



PLANNING AGENDA

Tuesday, 3 September 2019

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, Paul Joyce, Enam Haque, Arthur McCutcheon and Brian Markham.

Chief Executive

George Candler

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



PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 2nd July, 30th July, 3rd September, 24th September, 22nd October, 19th November, 17th December 2019, and 21st January, 18th February and 17th March 2020.

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, 3 September 2019
at 5:00 pm.

AGENDA

1. APOLOGIES

2. MINUTES

(Copy herewith)

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

(Copy herewith)

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2019/0836 - LISTED BUILDING CONSENT APPLICATION FOR THE INSTALLATION OF PERMANENT EXTERNAL LADDER AND LANDING OUTSIDE THE FIRST FLOOR FARMERS ROOM FLAT ROOF AND THE INSTALLATION OF PERMANENT INTERNAL ACCESS STAIRCASE AND LANDING INSIDE THE GUILDHALL CLOCK TOWER (INCLUDING MANSAFE AT ROOF LEVEL BELOW PARAPET LEVEL). THE GUILDHALL, ST GILES SQUARE.

10. ITEMS FOR DETERMINATION

(Copy of addendum herewith)

(A) N/2018/1722 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS TOGETHER WITH ENLARGED LIGHTWELLS TO FRONT AND REAR AND ENLARGED WINDOWS TO FRONT AND REAR AT BASEMENT LEVEL. 29 STIMPSON AVENUE.

- (B) N/2019/0404 - 2NO NEW DETACHED DWELLINGS WITH GARAGES. LAND TO REAR OF THE WOODEN WALLS OF OLD ENGLAND PUBLIC HOUSE. 25 HIGH STREET, COLLINGTREE.
- (C) N/2019/0481 - SITING OF A PREFABRICATED, SINGLE STOREY 'CAR STORE' PREMISES ('POD'). MORRISONS, KETTERING ROAD.
- (D) N/2019/0519 - SINGLE STOREY AND TWO STOREY REAR EXTENSION, FIRST FLOOR PITCHED ROOF EXTENSION ABOVE GARAGE AND PITCHED ROOF PORCH TO FRONT ELEVATION. 22 ATTERBURY WAY.
- (E) N/2019/0647 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 39 WYCLIFFE ROAD.
- (F) N/2019/0680 - PROPOSED CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS . 35 HOOD STREET.
- (G) N/2019/0736 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS INCLUDING SINGLE STOREY REAR EXTENSION. 52 LUTTERWORTH ROAD.
- (H) N/2019/0811 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS (PART RETROSPECTIVE). 2 VICTORIA GARDENS.
- (I) N/2019/0884 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 49 LUTTERWORTH ROAD.
- (J) N/2019/0860 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 19 BURNS STREET.
- (K) N/2019/0866 - CHANGE OF USE OF DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, WITH REPLACEMENT OF EXISTING CONSERVATORY WITH SINGLE STOREY REAR EXTENSION. 85 LEA ROAD.
- (L) N/2019/0904 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING RAISING OF ROOF OVER EXISTING SINGLE STOREY REAR ADDITION. 73 DELAPRE STREET.

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

- (A) N/2019/0253 - DEMOLITION OF 12NO DOMESTIC LOCK UP GARAGES AND ERECTION OF 1NO NEW BUILD DWELLING AND PARKING SPACES. LOCK UP GARAGES, CHURCHILL AVENUE.
- (B) N/2019/0385 - DEMOLITION OF 4NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS WITH ASSOCIATED PARKING. LOCK UP GARAGES, BAUKEWELL COURT

12. ITEMS FOR CONSULTATION

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

SUPPLEMENTARY AGENDA

**Exempted Under Schedule
12A of L.Govt Act 1972**

Para No:-

**PHOT
OGRA
PHY**

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, 30 July 2019

PRESENT: Councillor Oldham (Chair); Councillors Birch, Bottwood, Cali, Golby, Haque, Kilbride, B Markham, M Markham, McCutcheon and Russell

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development Manager), Nicky Scaife (Development Management Team Leader), Hannah Weston (Principal Planning Officer), Paulette Tedd (Planning Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors Kilby-Shaw and Lane.

2. MINUTES

The minutes of the meeting held on 2 July 2019 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED:

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

N/2017/0091

Simon Dougal
Mark Walton

N/2019/0469

Annabelle Le Lohe

N/2019/0607

Pat Dooley

N/2019/0137

Helen Town

N/2019/0142

Helen Town

N/2019/0173

Patricia Turfrey
Helen Town

N/2019/0323

Helen Town

N/2019/0358

Helen Town

N/2019/0456

Helen Town

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Bottwood declared a disclosable and pecuniary interest in respect of items 8a, 11a, 11b, 11c, 11d, 11e and 11f as a board member of Northampton Partnership Homes (NPH). He further disclosed personal interests in respect of item 10a as the Ward Councillor and item 10b as a Duston Parish Councillor.

Councillor Kilbride declared a disclosable and pecuniary interest in respect of items 8a, 11a, 11b, 11c, 11d, 11e and 11f as a board member of Northampton Partnership Homes (NPH).

Councillor M Markham declared a disclosable and pecuniary interest in respect of items 8a, 11a, 11b, 11c, 11d, 11e and 11f as a board member of Northampton Partnership Homes (NPH).

Councillor Birch declared a disclosable and pecuniary interest in respect of item 10a as a trustee of Delapre Abbey Preservation Trust.

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 5 decisions had been made in relation to decisions made under delegated authority. 1 appeal was dismissed and 4 were allowed. Of note was a decision relating to 96 Semilong Road; several parking beat surveys had been undertaken on the street which showed that it was at 94% capacity. Officers refused the application on the grounds of highway safety, however the Inspector concluded that the likely parking demand would not be significantly higher for the proposed development, and that there was little evidence that a lack of parking would cause a significant increase in highway danger.

In response to a question relating to the Milton Street North appeal, the Committee were informed that the original application was refused due to the extension sitting along a shared boundary; a subsequent application moved the extension away from the boundary but officers were of the opinion that it remained too large so refused it a second time. The Inspector disagreed with this decision and allowed the appeal.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

(A) N/2019/0782 - ERECTION OF 4 SEMI DETACHED SINGLE OCCUPANCY BUNGALOWS (8 BUNGALOW UNITS IN TOTAL) TO PROVIDE SUPPORTED LIVING HOUSING, A STAFF MANAGEMENT BUILDING AND NEW VEHICULAR AND PEDESTRIAN ACCESS ROAD OFF BILLING BROOK ROAD. LAND OFF BILLING BROOK ROAD

Councillors Bottwood, Kilbride and M Markham left the room at this juncture, having declared interests in the item.

The Development Manager submitted a report to the Committee. Members were informed that the application was a consultation by Northamptonshire County Council which sought approval for the construction of 4 semi-detached single occupancy bungalows, a staff management building and new vehicular and pedestrian access off Billing Brook Road. 24 parking spaces would be provided, including disabled and minibus spaces. Boundary fencing was also included as part of the development and no objections had been received from the Northants Police Crime Prevention Design Advisor. It was explained that the site benefitted from several well established trees, some of which would be kept as part of the development, as well as areas of green open space.

In response to questions, the Committee were informed that a landscaping scheme would be implemented but Members could request that more trees be planted to replace those removed, however they should be mindful of security on the site. They further heard that the boundary fencing would be 1.8m high, coupled with planting to further secure the boundaries.

In response to a further question, it was explained that the MUGA to the north of the site was approximately 50m from the closest proposed dwelling.

Members discussed the report.

RESOLVED:

That Northampton Borough Council **RAISE NO OBJECTIONS** to the application but request that the applicant consider further tree planting as compensation for tree removing around the site.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2019/0637 - LISTED BUILDING CONSENT APPLICATION TO REPLACE EXISTING CCTV CAMERAS IN PUBLIC SPACES WITH DOME CAMERAS, ADD AN ADDITIONAL 9NO CAMERAS TO GALLERY SPACES INCLUDING NEW WIRING THROUGHOUT THE BUILDING. ABINGTON MUSEUM MANOR HOUSE ABINGTON PARK, WELLINGBOROUGH ROAD

Councillors Bottwood, Kilbride and M Markham re-joined the meeting.

The Development Manager submitted a report to the Committee. The Committee heard that the Listed Building Consent application sought approval for the removal and replacement of several CCTV cameras and the installation of 9 dome cameras. It was noted that there had been no objections received from Historic England or NBC Conservation.

Members discussed the report.

RESOLVED:

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

10. ITEMS FOR DETERMINATION

- (A) N/2017/0091 - RESIDENTIAL DEVELOPMENT OF UP TO 1,400 NO. UNITS, A MIXED USE LOCAL CENTRE INCLUDING APPROPRIATE RETAIL, HEALTHCARE AND COMMUNITY FACILITIES, A NEW PRIMARY SCHOOL, AREAS OF PUBLIC OPEN SPACE, PLAY PROVISION AND STRUCTURED LANDSCAPING, INTERNAL ROADS AND ALL ASSOCIATED INFRASTRUCTURE, AND DEMOLITION OF EXISTING SHED AT UPTON LODGE FARM (OUTLINE PLANNING APPLICATION WITH MATTERS OF LAYOUT, APPEARANCE, LANDSCAPING AND SCALE BEING RESERVED FOR SUBSEQUENT APPROVAL). UPTON LODGE FARM, WEEDON ROAD, UPTON**

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional representations from a third party and a further condition. The Committee heard that access onto the development would primarily be from Weedon Road with a second vehicular access point created off St Crispins Drive and winding through the eastern part of the site. An existing bungalow to the south of the site would be retained. Conditions within the report stipulated that the Sandy Lane Relief Road (SLRR) be completed up to the boundary of the application site before occupation of any of the properties, in order to mitigate highway impacts caused by the development and ensure early delivery of the SLRR. Public transport routes would be included in the development, running a Euro 6 bus service, and Electric Vehicle charging points were also proposed throughout the site. Due to the undulating nature of the area there was no provision for on-site outdoor sports facilities, however a financial contribution through the S106 Agreement would be sought for provision off-site. An area of woodland would be retained included in the overall provision of 24 hectares of green open space. Wildlife, including bats, badgers and barn owls had been identified on the site and conditions were included within the report to require updated surveys and mitigate the impact upon wildlife throughout the course of the development. A viability assessment, independently assessed on behalf of the Council, concluded that 15% affordable housing could be obtained on-site.

Simon Dougall, on behalf of Homes England, spoke in favour of the application and commented that the applicant and planning officers had spent 2.5 years on the application, consulting throughout the entire life of the scheme. He advised that should the application be approved, building would commence from 2020.

Mark Walton, of WYG, spoke in favour of the application and commented that the application had been subject to detailed and ongoing discussions with the Local Highway Authority. He explained that the levels of affordable housing were due, in part, to the significant CIL financial contributions being provided.

In response to questions directed at the 2 speakers, the Committee were informed that NCC were given the option to provide a Park and Ride service on the development; they opted not to. It was explained that St Crispins Drive would be widened up to the new access point to allow buses onto the development. There would be a dedicated parking area for the proposed school which would further alleviate pressures along St Crispins Drive. With regard to open spaces, Members heard that the applicant would be looking at management arrangements as soon as possible; SuDS may be adopted by Anglian Water in the future. Walking/cycling provision would be the subject of future reserved matters applications, however talks with NCC were reflected in conditions within the report, relating to walkways. In reference to healthcare provision, it was noted that the NHS preferred a financial contribution; this was something that came up frequently during consultation. Cabling for EV charging points would be laid underneath roads, but this could be looked at again in future applications. Concerns around management companies were noted and it was explained that whilst they were a common answer to the management of open spaces, the applicant was looking towards a holistic and systematic approach.

The Development Management Team Leader explained that the exact location of off-site sports provision was yet to be confirmed, but that it would be in close proximity to the site.

The Head of Planning noted that the Council recently passed a motion in relation to management companies and their alternatives, but that the Council did not have the power to force developers to choose models through the planning system.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a Section 106 Legal Agreement to secure planning obligations, and the conditions and reasons as set out in the report, and **additional Condition 38** in the addendum.

(B) N/2018/1207 - ERECTION OF 138NO DWELLINGS WITH ACCESS, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. LAND AT FORMER BRITISH TIMKEN SITE, MAIN ROAD, DUSTON

The Development Management Team Leader submitted a report to the Committee. The application sought approval for the construction of 138 dwellings ranging from 2 to 5-bedroom properties. an area of green space would extend through the site with dwellings overlooking. Parking provision of approximately 2.35 spaces per dwelling was proposed as well as garages. The application had been amended to ensure there was no unacceptable impact in respect overshadowing and overlooking to existing properties to the west of the site. Details had been submitted in respect of drainage details, air quality mitigation proposals, and contamination issues and conditions were recommended in this regard. A viability assessment independently

assessed on behalf of the Council concluded that the site could provide 10% affordable housing, taking into account S106 contributions.

In response to questions, the Committee were informed that the Local Highway Authority had not requested any improvements to the Tollgate Way junction. They further heard that Duston Parish Council had already been approached in respect of adopting the green space.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a Section 106 Legal Agreement to secure planning obligations, and the conditions and reasons as set out in the report.

(C) N/2019/0469 - SITING OF CONTAINERS, GENERATORS AND ASSOCIATED AIR CONDITIONING EQUIPMENT SURROUNDED BY WELD MESH FENCING, NEW ACCESS AND NET ENCLOSURE. LAND AT STONE CIRCLE ROAD

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained comments from Thorplands 81 Football Club. The Committee heard that a new access point would be created, resulting in the loss of several trees. A ball-stopping net was also proposed. The development would be of significant benefit to businesses and residents of the borough.

Annabelle le Lohe, on behalf of the applicant, spoke in favour of the application and commented that the Data Centre would provide ultra-high-speed internet for businesses and residents, stating that it was a future-proof platform for the digital age and essential for the rolling out of 5G internet.

In response to questions, Ms le Lohe stated that the materials used would be high-quality and as environmentally friendly as possible. The noise levels emitted would be low, not noticeable outside of the compound. She further advised that the boundary fencing would be inspected on a regular basis.

The Development Manager advised that there were plans to construct a second Data Centre on, or near Sixfields, in the future.

Members discussed the report.

RESOLVED:

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

(D) N/2019/0607 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 51 ADNITT ROAD

The Development Manager submitted a report to the Committee. Members were informed that the proposed development included a single storey rear extension to provide an additional bedroom. All proposed bedrooms included en-suite facilities. Should Members approve the application, the concentration of HIMO properties in a 50m radius would be 8.9%. Whilst the Local Highway Authority had objected to the application, the property sat in a sustainable location close to public transport links and shopping facilities. She also reported that an additional representation received from a neighbour stating that a large quantity of tiles has been delivered to the site.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the rooms would all be single-occupancy and that the applicant had retained a living room for residents. He did not consider the proposal to be an overdevelopment.

In response to questions, Mr Dooley explained that this was an ongoing business for his client and that all of their properties were rented out and maintained to a very high standard.

Members discussed the report.

RESOLVED:

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

(E) N/2019/0633 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 75 IVY ROAD

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained revised concentration figures; the concentration currently stood at 14.4% in a 50m radius. The Committee were informed that as part of the proposal, the ground floor living room would be divided to create 2 bedrooms. The Local Highway Authority had objected to the application, however the property was situated close to public transport links and shopping facilities.

In response to questions, it was explained that due to the large size of the bedrooms, a communal living space was not required of the property.

Members discussed the report.

RESOLVED:

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

(F) N/2019/0641 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 102 LEA ROAD

The Principal Planning Officer submitted a report to the Committee. Members were informed that the application sought approval for a change in use from dwelling

house to House in Multiple Occupation. It was explained that a condition was included in the report to ensure that the basement would be used for storage. The Local Highway Authority had objected to the application, however the property sat within a sustainable location close to shopping facilities and public transport links.

Councillor Bottwood left the meeting at this juncture.

Members discussed the report.

RESOLVED:

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

- (G) N/2019/0743 - LISTED BUILDING CONSENT APPLICATION FOR INSTALLATION OF 2NO SECURITY CAMERAS AND 1NO SOUNDER TO STABLE BLOCK & COACH HOUSE, INSTALLATION OF OVERFLOW HOPPER AND RAINWATER PIPE ON THE CAFE BUILDING, REPLACEMENT OF EXISTING WALL LANTERN LIGHT FITTINGS AT VARIOUS LOCATIONS AND REPLACEMENT OF EXISTING EXTERNAL BULKHEAD FITTINGS WITH NEW LED EMERGENCY LIGHTS. DELAPRE ABBEY, LONDON ROAD**

Councillor Birch left the meeting. Councillor Bottwood re-joined the meeting.

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional comments from NBC Conservation and Historic England. The Committee were informed that Delapre Abbey had been subjected to antisocial behaviour and several break-ins since it opened; the Listed Building Consent application would increase security by installing several new CCTV cameras. Additionally, several lanterns would be replaced with more appropriate fixtures and an overflow hopper and rainwater pipe onto the Café building.

Members discussed the report.

RESOLVED:

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

- (H) N/2019/0753 - VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION N/2017/1125 (PROPOSED EXTENSIONS AND ALTERATIONS TO EXISTING CLUB HOUSE TO PROVIDE KITCHEN AND DINING FACILITIES AND TOILETS) TO ALTER PITCHED ROOF OVER PROPOSED DINING ROOM/KITCHEN EXTENSION FROM PITCHED TO FLAT ROOF AND INCLUDE 3NO ROOF LANTERNS, AMEND SOUTH EAST ELEVATION TO REMOVE WINDOW AND ALTER DOOR POSITION, INCLUDE NEW ENTRANCE LOBBY TO DINING AREA ON NORTH EAST ELEVATION AND DETACH PROPOSED EXTENSION FROM ADJACENT SCOUT BUILDING BY 1200MM. FERNIE FIELD SPORTS GROUND, FERNIE FIELD**

Councillor Birch re-joined the meeting.

The Development Manager submitted a report to the Committee. Members heard that planning permission was granted in October 2017; this application sought to vary Conditions 2 and 3 which would allow for a flat roof, including 3 roof lanterns, and amend the south east elevation to detach it from the north east elevation. The principle of the development would remain the same.

Members discussed the report.

RESOLVED:

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

12. ITEMS FOR CONSULTATION

- (A) N/2019/0850 - HYBRID APPLICATION COMPRISING: A FULL APPLICATION FOR THE ERECTION OF RETAIL UNITS, RESTAURANT UNITS, OFFICE FLOORSPACE, PHYSIOTHERAPY/LEISURE FLOORSPACE, ANCILLARY STORAGE FLOORSPACE, (WITH ASSOCIATED SITE CLEARANCE, EARTHWORKS, SITE LEVELLING AND FORMATION OF BANKS) TOGETHER WITH PROPOSALS FOR ACCESS, FOOTPATHS, PARKING AND SERVICING SPACE, HARD AND SOFT LANDSCAPING, DRAINAGE WORKS, ATTENUATION PONDS AND OTHER ASSOCIATED WORKS AND AN OUTLINE APPLICATION FOR THE ERECTION OF EMPLOYMENT UNITS WITH SOME MATTERS RESERVED (LAYOUT, SCALE, APPEARANCE). PLUS CONSTRUCTION OF A NEW LINK ROAD BETWEEN DITCHFORD ROAD AND RUSHDEN LAKES (WITH ASSOCIATED SITE CLEARANCE AND EARTHWORKS) ALONGSIDE JUNCTION WORKS, FOOTPATHS, CYCLEWAYS, LIGHTING, HARD AND SOFT LANDSCAPING AND ASSOCIATED WORKS (RESUBMISSION OF 18/01197/FUL). LAND WEST OF RUSHDEN LAKES, DITCHFORD LANE, RUSHDEN**

The Development Manager submitted a report to the Committee. Members were informed that the application, submitted by East Northamptonshire Council, was an extension to the Rushden Lakes centre. She explained that a previous consultation took place in October 2018, which the Planning Committee raised strong objections to at the time. She noted that the current application had a footprint roughly half the size as the previous one and advised that the proposed units were much smaller, allowing for the possibility of change of uses to retail. Officers were suspicious of the scheme and Members were advised that the development would likely have a negative impact upon Northampton town centre's viability and vitality.

Members discussed the report.

RESOLVED:

That the Council **RAISE OBJECTIONS** to the proposed development on the grounds of the impact on the viability and vitality of Northampton town centre.

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(C) N/2019/0173 - CONVERSION AND ALTERATIONS OF THE EXISTING LOFT SPACE TO CREATE ONE 1- BED FLAT, INCLUDING A NEW REAR DORMER. EPWORTH HOUSE, 3 PARK AVENUE NORTH

Councillors Bottwood, M Markham and Kilbride left the meeting, having declared interests in the following items.

The Principal Planning Officer submitted a report to the Committee. Members were informed that the application sought approval to convert the loft space into a single-occupancy flat. A rear dormer and 3 roof lights would be created also. It was explained that Building Control had stated that they would look at fire safety proposals and it was not a material planning consideration.

Patricia Turfrey, a resident of Epworth House, spoke against the application and voiced concern around the lack of a fire escape from the proposed flat.

In response to a question, Ms Turfrey advised that the building was not designated for elderly people.

Helen Town, of Northampton Partnership Homes (NPH), spoke in favour of the application and explained that NPH had been given a mandate to develop their existing properties; the empty loft space was perfect for development.

In response to questions, Ms Town advised that NPH would be managing the property. She stated that NPH had 2 Community Regeneration Officers who followed up with customer enquiries and would ensure that they followed up with Ms Turfrey.

Members discussed the report.

