



PLANNING AGENDA

Tuesday, 25 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 Dennis Meredith.

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, 25 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**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
- 10. ITEMS FOR DETERMINATION**
(addendum herewith)
 - (A) N/2018/0496 - TWO STOREY SIDE EXTENSION. 112-116 ABINGTON AVENUE**
 - (B) N/2018/0710 - OUTLINE PLANNING APPLICATION FOR 14 RESIDENTIAL DWELLINGS WITH ALL MATTERS RESERVED EXCEPT ACCESS. LAND OFF, MILL LANE, DALLINGTON**
 - (C) N/2018/1124 - PRIOR NOTIFICATION OF LARGER HOME EXTENSION. DIMENSIONS (A) 3.54M (B) 3.7M (C) 2.4. 75 HOLLY ROAD**

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

- (A) N/2018/1216 - VARIATION OF CONDITION 2 (PLANS) S/2016/0400/EIA (HYBRID APPLICATION: (I) OUTLINE APPLICATION FOR CLASS B2, B8 AND ANCILLARY B1, PROVISION OF A 2HA LORRY PARK AND ASSOCIATED INFRASTRUCTURE. (II) FULL APPLICATION FOR WORK ON THE A4500 COMPRISING: REFORMATTING THE ACCESS TO THE TRUCK STOP AND LAYBY (CLOSURE); CONSTRUCTION OF TWO ROUNDABOUTS; CLOSURE OF EXISTING ACCOMMODATION ACCESS NORTH SIDE OF THE A4500 AND REFORMATTING PROVISION OF NEW ACCESS FROM ROUNDABOUT; ENGINEERING OPERATIONS COMPRISING GROUND RE-PROFILING; THE RE-ROUTING OF THE EXISTING WATERCOURSE; FLOOD PLAIN COMPENSATION WORK; ECOLOGICAL WORK AND ACCESS ON LAND ADJACENT TO JUNCTION 16 OF THE M1. (INCLUDES ENVIRONMENTAL STATEMENT) RELATING TO THE PROVISIONS OF THE PARAMETERS PLAN. TO ENABLE THE USE CLASS FROM B2, B8 AND ANCILLARY B1 UP TO 100% USE CLASS B8 AND ANCILLARY B1. LAND AT J16 M1 WEEDON ROAD, UPPER HEYFORD. CONSULTATION BY SOUTH NORTHAMPTONSHIRE COUNCIL**

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, 4 September 2018

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

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

1. APOLOGIES

Apologies for absence were received from Councillor B Markham. It was noted that Councillors Lane and Golby would be arriving late and that Councillors Birch and Choudary would be leaving early due to conflicting engagements.

2. MINUTES

The minutes of the meeting held on 31st 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/2018/0683

William Jacobs

N/2018/1024

Councillor Smith

Councillor Stone

N/2018/1060

Councillor Smith

Councillor Stone

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor M Markham declared a disclosable and pecuniary interest in respect of items 10c and 10f as a board member for Northampton Partnership Homes (NPH).

Councillor Bottwood declared a disclosable and pecuniary interest in respect of items 10c and 10f as a board member for NPH.

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

Councillor Smith declared a predetermination in respect of items 10g and 10h. She advised that she would address the Committee on the items then leave the room whilst they were discussed.

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

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Head of Planning. She reported that all appeals were still awaited and there were no further updates to give at the time.

(C) N/2018/0683 - DEMOLITION OF 16NO. DOMESTIC GARAGES AND CONSTRUCTION OF 2NO. NEW BUILD DWELLINGS. LOCKUP GARAGES, LONGLAND ROAD

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

The Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained amended Conditions 5, 7 and 12. The Committee were informed that following noise concerns raised by Environmental Health, a condition had been added to ensure a revised noise assessment be carried out, to protect the dwellings from external noise. It was noted that the application complied with both local and national policies.

Responding to a question, William Jacobs, Project Manager for NPH explained that the car park had been identified as underused, however any residents losing out would be provided with alternate parking facilities. He further explained that due to surface drainage on the north of the site, the applicant was limited to the number of properties that could be built.

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.

(F) N/2018/0969 - INSTALLATION OF PLAYGROUND FOR CHILDREN AND YOUNG PEOPLE PLUS 5NO. ITEMS OF OUTDOOR GYM EQUIPMENT. SPORTS COURT, CRESTWOOD ROAD

The Development Manager submitted a report and elaborated thereon. The Committee heard that play equipment would be provided for children to the north of the site and outdoor gym equipment to the south. It was noted that since the site was

an existing open space site with the location of an existing MUGA, it was unlikely that the provision and use of the equipment would generate excessive noise.

In response to questions, it was reported that contractors employed by NPH would be responsible for maintaining the site. Regarding potential traffic issues, it was noted that the situation had not changed in terms of the site's use.

Members discussed the report.

RESOLVED:

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

- (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**

This item was withdrawn from the agenda.

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**

Councillors M Markham and Bottwood re-joined the meeting.

Councillor Golby joined the meeting at this juncture.

The Development Manager submitted a report and elaborated thereon. The Committee heard that outline planning permission was granted in March 2015 for 1,000 dwellings including a primary school, local centre and public open space. However, due to constraints on the site and changes in flood mitigation measures, the quantum of developable land within the site boundaries had been reduced. Subsequently, a reserved matters application received by the Council related to 860 dwellings. The applicant had requested that their financial contribution be prorated and that they provide additional provision for burial grounds instead of allotments. They further sought to spread contributions more evenly throughout the development, however priority would still be given to primary education.

In response to questions, the Committee heard that the proposed dwellings shown in the reserved matters application were family homes of a generous size. It was

explained that entry to the development would be on West Street and that improvements to the road were proposed and that a clause in the S106 Agreement stipulated open spaces would not be maintained by NBC but by either Upton Parish Council or a management company.

It was noted that the site was not CIL liable due to the original application being submitted before CIL came into effect in the borough.

Members discussed the report.

RESOLVED:

1. That the Committee **AGREED** 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.
2. That delegated authority be given to the Head of Planning in consultation with the Chair of the Planning Committee to agree any such further amendments to the planning obligations contained in the original Agreement as is reasonably necessary.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

10. ITEMS FOR DETERMINATION

(B) N/2018/0476 - ERECTION OF 14NO. 3-BEDROOM DWELLINGS WITH PARKING. THE SILVER CORNET PUBLIC HOUSE, 21 WELLAND WAY

At this juncture Councillor Lane joined the meeting.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the site was currently overgrown, frequently fly tipped and a haven for antisocial behaviour. It was reported that whilst terms of transfer had not yet been agreed, a prospective application was not considered inappropriate. NCC Highways had objected to the application due to insufficient parking provision, however it was noted that the parking standard had changed since the pre-app application was submitted and that the number of spaces provided was offset by the absence of parking restrictions in the area. The application was considered a good use of a brown site.

In response to a question regarding the electric gate that would serve the car park, it was explained that Condition 12 in the report required that full details be submitted and approved by the Council prior to installation.

RESOLVED:

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

(D) N/2018/0787 - ERECTION OF SINGLE STOREY EXTENSION TO SIDE OF PROPERTY. 16 RAISINS FIELD CLOSE

Councillor Choudary left the meeting at this juncture.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the application sought to extend the previous garage which had been converted to a living room. 1 parking space would be lost to create the extension, however there was space for 3 vehicles at the opposite side of the property. The extension would extend 1.5m past the neighbouring property but set back from the host dwelling and a window panel facing the neighbouring property would be glazed and non-opening so to ensure privacy. It was noted that the Parish Council had objected to the application, however, no further objections had been received on the revised plans.

Members discussed the report.

