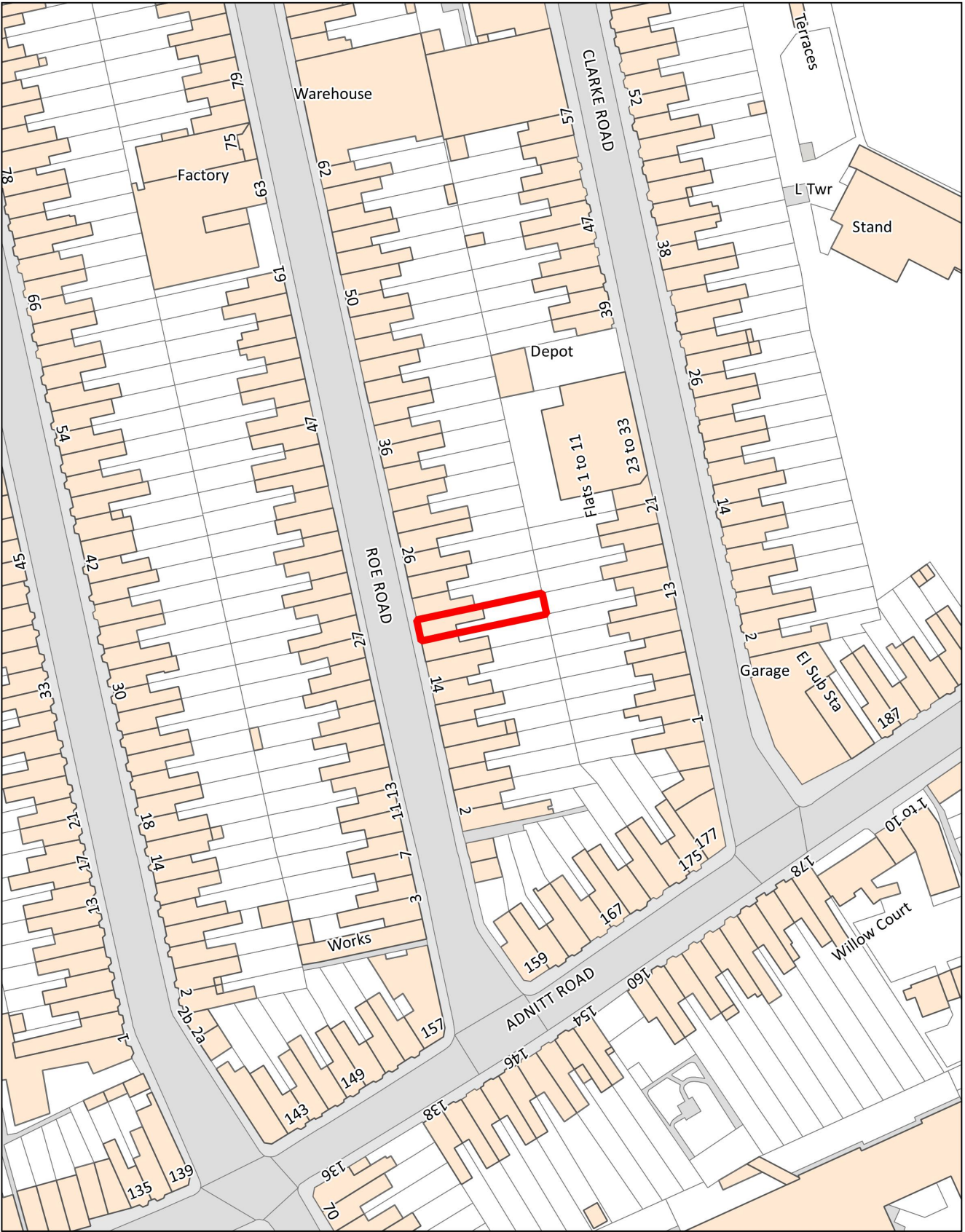
- 10.1 None.

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **20 Roe Road**

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Date: 20-08-2018

Scale: 1:1,000

Drawn by: -----