RESOLVED:

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

(A) N/2019/0137 - DEMOLITION OF 10NO DOMESTIC GARAGES AND ERECTION OF 2NO NEW BUILD UNITS. LOCK UP GARAGES, FIELDWAY

The Development Management Team Leader submitted a report to the Committee. Members were informed that the application sought approval for the demolition of 10 garages to allow for the construction of 2 1-bedroom houses. 1 mature tree would be removed as part of the development with 1 parking space provided per dwelling, with access off Fieldway.

Members discussed the report.

RESOLVED:

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

(B) N/2019/0142 - DEMOLITION OF 6NO DOMESTIC GARAGES AND ERECTION OF 1NO NEW BUILD UNIT. LOCK UP GARAGES OPPOSITE 49 PRENTICE COURT

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained an additional objection from the Ward Councillor. The Committee were informed that 4 of the 6 garages on site had already been demolished due to structural safety issues and that 1 of the remaining garages was in use and the tenant had since been relocated. The proposed bungalow would be in keeping with the varied appearance of neighbouring properties and 7 parking spaces would be provided as part of the development.

In response to a question, the Committee heard that 1 parking space would be allocated to the bungalow.

Members discussed the report.

RESOLVED:

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

(D) N/2019/0323 - DEMOLITION OF 16NO DOMESTIC LOCKUP GARAGES AND ERECTION OF 4 FLATS AND PROVISION OF PARKING AREA. LOCK UP GARAGES, BLAKESLEY CLOSE

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained further consultation responses and additional conditions. The Committee heard that 3 of the garages to be demolished were currently in use and to be relocated. The proposed flats would be located on the car park site and the parking spaces to replace the garages.

Helen Town spoke in favour of the application and in response to questions, the Committee heard that 2 of the current garage users would be relocated closer to their homes than they were presently. They further heard that each flat would have its own separate access.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **additional Conditions 8, 9 and 10** in the addendum.

(E) N/2019/0358 - DEMOLITION OF 17NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 2NO NEW BUILD UNITS. GARAGE 1 LOCK UP GARAGES, HINTON CLOSE

The Principal Planning Officer submitted a report to the Committee. Members were informed that the proposed semi-detached dwellings would be set back slightly from neighbouring properties to allow for parking spaces and that there was no highway objection. Of the 17 garages, 11 were occupied; 9 were relocated, however 2 occupiers were not local so were not offered replacements.

Members discussed the report.

RESOLVED:

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

- (F) **N/2019/0456 - DEMOLITION OF 4NO RESIDENTIAL BUILDINGS, GARAGES AND ASSOCIATED AREAS KNOWN AS BERKELEY HOUSE AND 3NO RESIDENTIAL BUILDINGS AND ASSOCIATED AREAS KNOWN AS ST MARY'S COURT. NEW DEVELOPMENT OF 126NO AFFORDABLE DWELLINGS CONSISTING OF 62NO ONE BED APARTMENTS, 40NO TWO BED APARTMENTS, 5NO TWO BED HOUSES, 17NO THREE BED HOUSES AND 2NO FOUR BED HOUSES WITH ASSOCIATED WORKS. BERKELEY HOUSE AND ST MARY'S COURT, HORSEMARKET**

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained several updates, including additional conditions and an amended recommendation. The Committee were informed that the application sought approval for the demolition of 4 residential buildings, garages and associated buildings (known as Berkeley House and St Mary's Court) to allow for the construction of a new development of 126 affordable dwellings. The south of the site would comprise an apartment block comprising 1 and 2 bedroom dwellings, parking, electric substations and bin storage. The north of the site would consist of 2, 3 and 4 bedroom houses with rear gardens and parking. It was explained that parking areas within the development would be gated and that electric vehicle charging points would be located throughout. Additional amenity space would be provided on the roof of the southern apartment block. Air quality and noise issues were addressed through conditions within the report, as well as details of materials to be used during construction. Due to the site offering 100% affordable housing, there would be no S106 financial contributions.

In response to questions, Helen Town advised that residents of the current properties were given the opportunity to relocate in February, which many did. She explained that residents had the right to return but many were taking the opportunity to move out of the area.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** with delegated powers to the Head of Planning in consultation with the Chair to seek a mechanism to secure 100% affordable housing to be provided on site in perpetuity; with **additional conditions 23, 24 and 25** contained in the addendum.

The meeting concluded at 20:46

Planning Service

Head of Planning: Peter Baguley



List of Appeals and Determinations – 3rd September 2019

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2018/0500 APP/V2825/W/18/3217452	DEL	Variation of condition 3 of N/2017/0998 (Change of use from Dwelling House (Use Class C3) to House In Multiple Occupation (Use Class C4) for 3 occupants)) to allow the increase of occupants to 4 at 56 St Leonards Road	DISMISSED
N/2018/0867 APP/V2825/W/18/3219101	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 144 Southampton Road	AWAITED
N/2018/1125 APP/V2825/W/19/3222728	DEL	Demolition of 3no garages and erection of 2 storey one bedroom dwelling on Elizabeth Street (to the rear of 74 Lower Thrift Street)	DISMISSED
N/2018/1318 APP/V2825/W/18/3219519	DEL	Retention of bay window in ground floor flat at 3 St Georges Place	AWAITED
N/2018/1339 APP/V2825/D/19/3230235	DEL	First floor extension over existing garage at 3 Fleetwind Drive	AWAITED
N/2018/1377 APP/V2825/W/19/3229760	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants and installation of rear conservation roof windows (part retrospective) Revised scheme following refusal of N/2018/0645 at 46 Palmerston Road	AWAITED
N/2018/1499 APP/V2825/D/19/3223405	DEL	Proposed rear second floor dormer at 620 Wellingborough Road	AWAITED
N/2018/1500 APP/V2825/D/19/3225361	DEL	Dropped kerb and build driveway at 115 Booth Lane South	DISMISSED
N/2018/1544 APP/V2825/W/19/3230684	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including new rear and front roof lights and new basement window to front elevation (Part retrospective) at 25 Alcombe Road	AWAITED
N/2018/1717 APP/V2825/W/19/3224666	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 161 Euston Road	AWAITED
N/2018/1721 APP/V2825/D/19/3225498	DEL	Loft conversion with rear dormer and balcony (Retrospective) at 58 Whitworth Road	DISMISSED
N/2018/1765 APP/V2825/W/19/3230096	DEL	Variation of Condition 3 of Planning Permission N/2017/1217 (Change of Use to House in Multiple Occupation for 5 occupants) to increase number of residents from 5 to 6 at 58 Moore Street	AWAITED
N/2019/0017 APP/V2825/D/19/3229547	DEL	First floor side extension over garage and kitchen together with new boundary treatment to frontage, new obscure glazed window to side elevation and modified opening at first floor level to front elevation to access new balcony at 48 Abington Park Crescent	DISMISSED
N/2019/0040 APP/V2825/D/19/3229094	DEL	Two storey front extension at 116 Church Way	AWAITED
N/2019/0062 APP/V2825/D/19/3225451	DEL	Addition of parapet walls to existing extension (approved under Planning Permission N/2016/1078) (Retrospective) at 78 Lutterworth Road	DISMISSED
N/2019/0282 APP/V2825/W/19/3229619	DEL	Replacement door and windows to upvc at 56 Dunster Street	AWAITED
N/2019/0447 APP/V2825/W/19/3233085	DEL	Change of Use from House in Multiple Occupation (Use Class C4) for 6 occupants to House in Multiple Occupation (Sui Generis) for 8 occupants, including extension of roof and front rooflights at 64 Edith Street	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 Service

The Guildhall, St Giles Square,

Northampton, NN1 1DE



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0836

LOCATION: The Guildhall, St Giles Square

DESCRIPTION: Listed Building Consent Application for the installation of permanent external ladder and landing outside the first floor Farmers Room flat roof and the installation of permanent internal access staircase and landing inside the Guildhall Clock Tower (including mansafe at roof level below parapet level)

WARD: Castle Ward

APPLICANT: Northampton Borough Council
AGENT: Stimpson Walton Bond Architects

REFERRED BY: Head of Planning
REASON: Council owned land and is the Applicant

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed works would not cause significant harm upon the character and appearance of this Listed Building, whilst supporting the ongoing use of this important heritage asset. The level of harm to the character, fabric and historic layout of the building would be less than substantial. The proposal is therefore in conformity with the requirements of the National Planning Policy Framework and Policies BN5 and S10 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

2 THE PROPOSAL

2.1 The application seeks Listed Building Consent for the installation of a permanent external ladder and landing outside the first floor Farmers Room flat roof and the installation of a permanent internal access staircase and landing inside the Guildhall Clock Tower (including mansafe at roof level below parapet level).

- 2.2 There have been discussions, including with Historic England, on how to improve the health and safety procedures within the Guildhall without causing harm to the character and fabric of the building. These discussions are reflected in the current application.

3 SITE DESCRIPTION

- 3.1 The Guildhall is a Grade II* Listed Building, which was a purpose built town hall in 1861-4 by Edward Godwin in C13 Gothic style. It was later extended in 1889-92 by Matthew Holding, with interiors by Albert Jeffrey. In 1992 it was further extended to the eastern flank.
- 3.2 The Guildhall is constructed of stone with a slate roof and has an irregular shaped footprint. Its internal layout consists of rooms and chambers around a pair of central staircases and accessed of long corridors or galleries.
- 3.3 The application site is accessed through via the window of the Farmers Room, on the ground floor of the Guildhall. It is not accessible from any of the public areas of the building.

4 PLANNING HISTORY

- 4.1 N/1989/945 – demolition of 1 and 2 storey extension fronting Dychurch Lane, erection of 5 and 6 storey extension, alterations to form office accommodation. Approved 30/08/1989.
- 4.2 N/1991/14008 – Alterations to the Mayors Room, retiring room and related facilities with new bay window on wall to provide single reception room etc. Approved 03/04/1991.
- 4.3 N/2002/1659 – installation of audio visual facilities to Council Chamber, Great Hall and Jeffery Room. Approved 07/04/2003.
- 4.4 N/2004/0572 – provision of new entrance lobby in the courtyard to access a new one stop shop. Approved 24/06/2004.
- 4.5 N/2010/0910 – removal of stud partition walls erected since 1948, re-opening of an existing doorway, rewiring and improvements to lighting. Approved 23/11/2010.
- 4.6 N/2018/0397 – Listed building application for the installation of primary and secondary barriers and control access through existing opening with new sliding doors, door furniture and electronic locks. Approved 08/05/2018

5 PLANNING POLICY

5.1 Statutory Duty

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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

5.2 National Policies

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

Paragraph 192 states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy BN5 - The Historic Environment and Landscape
Policy S10 - Sustainable Development Principles

5.4 Northampton Central Area Action Plan 2013

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policy includes:

Policy 1: Promoting Design Excellence – make efficient use of land by promoting an appropriate mix of land uses in order to increase the vitality and vibrancy of an area and a wider range of choice for users.

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

All Saints Conservation Area Appraisal

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **NBC Conservation Section** - The proposals were considered at pre-application stage and accepted as a proportionate response to the problem of providing safe access for gutter cleaning and maintenance work to high-level parts of the Guildhall. The level of harm to the building will be less than substantial but is justified by the wider benefit of providing safe access for maintenance.

6.2 **Historic England** - No comments are offered and advice should be sought from the Council's own Conservation Officers.

6.3 **Northamptonshire Police** - Satisfied that access to the foot of the external ladder will not be possible from anywhere other than from within the Guildhall building. It is highly unlikely that the 'roof runners' who access buildings in Northampton to scale the heights and take selfies will be able to access this ladder from the public domain and on that basis Northamptonshire Police has no objection to the application.

7 APPRAISAL

- 7.1 The proposed works are required following a review of health and safety matters relating to personal safety and working environment within the Guildhall, when it was identified that works were required to manage access to various parts of the building.
- 7.2 The works are separated into two areas of work:
- External ladder and landing outside the Farmers Room
 - Installation of a permanent internal access staircase and landing inside the Guildhall Clock Tower

External Ladder and landing outside the Farmers Room

- 7.3 The Farmers Room is located off the West Wing of the Guildhall, on the ground floor (next to the Leaders Office). Within the room there is a sash window that looks out onto a courtyard, the basement flat roof area and the service yards of 1-2 St Giles Square.
- 7.4 Currently access to the to the roof of the building is obtained by climbing through the sash window, onto the flat roof, a ladder is then pulled through the same window and rested against the gutter of a single storey element. To clear out the gutters to the narrow lead gutter, the person carrying out the maintenance has to then climb onto the slate pitched roof. It is understood that this process is carried out fairly regularly as the gutters become blocked resulting in flooding.
- 7.5 The proposal is to provide a new stepped ladder arrangement onto a platform, with a handrail to prevent falling and to avoid damaging any slates on the roof. This area is not in public view and due to the method of fixing, the structures could be removed with minimal damage to the fabric of the building.
- 7.6 It is considered that safe access is important in order to ensure regular maintenance of the building.

Internal access staircase inside the Guildhall Clock Tower

- 7.7 The tower of the Guildhall Clock is considered to be one of the most prominent elements of the Guildhall. It is an ornate stone structure and stands over 20 metres high.
- 7.8 Currently access and maintenance of the clock tower is achieved by climbing a 7 metres high timber ladder, onto a softwood gantry. It is currently fixed with a batten at the bottom and tied to the gantry with a rope. There is no guarding or protection from falling and the openings in the side of the clock tower mean that wind and rain can enter, adding to the potential health and safety risk.
- 7.9 The internal roof has suffered from water egress and staining and is in need of replacement. Currently this is a timber structure with an aluminium sheet covering. This covering has come to the end of its useful life.
- 7.10 The external parapet is approximately 700mm high and the guttering needs to be inspected and cleared regularly. It is unsafe to work in this environment (over 20 metres from ground level) without some form of safety harness.
- 7.11 The application proposes a 6 metre high aluminium ladder onto a new galvanised steel framed gantry. This would lead to a further gantry for an additional 1 metre in height. This will provide a long term and safer solution to the current situation.
- 7.12 The aluminium sheeting will be replaced with a high performance three layer felt, discharging to an existing outlet, therefore reducing the amount of sitting water on the roof.
- 7.13 To allow access to the parapet gutter, it is proposed to install a man-safe lanyard system to the internal rafters through the roof slate covering and protect this with lead sheath and flashing. These works will not project above the top of the parapet roof and it is considered that the works

will give a long term safe and secure solution, that will not result in an adverse impact on the external appearance of the clock tower and a minimal physical impact on the building internally.

- 7.14 As all of the proposed works are within the 'back of house' areas of the Guildhall building and are only visible from the service yard to 1-2 St Giles Square, it is considered that there is no adverse impact on the All Saints Conservation Area.
- 7.15 These Clock Tower proposals will give a long term secure and safe solution which will have no impact externally and minimum physical impact on the building fabric internally. No fixings are proposed into the ashlar internal stonework and whilst the brickwork fixings and pockets supporting the steel frames will be required, the harm caused is minimal and outweighed by providing a readily usable safe secure access arrangement to maintain the historic fabric of the building in a considered way.
- 7.16 Historic England were consulted on the application and have referred the matter to the Council's own Conservation specialists to give advice in respect of this proposal. No objections have been received from other interested parties and it is considered that the works would not result in demonstrable or irreversible harm to the Listed Building.

8 CONCLUSION

- 8.1 The proposed works are considered to be minimally obtrusive and would not have a significantly demonstrable impact on the historic fabric of the Guildhall. The benefits of the works outweigh any harm to the building and as such are considered to be acceptable.

9 CONDITIONS

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

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2018/06/101, 2018/06/102 and 2018/06/300.

Reason: For the avoidance of doubt and to accord with the terms of the listed building consent application.

10 BACKGROUND PAPERS

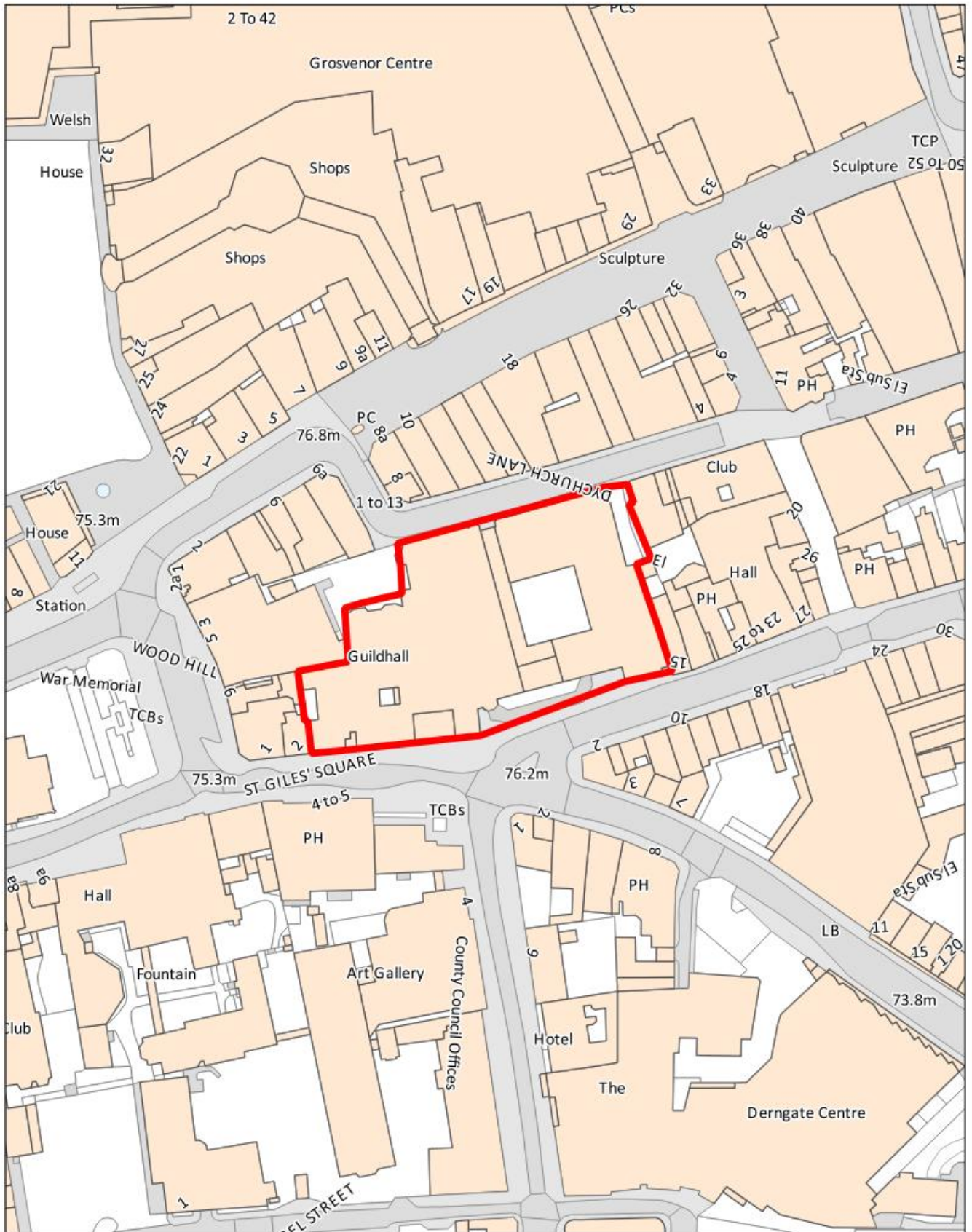
- 10.1 N/2019/0836.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **The Guildhall, St Giles Square**

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Date: 14-08-2019

Scale: 1:1,250

Drawn by: -----



Addendum to Agenda Items Tuesday 3rd September 2019

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9a

N/2019/0836

Listed Building Consent Application for the installation of a permanent external ladder and landing outside the first floor Farmers Room flat roof and the installation of a permanent internal access staircase and landing inside the Guildhall Clock Tower (including mansafe at roof level below parapet level)

The Guildhall, St Giles Square

No update.

10. ITEMS FOR DETERMINATION

10a

N/2018/1722

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants together with enlarged lightwells to front and rear and enlarged windows to front and rear at basement level

29 Stimpson Avenue

Additional comments received from **Private Sector Housing** – The property is suitable for 6 people in 6 households. A separate WC and hand basin will need to be provided.

Officer Response: The need for a separate WC is a licencing requirement which will be dealt with when the property is licenced.

One additional representation received from a neighbouring occupier making the following concerns:

- The application has been made to regularise existing state of affairs
- There are a number of Himos already in the street
- Parking is already over-stretched
- Refuse provision may be inadequate
- Fire escape route may be inadequate
- Need to ensure load bearing walls are not affected.
- Cycle store is only accessible through the kitchen. This will not therefore be used and bikes will be left in the hallways.

Officer Response: It is confirmed that this is a retrospective application to regularise the use. This should not influence the decision. The number of existing HIMOs and parking considerations are covered in the Committee report. In respect of refuse storage, a condition requiring full details is proposed and it will be ensured at that time that the provision is adequate. Fire escape routes and load bearing walls are not planning considerations. In respect of cycle storage, the provision of a store which has to be accessed through the house is usual for this type of use and has been approved on many previous occasions.

10b

N/2019/0404

2 no. new detached dwellings with garages

Land to rear of the Wooden Walls of Old England Public House, 25 High Street, Collingtree

Further comments received from the **Local Highway Authority** regarding the design of the access including seeking clarification of pedestrian visibility splays. The access arrangements have been designed to meet the requirements of Highways and were approved under the existing planning permission for two dwellings fronting Watering Lane with the requisite 0.6m pedestrian visibility splays.