RESOLVED:

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

(E) N/2018/0913 - PROPOSED SINGLE STOREY ANNEX TO REAR. 59 LANGDALE ROAD

The Planning Officer submitted a report and elaborated thereon. The Committee heard that the proposed development would be partially visible from the street and a side-facing window would be glazed to ensure privacy for neighbours and a condition included to increase a boundary fence for the same reason. Whilst the size of the proposed annex was substantial, in relation to the size of the garden it was not considered an overdevelopment and it was noted that there were similar garden buildings nearby.

Members discussed the report.

RESOLVED:

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

(G) N/2018/1024 - CONVERSION AND EXTENSION OF COACH HOUSE INTO 1NO. SELF-CONTAINED DWELLING. 2 BOSTOCK MEWS

Councillor Smith moved to public seating.

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that the proposed physical alterations would be relatively minor, that the window facing 3 Bostock Avenue at first floor level would be non-opening

and obscure glazed. Therefore it was considered that the impact on nearby amenity would be neutral. It was noted that NCC Highways had objected to the application, however the property was located in a sustainable area, close to shops and public transport links.

Councillor Smith, as the Ward Councillor, spoke against the application and commented that capacity had been exceeded in the area. She voiced concerns regarding parking and stated that based on the evidence provided by NCC Highways, the application should be refused.

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

Councillor Stone addressed the Committee in her capacity as the County Councillor for Abington & Phippsville and stated that the application represented an overdevelopment in an already highly populated area. She stated that dangerous parking habits were always prevalent on Bostock Avenue.

The Principal Planning Officer explained that there was no added impact on existing residents in terms of matters such as light and outlook since the structure was pre-existing.

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.

(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

Councillor Birch left the meeting at this juncture.

Councillor Smith re-entered the room and sat in the public gallery.

The Principal Planning Officer submitted a report and elaborated thereon. The Committee heard that internal changes would consist of converting the upstairs bathroom to a further bedroom. It was noted that the application met required Private Sector Housing standards and complied with the NPPF and that should it be approved, there would be a 10% concentration of HIMO properties in a 50m radius. NCC Highways had objected to the application, however it was explained that the number of occupiers would not be dissimilar to that of a family home and the site was sustainably located.

Councillor Smith, as the Ward Councillor for Abington, spoke against the application and commented that this was an area that had reached maximum capacity, stating that the Committee had the opportunity to prevent further highway problems by refusing the application.

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

Councillor Stone, in her capacity as the County Councillor for Abington & Phippsville, spoke against the application and commented on the pressures put onto communities and local amenities and stated that the Council would be breaking its own regulations if the application was approved.

Members discussed the report.

RESOLVED:

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

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 6:40 pm

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



List of Appeals and Determinations – 25th 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/2017/1342 APP/V2825/W/18/3203447	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants (retrospective) at 38 Euston 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	ALLOWED
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/2017/1518 APP/V2825/W/18/3201725	DEL	Addition of upper floor extension to the North Wing to add 20no bedrooms, 2 offices & replacement of existing windows (Retrospective) at Westone Manor Hotel	AWAITED
N/2017/1538 APP/V2825/W/18/3203354	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 70 Ivy Road	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	ALLOWED
N/2017/1686 APP/V2825/W/18/3197240	DEL	Erection of 4 Bedroom 3 Storey detached dwelling and associated off road parking at Land adj to 9 Holyrood Road	DISMISSED
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/2018/0093 APP/V2825/W/18/3202147	PC	Change of use from dwelling (Use Class C3) to House in Multiple Occupation for 5 occupants (Use Class C4) at 84 Moore Street	AWAITED
N/2018/0225 APP/V2825/W/18/3201925	DEL	Demolish existing garage and erection of new dwelling at 50 Leyland Drive	AWAITED
N/2018/0494 APP/V2825/W/18/3204356	DEL	Erection of single storey home office/showroom to rear of the property at 545 Harlestone Road	AWAITED
N/2018/0514 APP/V2825/W/18/3206913	PC	Change of Use from Children's Nursery (Use Class D1) to House in Multiple Occupation (Use Class C4) for 6 occupants at 47 Holly 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

Author and Contact Officer:

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



Addendum to Agenda Items Tuesday 25th September 2018

10. ITEMS FOR DETERMINATION

Item 10a

N/2018/0496

**Two storey side extension
112-116 Abington Avenue**

Three further representations received, objecting to the application:

- parking problems in the area and should operate a park and ride scheme.
- traffic issue and is significant danger to life.
- children living at the mosque who are climbing on the roof of the building giving rise to noise and antisocial behaviour and rubbish generated by the use.
- loss of light to garden.
- public address system into the early hours causing noise pollution.

Anglian water – recommended that a condition to be imposed in relation to drainage details.

Additional Condition 6:

6. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Officer Comment:

Whilst it is acknowledged that there are parking problems in the area, it is considered that this proposal would not result in a significant increase in people attending the mosque as the proposal is principally to improve the existing facilities. Due to the scale of the proposal, it would not be reasonable or enforceable to require a park and ride scheme to be provided. There are no residents living in the building, although the mosque runs an educational facility. These activities are not affected or increased by the proposal. Paragraph 7.16 of the report has addressed the issue of loss of light to gardens.

Item 10b

N/2018/0710

Outline planning application for 14 residential dwellings with all matters reserved except access

Land off, Mill Lane, Dallington

Three further representations received, objecting to the application. These objections re-iterate the various neighbour objections summarised in Section 6.15 of the Committee Report and particularly focus on issues relating to the safety and security of existing properties on Corran Close, including the poor condition of the existing rear boundary wall and fences serving these properties and seeking that the height of the boundary treatment be increased and repaired.

Officer Comment:

The Police Crime Prevention Design Advisor raises no objections to the application and matters relating to security are addressed in Section 7.11 of the Committee Report. However, whilst the

details of new boundary treatments are normally dealt with by a condition on a reserved matters permission, in light of the repeated neighbour concerns and given the importance of this element of the scheme, it is recommended that a condition is added to require details of boundary treatments to accompany a reserved matters application should outline permission be forthcoming.

Additional Condition 21:

21. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted with reserved matters details for 'layout'. The development shall be carried out in accordance with the approved details.

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.

Item 10c

N/2018/112

**Prior Notification of Larger Home Extension. Dimensions (a) 3.54m (b) 3.7m (c) 2.4
75 Holly Road**

No update.

12. CONSULTATION

Item 12a

N/2018/1216

Variation of Condition 2 (plans) S/2016/0400/EIA (Hybrid Application: (i) Outline application for Class B2, B8 and ancillary B1, provision of a 2ha lorry park and associated infrastructure. (ii) Full application for work on the A4500 comprising: reformatting the access to the Truck Stop and layby (closure); construction of two roundabouts; closure of existing accommodation access north side of the A4500 and reformatting provision of new access from roundabout; engineering operations comprising ground re-profiling; the re-routing of the existing watercourse; flood plain compensation work; ecological work and access on land adjacent to Junction 16 of the M1. (Includes Environmental Statement)) relating to the provisions of the Parameters Plan. To enable the Use Class from B2, B8 and ancillary B1 up to 100% Use Class B8 and ancillary B1

Land at J16 M1 Weedon Road, Upper Heyford

Consultation by South Northamptonshire Council

No update.



PLANNING COMMITTEE: 25th September 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0496

LOCATION: 112 - 116 Abington Avenue

DESCRIPTION: Two storey side extension

WARD: Abington Ward

APPLICANT: Markazi Masjid
AGENT: ZS Partnership Ltd

REFERRED BY: Councillor Z Smith
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed alterations and extensions are not considered to represent a significant increase in floorspace such that an unacceptable intensification of use or impact on adjacent amenity or existing parking conditions would result. The design and appearance are considered acceptable in view of the functional requirements of the premises. The proposal is considered to be in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The application relates to a two-storey side extension towards the south eastern rear of the site. The ground floor includes an extension to the existing body wash/store with a replacement kitchen on the first floor.
- 2.2 Further internal works are proposed to the layout of the building to provide better wash and toilet facilities, with minor alteration to window openings. The existing kitchen is to be converted into a study for the Imam.

3 SITE DESCRIPTION

- 3.1 The site is located on the corner of Stimpson Avenue and Abington Avenue and has been occupied as centre of worship and religious instruction since the early 2000s. The building is two

storey with stairs at the rear. On the ground floor is the main prayer rooms and toilets and on the first floor is the kitchen, a smaller prayer room and classrooms.

- 3.2 The property has a car park that would accommodate around 20 cars, although it is noted that this is often not sufficient for the number of people who attend some of the larger gatherings.
- 3.3 The building is within a predominantly residential area, although to the rear of the site is a large building housing an electric substation and a parking area for the flats in Westleigh Close.

4 PLANNING HISTORY

- 4.1 N/2000/1266 - Change of use from garage/car showroom to place of worship/religious instruction (Class D1). Approved 24 January 2001.
- 4.2 N/2008/1263 - Proposed ground floor extension, internal alterations and external staircase, additional windows to roof and alterations and additional brick facade. Approved 21 August 2009.
- 4.3 N/2012/0057 - Erection of dome/tower and entrance canopy. Approved 02 March 2012.

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 – Distribution of development
Policy S10 – Sustainable development principles
Policy BN9 – Planning for pollution control

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

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

Policy E20 – new development (design)

5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004

6 **CONSULTATIONS/ REPRESENTATIONS**

6.1 **NBC Public Protection** - have requested details of any external plant associated with the development.

6.2 **Anglian Water** - have been consulted on the application due to the potential contamination issues associated with the waste water. Their response has yet to be received and will be reported via the addendum.

6.3 **NCC Highways and Access** - does not believe this application will negatively affect the highway.

6.4 **Councillor Zoe Smith** - requested that the application be called to Planning Committee for determination due to the parking problems around the site.

6.5 **Northants Police** - have made recommendations regarding security of the building.

6.6 21 letters of objection were received raising the following concerns:

- Potential for more worshippers to attend causing further traffic chaos
- Noise when children are dropped off for classes and during celebrations such as Ramadan
- Concerns about dangerous parking in the area
- Building is not suitable as a mosque
- Loss of light to garden
- Air pollution issues from traffic
- Devaluation of property
- Concerns that the application has been dealt with in a secretive manner
- Concerns about breeches of previous planning permission
- Inadequate consultation

7 **APPRAISAL**

Principle of Development

7.1 The mosque has been established on this site for over 16 years. Whilst it is acknowledged that there are parking issues associated with the use, this proposal must be considered in terms of any additional harm that may result from the extension. The prayer facilities are not being extended as part of this proposal and therefore the capacity of the building is not to be materially increased.

7.2 The proposed extension is intended to provide a larger viewing area for visitors to pay their respects during funerals. Currently the body wash/store area is a very small room. During funerals,

worshippers wishing to pay their respects, filter through one door, past the body and out the next. Some funerals have large numbers of visitors and this can create a bottleneck and not allowing free flow of people. This could cause a potentially unsafe situation.

- 7.3 The proposed extension is intended to allow easier passage as visitors pass by the body viewing area and through to the second door to exit the area. A separate area forms the body wash/store, where the bodies are received and prepared, keeping the two elements separate.
- 7.4 The proposed first floor kitchen is intended to replace the existing much smaller kitchen. At times of celebration cooked food is reheated on site. The existing kitchen is of a similar size to many domestic kitchens with a standard sized cooker and sink. The proposed kitchen would allow for more circulation space during cooking. It is not intended to be used for preparing meals from scratch, but from a health and safety perspective, it does allow a safer environment and easy access to the emergency exit.

Design

- 7.5 The proposed extension, which measures 5m deep, 8.3m wide and 6m high, is indicated to be finished in materials to match the existing with brickwork and a tiled roof. Due to its location away from the main frontage, it is not considered that the proposal would appear prominent.
- 7.6 It is considered that the proposed design is acceptable and would be in keeping with the existing building and its surrounding. As there would be slight amendments to the window positions in the northwest elevation onto Abington Avenue, a condition is recommended to require further details of the proposed windows to be submitted.

Noise and Pollution

- 7.7 As bodies may be stored on the premises, the Environmental Health Officers have raised concerns about noise from any extraction system or waste arising from the processes.
- 7.8 The existing building has a number of extraction fans on the roof and there are no plans to change the existing system. However, a condition is recommended requiring full details of any new external plant to be installed to be submitted to the Council for prior approval.
- 7.9 The processes carried out are not expected to result in pollution from waste and this can be controlled through other legislation. Anglian Water have been consulted on this application and their comments are awaited and will be reported via the addendum.

Highway Implications

- 7.10 The proposed extension does not intrude into the car park area and so parking will not be reduced as a result of this proposal. Whilst there may be concerns from local residents about the number of people attending the mosque and parking in the local streets, this alone would not be justification for refusing this proposal.
- 7.11 The LHA has been consulted on the application and sought further information on the use of the extension and the potential for intensification of the use. They confirmed that the proposal would not negatively affect the highway and have raised no objection.

Impact on local residents

- 7.12 Many of the concerns expressed by the representations received relate to parking issues on the site and surrounding streets. As previously expressed, the proposal is unlikely to result in any significant increase in activities on the site in terms of frequency or numbers attending. This is a popular mosque and given the history of the site, it would be not be reasonable to impose restrictions on the level of activities.

- 7.13 Some of the comments have related to dangerous parking. This is a police matter, rather than something that can be enforced through the planning system.
- 7.14 In terms of breaches of conditions relating to the activities on the site, details of the suspected breach have not been supplied, but the conditions on the earlier two applications have been reviewed and there are no evidence that conditions have been breached.
- 7.15 In terms of the impact on the neighbouring properties, it is considered that the proposal will not result in a loss of privacy or overlooking on any of the residential properties in the area.
- 7.16 The adjacent terrace of properties, in particular nos. 116, 118 and 120 have limited outlook due to the existing mosque and the substation at the rear of the gardens. These are the most affected properties. However, given the orientation the proposal, it is not considered to result in significant harm in terms of loss of sunlight from the morning to lunchtime sun. Any overshadowing impact would more likely to be resulted from the existing building rather than the proposed extension.
- 7.17 In respect of no.116, the closest property, the side windows on the outrigger are towards the front of the plot and therefore light is still gained through the open area towards the front of the mosque. This will then allow the afternoon sun to reach the side and to a certain extent the rear of 116 Abington Avenue. It is therefore considered that the extension would not result in significant harm in terms of daylight and sunlight to no. 116 and therefore complies with Policy E20 of the Northampton Local Plan.

8 CONCLUSION

- 8.1 The proposed alterations and extensions are not considered to represent a significant increase in floorspace such that an unacceptable intensification of use or impact on adjacent amenity or existing parking conditions would result. The design and appearance are considered acceptable in view of the functional requirements of the premises and the proposal is considered to be in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, ZL-3578/1, ZL-3578/2 Rev A, ZL-3578/3, ZL-3578/3-BR Rev A, ZL-3578/4 Rev A, ZL-3578/5 Rev B, ZL-3578/5-BR Rev B, ZL-3578/6 Rev B and ZL-3578/7 Rev B.