10c

N/2019/0481

Siting of a prefabricated, single storey 'Car Store' premises ('pod')

Morrisons Superstore , Kettering Road

Councillor C Russell objected to the application on the following grounds:

- Loss of amenity to the local residents due to increase traffic and noise;
- Increase of traffic, air pollution and emissions in the area of a children's nursery making access more difficult for parents to drop off and collect their young children;
- Single sales market which could easily be relocated to 'In and Out' a few miles up Kettering Road;
- Over development in an already cramped space which is located in a quiet residential area;
- Called in the application.

Two additional representations raising objections to the scheme have been received. These objections raise traffic and pedestrian safety concerns and also object to the application on the grounds of noise, pollution, the proposal would use up valuable space and in a residential area.

Officer response: Due to the scale of the proposal, it is not considered it would cause undue noise and pollution impact and Environmental Health has no objection to the proposal. In addition, the Local Highway Authority raise no objections to the proposal on pedestrian or highway safety grounds.

10d

N/2019/0519

Single storey and two storey rear extension, first floor pitched roof extension above garage and pitched roof porch to front elevation

22 Atterbury Way

Paragraph 2.2 of the report – should refer to no.20 and not no.24.

Paragraph 8.7 first two lines to be replaced with “The proposed first floor side extension would be sited adjacent to the side elevation of No.20, which has no window on the first floor side elevation.”

Amended Paragraph 8.8 of the report:

The proposed two storey rear extension would be sited away from the common boundary between these two properties and the first floor window on the rear elevation would have a very oblique view into the rear-end of the garden at No.20. It is therefore not considered to have detrimental impact on the amenity of this neighbouring property. **The proposed first floor rear extension projects 3.5m from the rear wall. It is worth noting that the proposed single storey extension and a first floor rear extension with a 3m projection could be carried out as permitted development without planning permission under current legislation. The proposal at the rear is only marginally bigger than what could be built without planning**

permission. A condition has been recommended to withdraw the permitted development rights to install any new window on the side elevations without the prior approval from Local Planning Authority to ensure the privacy of the adjoining properties.

Additional representation received making the following points:

- There is space for alternative extension to the east of the existing house and would then not appear much larger and not upset the balance of the close;
- The first floor extension would protrude beyond the existing house lines and necessitate a high roof line.
- This large extension and consequent increase in value would preclude a lot of buyers when the property comes up for sale. This is an over-development of the existing house.
- The development would invade privacy.

Officer response: Members are reminded that alternative development is not a material consideration when considering the application. The impacts of the development are discussed in Section 8 of the report.

10e

N/2019/0647

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including single storey rear extension
39 Wycliffe Road**

Five signature petition received making the following points:

- Lack of parking – will exacerbate parking problems
- Overdevelopment – will increase noise and traffic
- Development of rear garden is out of character with the surrounding area.

Officer Response: The response to the points made is covered in the Committee Report.

10f

N/2019/0680

**Proposed change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 4 occupants
35 Hood Street**

No update.

10g

N/2019/0736

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants, including single storey rear extension
52 Lutterworth Road**

Additional comments received from **Private Sector Housing** – The property is suitable for 6 people in 6 households. A separate WC and hand basin will need to be provided.

Officer Response: The need for a separate WC is a licencing requirement which will be dealt with when the property is licenced.

10h

N/2019/0811

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants (Part Retrospective)
2 Victoria Gardens**

No update.

10i

N/2019/0884

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

49 Lutterworth Road

One additional neighbour letter has been received raising concern with parking issues and the impact upon other residents from this.

Officer Response: The response to the points made is covered within the committee report.

10j

N/2019/0860

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including single storey rear extension

19 Burns Street

Further comments received from the **Local Highway Authority**, requesting further details of accessibility to public transport and facilities in the area. No further comments received from the applicant, however, as detailed in Paragraph 7.8 of the report, there are bus stops within 370m of the site and facilities on Kettering Road.

10k

N/2019/0866

Change of Use of Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, with replacement of existing conservatory with single storey rear extension

85 Lea Road

No update.

10l

N/2019/0904

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants, including raising of roof over existing single storey rear addition

73 Delapre Street

Councillor G Walker objected to the application on the following grounds:

- Loss of a family home
- Lack of parking
- Concerned the extension would go from 4 occupants to 5

One additional representation received object to the application on the grounds of:

- Far Cotton has now far too many HIMOs
- The Highways Department may say there are good bus routes for this area, but with the increase in HIMOs, parking has become a real problem. If each of these people has a car means demand for 4 cars, rather than just 1 or 2.
- The issue of fly tipping has increased recently, and is getting worse. Landlords are not accessible to discuss these issues and it has been up to the local residents to sort out.
- There have been many other times when local residents have been disturbed by loud parties going on. Again, the landlord is inaccessible and the police are unable to deal as they are far too under resourced.

Officer Response: The number of existing HIMOs and parking considerations are covered in the Committee report. Fly tipping and anti-social behaviour is not covered under planning legislation, any complaints on these issues would be dealt with by Environmental Health. The application is for 4 occupants and if approved a condition to this effect will be placed on the decision notice.

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

11a

N/2019/0253

Demolition of 12no domestic lock up garages and erection of 1no new build dwelling and parking spaces

Lock Up Garages rear of 143 Churchill Avenue

No update.

11b

N/2019/0385

Demolition of 4no domestic garages and construction of 2no new dwellings with associated parking

Lock Up Garages, Baukewell Court

No update.



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1722

LOCATION: 29 Stimpson Avenue

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants together with enlarged lightwells to front and rear and enlarged windows to front and rear at basement level

WARD: Abington Ward

APPLICANT: Mr R L Smith
AGENT: Ronald Fletcher Baker LLP

REFERRED BY: Councillor Zoe 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 development is considered acceptable without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for the change of use of the former three bedroom dwelling into a six person house in multiple occupation (HIMO). The application is part retrospective, with the change having already been carried out. However, as part of the proposal the layout of the HIMO would be altered.

3 SITE DESCRIPTION

- 3.1 The site comprises a terraced house within a street of similar properties. The property was a three bedroom dwelling with a basement. There is a small front garden and a 14m long rear garden. Parking is currently on-street.

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 National Policies

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

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

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

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

5.2 West Northamptonshire Joint Core Strategy (2014)

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

Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles

5.3 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – Design
Policy H30 – Multi-occupation with a single dwelling

5.4 Supplementary Planning Documents

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

5.5 Other Material Considerations

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

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material

change or adverse impact on the character of the area; or more than 15% of HIMOs within a 50m radius;

- Secure the provision of adequate facilities, amenities and minimise flood risk;
- To secure provision of adequate parking whilst promoting sustainable travel movements;
- Ensure provision of adequate storage for refuse and materials for recycling.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – the property would be suitable for the licensing of six units as a HIMO.
- 6.2 **Local Highway Authority** - this development will increase the demand for parking further and will increase dangerous parking practices. The LHA considers any impact that will compromise the safety of motorists and pedestrians to be a severe developmental impact. Therefore, in the interest of highway safety, Northamptonshire Highways must object to the application.
- 6.3 **Councillor Z Smith** – Calls in the application to Committee on the grounds that it would exacerbate parking problems and also concerns over the basement bedroom and low number of bathrooms.
- 6.4 Representations received from the occupants of two neighbouring properties, in response to original and revised plans, making the following points in summary:
- Will lead to excessive noise
 - Will add to parking problems
 - Plans are not clear regarding fire escape.
- 6.5 At the time of writing this report, reconsultation on amended plans is ongoing. Any further comments received will be reported to Committee by means of the addendum.

7 APPRAISAL

Principle of the development

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

Concentration of HIMO uses in the area and character of the area

- 7.2 Records indicate that there are 8 existing HIMOs within a 50m radius of the application site, including the application site, giving a concentration of 10.2% and therefore the proposal would not result in an over-concentration of such uses.
- 7.3 Given the level of existing concentration of such uses in the area, it must be concluded that the proposal would not adversely affect the character of the area.

Facilities

- 7.4 All bedrooms, the kitchen area and bathrooms proposed are of sufficient size to serve the number of occupants and Private Sector Housing has no objection to the proposal.
- 7.5 The application is part retrospective in that the property is already being used as a HIMO. However, the premises as currently laid out with two bedrooms in the basement, both of which have a somewhat limited outlook. The layout is considered to be unacceptable and does not

provide good standard of living accommodation to occupants. As a result, amended plans have now been submitted which show the front basement room to be converted to a living room and the current living room at the rear of the ground floor to be converted to a bedroom. The rear basement bedroom has been improved by the introduction of a larger window. This will result in an improved living environment. A condition is proposed requiring that the property is converted in accordance with these plans within six months.

- 7.6 The proposal would therefore meet the standards as set out in the IPPS and in accordance with Private Sector Housing's requirements.

Flood Risk

- 7.7 The site is located outside the areas at risk of flooding.

Parking / use of public transport

- 7.8 No on-site parking is proposed. In this respect reference must be made to Principle 3 of the IPPS, which states that HIMOs with limited or no parking provision must be located within 400m of a bus stop or within walking distance of facilities in a local or district centre.
- 7.9 In this case, the site is within 90m of the nearest bus stops on Stimpson Avenue, and is also a short walk from local shopping facilities on Wellingborough Road. This criterion is therefore considered to be met.
- 7.10 Reference must also be made to the Northamptonshire Parking Standards which state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 6 parking spaces, which is an increase of 4 compared to the requirements for the current 3 bedroom dwellinghouse use, as the parking standard for a 3-bed house is 2 spaces.
- 7.11 Comments from the Local Highway Authority indicate concerns that the proposal would result in a severe detrimental impact on highway amenity and safety due to the already oversubscribed nature of parking in the area.
- 7.12 In response to this, it can be noted that the proposal complies with the IPPS as set out above and also that the current lawful use as a three bedroom dwelling could potentially result in 4 car driving adults being resident, meaning there would only a minimal increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 6 residents would own cars.
- 7.13 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. It would, therefore, be very difficult to sustain a refusal on the grounds of lack of parking provision or impact on parking availability in streets in the area.
- 7.14 In accordance with the IPPS, a condition is proposed requiring the provision of secure cycle storage which could be accommodated in the rear garden.

Refuse Storage

- 7.15 Refuse storage is indicated within the small front garden area. This is a fairly typical arrangement for properties of this type and it is considered that this represents a practical solution. A condition is recommended to ensure that such facility is provided.

Amenity

- 7.16 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts

such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8 CONCLUSION

- 8.1 The continued use of the property as a 6 person HIMO, following the alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality. The proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing lawful use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

9 CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 29STP-108 C2, 29STP-111 C1.

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

2. The development hereby permitted shall be occupied by a maximum of 6 residents at any one time.

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

3. Within six months of the date of this decision, the property shall have been reconfigured in accordance with drawing 29STP-108 revision C2 including the provision of new fire escape windows to the basement rooms and shall thereafter be retained in that format for so long as the use hereby approved remains. The proposed basement communal room shall not be used as a bedroom at any time. The Local Planning Authority shall be informed by the applicant in writing upon completion of these works.

Reason: In the interests of the amenities of current and future residents of the premises, in accordance with Policy H30 of the Northampton Local Plan.

4. Details of the provision for the storage of refuse and materials for recycling shall be submitted for approval in writing by the Local Planning Authority within one month of the date of this decision. The approved details shall be implemented within one month of the approval thereof and thereafter retained.

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

5. Full details of facilities for the secure and covered parking of bicycles shall be submitted for approval in writing by the Local Planning Authority within one month of the date of this decision. The approved details shall be implemented within one month of the approval thereof and thereafter retained.

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

10 BACKGROUND PAPERS

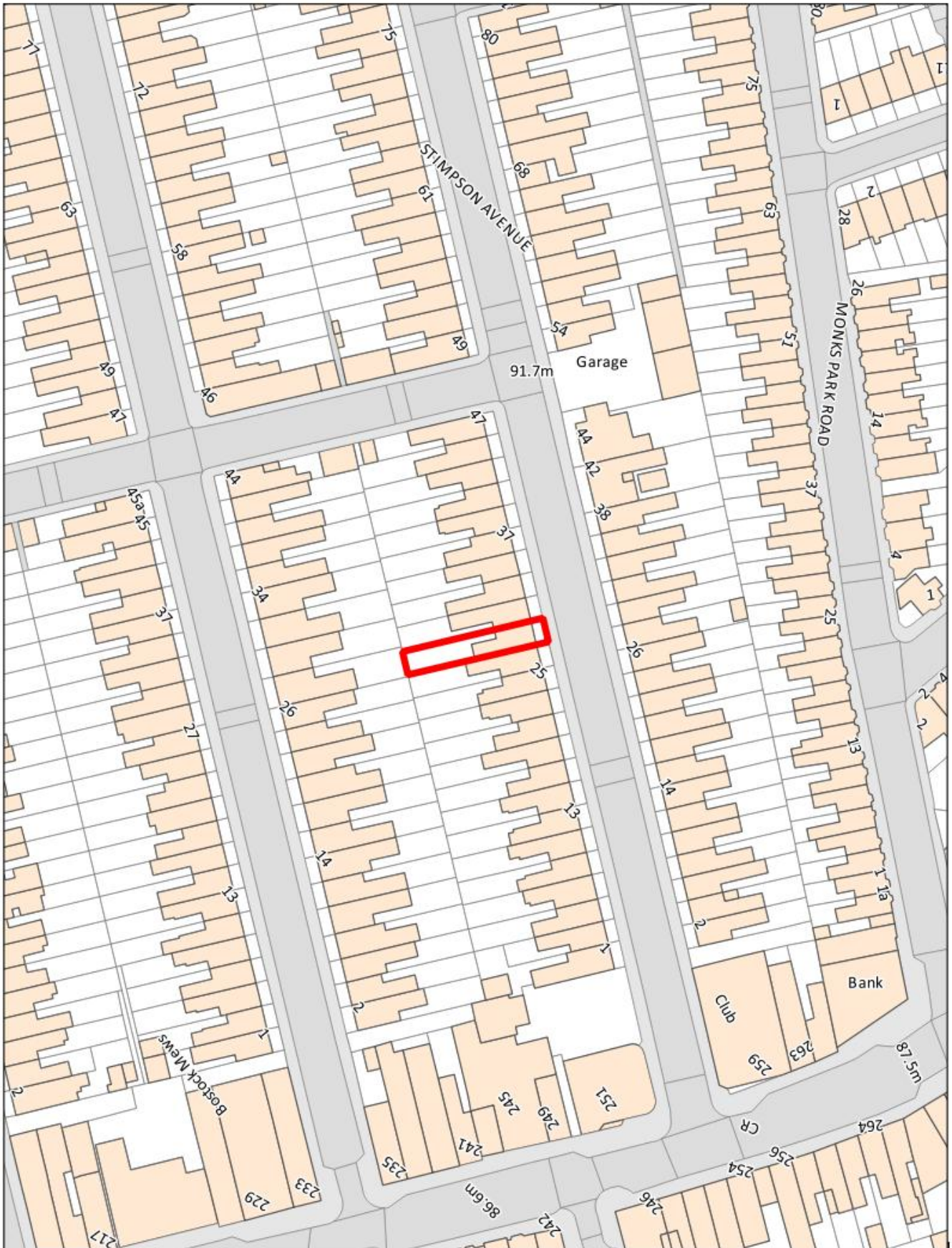
- 10.1 Application file N/2018/1722.

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: **29 Stimpson Avenue**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0404

LOCATION: Land to rear of The Wooden Walls Of Old England Public House, 25 High Street, Collingtree

DESCRIPTION: 2no new detached dwellings with garages

WARD: Nene Valley Ward

APPLICANT: Marston Pubs Limited
AGENT: Architectural Solutions

REFERRED BY: Councillor J Nunn
REASON: Access concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The principle of residential development on the site for new dwellings is considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. As part of a balanced assessment and subject to conditions, it is considered that the proposal would have an acceptable impact upon community facilities, the character and appearance of the surrounding area, heritage assets, neighbouring amenity and highway safety. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies S1, S10, H1, RC2, BN5 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20, and E26 of the Northampton Local Plan.

2 THE PROPOSAL

- 2.1 The application seeks full planning permission for the erection of two houses served by a vehicular access from Watering Lane.
- 2.2 The new dwellings would be located on land to the rear of The Wooden Walls of Old England Public House and would share a vehicular access with the two new dwellings (Plots 1 and 2) currently under construction in the rear garden of No 37 High Street.

- 2.3 The new houses would have 4 bedrooms and a traditional design including gabled and hipped roof forms with subservient projections and facing stonework elevation treatments. The proposed house to the east of the site (Plot 3) would measure a maximum of 12 metres in width, 12.8 metres in depth and 7.8 metres in height. The proposed house to the north of the site (Plot 4) would measure a maximum of 17.4 metres in width, 10.4 metres in depth and 7.8 metres in height.
- 2.4 The proposed dwellings would each benefit from three parking spaces and a double garage. The garage for Plot 3 would have a gabled roof form and the garage from Plot 4 would have a hipped roof form. The garages would measure a maximum of 6.9 metres in width, 6.5 metres in depth and 4.7 metres in height.
- 2.5 The application has been subject to a number of amendments following its submission, including an increase in the separation of the dwelling on Plot 3 and the garage for Plot 4 from the eastern boundary with properties on Glebe Farm Close; introduction of hipped roof forms to the garage for Plot 4 and part of the main roof of the dwelling on Plot 4; and alterations to the garage and parking layout for Plot 3.

3 SITE DESCRIPTION

- 3.1 The application site is located in the historic core of Collingtree village within the Collingtree Conservation Area. The main part of the site comprises a paddock area set to the rear (east) of the beer garden and car park serving the Grade II listed The Wooden Walls of Old England Public House. In addition, the site includes the rear part of the beer garden of the public house and also an access drive onto Watering Lane to the south that is currently being constructed to serve two new dwellings (Plots 1 and 2) on land to the rear of No 37 High Street.
- 3.2 The application site would neighbour the rear gardens of properties on Glebe Farm Close to the northern and eastern side. To the southern side, the site would neighbour garages set to the rear of the new dwellings under construction on the land to the rear of No 37 High Street and also the rear boundary of No 1 Watering Lane. To the west, the site would neighbour the beer garden and car park for the public house and also the rear corner of No 17 High Street.

4 PLANNING HISTORY

- 4.1 The following applications at land to the rear of No 37 High Street are relevant to the current proposal:
- 4.2 N/2017/0621: Construction of 3no residential dwellings. Withdrawn.
- 4.3 N/2017/1503: Residential development of 2no dwellings served by new vehicular access from Watering Lane. Permitted.
- 4.4 N/2019/0224: Variation of Condition 2 of Planning Permission N/2017/1503 (Residential development of 2no dwellings served by new vehicular access from Watering Lane) to include alterations to size, siting and doors of proposed garages and alterations to height, porches, chimneys and fenestration details of proposed dwellings. Permitted.

5 PLANNING POLICY

5.1 Statutory Duty

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

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

5.2 National Policies

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

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

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

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 S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy RC2 - Community Needs

Policy BN5 - Designated & non-designated heritage assets and their settings

Policy BN9 - Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 - New development (design)

E26 – Conservation Areas

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Collingtree Conservation Area Appraisal & Management Plan (November 2008)

6 CONSULTATIONS / REPRESENTATIONS

Comment received are summarised as follows:

6.1 Arboricultural Officer (NBC): The trees within the site boundary are of no arboricultural interest or merit.

6.2 Archaeological Advisor (NCC): No objections subject to a condition to secure a programme of archaeological works.

- 6.3 **Councillor J Nunn:** Called the application in given the strength of feeling amongst local residents and to allow local residents to have the opportunity to address the planning committee on this application, particularly regarding their concerns over access.
- 6.4 **Collingtree Conservation Area Committee:** Strongly object to the development. Proposal is in a Conservation Area and would remove a large part of the open area in the middle of the village that has been used for so many activities in village life. Access to the site is too narrow for passing vehicles or waste disposal vehicles and proposal would generate further traffic on Watering Lane close to a dangerous cross roads. This is infilling too far, which does not harmonize with the existing area, one of the aims of the Conservation Area.
- 6.5 **Collingtree Parish Council:** Object to the application for the following reasons:
- The application comprises a stealth encroachment of land in a Conservation Area that should be protected.
 - Road safety concerns. The access would be close to a cross road and local blind spot; the access road could not accommodate two passing vehicles; and the proposal would increase traffic.
 - Negative effect on public house which is the focal point for the village community.
 - Loss of community green space; the paddock has been used for community events.
- 6.6 **Conservation (NBC):** The heritage issues in respect of this application are:

Impact on the Conservation Area

The land is shown on historic records as being part of orchards to the east of the village core along High Street and the proposal would result in loss of one of the last remaining sections. The site does not appear to have been within the historic curtilage of the 18th century public house and has only relatively recently been incorporated into the pub garden.

The proposal would form a continuation of development recently approved off Watering lane. Although the site is not prominent in views from public areas within the Conservation Area, the proposal will result in loss of an area of historic value to the setting of the village. However, given the development previously approved, its significance to the character and appearance of the Conservation Area has been diminished. The level of harm, in terms of the NPPF, would be “less than substantial”; in this circumstance, paragraph 196 of the NPPF requires the harm to be weighed against wider public benefits of the proposal.

Setting of the listed buildings

The setting of the Old Wooden Walls and Nos.19-23 High Street will to a limited extent be affected by the development, although the proposed houses would be more than 30 metres from the rear of the listed buildings. Given the density of properties within the Conservation Area and the present outlook towards the housing at Applebarn Close, it is considered that the distance and level of separation involved would have an acceptable impact on the setting of the listed buildings

Revised Plans

The revised plan indicates some further encroachment into the open space to the rear of the grade II listed Old Wooden Walls PH but is a more rational layout than the previous proposal and will have an acceptable impact on the setting of the listed buildings.