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

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

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

4. A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use of the building hereby permitted and retained thereafter.

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

5. Notwithstanding the details as submitted, full proposed elevational details of the northwest side elevation and southwest front elevation including new window details and specification shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

10 BACKGROUND PAPERS

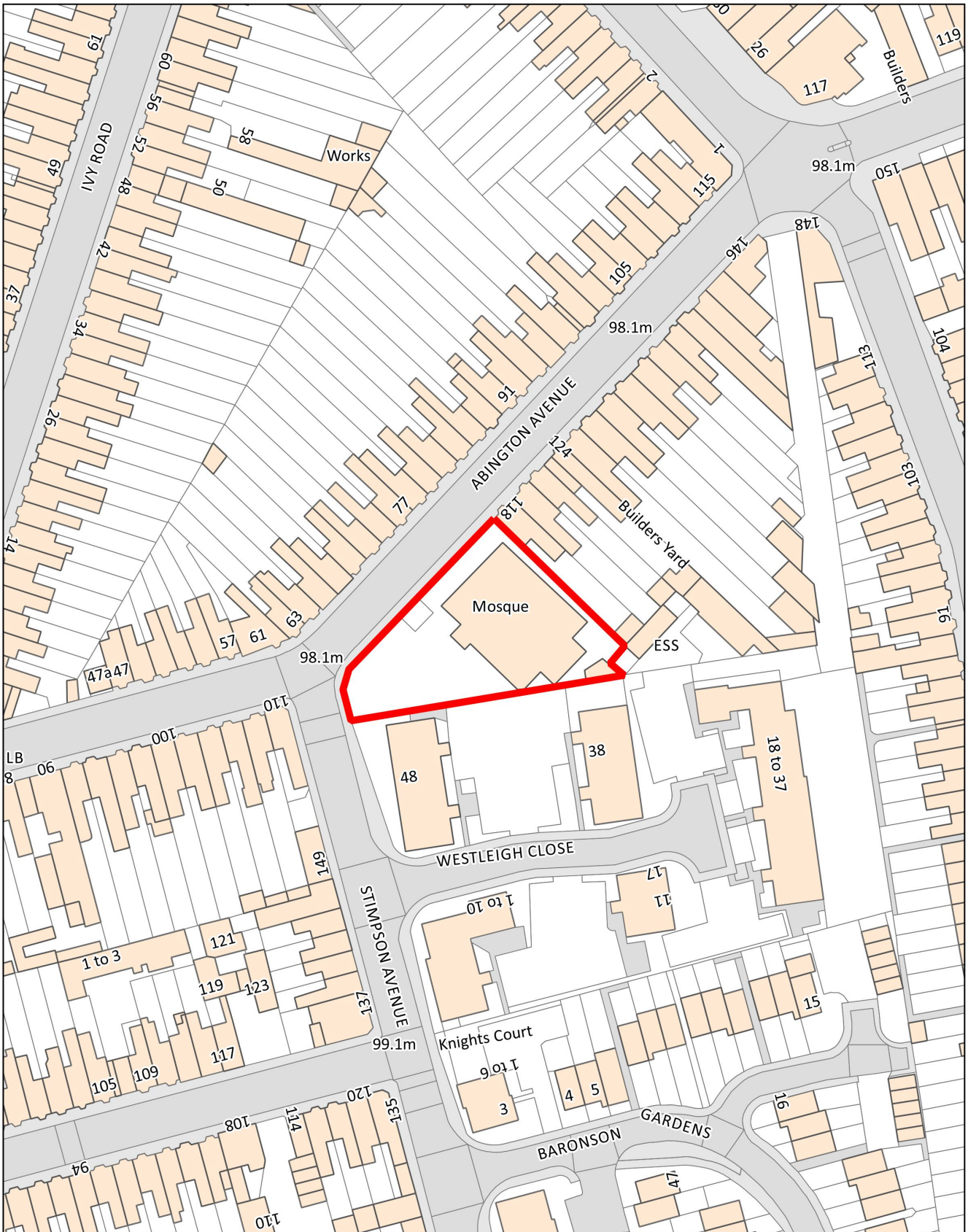
- 10.1 Planning Application N/2018/0496.

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: **112 - 116 Abington Avenue**

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Date: 05-07-2018

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Drawn by: -----



PLANNING COMMITTEE: 25th September 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0710

LOCATION: Land off Mill Lane, Dallington

DESCRIPTION: Outline planning application for 14 residential dwellings with all matters reserved except access

WARD: Spencer Ward

APPLICANT: Trustees of the 8th Earl Family Settlement
AGENT: Mr Stephen Lucas

REFERRED BY: Councillor G Eales
REASON: Concerns about impact of development and wildlife

DEPARTURE: Yes

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 of the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5 year housing supply. Subject to the conditions below, the development would not lead to any undue impacts on the character of the area, adjacent residential amenity, ecology, trees, flood risk and highway conditions in accordance with the aims and objectives of the National Planning Policy Framework, Policies SA, S1, S3, H1, BN1, BN2, BN3, BN5, BN7 and RC2 of the West Northamptonshire Joint Core Strategy and Policies E20 and E26 of the Northampton Local Plan.

2 THE PROPOSAL

- 2.1 The application is for outline planning permission for a residential development of 14 dwellings with all matters reserved except for access.
- 2.2 Access to the site would be from Mill Lane. The junction would be improved with an additional right turn lane to be added.

3 SITE DESCRIPTION

- 3.1 The application site comprises a 1.2 hectare parcel of undeveloped land, located north west of Mill Lane. The majority of the site is situated within a Local Wildlife Site (LWS), Dallington old tennis courts and ponds. The boundary of the wildlife site extends northwards beyond the application site up to Dallington Brook. Beyond the pond is an area of woodland bordered by the brook, beyond which are the grounds of St Mary's Catholic School, with residential development to the north west. Dallington Brook Fields LWS is situated outside of the application site along the western boundary, with Dallington Cemetery situated on the south western boundary adjacent with a small flood control reservoir adjacent. The site is bound to the south by residential properties on Corran Close, situated at a slightly higher ground level. The site is bound to the east by trees lining Mill Lane, beyond which is Dallington Conservation Area.
- 3.2 The site is affected by a Tree Preservation Order (TPO014) comprising a number of individual trees, groups and an area TPO which predominantly covers the western part of the site and an area in between the discussed tennis courts, extending outside of the application site along the western boundary and along Dallington Brook to the north. The majority of the application site is situated within Flood Zone 1; the northern section, abutting the pond, is situated in Flood Zones 2 and 3. The land slopes towards the pond with an approximate variation in ground levels from the southern boundary to the middle of the site of approximately 2m and of 5-6m from the southern boundary to the pond edge.
- 3.3 Historically, the site lay within the grounds of Dallington Manor, but has since been severed by Mill Lane. The tennis courts are no longer in use, with provision now to the east beyond Mill Lane at Dallington Tennis Club. There is an existing access to the site from Mill Lane up to the site boundary, currently used to gain pedestrian access by the angling club who fish the pond.

4 PLANNING HISTORY

- 4.1 768/85 – Residential development for 7 houses and access road (outline application). Allowed at appeal 13/02/87. Permission has since lapsed.
- 4.2 The site has been put forward for consideration as part of the Local Plan Part 2 sites' consultation, the suitability of which for development is currently being reviewed as part of the Local Plan process.

5 PLANNING POLICY

5.1 Statutory Duty

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

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

5.2 National Policies

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

Paragraphs 7-12 – Presumption in favour of sustainable development

Paragraph 60 – Housing needed for different groups in the community

Paragraph 127 – Creating places with a high standard of amenity for existing and future users

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Paragraph 109 – development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe.