- 6.7 **Environmental Protection (NBC):** No objections subject to conditions to address land contamination, noise from the motorway and public house, and construction hours and also an informative relating to the Low Emission Strategy.
- 6.8 **Highways (NCC):** Having reviewed the layout would provide the following observations:
- The access should be tracked for fire appliances or the properties must include sprinkler systems
 - Building Control advice should be sought regarding waste collection.

- 6.9 **Eighteen letters of objection** were received to the application as originally submitted. These letters include the following points:
- There is no need for housing.
 - The site is to the rear of the public house and is frequently used by locals and the community for village events; the area is important for village life and the pub is the centre of the village.
 - Proposal would contribute to the erosion of the identity of the village.
 - Proposal would undermine the future of the public house by reducing its outdoor space and the ability to hold events on the paddock. In addition, the proximity of the new houses to the public house is likely to limit outdoor events held at the public house.
 - Scheme would intrude into the Conservation Area and the loss of the green space is contrary to its designation as a Conservation Area; Green areas should be protected.
 - The building of such large houses will have an adverse impact on the Conservation Area and nearby listed properties.
 - The locality is becoming overcrowded.
 - The properties are too large in footprint and too high in relation to neighbours.
 - The privacy, natural light and views of the sky line from properties on the High Street, Glebe Farm Close and Watering Lane will be adversely affected. Also houses would be overbearing on a raised land level.
 - Garages would be located close to boundaries and overshadow neighbours and create boundary fence maintenance issues.
 - Gardens for new houses would be overlooked by neighbours.
 - Noise generation to the detriment of neighbours.
 - Inadequate parking with associated highway impacts.
 - The access is in an unsafe position and the driveway is not wide enough to accommodate traffic from the development. Also existing traffic will be exacerbated.
 - Water supplies for the development have already been installed.

- 6.10 In addition, following a re-consultation exercise on revised plans, **a further ten letters of objection** have been received. These letters repeat the concerns raised above and also include the following additional points:
- Proposal should be redesigned to ensure no loss of beer garden.
 - Amended scheme would take even more land from the public house.
 - Higher land levels would mean proposal would detract from Watering Lane streetscene.
 - Revised plans do not adequately address and would worsen the impacts of the proposal on neighbours due to the land level difference between the site and neighbours.
 - Site is only suitable for two storey dwellings due to land levels.
 - Construction traffic concerns.

7 APPRAISAL

Principle of development

- 7.1 The application site is designated as a residential area under the development plan and therefore the development of the site for housing is acceptable in principle.
- 7.2 Notwithstanding the above, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Loss of open space and part of garden to public house

- 7.3 The application site comprises an area of open space in the form of a grassed paddock and also includes part of the beer garden serving The Wooden Walls of Old England Public House. The public house is the only such facility in Collingtree village and is therefore considered to comprise a community facility.

- 7.4 Joint Core Strategy Policy RC2 and Paragraph 92 of the NPPF seek to guard against the unjustified loss of open space and community facilities.
- 7.5 In this instance, whilst representations submitted pursuant to the application indicate that the open space has been used for community events associated with the public house, the open space is in private ownership and fenced off such that it can only be accessed with the consent of the land owner. Furthermore, the paddock is a grassed area surrounded by development and garden land to all sides and thus has limited visual amenity and ecological value.
- 7.6 Turning to the impact of the loss of part of the beer garden for the public house, whilst the development would encroach some 10 metres into the rear of the beer garden, the remaining beer garden would still have a depth of some 25 metres and expand out to a width of 19 metres such that a sizeable beer garden would be retained for the community facility.
- 7.7 Having regard to the above, it is considered that the encroachment into the rear part of the beer garden would not have an objectionable impact on a community facility and that the loss of the private area of grassed open space would be outweighed by the benefits arising from the provision of housing to contribute to the Council's five year housing land supply.

Heritage Assets

- 7.8 The application property is located in Collingtree Conservation Area and is set to the rear of listed properties comprising The Wooden Walls of Old England Public House and Nos 19-23 High Street. As such, special attention must be paid to preserving the setting of the listed buildings and to the desirability of preserving or enhancing the character or appearance of the Conservation Area, with great weight given to the conservation of the heritage assets.
- 7.9 The paddock area of the application site historically was separate from the curtilage of the public house to the eastern edge of the village and comprised orchards. Although, no fruit trees remain on the site and the land has effectively been surrounded by residential development as Collingtree has expanded eastwards. As such, the site is not prominent in views from public areas within the Conservation Area and the significance of the paddock has been diminished. Therefore, whilst the proposal would result in the loss of an area of some historic value, the level of harm, in terms of the NPPF, would be "less than substantial" and would be outweighed by the wider public benefits arising from the provision of housing to meet an identified need.
- 7.10 The application proposals would encroach into the rear part of the beer garden for the public house, however a sizeable beer garden would remain and the development would be more than 30 metres from the rear of the listed buildings on the High Street. Given the distance and level of separation involved, it is considered that the proposal would have an acceptable impact on the setting of the listed buildings
- 7.11 In addition, as the site is in the historic core of Collingtree village, the County Archaeologist recommends an archaeological condition to secure a programme of works should planning permission be forthcoming.

Design and Layout

- 7.12 Saved Policy E20 of the Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.13 The application proposals would comprise a continuation of the development for two houses off Watering Lane allowed under planning permission N/2017/1503 and currently under construction. Indeed, the houses proposed under the current application would have a two storey scale and traditional design to reflect the development under construction on the neighbouring site and the wider character of the area. Also, the new dwellings would also be faced in stonework to reflect

the local palette of materials. Furthermore, the new house on Plot 3 would be aligned to flank the new access drive with a similar set back from the private drive to the property under construction on Plot 1 and the dwelling on Plot 4 has been sited to terminate views along the drive. As such, it is considered that the proposal would not have a detrimental impact on the character and appearance of the area.

Residential Amenity

- 7.14 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.15 In terms of the residential amenities of neighbours, it is acknowledged that land levels undulate within the wider area and that the site is on a higher land level than properties on Glebe Farm Close and Watering Lane. However, the application has been amended since its submission to improve its relationship with neighbouring properties. Indeed, the separation of the dwelling on Plot 3 to neighbouring properties on Glebe Farm Close has been increased to some 23 metres to the main two storey part of the new house and a rear projection has also been reduced in height and moved to the southern side of the property adjacent to the garage for Plot 1. In addition, the internal layout has also changed to re-orientate the outlook from the property so that only one bedroom on the rear elevation would have a rear facing window, with the bedroom window in the rear projection facing northwards such that there would be no overlooking of No 1 Watering Lane. There would be a number of bathroom windows and a dressing room window on the rear and side elevations at first floor level, but these could be obscure glazed by condition. As such, subject to the aforementioned condition and conditions to address finished floor levels and remove permitted development rights for extensions, dormer windows and roof alterations, it is considered that the proposals for Plot 3 would not have an adverse impact with regards to the amenity of neighbouring properties on Glebe Farm Close or Watering Lane.
- 7.16 Turning to Plot 4, the garage for this property has been set in from the boundary with properties on Glebe Farm Close as part of the amendments to the application and a hipped roof form has also been introduced to further limit its impact. The dwelling on Plot 4 would be to the east of the public house car park and over 45 metres from properties on Watering Lane. In addition, it would be set in and side onto the rear boundary of properties on Glebe Farm Close to the west. Furthermore, it would step down in height towards its western boundary including hipped roof forms. It is acknowledged that No 11 Glebe Farm has an unusually shaped rear garden, which includes a narrow section that runs to the rear of Plot 4. However, the bulk of the new house would be set some 12 metres away from this strip of land and the area immediately to the rear of No 11 would not be unduly overlooked. The proposal does include first floor flank windows, however these would serve bathrooms and could be obscured to protect the privacy of the side neighbours. As such, subject to the aforementioned conditions and conditions removing permitted development rights for extensions, dormers and roof alterations, it is considered that the proposals for Plot 4 would not have an adverse impact on the residential amenity of any neighbouring property.
- 7.17 With respect to the amenities of future occupiers, all habitable rooms would be served by windows and the properties would have gardens of acceptable sizes for family homes. Furthermore, the detached garages and boundary wall enclosing the parking for Plot 3 would act as a buffer to the land associated with the public house. It is noted that Environmental Health have sought a condition relating to noise arising from the motorway and the public house. However, as the site is in the middle of Collingtree village and the public house is already neighboured by residential development, it is considered that it would not be reasonable to impose such a condition. As such, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the new dwellings.

Parking and Highway Safety

- 7.18 The application has been subject to a number of parking and highway safety objections from local residents and the Parish Council. However, each of the proposed dwellings would be served by

three hard surfaced parking spaces and a garage such that they would exceed the County Parking Standards. Furthermore, the Highway Engineer has accessed the access arrangements for the development and raised no highway safety objections to the proposal. It is noted that the Highway Engineer has raised queries relating to fire fighting and refuse collection, however whether the property is served by sprinklers is a matter addressed under the Building Regulations and further details of refuse collection arrangements can be addressed by condition. As such, it is considered that the proposal is acceptable with respect to parking and highway safety.

Other considerations

- 7.19 Environmental Health have assessed the application and recommend conditions relating to ground contamination and construction hours. However, whilst a land contamination condition would be reasonable, it is not considered that a construction hours condition is necessary given the scale of the development proposed and the controls that exist under the Environmental Health legislation.

8 CONCLUSION

- 8.1 In conclusion, the principle of residential development on the site is considered acceptable. However, the Council cannot presently demonstrate a five year housing land supply and it is therefore necessary to assess the proposal against the presumption in favour of sustainable development.
- 8.2 In this instance, the proposal would contribute towards the Council's housing supply, with associated social and economic benefits. Furthermore, subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 18/C344/24d, 18/C344/23e, 18/C344/51b, and 18/C344/21d.

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

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

Reason: To ensure adequate provisions is made for the investigation and recording of any archaeological remains in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework. Pre-commencement condition to ensure that archaeological works are undertaken before development commences.

4. 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. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

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

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

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

Reason: In the interests of residential and visual amenity and the character and appearance of the Conservation Area in accordance with Policy H1 and BN5 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

7. All external walls of the development hereby permitted shall be constructed of natural stone. A sample of the stone and details of the coursing and pointing shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of any of the buildings hereby approved above ground floor slab level. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the Conservation Area in accordance with Policies H1, S10 and BN5 of the West Northamptonshire Joint Core Strategy.

8. Prior to the construction of the buildings hereby approved above ground floor slab level, a sample of the roofing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the Conservation Area in accordance with Policies H1, S10 and BN5 of the West Northamptonshire Joint Core Strategy.

7. Prior to the construction of the development hereby approved above ground floor slab level, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of the character and appearance of the locality and Conservation Area in accordance with Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy.

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

planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of the character and appearance of the locality and Conservation Area in accordance with Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy.

10. Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1, BN5 and S10 of the West Northamptonshire Joint Core Strategy.

11. Prior to the construction of the development hereby approved above ground floor slab level, a refuge collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

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

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

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

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

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional window(s) shall be installed in the first floor flank elevations of the proposed development.

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

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

Reason: To prevent overdevelopment of the site in accordance with Policies H1, S10 and BN5 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

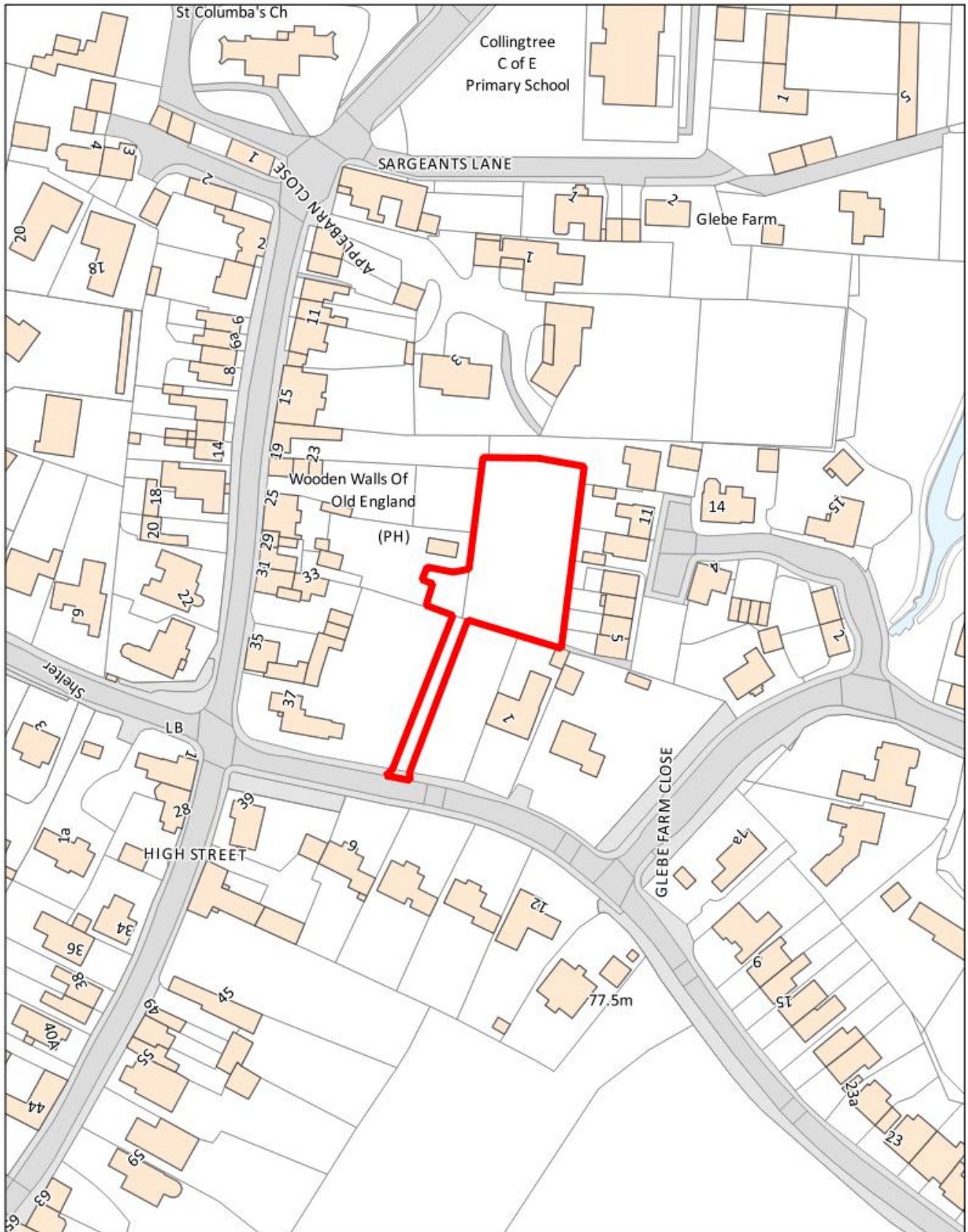
- 10.1 N/2019/0404, N/2019/0224, and N/2017/1503.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **25 High Street, Collingtree**

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Date: 14-08-2019
 Scale: 1:1,250
 Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0481

LOCATION: Morrisons Superstore, Kettering Road

DESCRIPTION: Siting of a prefabricated, single storey 'Car Store' premises ('pod')

WARD: Kingsley Ward

APPLICANT: WM Morrison Supermarkets PLC
AGENT: Planning & Design Group (UK) Limited

REFERRED BY: Councillor Mike Hallam
REASON: Traffic concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development, as part of a balanced assessment, is considered to be acceptable on a temporary basis and would not create unacceptable impact on the character of the area, residential amenity or highway safety in line with the National Planning Policy Framework, Policies S1, S2, S9, S10, C2, and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 and R15 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks planning permission for the siting of a prefabricated, single storey 'Car Store' premises ('pod'). The pod would measure 7.9 metres in width by 3.8 metres in depth with a flat roof measuring 3.4 metres in height.

2.2 The Planning Statement submitted in support of the application indicates that the pod would operate with the same opening hours as Morrisons and would create jobs for 3.5 employees. Furthermore, the Statement also details that the services offered from the pod would comprise car valuation, sales and collection services. In addition, during the course of the application, the applicant has advised that a maximum of 10 parking spaces will be used ancillary to the Pod and car collection would be within 72 hours, with transporters utilising the petrol station to deliver vehicles.

3 SITE DESCRIPTION

- 3.1 The application site is located to the western side of the Kettering Road (A5123). It comprises four parking spaces located to the eastern side of the Morrisons supermarket car park adjacent to the pedestrian steps and ramps to the Kettering Road. The car park is set on a lower land level to the Kettering Road and the eastern side of the Kettering Road is lined by residential properties.

4 PLANNING HISTORY

- 4.1 N/1993/666: Proposed Safeway store & public open space on disused golf course (Outline). Approved.
- 4.2 N/1994/500: Proposed superstore, petrol filling station, car park and service area (reserved matters). Approved
- 4.3 N/1997/395: Amendment of condition no. 6 on previous approval 93/0666 to extend store opening hours. Approved.
- 4.4 N/1997/397: Amendment of Condition No. 7 on previous approval 93/0666 to extend opening hours of petrol filling station. Approved.
- 4.5 N/2017/1583: Installation of freestanding two storey restaurant with associated drive through, car parking and landscaping and associated works. Installation of 1no. External play area, 2no customer order displays and associated canopies. Approved.
- 4.6 N/2018/1371: Erection of Drive Thru Coffee Shop (Use Classes A1 & A3) with associated car parking, refuse store, hard and soft landscaping, electricity substation and associated works. Permitted.
- 4.7 N/2019/0217: Variation of Conditions 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Planning Permission N/2017/1583 to include amendments to pedestrian ramp, delivery ramp, minor changes to site layout, inclusion of substation enclosure, inclusion of goal post height restrictor and amendments to customer order display and playframe specifications, together with amendments to wording of pre-commencement and pre-occupation conditions. Permitted.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

Section 6 - Building a Strong, Competitive Economy

Section 7 - Ensuring the vitality of town centres

Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making 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 S1 - Distribution of Development
Policy S2 - Hierarchy of Centres
Policy S7 - Provision of Jobs
Policy S9 - Distribution of Retail Development
Policy S10 - Sustainable Development Principles
Policy C2 - New Developments
Policy BN9 - Planning for Pollution Control

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

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

Policy E20 - New Development (Design)
Policy R15 - Car Sales and Showroom Developments

5.5 **Supplementary Planning Documents**

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

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Councillor Mike Hallam:** Called in the planning application. Enough is simply enough. This is the third development proposed for the car park in quick succession, the two previous ones had a high level of objections from local people with concerns largely around the already over-congested nature of this stretch of the Kettering Road. This simply is one development too many - not wanted, not needed and is in the wrong location.
- 6.2 **NBC Public Protection:** No comments.
- 6.3 **NCC Highways:** The proposal would utilise a limited number of parking spaces and the transporter tracking is acceptable. As such no highway objections.
- 6.4 **Five letters of objection** have been received. These letters include the following points:
- The site was originally just a supermarket and now a restaurant and café have been allowed despite this being a residential area and not a business park
 - More businesses on the site would change the character into a business/retail park.
 - Retail parks should be on the outskirts of towns.
 - No need for development
 - Recent approvals have reduced car parking and proposal would further reduce parking.
 - Traffic already queues into the car park and in the surrounding area; proposal would exacerbate this and pollution.
 - Location of the structure would not be safe for pedestrians.

7 **APPRAISAL**

Principle of development

- 7.1 The proposed location of the car valuation and sales pod would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton.
- 7.2 In addition, Saved Local Plan Policy R15 relates to car sales and details that such businesses are not suited to town centres and allocated district and local centres and instead should be located along primary roads, on the fringe of business areas and in retail warehouse parks. The application site does not comprise an allocated centre but is located along a primary road and contains a large supermarket with car park and the capacity to accommodate service vehicles. As such, it is considered that the location of the proposed use accords with Saved Local Plan Policy R15.
- 7.3 Also, whilst the NPPF seeks to direct specific retail and other appropriate uses towards town and allocated centres, a car sales and valuation development would comprise a sui generis use and is not identified in the NPPF as an appropriate main town centre use. Furthermore, the NPPF details that significant weight should be placed on the need to support economic growth and also encourages the most effective use of brownfield land. As such, it is considered that the location of the proposed development also accords with the guidance in the NPPF.

Character of the area

- 7.4 Policy S10 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan seek high quality design and this approach is supported by the NPPF.
- 7.5 The application site comprises part of a large car park serving a Morrisons supermarket. The car park and supermarket is set on a lower land level to the Kettering Road, with landscaped banking including some trees to the boundary with the Kettering Road. A two storey restaurant with drive through is located to the north of the car park.
- 7.6 The proposed pod would be located to the east of the supermarket car park on four car park spaces adjacent to the embankment with and on a lower land level to the Kettering Road. It would be single storey in scale with a flat roof and therefore would only be visible in limited views from the Kettering Road. Although, the pod would be visible from within the car park and such prefabricated structures can deteriorate over time to the detriment of visual amenity. However, this particular issue can however be overcome through a condition which limits the amount of time that the pod can remain in place for a maximum of three years. As such, subject to the aforementioned condition, no objections are raised to the proposal with respect to the character and appearance of the area.

Residential Amenity

- 7.7 Saved Policy E20 of the Local Plan and the guidance in the NPPF seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.8 There are residential properties to the east side of the Kettering Road, but given the single storey scale, separation of the pod from these properties and lower land level of the application site, it is considered that the proposal would not appear visually intrusive to neighbours. The applicant has indicated that the pod would operate with the same opening hours as Morrisons supermarket and to safeguard the amenity of neighbours, it is recommended that this matter is addressed by condition.