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

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: Distribution of Development

Policy S3: Scale and Distribution of Housing Development

Policy H1: Housing Density and Mix and Type of Dwellings

Policy BN1: Green Infrastructure Connections

Policy BN2: Biodiversity

Policy BN3: Woodland Enhancement and Creation

Policy BN5: The Historic Environment and Landscape

Policy BN7: Flood Risk

Policy RC2: Community Needs

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 – design and adequate protection of amenity

E26 – preservation or enhancement of conservation area

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

Biodiversity Supplementary Planning Document (August 2015)

Northampton Green Infrastructure Plan (May 2016)

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Environmental Health (NBC)** - no objection, subject to conditions regarding contamination, a scheme for the installation of electric vehicle charging points, the provision of low NOx boilers and refuse storage.
- 6.2 **Conservation (NBC)** - no objection. The land was previously within the grounds of Dallington Manor, but the historic relationship was severed by the construction of Mill Lane. Due to the physical separation from Dallington Conservation Area, the development would not be apparent in views from the Conservation Area and would have a neutral impact on the historic character and appearance.
- 6.3 **Arboricultural Officer (NBC)** - no in principle objection. An Arboricultural Method Statement and Tree Protection Plan will be required to demonstrate how the development will proceed whilst causing the least avoidable harm to the retained trees.
- 6.4 **Highway Authority (NCC)** – no objection.
- 6.5 **Ecology (NCC)** – much of the site is within the Dallington Old Tennis Courts and Ponds Local Wildlife (LWS). The primary interest in the wildlife site is in the pond and woodland which should not be directly impacted by the development, however some of the grassland and supporting habitats will be impacted and/or lost which needs to be mitigated against. Due to the site's proximity to a designated wildlife site measures are recommended to contribute to the wider LWS. Recommend conditions in relation to the submission of a Construction and Environmental Management Plan, a Landscape and Environmental Management Plan, compliance with the recommendations of the submitted Ecology Appraisal, and the containment, removal and disposal of Himalayan balsam.
- 6.6 **Archaeology (NCC)** - No objection. Should ensure sufficient information to assess impact on historic park and setting of the pond.
- 6.7 **Lead Local Flood Authority (NCC)** - no objection, subject to condition requiring the submission of a surface water drainage scheme.
- 6.8 **Development Management (NCC)** - request contributions towards primary education, fire hydrants, and libraries. Secondary education would be covered by CIL.
- 6.9 **Crime Prevention Officer** – no objection, recommends security measures for the proposed plots, and that the roadway should have mast mounted lighting capable of providing a uniform level of light.
- 6.10 **Environment Agency** – no objection. Request condition regarding foul sewage infrastructure.
- 6.11 **Anglian Water** – no objection.
- 6.12 **Wildlife Trust** – object. The overall scope and content of the submitted Ecological Appraisal is acceptable and the recommendations of the report should be conditioned, particularly in respect of badgers, reptiles, ecological enhancement and the eradication of the invasive plant species Himalayan Balsam. Object on the basis that there are no satisfactory and acceptable recommendations for the future enhancement and management of the northern two-thirds of the existing Local Wildlife Site and request further information in the form of an Ecological Management Plan.
- 6.13 **Councillor G Eales** – objects. The concerns are summarised as follows:
- Impacts on wildlife.
 - No consideration for current Angling Club and parking for club.
 - Lake would not be secure and then a haven for anti-social behaviour.
 - Risk of flood.
 - Detrimental impact on nearby residents, noise, disturbance, loss of privacy.

- Loss of security to Corran Close.
- Inadequate level of street lighting on Mill Lane, so residential area would be unsafe without the road being 30mph.
- Mill Lane suffers from serious traffic safety issues now, to add an extra junction on Mill Lane is an accident waiting to happen.

6.14 **Campaign to Protect Rural England (CPRE)** - although this is an urban site, CPRE is always concerned when green space within an urban context is to be lost or significantly altered by development. Urban Brook Corridors in the context of Dallington Brook, Green Infrastructure Network and the Dallington Ponds have a historical significance and should be taken into account as a non-designated heritage asset. Given the various contexts, consider development is inappropriate for this site.

6.15 21 letters of objection from 12 residents have been received, the comments of whom are summarised as follows:

- Dominating impact on right to quiet enjoyment of property.
- Detrimental impact on local environment.
- Adverse visual impact.
- Significant impact on both residents and environment enjoyed by wildlife and protected species.
- Traffic Survey was conducted at time when Harlestone Road was subject to extensive road works and is therefore inaccurate.
- Access will be at bottom of gardens, which are not large.
- Noise, pollution, street lighting and impact on security of adjacent properties.
- Submitted Ecology Report insufficient.
- Loss of view.
- Risk of anti-social behaviour due to access to site from Dallington Cemetery from Kings Heath and surrounding areas.
- Increased traffic on Mill Lane.
- Loss of amenity, overlooking and loss of privacy.
- Overall speed of traffic along Mill Lane, especially at access point will make situation dangerous to road users.
- Human Rights Act, states a person has a right to peaceful enjoyment of all their possessions which includes their home and land.
- Impacts on flooding and foul drainage should be considered.
- A LEMP should be produced prior to determination to explain the impact on the Local Wildlife Site.
- The new houses would be down a new road, invisible from the road but with back fences onto pond/land. Consideration of active Police cameras just a little distance away in Dallington Cemetery may need consideration.
- DoE data shows flood risk on Mill Lane at the point where the new access would be created.
- Incorrect statements made as to housing requirements in Northampton.
- Lake will pose a risk to children.
- Presence of newts, grass snake, deer, foxes, swans, frogs, toads, badgers, herons and plenty of other wildlife.
- The grass snake population is greater than projected in the documentation.

7 APPRAISAL

Principle of development

7.1 The Northampton Local Plan designates the site as 'greenspace' and a 'site of acknowledged nature conservation value' and is identified as natural/ semi natural space in the Council's Open Space Audit and Needs Assessment, although the site is not exclusively an area of semi natural

land, as it includes two disused tennis courts which have fallen into disrepair. The site is not managed as publically accessible recreational space, although it does provide a function to wildlife and is designated as the Dallington Old Tennis Courts and Ponds Local Wildlife Site.

- 7.2 The Northampton Green Infrastructure Plan (2016) (GIP) has been prepared as part of the evidence base for the emerging Local Plan Part 2, and is therefore a material consideration in the determination of planning applications. The site is identified in the GIP as being located in the Component of the Local Level Green Infrastructure Network, and as a corridor of High Sensitivity in the Northampton Landscape Sensitivity and Green Infrastructure Study (2009).
- 7.3 The residential development of the site would result in the loss of an area of open space, however this in itself does not preclude development. Policy RC2 of the JCS resists the loss of open space unless it can be demonstrated that the proposal will bring about community benefits that outweigh the loss; or, having regard to the open space study, the space is surplus or little used.
- 7.4 Based on the Open Space, Sport and Recreation Needs Assessment and Audit (2009) there is an identified surplus of natural/ semi natural space within the area, although there is an overall deficit of open space. The site is within range of a variety of open space and, in addition, the site is under private ownership and the open space is not readily accessible to the general public, other than to the angling club who have access to the site to fish the pond. The value of the site as an area of open space therefore has to be weighed against the potential community benefits of providing additional housing to meet an identified housing need.
- 7.5 A key objective of the NPPF and the JCS, both of which have a presumption in favour of sustainable development, is to provide a wide range of housing. Policy S3 of the JCS sets the requirement for the provision of 18,870 dwellings during the plan period 2011-2029. Policy S1 seeks to ensure new development is primarily located in and adjoining the urban area of Northampton.
- 7.6 The site is located within the urban area and, in addition, the Council cannot currently demonstrate a five year housing 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 would contribute towards the Council's social and economic benefits and this, therefore, weighs in favour of the proposal.
- 7.7 Issues of ecology and nature conservation are considered in more detail below.