Parking and Highways

- 7.9 The Morrisons supermarket car park, taking into account the recent drive through restaurant and café planning permissions, has some 448 parking spaces. The proposed car valuation and sales

pod is small in size and would be sited on four existing parking bays. The applicant has detailed that a maximum of 10 parking spaces will be used ancillary to the Pod and car collection should be within 72 hours, with transporters utilising the petrol station to deliver vehicles. The proposal would therefore only result in a very small reduction in car parking and the County Highway Engineer has assessed the proposal and raises no objections. Therefore, it is considered that the proposal is acceptable on parking and highway safety grounds.

8 CONCLUSION

- 8.1 The proposed development, as a temporary expedient, is considered to generate economic benefits and would not have an adverse impact on the character of the area, residential amenity and the highway network. As such, no objections are raised to the proposal with regards to the National Planning Policy Framework, Policies S1, S2, S9, S10, C2, and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policies E20 and R15 of the Northampton Local Plan.

9 CONDITIONS

1. The modular building hereby permitted shall be removed and the land restored to its original condition by 30th September 2022.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 237_PL_01B, 327_PL_02B, 000/10E.

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

3. The premises hereby permitted shall be open only between the hours of 0800 and 2200 from Mondays to Saturdays and between the hours of 1000 and 1600 on Sundays and at no other times.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan..

10 BACKGROUND PAPERS

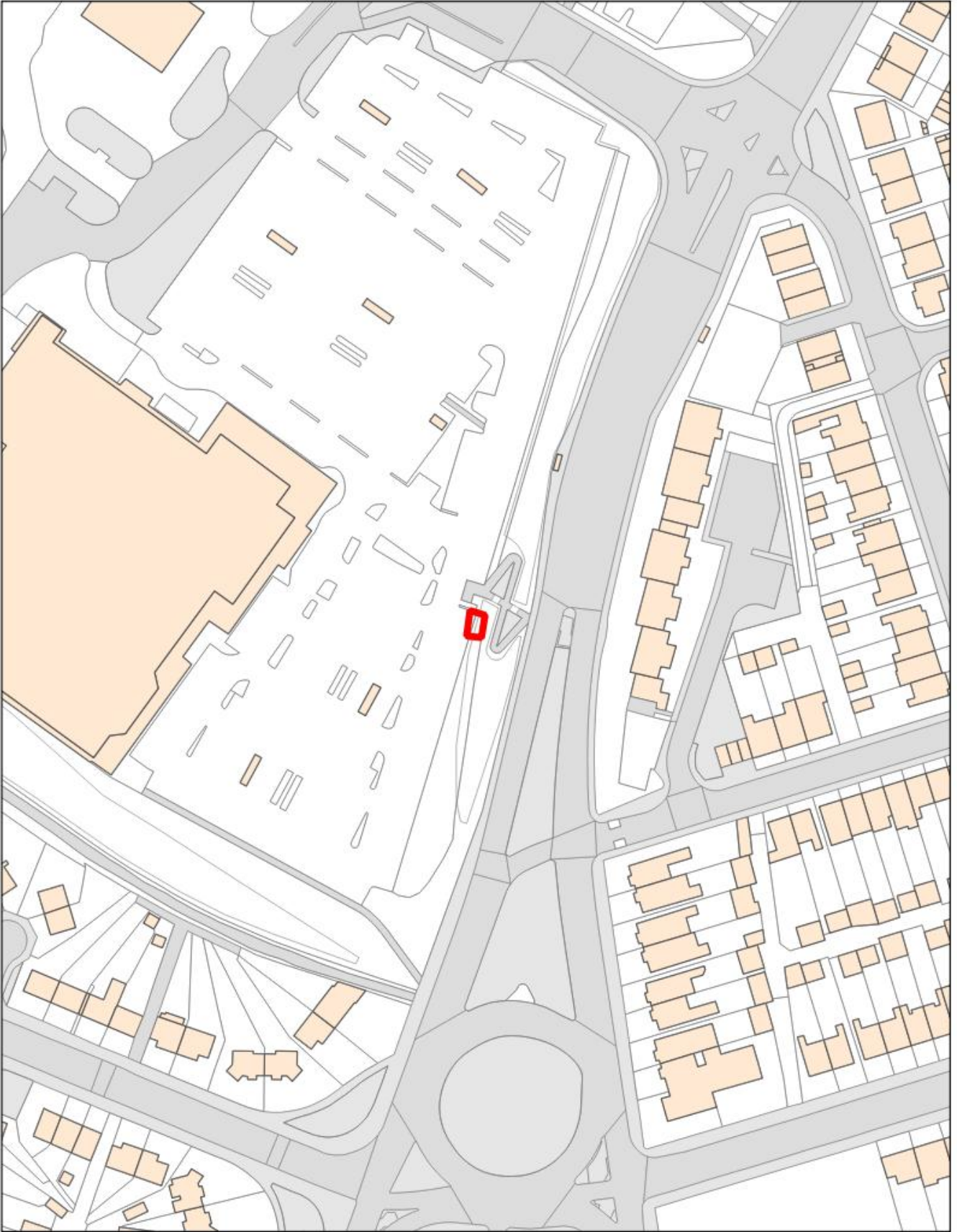
- 10.1 N/1993/666; N/1994/500; N/1997/395; N/1997/397; N/2017/1583; N/2018/0904; N/2018/1371; N/2019/0217; and N/2019/0481.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **Morrisons Superstore, Kettering Road**

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Date: 14-08-2019

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0519

LOCATION: 22 Atterbury Way

DESCRIPTION: Single storey and two storey rear extension, first floor pitched roof extension above garage and pitched roof porch to front elevation

WARD: Rushmills Ward

APPLICANT: Mr Calum Taylor
AGENT: Ellis Architectural Design

REFERRED BY: Councillor P Flavell
REASON: Impact on neighbours

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development would have no undue impact on the street scene or the character of the area and the proposal would not lead to any unacceptable impacts on adjacent residential amenity. The proposed development would be in accordance with aims and objectives of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, saved policies H18 and E20 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide.

2 THE PROPOSAL

2.1 The application seeks planning permission for a single storey rear extension, first floor extension above the garage, two storey rear extension and a pitched roof porch to the front.

2.2 The proposed scheme has been amended during the course of the application and the proposed single storey rear extension has been reduced in width to be sited away from adjoining property at no. 24. In addition, the first floor layout has been amended and the location of bedroom and ensuite/dressing room has been swapped. The proposed scheme would have a bedroom window on the front elevation and dressing room and ensuite windows to the rear.

3 SITE DESCRIPTION

- 3.1 The application site is a large detached property located in a residential cul-de-sac. The application site has a large rear garden. The application site has varying ground floor levels and the rear garden is located at a higher ground level than the actual property.
- 3.2 There is a mix of dwellinghouses and bungalows in varying designs within the cul-de-sac.

4 PLANNING HISTORY

- 4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

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

6 National Policies

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

- Section 12 – Achieving well-designed places.

6.2 West Northamptonshire Joint Core Strategy (2014)

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

- Policy S10 – Sustainable Development Principles

6.3 Northampton Local Plan 1997 (Saved Policies)

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

- E20 – New developments
- H18 – Household extensions.

6.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Residential Extensions and Alterations Design Guide SPD

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

7.1 **Great Houghton Parish Council:** Objected on the original scheme and stated that the proposal would have an impact on the neighbouring property and would invade their privacy. The Parish Council would seek that their objection be taken into account as a material consideration when determining this application. Comments submitted on the revised scheme stated that the amendments would not address originally raised objections.

7.2 **Councillor P Flavell:** The proposed development would result in issues like privacy intrusion and impact on neighbour as raised by Parish Council and would like to call-in the application to be determined by Committee. No comments were submitted on the revised scheme.

7.3 1 neighbour representation has been received in objection on the original as well as revised drawings. Comments on revised scheme have been summarised as follow:

- Encroachment and lack of privacy from the first floor windows on the rear elevation.
- Visual impact on the private amenity space in the rear garden.
- Overshadowing on the garden and vegetation.
- The first floor extension would not be in keeping with the character of the area.

8 APPRAISAL

8.1 The main issue to be considered would be the impact on the proposed changes on character of the original house and local area, residential amenity of the neighbouring properties and highway safety.

Design and Appearance

8.2 The application property is located in a residential cul-de-sac with a mix of house designs and types so the local character of the area is defined with varying designs.

8.3 The proposed development would result in a first floor side extension over the garage, a single storey front porch and part single and part two storey rear extension, which would increase the footprint of the application property. Whilst it is agreed that the proposal would add footprint and mass to the existing dwelling, owing to the size of the application site, it is not considered that proposed development would result in an overdevelopment of the site and the overall scale and mass is considered acceptable.

8.4 The proposed first floor side extension and the front porch would be visible in the streetscene. The proposed first floor extension would sit level to the main ridgeline and would follow the existing roof style and design. It is considered that the proposal would be in keeping with the host dwelling and not considered to adversely affect the character of the area.

8.5 The proposed rear extensions would not be visible in the streetscene. The proposed two storey rear extension would appear as a subservient addition to the main house. It is considered that the proposed extension would accord with the advice contained in the Council's Residential Extensions and Alterations Design guide SPD and would not adversely affect the character of the area.

8.6 It is considered that the proposed design and appearance of the extensions are in keeping with the existing house and would accord with the saved policies H18 and E20 in the Northampton Local Plan and advice contained within the Council's Residential Extensions and Alterations Design guide SPD.

Residential amenity

8.7 The proposed first floor side extension would be sited adjacent to the side elevation of No.20, which has one obscurely glazed window on the first floor. There is an existing garage /outbuilding between the application property and No.20. The amended scheme has changed

the internal layout to move the bedroom window to the front and there would be two first floor obscurely glazed windows serving en-suite and dressing room to the rear. These windows have been conditioned to be obscurely glazed and be non-opening before 1.7m from finished floor levels, which would ensure there will be minimal potential of overlooking into the rear garden of no.20.

- 8.8 The proposed two storey rear extension would be sited away from the common boundary between these two properties and the first floor window on the rear elevation would have a very oblique view into the rear-end of the garden at No.20. It is therefore not considered to have detrimental impact on the amenity of this neighbouring property. Moreover, the proposed part single and part two storey extension could be carried out as permitted development without planning permission under current legislation, there would be a neutral impact resulting from the rear extensions. A condition has been recommended to withdraw the permitted development rights to install any new window on the side elevations without the prior approval from Local Planning Authority to ensure the privacy of the adjoining properties.
- 8.9 The proposed first floor side extension would sit flush with the existing rear elevation of the application property and no.20 next door so this extension would not create any unacceptable overshadowing than that which already exists from the original house. The proposed single storey rear extension would be sited at a separation distance of 2.5 m from the common boundary and is not considered to create any overshadowing on the private amenity space for no.20. Considering the orientation of the application property, it is considered that the proposed developments would not result in any detrimental impact on the residential amenity of this neighbouring property to warrant the refusal of the application.
- 8.10 The neighbouring property to the other side at no.24 Atterbury Way would see the proposed two storey rear extension from the rear garden; however, owing to the siting it is considered that there would be minimal impact on this property in terms of any loss of light or overlooking.
- 8.11 It is considered that the scale, design and orientation of the proposed development would have a minimal impact on the residential amenity of the adjoining neighbouring properties Nos.22 and 24 Atterbury Way.
- 8.12 The application site backs onto open fields and therefore has no residential property to the rear.

Parking

- 8.13 The application property is currently a 4-bed property and the proposed extension would result in an additional bedroom. However, the parking requirements for 4+ bedrooms is same as a 4-bed property and so there would be no requirement of any additional parking space.
- 8.14 There is hardstanding area to the front of the property that remains unaltered. In addition, the local area relies on on-street parking and there are no parking restrictions. The proposal would not create any highway safety issues.

9 CONCLUSION

- 9.1 It is considered that the proposal is of a scale and design appropriate to the main dwelling and surrounding area. Subject to conditions, there would not be detrimental impact on the residential amenity of the neighbouring properties.
- 9.2 The proposal would be in accordance with the advice given in the National Planning Policy Framework, Policies S10 of the West Northamptonshire Joint Core Strategy, saved policies H18 and E20 of the Northampton Local Plan, the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document.

10 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: Block Plan and SE/1254/2C.

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

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

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

4. The proposed first floor en-suite and dressing room windows shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent and shall be non-opening before 1.7m from the finished floor levels. The proposed windows shall be implemented prior to the accommodation is brought into use and thereafter retained in that form at all times.

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

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

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

11 BACKGROUND PAPERS

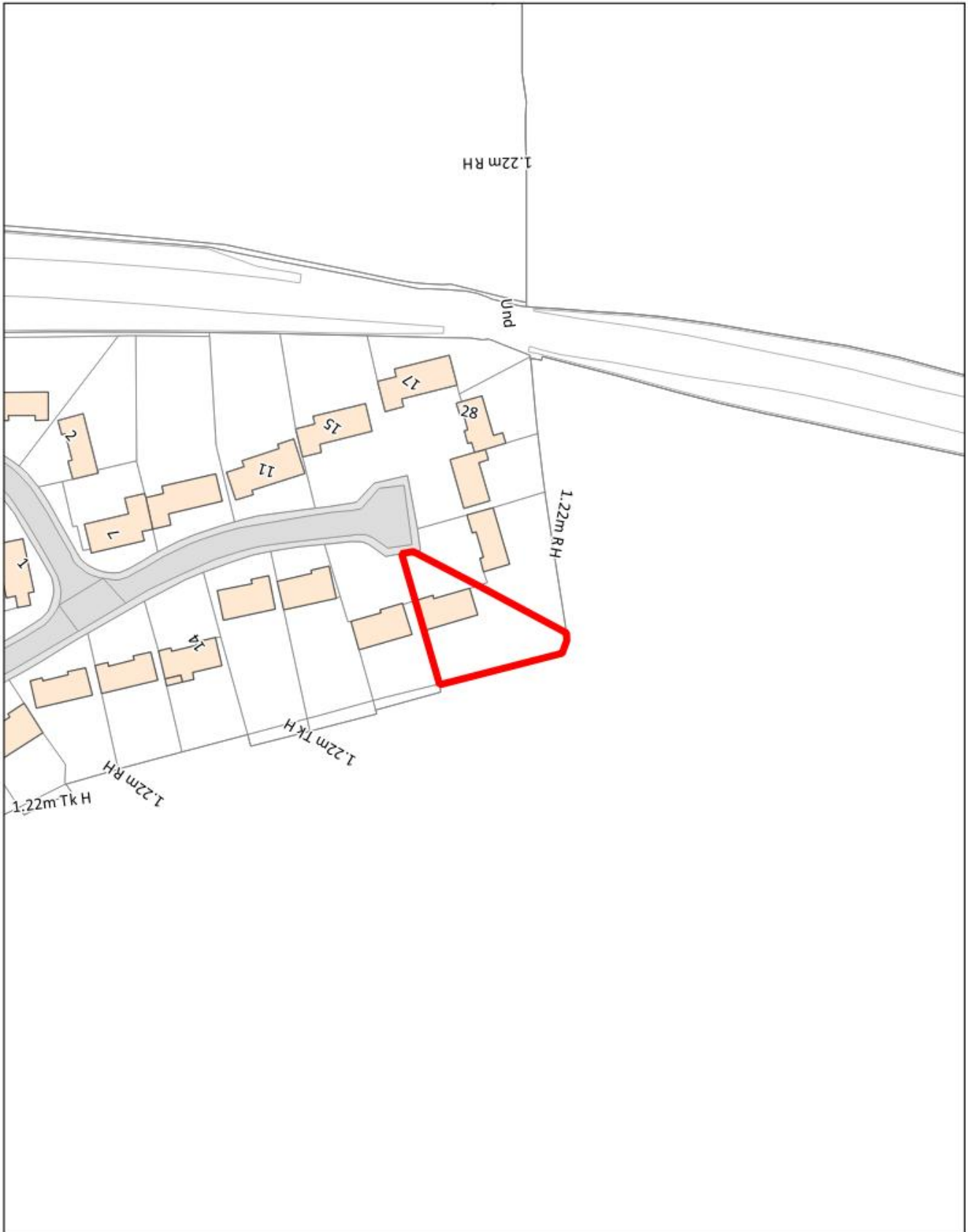
- 11.1 N/2019/0519.

12 LEGAL IMPLICATIONS

- 12.1 The development is not CIL liable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

- 13.1 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: **22 Atterbury Way**

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Date: 14-08-2019

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0647

LOCATION: 39 Wycliffe Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including single storey rear extension

WARD: Abington Ward

APPLICANT: NV Pro Limited
AGENT: Architectural Solutions

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 development is considered acceptable without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10, H1 and H5 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for a change of use of an existing 3 bedroom dwelling to a 5 person House in Multiple Occupation (HIMO) and includes the erection of a single storey rear extension.

3 SITE DESCRIPTION

3.1 The site comprises a terraced house within a street of similar properties. There is a garden to the rear and parking is on-street.

4 PLANNING HISTORY

4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

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

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – Design
Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

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

5.6 Other Material Considerations

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

Proposals for HIMOs should:

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

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – The room sizes, amenities and facilities indicated on the submitted floor plans show that the proposals would meet the requirements for five occupant HIMO (*confirm also that this would still be the case with the amended plans*).
- 6.2 **Local Highway Authority** – Request that a parking beat survey is carried out. The applicants have declined to do a survey and the Local Highway Authority have confirmed that they therefore object to the application due to the failure to demonstrate that the increase in demand for parking spaces will not negatively impact upon highway safety.
- 6.3 **Councillor Z Smith** – Requests call-in of the application on the grounds that it will exacerbate existing parking problems and that five occupants is excessive.
- 6.4 Representations received from the occupants of two neighbouring properties, in response to original and revised plans, making the following points in summary:
- The proposal is impractical and inconsiderate of the existing character of the street.
 - The rear extension is wholly out of character with the existing make-up of the street, gardens are used as family areas not bin compounds.
 - Application is contradictory as states there would be no impact but also that this could be mitigated by a 2m fence.
 - Did not expect to be neighboured by a proposal of such scale and magnitude.
 - Parking is oversubscribed and have to park 2 or 3 streets away.
 - Proposal would generate additional parking demand which could not be accommodated.
 - Increase in toilets will generate significant waste and noise.
 - The extension together with cycle store would impact on light to the neighbouring garden and rear window.
 - All rooms could accommodate double beds, increasing occupancy to 10.
 - Waste storage arrangements are impractical.
 - In response to amended plans: Previous objections still stand, there appear to have been no significant changes.

7 APPRAISAL

Principle of the development

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

Concentration of HIMO uses in the area

- 7.2 Records indicate that there are 9 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 12.6%, which is in compliance with the IPPS.

Size of the property and facilities for future occupiers

- 7.4 All bedrooms, the living room, kitchen and bathroom are of sufficient size, when judged against the standards in the HIMO interim policy. The layout has been adjusted during the course of the application giving most of the bedrooms over 10 square metres floor area.
- 7.5 Comments from Private Sector Housing indicate that the proposals meet their requirements and that this remains the case following amendments to reduce the size of the rear extension.
- 7.6 The occupancy would be restricted by condition to five occupants and therefore the scenario envisaged by objectors of the occupancy doubling would not occur.

Flood Risk

- 7.7 In respect of flood risk, the site is located outside the areas at risk of flooding.

Highways / Parking

- 7.8 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.9 In this case the site is within 400m of the nearest bus stops on Billing Road, and is also within a reasonable walking distance of the local shopping centre on Wellingborough Road. This criterion of the IPPS is therefore met and parking would not be required.
- 7.10 A further relevant consideration is the Northamptonshire Parking Standards which state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 3 compared to the requirements of 2 spaces for the current 3 bedroom dwellinghouse use.
- 7.11 However, in practical terms it can be noted that the current use as a 3 bedroom dwelling could potentially result in 4 car driving adults being resident, meaning there would be no increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 5 proposed residents would own cars.
- 7.12 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. Therefore, notwithstanding the objection from the Local Highway Authority it would be very difficult to sustain a refusal on the grounds of lack of parking provision or impact on parking availability in streets in the area.
- 7.13 In accordance with the IPPS, the provision of secure cycle storage is required. Precise details of this have not been included with the application and therefore a condition requiring such details is proposed.

Refuse Storage

- 7.14 The submitted plans indicate a refuse storage container within the rear garden area and a condition requiring that this is provided as shown and thereafter retained is proposed.

Impact on adjoining occupiers as a result of the single storey extension

- 7.15 The proposal also includes a single storey extension. This would project 4.8m from the main rear wall of the dwelling but in respect of no. 37 Wycliffe Road would project only 3.47m beyond the

rear of the attached outbuilding at no. 37. The extension would be of a flat roof design with a roof height of 2.8m.

- 7.16 As originally proposed, the extension was to be only 0.8m from the boundary with the neighbour at no. 41 Wycliffe Road. It was considered that this was not acceptable and would have resulted in a significant impact on that neighbour due to visual dominance and overshadowing of windows and the small garden area. Amendments have therefore been sought and the extension would now be 1.346m from the boundary. It is considered that this change would be sufficient to overcome the adverse impact on this neighbour, as the extension would be almost in line with the rear wing. As noted by the applicant's agent, a 2m high fence or wall could be constructed under permitted development rights along the boundary and it is considered that this would result in a similar impact, in terms of loss of light. On this basis the impact of the extension is also considered acceptable.
- 7.17 The extension would be adjacent to the boundary with the neighbour at no. 37 Wycliffe Road. No. 37 has a small lean-to, to the rear elevation and this has only a door to an inner lobby and no windows to habitable rooms, meaning there would be no direct loss of light to such rooms, whilst any indirect loss whilst the rear door is open would be minimal. The extension would project 3.47m beyond the rear of the lean-to and it is considered that this would not result in an unduly dominant feature in respect of this neighbouring garden. The cycle store as shown would be adjacent to this boundary but this could potentially be a lightweight clear structure which would not have any significant impact. This can be ensured by means of the condition as referred to above.