Design and Impact on Amenity

- 7.8 The application is in outline only with access for consideration. The submitted layout plan is indicative only and details of layout, scale, appearance and landscaping would be considered at reserved matters stage. Details of access are considered later in this report.
- 7.9 Paragraph 127 of the NPPF seeks to ensure a high standard of amenity for existing and future users. This is reflected in Policy H1 of the JCS which seeks to ensure due regard is paid to the impact of proposed development on the amenity of occupiers of neighbouring.
- 7.10 Residential properties on Corran Close are situated to the immediate south of the site and set at higher ground level, on average at approximately 1m higher ground level with some gardens rising gradually from the boundary with the application site. The majority of properties on Corran Close are 2-storeys with rear elevations facing towards the application site, with some bungalows situated towards the western end. An indicative site layout has been submitted showing a layout of 14 detached dwellings with on-site parking provision and detached garages. Whilst it is acknowledged that development of the site would result in an element of overlooking to these existing properties which is currently non-existent due to the open nature of the site, the submitted layout indicates that there is potential to accommodate the number of dwellings proposed on site and, notwithstanding the variation in levels, achieve an appropriate distance from the existing

dwellings on Corran Close such that it would not lead to any undue impact in respect of overlooking or overshadowing. The precise details of layout, scale, appearance and landscaping would be considered at reserved matters stage, and would be required to demonstrate that there is no adverse impact on neighbouring amenity.

- 7.11 Concern has been raised regarding the impact in terms of security on existing properties on Corran Close, in respect of the development of the site resulting in open access from Mill Lane onto the site which currently does not exist. Whilst details of layout would be considered at reserved matters stage, the indicative layout indicates the potential for a gated access to the site, and indicates dwellings positioned overlooking the rear boundary of properties on Corran Close providing surveillance that does not currently exist. The Crime Prevention Officer has raised no objection and recommends security measures for the proposed plots and the provision of lighting along the roadway. As the application is for outline permission, these detailed matters would be for consideration at reserved matters stage.

Ecology

- 7.12 Both the NPPF and Policy BN2 of the JCS seek to ensure that where new development has the potential to impact on biodiversity, existing designated ecological sites are safeguarded and, where possible enhanced.
- 7.13 The application is supported by an Ecological Appraisal which recognises the presence of grass snake on site, and the need for appropriate mitigation to ensure protection during construction. Passive displacement is therefore proposed to move grass snake into a receptor site to be created within an area of green space retained towards the northern site boundary.
- 7.14 The report also recognises the presence of badger, Turkish Crayfish, potential for nesting birds, foraging for bats and suitable habitat for amphibians, including Great Crested Newts, although no newts have been found on site.
- 7.15 The report recommends a number of mitigation/ enhancement measures including the buffering of the pond and woodland areas particularly along the northern boundary of the site with the incorporation of species rich grassland, and bat and bird boxes.
- 7.16 Whilst the proposed mitigation measures within the ecology report in respect of the application site are accepted, both the County Ecologist and the Wildlife Trust have raised concerns regarding the impact of development on the wider Local Wildlife Site (LWS) which extends beyond the application site towards Dallington Brook and is within the ownership of the applicant. Therefore, in addition to a condition to ensure the implementation of mitigation measures detailed in the submitted ecological report, a condition is therefore recommended for the submission and approval of a Landscape and Ecological Management Plan (LEMP) which covers the LWS as a whole and sets out conservation objectives and management for the protection and preservation of habitats and species to ensure appropriate mitigation.

Trees

- 7.17 The majority of protected trees on the site would be retained. The Council's Arboricultural Officer has assessed the submitted indicative plan and raises no objection in principle to the development of the site. Detailed layout would be a matter for consideration at reserved matters stage and a condition is recommended for the submission of an Arboricultural Method Statement and a Tree Protection Plan at reserved matters stage to ensure appropriate mitigation for retained trees.

Heritage Assets

- 7.18 Whilst the site previously lay within grounds of Dallington Manor, the historic context has since been severed by Mill Lane. Due to the presence of the road and mature roadside vegetation, the development would not be apparent in views from the Conservation Area and is therefore considered to have a neutral impact on the historic character and appearance.

Flood Risk and Drainage

- 7.19 The majority of the site lies within Flood Zone 1, with the northern edge adjacent to the pond situated within Flood Zones 2 and 3. The pond provides attenuation for water from Dallington Brook. Subject to conditions for the submission of a detailed surface water strategy and foul drainage, the Environment Agency and Lead Local Flood Authority have no objection.

Highways

- 7.20 The application is supported by details of a Traffic Survey carried out at two points on Mill Lane which has been subject to consultation with the Highway Authority.
- 7.21 A new vehicular and pedestrian access into the site is proposed in the position of the existing turning head into the site from Mill Lane, with alterations to Mill Lane to provide a right turn lane into the site. The submitted details demonstrate appropriate visibility and tracking of vehicles can be achieved and the Highway Authority has no objection. Details of internal road layouts and parking provision, which would be required meet the Northamptonshire Parking Standards, would be considered at reserved matters stage.

Other Matters

- 7.22 Conditions are recommended regarding appropriate assessment of the site for contamination, and for the submission and approval of a scheme for the provision of Electric Vehicle charging points within the development. Details of refuse storage would be conditioned at reserved matters stage subject to outline approval. There is no policy requirement for the provision of low NOx boilers.
- 7.23 In respect of the County Council's request for contributions towards primary education, fire hydrants, and libraries, as the application is for less than 15 dwellings, the Council is not in a position to request S106 contributions in this regard, as defined by the adopted Planning Obligations Supplementary Planning Document (2013). Secondary education would be covered by CIL and the development would be CIL chargeable.
- 7.24 It is understood that the pond on site is currently actively used by a private angling club. The indicative site layout show an element of parking provision for the club indicating an intention that this proposed use would continue. The application site, pond and associated land to the north used by the anglers is privately owned, and the use is carried out by private arrangement with the land owner and is not a material consideration in the determination of this application.

8 CONCLUSION

- 8.1 The existing open space is not readily available to the public for recreational use and whilst the development would lead to some ecological impact, it is considered that appropriate mitigation, as required by conditions, could be achieved to ensure there is no undue adverse impact. On balance, the principle of residential development of the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5 year housing supply, and is in accordance with policy requirements.

9 CONDITIONS

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

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

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

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

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

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

4. The residential development of the site hereby permitted shall be for a maximum of 14 dwellings only.

Reason: To accord with the terms of the planning application and to ensure a satisfactory standard of development and in the interests of the amenity of the occupiers of adjacent residential properties in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

5. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 17 28555/50 rev P1.

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

6. No development on site shall take place until the proposed access and highway works as detailed on drawing no. 17 28555/50 rev P1 have been implemented and laid out in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework. This is a pre-commencement condition to ensure that safe access has been provided in a timely manner.

7. 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 Policies S10 and H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

8. A site specific Arboricultural Impact Assessment and Arboricultural Method Statement, in accordance with the recommendations of BS: 5837:2012 Trees in relation to design, demolition and construction', shall be submitted alongside the submission of reserved matters details for 'layout' which shall include details of proposed construction methods within the Root Protection Areas of the trees along the south-eastern boundary of the site subject to a Tree Preservation Order and tree protection measures during the course of construction for all trees to be retained on site. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring a satisfactory standard of development and to ensure appropriate protection of existing trees on site in accordance with Policies S10 and BN3 of the West Northamptonshire Joint Core Strategy.

9. The development shall be carried out in accordance with the recommendations of the Ecological Appraisal by FCPR dated February 2018 and the Reptile Survey Report, Mitigation Strategy and Method Statement dated March 2018 by FPCR.

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

10. Prior to any works being carried out on site that involve the disturbance of Himalayan Balsam, a method statement shall be submitted for approval in writing by the Local Planning Authority for an invasive non-native species protocol to address the containment, removal and disposal of Himalayan balsam within the application site. Development shall be carried out in accordance with the approved details.