Amenity

- 7.18 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8 CONCLUSION

- 8.1 The proposed change of use to a 5 person HIMO together with the construction of a single storey extension would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the IPPS, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan: 19/K95/2d.

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

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

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

4. Provision for the storage of refuse and materials for recycling shall be made as shown on the approved plans prior to the first occupation of the premises as a house in multiple occupation and thereafter retained.

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

5. Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the premises being first brought into use as a house in multiple occupation and retained thereafter.

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

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

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

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

Reason: To safeguard the privacy of adjoining properties in accordance with Policies E20 and H18 of the Northampton Local Plan.

8. The use as a House in Multiple Occupation for five persons shall not be commenced until the extension hereby approved, together with associated internal alterations, have been completed in accordance with the approved plans.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

9. The basement shall be used for storage only and shall not be used as a bedroom or habitable room at any time.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

10 BACKGROUND PAPERS

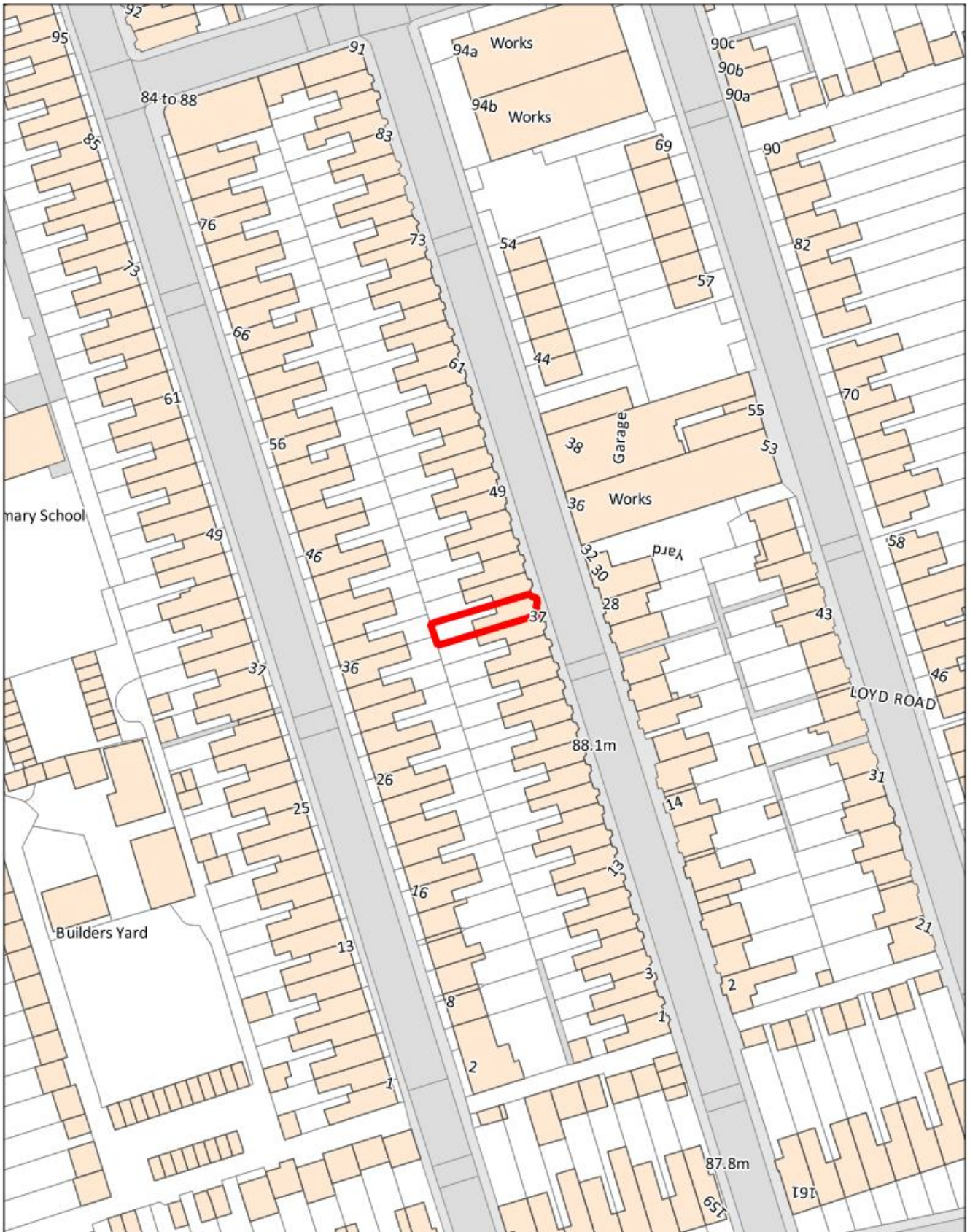
- 10.1 Application File N/2019/0647

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: **39 Wycliff Road.**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0680

LOCATION: 35 Hood Street

DESCRIPTION: Proposed change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for 4 occupants

WARD: Castle Ward

APPLICANT: LG Properties (Northampton) Ltd
AGENT: Pat Dooley

REFERRED BY: Councillor D Stone
REASON: Refuse and 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 development is considered acceptable as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. The site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people. No external changes are proposed.
- 2.2 Parking would be on-street.

- 2.3 The site lies within an Article 4 Direction area, which removes permitted development rights for changes of use from a dwelling to a HIMO.

3 SITE DESCRIPTION

- 3.1 The application site comprises a two storey, mid-terraced, 4 bedroom property with the additional floor space at first floor level where it extends above an existing access way. The property is located in a residential area with other terraced properties on the street. The property has a kitchen, lounge, dining area, a bathroom on the ground floor, and 4 bedrooms and 2 bathrooms on the first floor.
- 3.2 The site is in close proximity to Kettering Road, which has a parade of retail/non-retail units. The site is within close proximity to bus routes on Kettering Road. The application site is located within the designated Boot and Shoe Quarter Conservation Area.
- 3.3 The application site lies in Flood Zone 1, which means very low risk of flooding.

4 PLANNING HISTORY

- 4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

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

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 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Paragraph 193 - Great weight to be given to the heritage asset's conservation.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

- Policy BN5 – Designated heritage assets

- Policy H1 - Housing Density & Mix & Type of Dwellings
- Policy H5 - Managing the Existing Housing Stock
- Policy S10 - Sustainable Development Principles

5.4 Northampton Local Plan 1997 (Saved Policies)

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

- Policy E20 – New development
- Policy E26 – Development in Conservation area
- Policy H30 – Multi occupation with a single dwelling.

5.5 Supplementary Planning Documents

- Northamptonshire Parking Standards (September 2016)
- Planning out Crime in Northamptonshire SPG 2004
- Boot and Shoe Quarter Conservation Area Appraisal and Management Plan

5.6 Other Material Considerations

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

Proposals for HIMO should:

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

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor D Stone** - raises objection on the basis that application would result in overdevelopment, anti-social behaviour and fly-tipping and will upset the balance of housing in the area. Calls in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** – Object. The LHA have received a number of parking beat surveys submitted as part of numerous planning applications and this demonstrates that is no residual parking capacity on-street. The cumulative impact from the high concentration of HIMO in the immediate vicinity is contributing to the excessive demand. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand further and any development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe. Although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the LHA would argue that the cumulative impact of “minor” developments such as this need to be considered as a whole and that the impact on highway safety is severe.

- 6.3 **Private Sector Housing (NBC)** - The room sizes, amenities and facilities indicated on the submitted floor plans, show that the proposals would meet the requirement for the four occupants. The applicant should be advised that the property falls within the additional licensing area.
- 6.4 **Conservation Officer (NBC)** - The change of use in itself will have a neutral impact on the Boot and Shoe Quarter Conservation Area, provided it would not result in an over-concentration of HIMOs in the street. The application would not result in any alterations of the front elevation and the appearance of the Conservation area would not be affected.
- 6.5 **11 objections** have been received from the local residents, comments are summarised as:
- Parking problem in the area.
 - Constant double parking on the local streets.
 - Overconcentration of the HIMO in the street.
 - Transient nature of the HIMO occupants.
 - Anti-social behaviour and Noise issue.
 - Impact in existing infrastructure.
 - Fly-tipping and refuse storage issues.
 - Impact on community cohesion.

7 APPRAISAL

Principle of the development

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

Area concentration

- 7.2 Council records evidence that there are 9 existing HIMOs within 50m radius of the application site. The use of this property as a HIMO would equate to 13.5% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur.
- 7.4 Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans would meet the requirements for a 4 occupants HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement so a condition has been recommended to use it only as a storage area.
- 7.5 Details have been submitted for cycle storage to the rear of the property that can be used for the storage of bins and cycles, the details are deemed acceptable and have been conditioned to be implemented prior to first occupation of the approved use and be retained thereafter.

Flood Risk

- 7.6 The application site is located in Flood Zone 1 and with very low risk of flooding.

Highways/Parking

- 7.7 The Interim Planning Policy Statement for HIMO's (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 It is considered that the application site is in a sustainable location within 210m of bus stops on Kettering Road and within walking distance of local facilities on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for approval for secure cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 1 compared to the existing use, as parking requirement for a 4-bed dwelling is 3 spaces.
- 7.10 In this case, the Highway Authority objects to the proposal on the basis that there is no residual parking capacity in the locality of the site and the proposal would increase the parking demand further. Furthermore, the Highway Authority suggests that although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the cumulative impact of "minor" developments such as this need to be considered as a whole and that the impact on highway safety is severe.
- 7.11 Furthermore, regard must be paid to recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.12 Moreover, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.13 It should also be noted that in the recent appeal decision, the Inspectors are taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.14 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 7.15 There is sufficient space to the rear of the property for bin storage, details have been submitted with the details, a condition has been recommended to implement it and retain thereafter.

Amenity

- 7.16 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

Conservation Area

- 7.17 The property falls within the designated Boot and Shoe Quarter Conservation Area. The proposed development for a change of use would not include any external alterations. The Conservation Officer had not raised objection and stated that the proposal would have a neutral impact on the character of the Conservation Area and is considered acceptable.

8 CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 It is considered that the proposed development would be in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.
- 8.3 The proposed development is recommended for approval subject to the following conditions.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 19/L157/3, 19/L157/1 and 19/L157/2.

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

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

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

4. Facilities for recycling and refuse storage as shown on drawing number 19/L157/2 shall be implemented prior to the use hereby permitted commences and retained thereafter.

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

5. Facilities for the cycle storage as shown on drawing no.19/L157/2 shall be implemented prior to the use hereby permitted commences and retained thereafter.

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

6. The basement room shall be used as storage room only and shall be maintained as such for the duration of the use hereby permitted and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10 BACKGROUND PAPERS

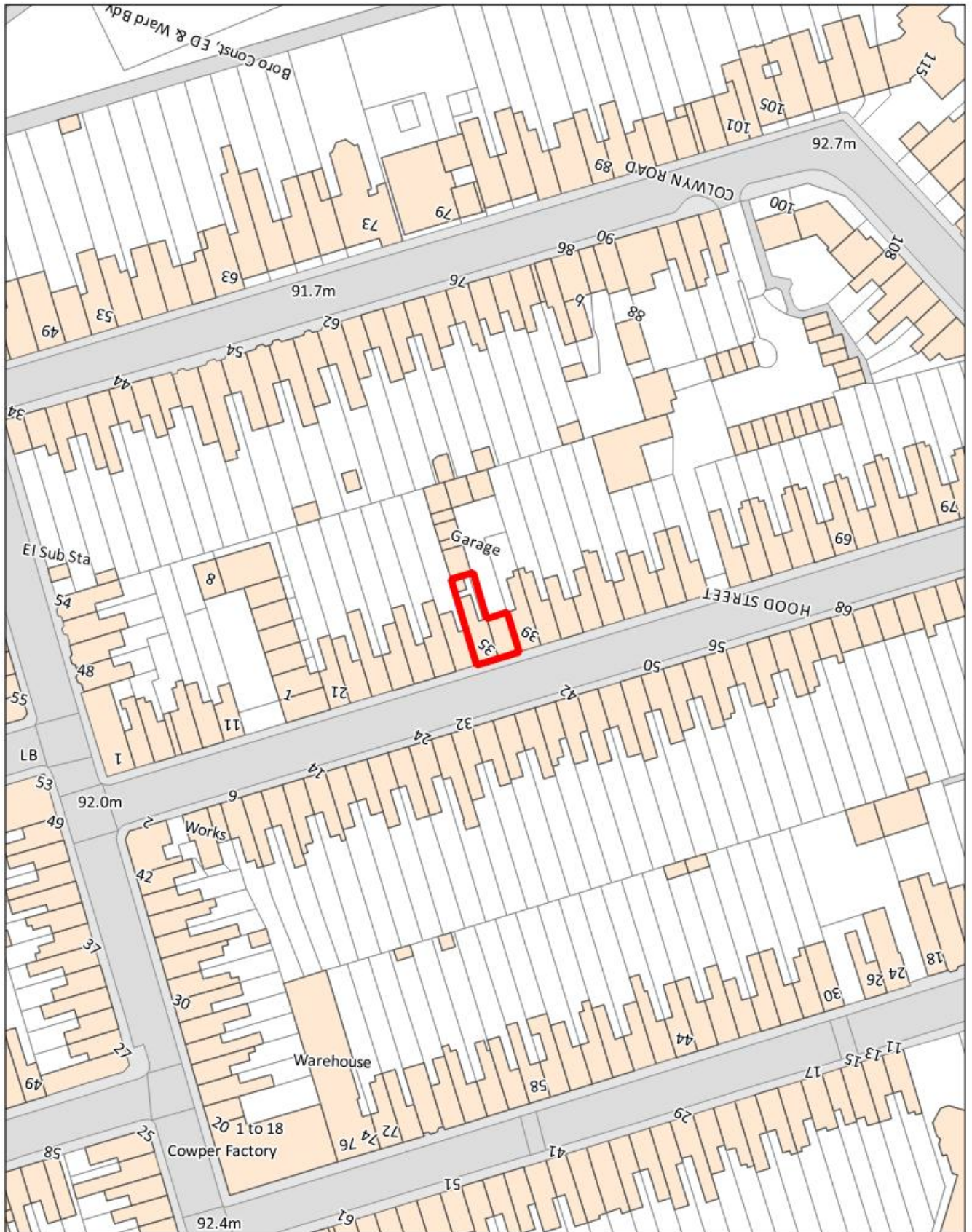
- 10.1 N/2019/0680.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **35 Hood Street**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0736

LOCATION: 52 Lutterworth Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants including single storey rear extension

WARD: Abington Ward

APPLICANT: Mr I Bhatti
AGENT: Design Board-Architectural Services

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 development is considered acceptable without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10, H1 and H5 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for a change of use of an existing 3 bedroom dwelling to a 6 person House in Multiple Occupation (HIMO) and includes the erection of a single storey rear extension.

3 SITE DESCRIPTION

3.1 The site comprises a terraced house within a street of similar properties. The property has a reasonably short rear garden. Parking is on-street.

4 PLANNING HISTORY

4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

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

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – Design
Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

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

5.6 Other Material Considerations

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

Proposals for HIMOs should:

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

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – The property would meet the requirements for HIMO licensing. Additional kitchen facilities will be required, this could entail a microwave and dishwasher. Comments on the revised plans are awaited at the time of writing this report.
- 6.2 **Local Highway Authority** – Advise that the applicant undertakes a parking beat survey. In response to the applicant declining to conduct such a survey on the grounds of a sustainable location, the LHA have stated that the applicants must demonstrate the availability of parking.
- 6.3 **Councillor Z Smith** – refer this application to the Planning Committee as it is likely to exacerbate existing parking problems in this area.
- 6.4 Representations received from the occupants of 15 neighbouring, nearby and other properties, in response to original and revised plans, making the following points in summary:
- Street has too many multi-occupancy dwellings.
 - Causes social unrest, litter, rats, noise, and parking problems.
 - Already significant overcrowding of houses.
 - Should take into account families in the street.
 - There are other HIMOs in the street which should be investigated.
 - When previous application was approved at no. 29, was stated that limits had been reached.
 - Fly tipping will increase.
 - Occupancy will increase from 6 to 12.

7 APPRAISAL

Principle of the development

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

Concentration of HIMO uses

- 7.2 Records indicate that there are 6 existing HIMOs within a 50m radius of the application site. Taking into account the current application premises, this would result in a concentration of 9.5%. Members will be aware of another application at 49 Lutterworth Road which is also on this agenda. However, it is considered that the current application must be considered on its own impact alone.

Size of the property and facilities for future occupiers

- 7.3 All bedrooms, the living room, kitchen and bathroom are of sufficient size, when judged against the standards in the HIMO interim policy.

- 7.4 Comments from Private Sector Housing indicate that the proposals meet their requirements subject to the provision of additional cooking and dishwashing facilities, which could entail a microwave and a dishwasher. The submitted plan does not show the details of cooking facilities or internal kitchen layout. However, this is a licensing requirement and the size of the kitchen meets the requirements of the IPPS.
- 7.5 It is considered, therefore, that the standard of accommodation is appropriate to meet the needs of future occupants.

Flood Risk

- 7.6 In respect of flood risk, the site is located outside the areas at risk of flooding.

Highways / Parking

- 7.7 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 In this case the site is within 400m of the nearest bus stops on Wellingborough Road and Billing Road, and is also within a reasonable walking distance of the local shopping centre on Wellingborough Road. This criterion of the IPPS is therefore met and parking would not be required.
- 7.9 A further relevant consideration is the Northamptonshire Parking Standards which state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 6 parking spaces, which is an increase of 4 as compared to the requirements of 2 spaces for the current 3 bedroom dwellinghouse use.
- 7.10 However, in practical terms it can be noted that the current use as a 3 bedroom dwelling could potentially result in 4 car driving adults being resident, meaning there would be no increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 5 proposed residents would own cars.
- 7.11 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. Therefore, notwithstanding the comments from the Local Highway Authority, it would be very difficult to sustain a refusal on the grounds of lack of parking provision or impact on parking availability in streets in the area.
- 7.12 In accordance with the IPPS, the provision of secure cycle storage is required. Details of this have been included with the application and a condition requiring that this is provided as shown is proposed.

Refuse Storage

- 7.13 The submitted plans indicate a suitable refuse storage container within the rear garden area and a condition requiring that this is provided as shown and thereafter retained is proposed.

Impact on adjoining occupiers as a result of the single storey extension

- 7.14 The proposal also includes a single storey rear extension. This would project 4m from the main rear wall of the dwelling but in respect of no. 54 Lutterworth Road would project only 2.135m beyond the rear of the attached outbuilding at that neighbouring property. The extension would be of a flat roof design with a height of 2.7m.

- 7.15 As originally proposed, the extension was to be adjacent to the boundary with the neighbour at no. 50 Lutterworth Road. It was considered that this was not acceptable and would have resulted in a significant impact on that neighbour due to visual dominance and overshadowing of windows and the small garden area. Amendments have therefore been sought and the extension would now be 1.2m from the boundary. It is considered that this change would be sufficient to overcome the adverse impact on this neighbour, as the extension would be almost in line with the rear wing. It can be noted also that a 2m high fence or wall could be constructed under permitted development rights along the boundary and it is considered that this would result in a similar impact, in terms of loss of light. On this basis the impact of the extension is also considered acceptable.
- 7.16 The extension would be adjacent to the boundary with the neighbour at no. 54 Lutterworth Road. This neighbour has a small lean-to, to the rear elevation and this is screened from the garden of the application premises by a fence over 2m in height, on the neighbour's side of the historic stone boundary wall. Given this and the very limited projection beyond the rear of this neighbouring property, it is considered that the impact would be limited and acceptable. The bin store adjacent to this boundary would be low level and therefore below the height of this existing fence and would have no impact.

Amenity

- 7.17 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8 CONCLUSION

- 8.1 The proposed change of use to a 6 person HIMO together with the construction of a single storey extension would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the Interim Planning Policy Statement on HIMOs, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: A810-1a, A810-2a.

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

3. The development hereby permitted shall be occupied by a maximum of 6 residents at any one time.

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

4. Provision for the storage of refuse and materials for recycling shall be made as shown on the approved plans prior to the first occupation of the premises as a house in multiple occupation and thereafter retained.

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

5. Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the premises being first brought into use as a house in multiple occupation and retained thereafter.

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

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

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

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

Reason: To safeguard the privacy of adjoining properties in accordance with Policies E20 and H18 of the Northampton Local Plan.

8. The use as a House in Multiple Occupation for six persons shall not be commenced until the extension hereby approved, together with associated internal alterations, has been completed in accordance with the approved plans.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

10 BACKGROUND PAPERS

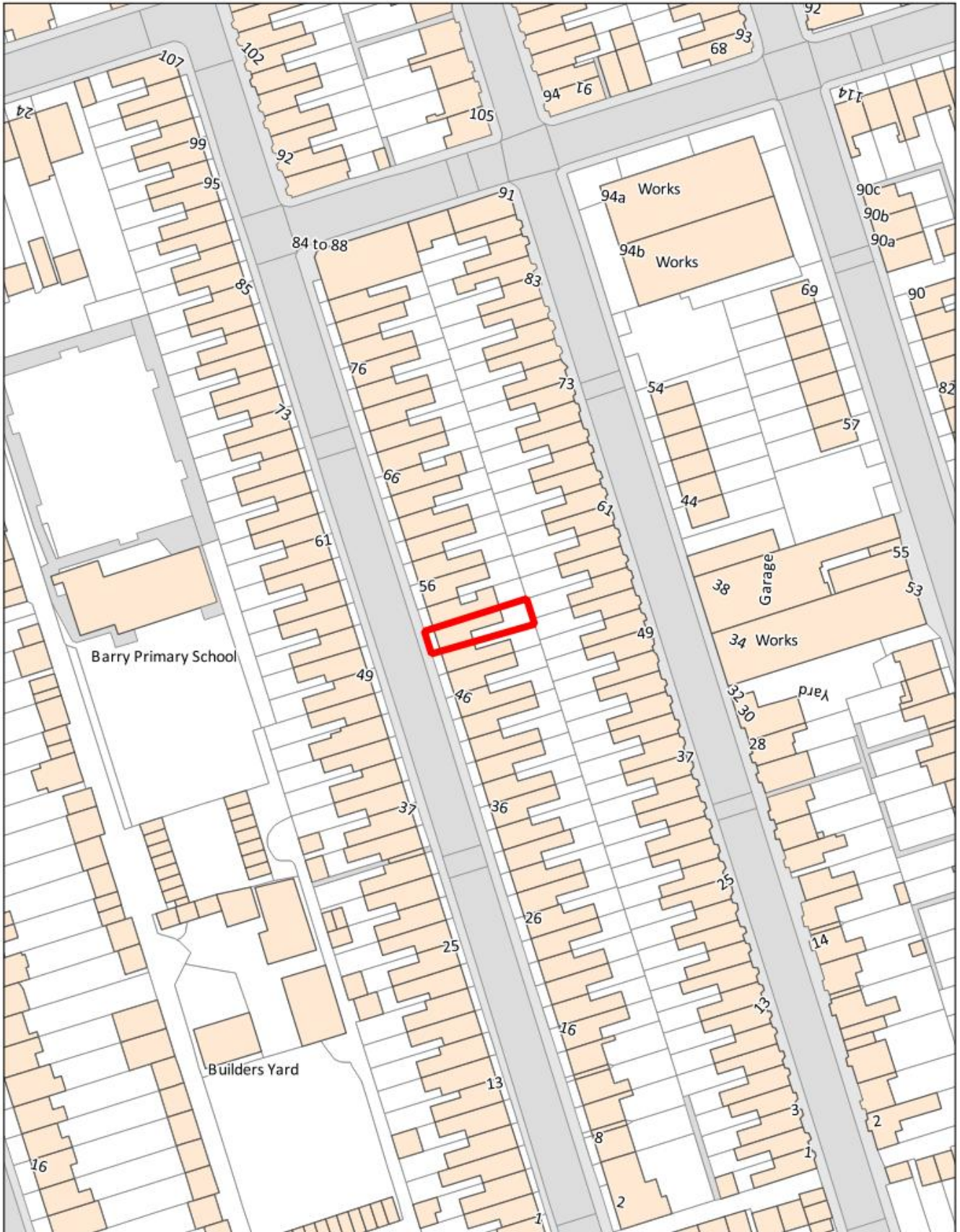
- 10.1 Application File N/2019/0736.

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: **52 Lutterworth Road**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0811

LOCATION: 2 Victoria Gardens

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

WARD: Castle Ward

APPLICANT: Investment Street
AGENT: HDA Architecture

REFERRED BY: Councillor D Stone
REASON: Overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

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

2 THE PROPOSAL

2.1 Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 5 people. Although the premises are currently being used as a HIMO with four occupants, it would appear that such a use is unauthorised as no previous planning consent was granted.

- 2.2 Parking would be on-street. The local area is parking permit controlled area.
- 2.3 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

3 SITE DESCRIPTION

- 3.1 The application site comprises a two storey, end of terraced, 3 bedroom property on Victoria Gardens, which is a residential area with similar terraced properties on the street. The property has a kitchen, lounge/dining area, a bathroom and a bedroom on the ground floor, 3 bedrooms on the first floor.
- 3.2 The site is in close proximity to the town centre. The site is near to bus routes on Cattle Market Road and Bridge Street.
- 3.3 The application site lies in Flood Zone 2.

4 PLANNING HISTORY

- 4.1 **N/2019/0287** - Lawful development certificate for use as a 5 bed (5 person) House in Multiple Occupation (Use Class C4). **Withdrawn.**

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Paragraph 193 - Great weight to be given to the heritage asset's conservation.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

- Policy H1 - Housing Density & Mix & Type of Dwellings
- Policy H5 - Managing the Existing Housing Stock
- Policy S10 - Sustainable Development Principles

5.4 Northampton Local Plan 1997 (Saved Policies)

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

- Policy E20 – New development
- Policy H30 – Multi occupation with a single dwelling.

5.5 Supplementary Planning Documents

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

5.6 Other Material Considerations

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

Proposals for HIMOs should:

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

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor D Stone** - raises objection on the basis that application would result in overdevelopment and will upset the balance of housing in the area. Calls in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** - No objection. The property is within a permit zone.
- 6.3 **Private Sector Housing (NBC)** - did not raise any objection for 5 occupants as proposed under the original scheme.
- 6.4 **Environment Agency** – No comments made as the property is outside their statutory consultation.

7 APPRAISAL

Principle of the development

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

Area concentration

- 7.2 Council records evidence that there are 4 existing HIMO within 50m radius of the application site. The use of this property as a HIMO would equate to 8.6% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur.
- 7.4 Private Sector Housing have confirmed that the room sizes specified on the submitted plans indicate that the proposals would meet the requirements for 5 occupant HIMO. They have raised concern about the size of the proposed 17.5 sqm kitchen/lounge, which should be 18sqm as per licensing standards. However, the proposed kitchen complies with the size outlined in the IPPS (10 sqm for kitchen serving 6-10 people) and is deemed acceptable. In addition, they have also raised concerns about the proposed entrance for bedroom 2 on the ground floor through the communal area; however, it is not considered to be an issue from planning point of view and is deemed acceptable. It is considered that all bedrooms would be served by adequate outlook and light.
- 7.5 No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by conditions.

Flood Risk

- 7.6 The application site is located in Flood Zone 2 but is within the low risk of flooding. EA has not raised any concerns.

Highways/Parking

- 7.7 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 It is considered that the application site is in a sustainable location within 240m of bus stops on Cattle Market Road and within walking distance of facilities in the town centre. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. A condition is recommended requiring details to be submitted for approval for secure cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 2 compared to the existing use, as parking requirement for a 4-bed dwelling is 3 spaces.

- 7.10 The Highways Authority has not raised objections to the proposal. The Highway Engineer has advised that the application property is within a Permit Zone and therefore all parking in the vicinity is controlled.
- 7.11 Furthermore, regard must be paid to recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.12 It should also be noted that in the most recent appeal decision, the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the NPPF, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.13 in view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 7.14 No details have been submitted for refuse storage or bin location. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size.

Amenity

- 7.15 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8 CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 It is considered that the proposed development would be in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the NPPF.
- 8.3 The proposed development is recommended for approval subject to the following conditions.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 9000/1 and 9000/3.

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

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

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

4. Full details of facilities for the recycling and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

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

5. Full details of facilities for the cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

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

10 BACKGROUND PAPERS

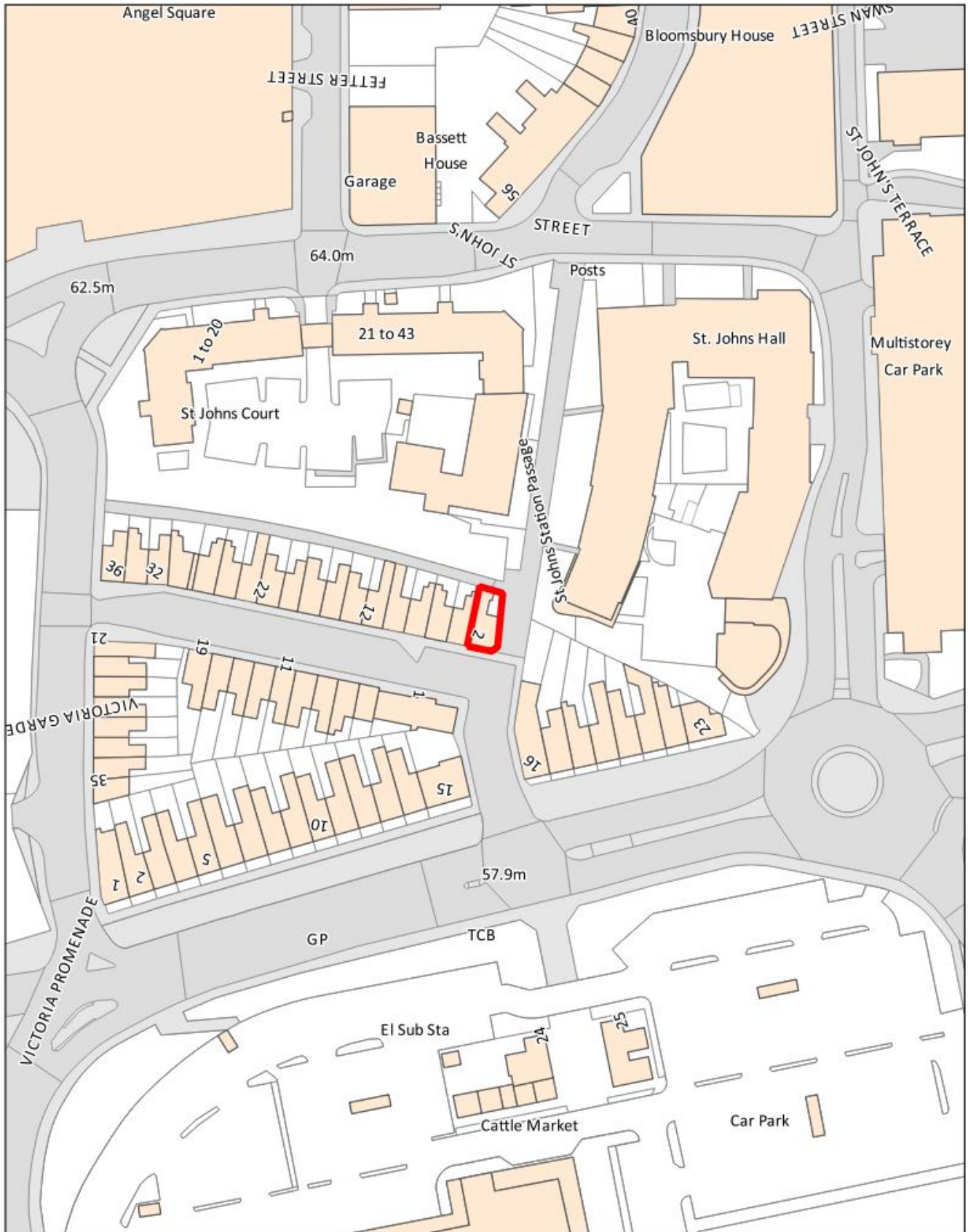
10.1 N/2018/0811

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 associated Frameworks and Strategies.



Title: **2 Victoria Gardens**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0884

LOCATION: 49 Lutterworth Road

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

WARD: Abington Ward

APPLICANT: Mr V Singh
AGENT: Design Board-Architectural Services

REFERRED BY: Councillors Z Smith and D Stone
REASON: Parking concerns and overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

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

2. THE PROPOSAL

2.1 Permission is sought for a change of use from a dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. There would be minor external alteration to the building to change a window to a door. Parking would be on-street.

2.2 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application property consists of a two-storey, mid-terraced property on Lutterworth Road with similar terraced properties on both sides of the street. The property has a kitchen, dining room, lounge, a utility room and a toilet on the ground floor, three bedrooms and one bathroom on the first floor.
- 3.2 The application site is located within a predominantly residential area. The site is in close proximity to Wellingborough Road, which contains some retail units and access to bus routes. The application site is also in close proximity of 200m to the bus routes on Billing Road.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

- Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.
- Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

- Policy H1 - Housing Density & Mix & Type of Dwellings
- Policy H5 - Managing the Existing Housing Stock
- Policy S10 - Sustainable Development Principles

5.4 Northampton Local Plan 1997 (Saved Policies)

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

- Policy E20 – New development
- Policy H30 – Multi occupation with a single dwelling

5.5 Supplementary Planning Documents

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

5.6 Other Material Considerations

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

Proposals for HIMOs should:

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

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor Zoe Smith** - raised objection on the basis that the current planning application is likely to exacerbate severe parking difficulties in an area that has already experienced a lot of development in recent years. Called in the application for consideration by the Planning Committee.
- 6.2 **Councillor D Stone** - Lutterworth road has reached saturation point with HIMOs now outnumbering family homes. This is over development. Called in the application for consideration by the Planning Committee.
- 6.3 **Private Sector Housing (NBC)** - has advised that the applicant will require licensing under the mandatory licensing scheme. The property is suitable for the 5 people in 5 households and the amenities and facilities are adequate.
- 6.4 **Highways Authority (NCC)** – This development proposal, if finally consented, is likely to place extra pressure for space on the on street parking that already takes place in this residential street and the surrounding area. The Local Planning Authority must satisfy themselves that they are content for this to be the case.
- 6.5 8 objections have been received and the comments are summarised as follow:
- Parking issues in the area
 - Increase in fly tipping issues
 - Noise related issues
 - Frequent illegal double parking
 - Overconcentration of the HIMO in the street
 - Anti-social behaviour on rise in the street
 - Loss of family home and impact on community

7. APPRAISAL

Principle of the development

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

Area concentration

- 7.2 Council records evidence that there are 7 existing HIMOs within 50m radius of the application site. The use of this property as a HIMO would equate to 11.26% concentration in the area. However, there are two outstanding planning applications in close proximity of the site which are due to be considered before this application; if these two applications get planning approval, the concentration would be 14.09%. In both scenarios, the concentration would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing are satisfied with the accommodation proposed which would be subject to a requirement for a license.
- 7.4 No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by conditions.

Flood Risk

- 7.5 In respect of flood risk, the application site is in Flood zone 1 and is outside of the areas of the town identified as being at risk from flooding.

Highways/Parking

- 7.6 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 The application property is located within easy walking distance to facilities along Wellingborough Road. It is considered that the application site is a sustainable location within 250 metres to bus routes on Wellington Road and Billing Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details should be submitted for the secured cycle storage.
- 7.9 The proposal is therefore in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.10 The Northamptonshire Parking Standards state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 3 compared to the existing use, as a 3-bed dwelling requires 2 parking spaces.
- 7.11 In this case, the LHA raised concerns in relation to the potential negative impacts of the increased parking demand.

- 7.12 Notwithstanding the LHA concerns, there is no evidence to support that all 5 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.13 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.14 In view of the recent appeal decisions, the Inspectors have given considerable weight to the sustainability of locations, while considering the impact on parking. As such, in view of the sustainable location of the application site, and number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that highway impacts would be so adverse as to recommend refusal on this basis.

Refuse storage

- 7.15 No details have been submitted for refuse storage or bin location. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size.

Amenity

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

8. CONCLUSION

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 It is considered that the proposed development would be in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the NPPF.
- 8.3 The proposed development is recommended for approval subject to the following conditions.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: A818- 1.

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

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

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

4. Full details of facilities for the recycling and refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

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

5. Full details of facilities for the cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the use hereby permitted commences and retained thereafter.

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

6. The basement room shall be used as storage room only and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. BACKGROUND PAPERS

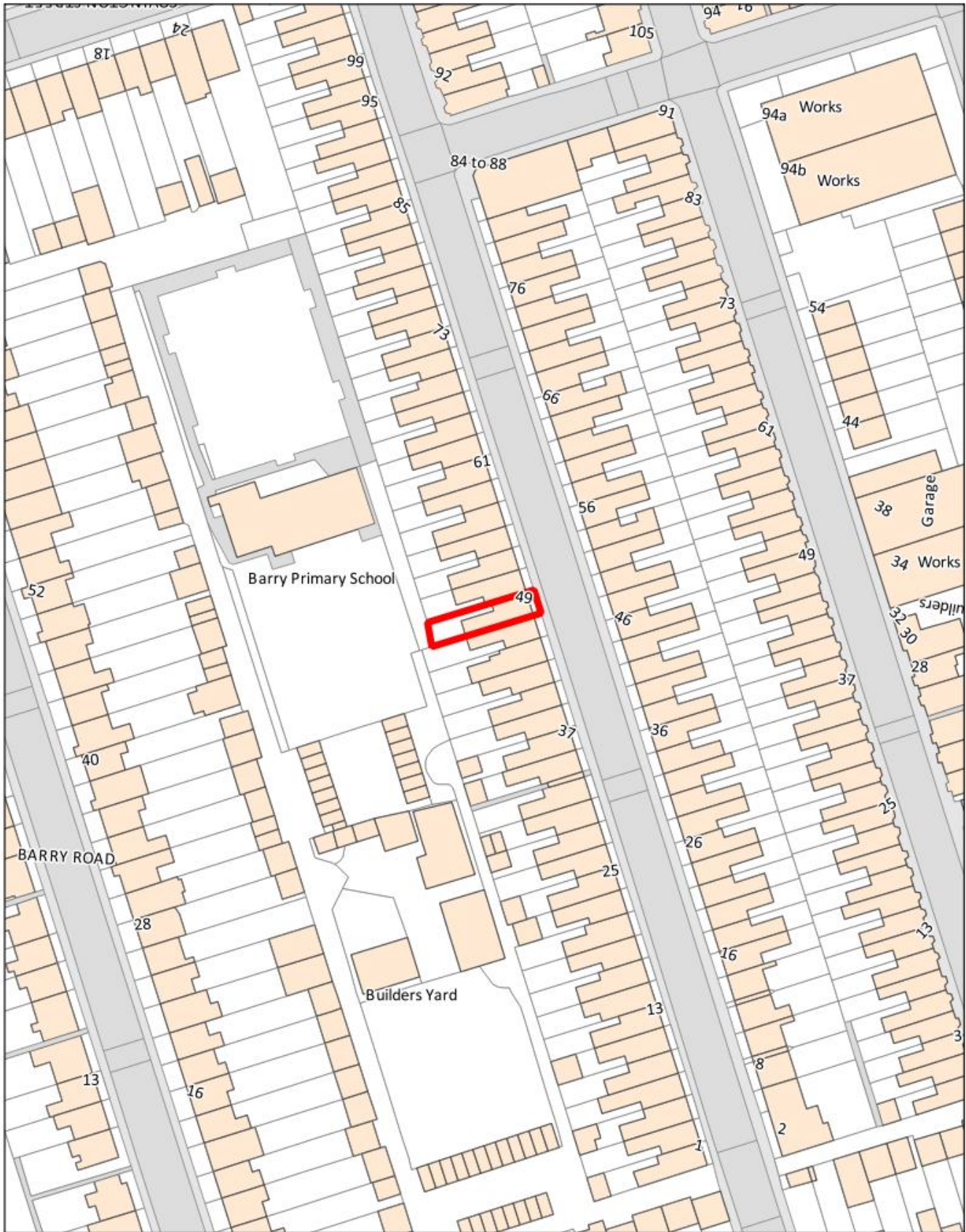
- 10.1 N/2018/0884.

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL chargeable.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **49 Lutterworth Road**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0860

LOCATION: 19 Burns Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including single storey rear extension

WARD: Castle Ward

APPLICANT: Mr V Kryshinets
AGENT: Architectural Solutions

REFERRED BY: Councillor D Stone
REASON: Overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development for the change of use and single storey rear extension is acceptable. It is considered that the proposal would not result in an over concentration of the similar properties within the vicinity of the site. The proposal would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; saved policies E20, E26 and H30 of the Northampton Local Plan; and the Council's Houses in Multiple Occupation Interim Planning Policy Statement.

2. THE PROPOSAL

2.1 Permission is sought for a change of use from a dwelling house to a House in Multiple Occupation (Use Class C4) for 5 occupants, including a single storey rear extension, which would be 3m deep and 2.5m wide and will have a flat roof.

2.2 Parking would be on-street.

- 2.3 The site lies within an Article 4 Direction area, which removes permitted development rights for changes of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1. The application site comprises a two storey, mid-terraced, 4 bedroom property on Burns Street located in a residential area with similar terraced properties on the street. The property has a kitchen, lounge, dining and a WC on the ground floor, 3 bedrooms and a bathroom on the first floor and a basement room and a bedroom in attic space.
- 3.2. The site is in close proximity to Kettering Road, which includes retails and commercial units. The site is within the close proximity to the bus routes on Kettering Road. The application site is located within the designated Boot and Shoe Quarter Conservation Area.
- 3.3. The application site lies in Flood Zone 1, which means very low risk of flooding.

4. PLANNING HISTORY

- 4.1. None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

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 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Paragraph 193 - Great weight to be given to the heritage asset's conservation.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy BN5 - Designated heritage assets

Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 - New development
Policy E26 - Development in Conservation area
Policy H30 - Multi occupation with a single dwelling

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Boot and Shoe Quarter Conservation Area Appraisal and Management Plan

5.6 Other Material Considerations

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

Proposals for HIMOs should:

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

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1. **Councillor D Stone** - raises objection on the basis that application property will result in overdevelopment and loss of a family home. Calls in the application for consideration by the Planning Committee.
- 6.2. **Highway Authority (NCC)** – No comments received. Any comments will be reported as addendum to this report.
- 6.3. **Private Sector Housing (NBC)** – The proposed facilities and room sizes would meet the requirements for a 5 occupant HIMO.
- 6.4. **Conservation Officer (NBC)** – No objection. No alterations to the front elevation are indicated and the appearance of the street scene within the Conservation Area will not be affected. The rear extension will not be prominent and will not harm the Conservation Area.
- 6.5. **Town Centre Conservation Area Advisory Committee** - advised that the application should be assessed as per the SPD and that there were some concerns about loss of a family home and parking in the area.