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

11. Prior to commencement of development on site, a Landscape and Ecological Management Plan (LEMP) for the application site and land to the north as outlined in blue on the submitted Location Plan (ref: KE), shall be submitted to and approved in writing by the Local Planning Authority. The LEMP should comply with the requirements of BS42020: 2013 and shall contain as a minimum a set of Management Prescriptions together with a linked/ associated Monitoring Programme in respect of relevant conservation objectives for both habitats and species on the site as identified in the submitted . The development shall be carried out in accordance with the approved details.

Reason: The site comprises Dallington Old Tennis Courts and Ponds Local Wildlife Site. The condition is required to ensure impacts on biodiversity are appropriately mitigated and, where possible enhanced, in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework. Pre-commencement condition to ensure impacts on biodiversity are appropriately assessed and dealt with in a timely manner.

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

- i. Traffic management and signage during construction
- ii. Parking for site operatives and visitors
- iii. Storage areas for plant and materials
- iv. The erection and maintenance of security fencing/hoardings and lighting
- iv. Welfare and other site facilities
- v. Working hours and delivery times
- vi. Measures to control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- vii. Measures to prevent mud and other debris being deposited on the surrounding highway.
- viii. Ecological mitigation measures

Reason: To minimise the impact of the development during the construction phase in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

13. 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 is a pre-commencement condition to ensure timely submission of details.

14. 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 13, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 13, 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 in accordance with Condition 13.

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.

15. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding and pollution in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. Before construction commences, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, shall be submitted to the Local Planning Authority for approval in writing. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:

- a) 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, attenuation basins and soakaways.
- b) Cross referenced calculations.
- c) Details of BRE 365 infiltration testing.
- d) Assessment of risk to the development from groundwater.

Reason: To ensure a satisfactory standard of development and in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

17. 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.

Reason: To ensure a satisfactory standard of development and in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core

Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

18. No occupation of the development hereby approved 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 and Sustainable Drainage Strategy document reference number 2049-FRA & Ds dated April 2018 prepared by MTC Engineering. 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/ necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure a satisfactory standard of development and in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

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

20. Details of a scheme for the provision of Electric Vehicle Charging points for the development hereby approved shall be submitted with reserved matters details for 'layout'. The development shall be carried out in accordance with the approved details.

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

10. BACKGROUND PAPERS

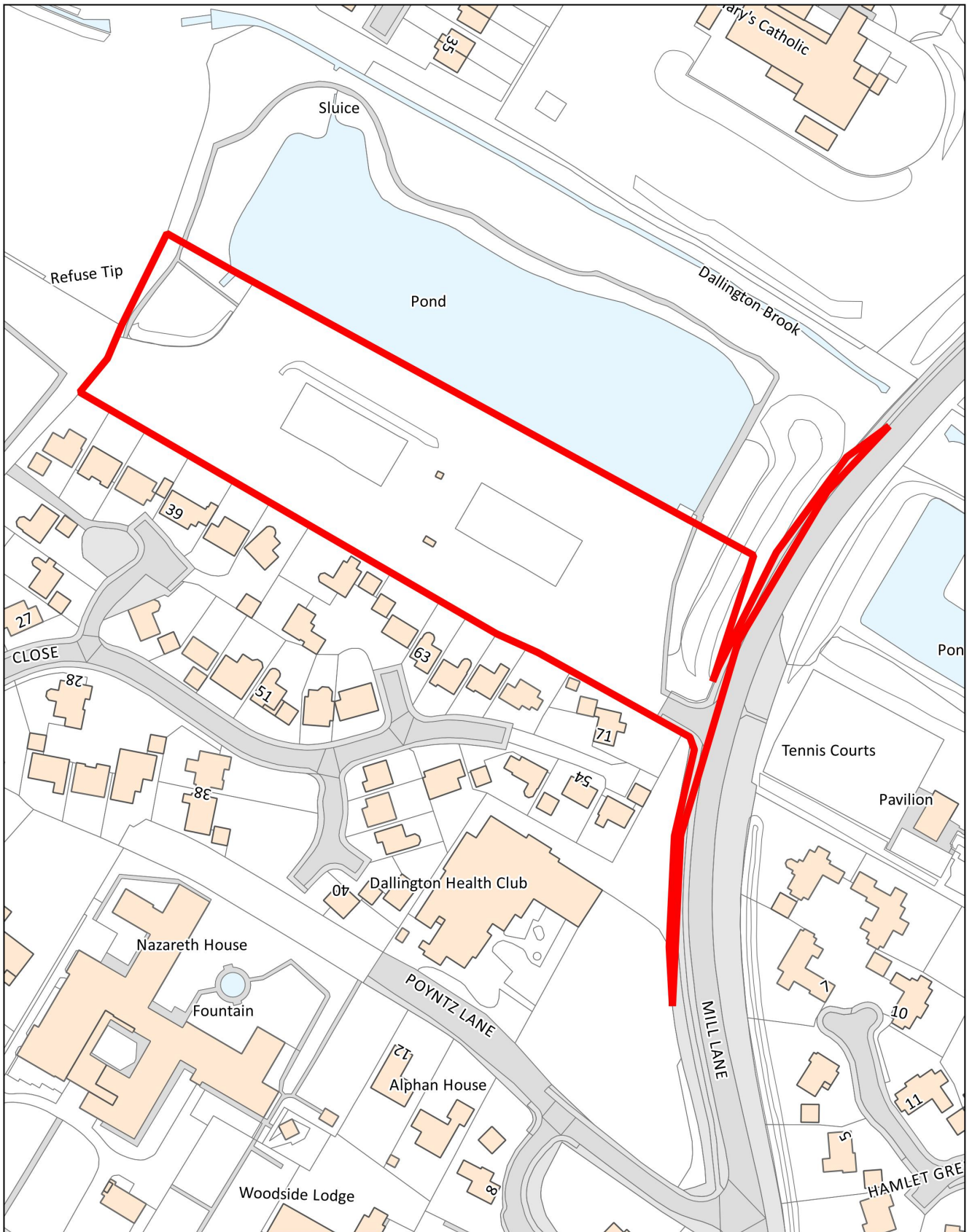
- 10.1 N/2018/0710

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: **Land off Mill Lane. Dallington**

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Date: 05-07-2018

Scale: 1:1,500

Drawn by: -----



PLANNING COMMITTEE: 25th September 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1124

LOCATION: 75 Holly Road

DESCRIPTION: Prior Notification of Larger Home Extension. Dimensions (a) 3.54m (b) 3.7m (c) 2.4m

WARD: Abington Ward

APPLICANT: Mr Arthur McCutcheon
AGENT: Mr Gordon Cole

REFERRED BY: Head of Planning
REASON: Applicant is a Council Member

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 That the Authority's **PRIOR APPROVAL NOT REQUIRED** for the following reason:

There have been no neighbour objections and no permitted development rights have been removed. Therefore, the proposal can proceed under permitted development by virtue of Part 1 Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2 THE PROPOSAL

- 2.1 The current application is a notification for prior approval for larger home extension for a single storey rear extension, which will include the demolition of the existing garden room.
- 2.2 The proposed single storey rear extension will be 3.535m deep and 3.372m wide and will replace the existing sun room. The proposed extension will have a pitched roof with the proposed eaves at 2.365m height and the highest part will be 3.682m high.
- 2.3 The materials proposed would be reclaimed brickwork to match existing brickwork in colour, texture and mortar joints and natural slate roof will match existing roof.

3 SITE DESCRIPTION

3.1 The application site consists of a traditional, mid-terraced property. There is an existing sun room to the rear of the property, which will be demolished as a part of the current proposal.

3.2 The local area is predominantly residential with terraced properties on either side of the road.

4 PLANNING HISTORY

4.1 None. Permitted development rights are intact.

5 PLANNING POLICY

5.1 No policies are relevant here.

5.2 The application is assessed under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015.

6 REPRESENTATIONS

6.1 Adjoining neighbours were consulted and no representation received.

7 APPRAISAL

7.1 The main issues under the current application are:

- Whether or not the applicant requires prior approval to undertake the work proposed.
- Whether the works are within the scope of Class A of the General Permitted Development Order.

7.2 Design and appearance of the proposed extension and impact on the residential amenity are not assessed as part of the current application.

7.3 As stipulated in the legislation, upon receiving the current application the Local Planning Authority consulted 2 adjoining neighbouring properties, allowing them 21 days to comment.

7.4 In this period, the Local Planning Authority has not received any comments and under the legislation, the Council has no scope to assess the scheme and the proposal is deemed acceptable.

8 CONCLUSION

8.1 There have been no neighbour objections and no permitted development rights removed, the proposal can proceed under permitted development by virtue of Part 1 Class A of the General Permitted Development Order 2015 (as amended). Therefore, prior approval is not required.

9 BACKGROUND PAPERS

9.1 N/2018/1124.

10 LEGAL IMPLICATIONS

10.1 The development is not CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

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



PLANNING COMMITTEE: 25th September 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1216

LOCATION: Land at J16 M1 Weedon Road, Upper Heyford

DESCRIPTION: Variation of Condition 2 (plans) S/2016/0400/EIA (Hybrid Application: (i) Outline application for Class B2, B8 and ancillary B1, provision of a 2ha lorry park and associated infrastructure. (ii) Full application for work on the A4500 comprising: reformatting the access to the Truck Stop and layby (closure); construction of two roundabouts; closure of existing accommodation access north side of the A4500 and reformatting provision of new access from roundabout; engineering operations comprising ground re-profiling; the re-routing of the existing watercourse; flood plain compensation work; ecological work and access on land adjacent to Junction 16 of the M1. (Includes Environmental Statement)) relating to the provisions of the Parameters Plan. To enable the Use Class from B2, B8 and ancillary B1 up to 100% Use Class B8 and ancillary B1

WARD: N/A

APPLICANT: First Panattoni
AGENT: Framptons

REFERRED BY: Head of Planning
REASON: Major Fringe Application

DEPARTURE: No

APPLICATION FOR CONSULTATION BY SOUTH NORTHAMPTONSHIRE COUNCIL:

1 RECOMMENDATION

1.1 That the Council **Raise No Objections** to the proposed amendment to Condition 2 of planning permission S/2016/0400/EIA and that a full assessment of the impacts of the proposed development on transport, drainage, noise and air quality be carried out.

2 THE PROPOSAL

2.1 Outline planning permission was granted by South Northamptonshire Council in 2016 for the development of this site. This permission was subject to conditions and one of these (Condition 2) specified the composition of the final development should be split between Use Class B2 (General

Industrial) and Use Class B8 (Storage and Distribution). In short, between 20 and 50% of the development should be used for Class B2 purposes, with the remainder being (50-80%) being used for Class B8. It is now proposed to vary this condition, so that the entirety can be potentially occupied for Class B8 purposes.

3 SITE DESCRIPTION

- 3.1 The site is located immediately adjacent to Junction 16 of the M1 to the south of the A4500 (Weedon Road) and to the north of the motorway. The River Nene runs along the south-eastern boundary. Currently the site is agricultural land with the Red Lion truck stop occupying part of the site adjacent to the A4500 and forms allocation E8 in the West Northamptonshire Joint Core Strategy. The application site exceeds the area identified in the policy at both its eastern and western extremes.

4 PLANNING HISTORY

- 4.1 S/2016/0400/EIA - Hybrid Application: (i) Outline application for Classes B2, B8 and ancillary B1, provision of a 2ha lorry park and associated infrastructure. (ii) Full application for work on the A4500 comprising: reformatting the access to the Truck Stop and layby (closure); construction of two roundabouts; closure of existing accommodation access north side of the A4500 and reformatting provision of new access from roundabout; engineering operations comprising ground re-profiling; the re-routing of the existing watercourse; flood plain compensation work; ecological work and access on land adjacent to Junction 16 of the M1 – Approved.

5 PLANNING POLICY

5.1 Statutory Duty

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

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 80 – Encouraging investment

Paragraph 82 – Recognise the needs of individual sectors

Paragraph 117 – Making an effective use of land

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 E8 - Northampton Junction 16 Strategic Employment Site

Policy S7 - Provision of Jobs

Policy S8 - Distribution of Jobs

Policy S10 - Sustainable Development Principles

Policy S11 - Low Carbon and Renewable Energy

6 CONSULTATIONS/ REPRESENTATIONS

6.1 None.

7 APPRAISAL

7.1 The site is allocated within the West Northamptonshire Joint Core Strategy as being suitable for commercial development. Moreover, in previous consultations from SNC, the Planning Committee at the meeting on 10th May 2016 did not raise any objections with regards to the development of this site. Therefore, it is considered that the principle of commercial development upon this site remains acceptable.

7.2 The affected condition specifies that between 20% and 50% of the development should be used for purposes falling within Class B2, with the remainder falling within Class B8. It is proposed that this condition be amended so that the entirety of the development can be used for purposes within Class B8.

7.3 The relevant policy in the JCS covering the development of the site is Policy E8. Whilst it should be noted that the preamble to the policy states that a mixture of uses, including warehousing and general industrial uses should be included within the wider development, the policy solely states that provision should be made for Classes B1, B2 and B8 functions. The policy does not states maximum or minimum levels of provision for each use.

7.4 It is understood that the reason for the original condition was to ensure that there was a mixture of uses within the development in order to widen employment opportunities/economic activity. However, following the granting of planning permission, it has not been possible to secure a Class B2 occupier for the relevant sections of the site. It is also contented by the applicant that there is insufficient evidence to suggest that this situation will change in the foreseeable future. The applicant has highlighted that a number of local businesses have expressed an interest in occupying the development warehouse purposes. The reasoning for this is owing to a lack of suitably sized units within Northampton.

7.5 Given the proximity of the development to the periphery of Northampton, it is apparent that the development is likely to have a reasonable prospect of providing jobs for residents of Northampton. Therefore, if there is a likelihood that the scheme not being occupied or not coming forward within its entirety, there is a prospect of there being a loss of business to the Northampton area or the town not receiving the full employment benefit. This would therefore represent a detrimental impact upon the ongoing economic vitality of Northampton.

7.6 It is also noted that the proposed amendment would not necessarily prevent the development from being occupied for Class B2 purposes, should the demand arise.

7.7 Therefore, for the prevailing reasons, is considered that the proposed amendment to the composition of previously permitted uses would be acceptable.

7.8 In submitting observations to SNC, the Council requested that in considering the application, a full assessment of the impacts on transport, drainage, noise and air quality takes place. In order to ensure that a good standard of development emanates from the proposals, it is recommended that these requests (from the 11th May 2016) are restated to SNC.

7.9 It is noted that the proposed amendment does not seek to vary the quantum of buildings or the proportions of the structures. As a consequence, it is considered that the proposed revision would not cause any undue detrimental harm to the occupiers of properties within the Borough of Northampton and, as such, it is considered that the scheme is acceptable in this regard.

8 CONCLUSION

8.1 It is considered that the proposed amendment would assist in the delivery of this site, which would also be of benefit to employment provision and economic activity within Northampton. However, in

order to secure a good standard of development, it is recommended that previous requests made in May 2016 regarding the consideration of the application are restated.

9 BACKGROUND PAPERS

9.1 N/2016/0486 – Item 12a from the Planning Committee agenda held on the 10th May 2016.

10 LEGAL IMPLICATIONS

10.1 None.

11 SUMMARY AND LINKS TO CORPORATE PLAN

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