6.6. **2 objections** have been received from local residents, which are summarised as follow:

- Parking issues in the local area.
- Noise issues and antisocial behaviour.
- Impact on community cohesion.
- Over concentration of the HIMO properties in the street.

7. APPRAISAL

Principle of the development

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

Area concentration

7.2. Council records evidence that there are 13 existing HIMOs within 50m radius of the application site on Burns Street, Gray Street and Colwyn Road. The use of this property as a HIMO would equate to 10.14% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

Size of property and facilities for future occupiers

7.3. Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 5 occupant HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement so a condition has been recommended to use it only as a storage area.

7.4. Details have been submitted for cycle storage to the rear of the property that can be used for the storage of bins and cycles, the details are deemed acceptable and have been conditioned to be implemented prior to first occupation of the approved use and be retained thereafter

7.5. The proposed single storey extension would provide a shower room and a condition has been recommended to build the extension prior to the occupation of the property as a HIMO with 5 occupants to ensure adequate facility is provided.

Flood Risk

7.6. The application site is located in Flood Zone 1 and with very low risk of flooding.

Highways/Parking

7.7. The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

- 7.8 It is considered that the application site is in a sustainable location within 370m of bus stops on Kettering Road and within walking distance of local facilities on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be implemented prior to occupation of the property as HIMO.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 2 compared to the existing use, as parking requirement for a 4-bed dwelling is 3 spaces.
- 7.10 In this case, the Highway Authority have requested for a parking beat survey and the applicant has declined to carry out such survey. Any further comments from Highways Authority will be reported as addendum to this report.
- 7.11 Notwithstanding this, regard must be paid to recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.12 It should also be noted that in the most recent appeal decision the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the NPPF, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.13 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 7.14 There is sufficient space to the rear of the property for bin storage, details have been submitted with the details, a condition has been recommended to implement it and retain thereafter.

Amenity

- 7.15 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

Conservation Area

- 7.16 The property falls within the designated Boot and Shoe Quarter Conservation Area. The proposed development for a change of use would not include any alterations on the front elevation. The Conservation Officer had not raised objection and stated that the proposal would have a neutral impact on the character of the Conservation Area and is considered acceptable.

Rear extension

- 7.17 The proposed single storey rear extension would be screened behind the main dwelling and therefore would have a minimal impact on the character of the area. The proposed single storey rear extension would replace the existing 1m deep single storey element and would project 3m from the rear elevation.
- 7.18 Neighbouring property No.21 has an existing extension and the proposal, which would sit adjacent to the proposed extension, would have minimal impact on this property. Neighbouring property No.17 have habitable windows on the side elevation overlooking the application site. Owing to the siting of the proposed extension towards the rear end of the building, it would have minimal impact on the residential amenity of this property in terms of overbearing or loss of light. Moreover, the proposed extension could be erected under the provision of the permitted development rights and would not require planning permission.
- 7.19 It is considered that the proposed single storey rear extension would not result in undue impact on the residential amenity of the neighbouring properties to the sides and would comply with the saved policy E20 of the Northampton Local Plan, Policy S10 of the JCS and advice contained in NPPF.

8. CONCLUSION

- 8.1 The proposed development for a single storey rear extension and change of use from dwelling house to a House in multiple occupation would not lead to significant adverse impacts on neighbouring amenity or parking provision and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement.
- 8.3 The proposed development is recommended for approval subject to the following conditions.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan: 19/K97/2a and 19/K97/3.

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

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

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

4. Facilities for the refuse and recycling storage as shown on drawing no.19/K97/2a shall be implemented prior to the use hereby permitted commencing and retained thereafter.

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

5. Facilities for the cycle storage as shown on drawing no.19/K97/2a shall be implemented prior to the use hereby permitted commencing and retained thereafter.

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

6. The basement room shall be used as storage room only and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

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

8. The proposed single storey extension to provide the shower room hereby permitted shall be built before the premises are first occupied as a 5 people house in multiple occupation and should be retained thereafter.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. BACKGROUND PAPERS

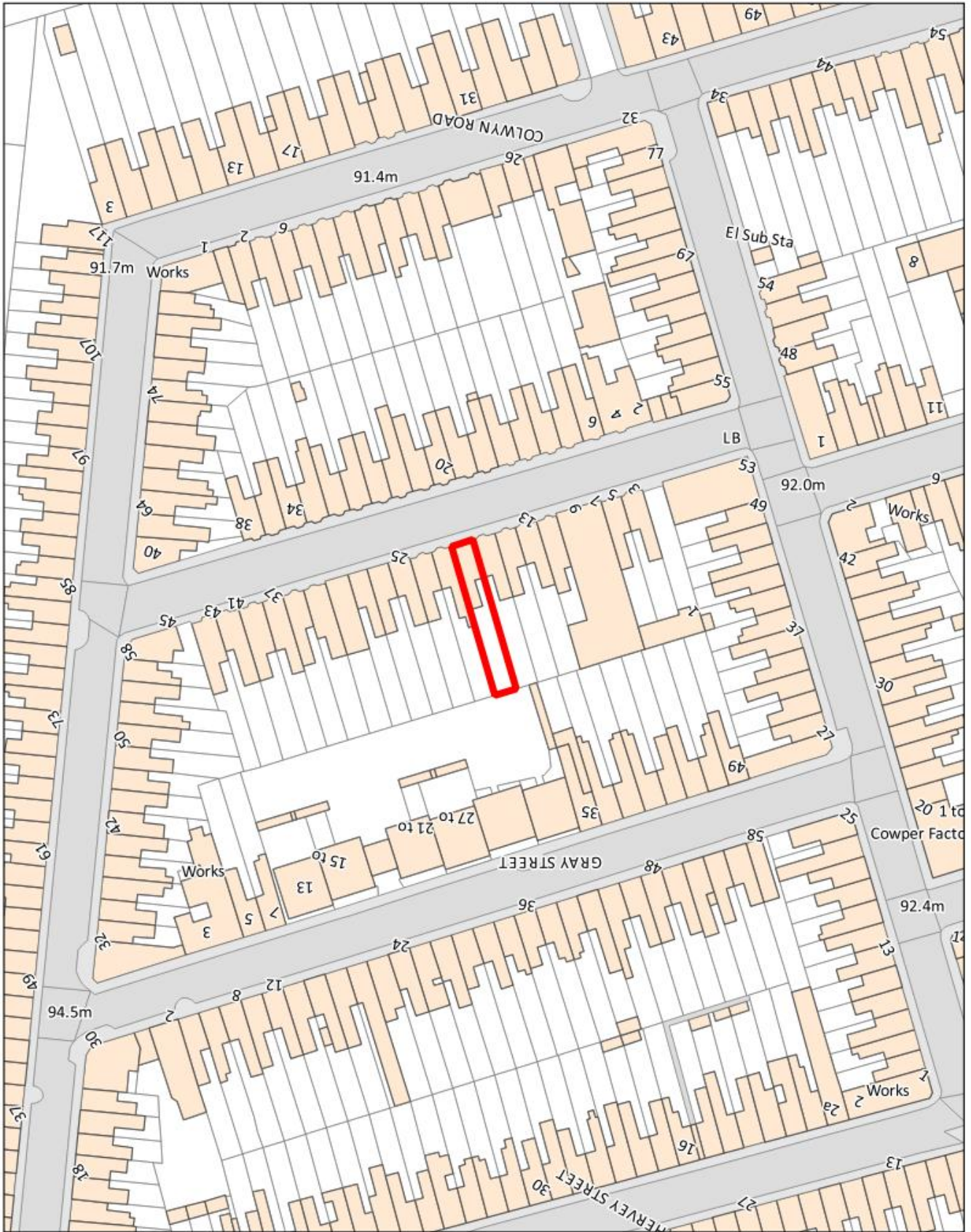
- 10.1 N/2019/0860.

11. LEGAL IMPLICATIONS

- 11.1 The development is CIL not chargeable.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **19 Burns Street**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0866

LOCATION: 85 Lea Road, Northampton

DESCRIPTION: Change of Use of Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, with replacement of existing conservatory with single storey rear extension

WARD: Abington Ward

APPLICANT: NV Pro Limited
AGENT: Architectural Solutions

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

2 THE PROPOSAL

2.1 Permission is sought for a change of use from a 4 bedroom dwelling house (Use Class C3) to a house in multiple occupation (HMO) (Use Class C4) for 5 people in 5 bedrooms. In terms of the layout, the basement would be retained as a storage space. The ground floor would comprise an en-suite bedroom at the front with lounge and kitchen behind. At first floor there would be 3

bedrooms, 1 with an en-suite and there would also be a separate bathroom adjacent to bedroom 4. On the second floor, a large en-suite bedroom is proposed. Parking is provided on-street. The proposal also includes a small single storey rear extension to the kitchen.

3 SITE DESCRIPTION

- 3.1 The application site comprises a terraced property on Lea Road, located in a residential area with similar terraced properties on both sides of the street. The property has a private rear amenity space enclosed on 3 sides. The site is not in a conservation area and is in a low risk flood zone (flood zone 1).

4 PLANNING HISTORY

- 4.1 No recent planning applications.

5 PLANNING POLICY

5.1 Statutory Duty

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

6 National Policies

- 6.1 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 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

6.2 West Northamptonshire Joint Core Strategy (2014)

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

Policy H1 - Housing Density and Mix and Type of dwellings
Policy H5 - Managing Existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7 - Flood Risk

6.3 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 New development
Policy H30 Multi-occupation

6.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Residential Extensions and Alterations Design Guide SPD 2011

6.5 **Other Material Considerations**

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

Proposals for HIMOs should:

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

7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NBC Private Sector Housing** - the room sizes, amenities and facilities indicate that the proposal would meet the requirements of a 5 person HIMO.
- 7.2 **Northamptonshire Highways** – object as no Parking Beat Survey has been provided with the application to evidence parking in the area; the cycle store appears to be sub-standard in size. Concern that cycles and bins would have to be brought through the house.
- 7.3 **Councillor Zoe Smith** - called in on parking concerns and the number of occupants is considered excessive.

8 **APPRAISAL**

Principle of the development

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

Area concentration

- 8.2 Council records evidence that there are 4 other HIMOs within a 50m radius of the application site. The use of this property as a HIMO would equate to 5.3% concentration in the area out of 95 properties. This would still fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement (IPPS).

Size of property and facilities for future occupiers

- 8.3 Policy H30 of the Local Plan requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the IPPS. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light and all other rooms would meet the IPPS standards. Private Sector Housing has advised that they will be satisfied with the accommodation as proposed as it meets their requirements. The

basement would be used purely as storage and a condition attached to ensure that it does not become a habitable room.

Flood Risk

- 8.4 As the site is in a low risk flood zone, there would not be any concern over the effect on local flooding.

Highways/Parking

- 8.5 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.6 The application property is located within easy walking distance to facilities along Abington Avenue and Wellingborough Road. It is considered that the application site is in a sustainable location within 200 metres of the nearest bus stop. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for approval for secure cycle storage. The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 8.7 The Northamptonshire Parking Standards state that HIMO's shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 2 compared to the existing use, as parking requirement for a 4-bed dwelling is 3 spaces.
- 8.8 In this case, the Local Highway Authority (LHA) object to the proposal because the applicant has not provided a Parking Beat Survey to demonstrate parking capacity in the site's vicinity. The LHA also have concerns that the cycle parking as proposed is sub-standard in size and that bicycles would have to be brought through the property. The details of cycle storage can be secured by a planning condition and it is a common arrangement to have bicycles to be stored at the rear of a terraced property. It is not considered that the application could be refused on these grounds.
- 8.9 Regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. It is considered that a refusal on highway grounds would not be sustainable on appeal.

Refuse storage

- 8.10 Some details have been submitted for refuse storage. There is sufficient space to the rear of the property for bin storage, a condition is recommended to secure refuse provision.

Amenity

- 8.11 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling.

Proposed single storey rear extension

- 8.12 Given that the proposed extension which would be sited to the rear, there would be no impact on the street scene. The design and size are considered in keeping with the host building and subject

to matching materials, which would be agreed by condition, the proposed extension is considered acceptable. In terms of neighbour effect, due to the modest scale and projection and relationship to adjoining windows on nos. 83 and 87 Lea Road, the proposal would have a satisfactory impact on neighbours in terms of outlook, light and overbearing effects.

Conclusion

- 8.13 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan and the adopted IPPS.

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: 19/ K98/1, 2 and 3.

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

- 3) The maximum number of occupiers shall not exceed five at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

- 4) Notwithstanding the submitted details, details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the use hereby permitted commences and thereafter retained.

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

- 5) Notwithstanding the submitted details, full details of facilities for the secure and covered parking of bicycles 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 and fully implemented prior to the use hereby permitted commences and retained thereafter.

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

- 6) The basement shall not be used as a bedroom or habitable room throughout the lifetime of the use of the building as a house in multiple occupation.

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

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

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

10 BACKGROUND PAPERS

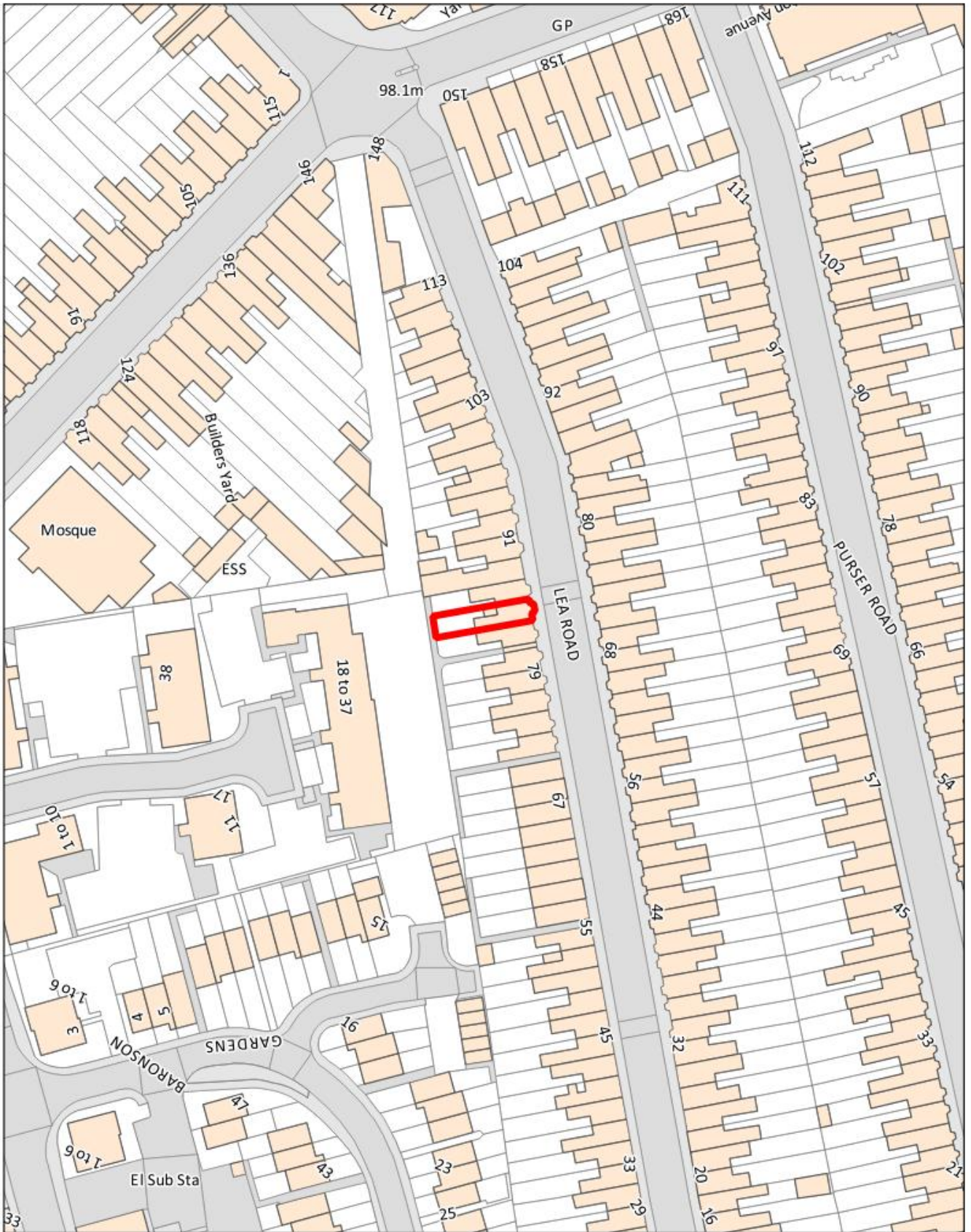
10.1 N/2019/0866.

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: **85 Lea Road**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0904

LOCATION: 73 Delapre Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants, including raising of roof over existing single storey rear addition

WARD: Delapre & Briar Ward

APPLICANT: Mr S Halili
AGENT: Architectural Solutions

REFERRED BY: Councillor E Roberts
REASON: Overconcentration and traffic concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

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

2 THE PROPOSAL

2.1 Permission is sought to convert an existing family dwelling into a House in Multiple Occupation for 4 persons (Use Class C4). The proposal includes one ground floor bedroom, living room, kitchen and utility room and the raising of the roof over the existing rear addition to accommodate a shower room with three bedrooms above and separate WC.

3 SITE DESCRIPTION

- 3.1 The site consists of a terraced property located along a residential street of similar uses. The property has lounge, dining room, kitchen and store at ground floor with two bedrooms at first floor level including a bathroom. There is private amenity space to the rear enclosed on three sides. The property does not have a basement. The site is located in Flood Zone 1 (low risk) and is not in a conservation area. Parking is provided on street on an unrestricted basis along Delapre Street and other nearby side streets.

4 PLANNING HISTORY

No recent planning applications.

5 PLANNING POLICY

5.1 Statutory Duty

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

6 National Policies

- 6.1 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 72 - ensure a variety of homes meet needs of different groups.

Paragraph 127 - seeks to create safe and healthy places with a high standard of amenity for existing and future occupiers.

6.2 West Northamptonshire Joint Core Strategy (2014)

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

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

6.3 Northampton Local Plan 1997 (Saved Policies)

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

E20 New development (design)
H30 Houses in multiple occupation

6.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

6.5 Other Material Considerations

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

Proposals for HIMOs should:

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

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **Northamptonshire Highways (NCC)** require further information to fully assess the proposal and have requested the applicant to undertake a parking beat survey.
- 7.2 **Private Sector Housing (NBC)** no objection subject to comments taken on board relating to fire protection. Property is suitable for 4 occupants.
- 7.3 **Councillor E Roberts** Objects and calls in application. There is already a large number of HIMOs within the area. Concern on parking congestion.
- 7.4 Five neighbour objections summarised as follows:
- Parking
 - Noise
 - Rubbish
 - Loss of community
 - Increase in crime

8 APPRAISAL

Principle of the development

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

Area concentration

- 8.2 Council records evidence that there are four other HIMOs (out of 69 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 7.2% concentration and would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

Size of property and facilities for future occupiers

- 8.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use.
- 8.4 The property is considered to be of sufficient size, providing room sizes generally in accordance with the Council's IPPS. All bedrooms would be served by adequate outlook and light via existing window openings. Private Sector Housing has advised that they will be satisfied with the proposed accommodation is suitable for 4 occupiers.

Flood risk

- 8.5 The site lies in low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

Highways/Parking

- 8.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.7 The application property is located within easy walking distance to facilities, Delapre Post Office on Towcester Road and Co-op on Rothersthorpe Road and is considered to be in a sustainable location. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring full details to be submitted for approval for secure cycle storage.
- 8.8 A further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 as compared to the existing use, as parking requirement for a 2-bed dwelling is 2 spaces. It is considered that the proposal would not adversely impact on highway safety and traffic conditions.
- 8.9 The Local Highway Authority has required further information from the applicant to fully access the proposal in relation to the availability of car parking spaces via a parking beat survey. The applicant has responded, and outlined that a recent approval in April 2019 for a HIMO for 4 occupants at 69 Delapre Street, where Highways stated as follows: "A previous parking survey has demonstrated that there is sufficient residual on-street parking capacity in the area, so that the proposed increase in demand generated by this development would not compromise Highway safety." The applicant queried that a further two parking spaces is required for this proposal as based on the Highway standards and therefore it is unlikely that the proposal would take the situation on parking in this location from one that was acceptable to severe. The applicant also noted that the current guidance as set out in the Interim Planning Policy Statement for HIMO's (IPPS) states that a HIMO with limited or no parking provision will be required to satisfy the following criteria: "be located within 400m of a bus stop or be located within walking distance to facilities and services contained in the town centre, district centre, local centre or neighbourhood parade and in above area, adequate external storage space should be provided for and be easily accessible for cycle users. They stated that in this instance that it is unreasonable to request a parking beat survey, bearing in mind this development is located within 400 metres of a bus stop with buses to and from Northampton Town Centre, and other surrounding areas and that they have provided adequate cycle storage to the rear.

Refuse storage

- 8.10 There is sufficient space to the rear of the property for bin storage. A condition is to be recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size and design.

Amenity

- 8.11 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling.
- 8.12 The proposal includes the raising the roof over the existing rear addition to accommodate the shower room, this will raise the roof marginally by 0.02m and remove the existing door to the side elevation to the south and replace the rear window on the east elevation to obscured glazed. It is considered that there would be no significant impact on the amenity of the adjacent residential occupiers.

9 CONCLUSION

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

10 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: 19/H264/2a,19/H264/3a.

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

3. The maximum number of occupiers shall not exceed four at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

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

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

5. Prior to the occupation of the development, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning

Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

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

11 BACKGROUND PAPERS

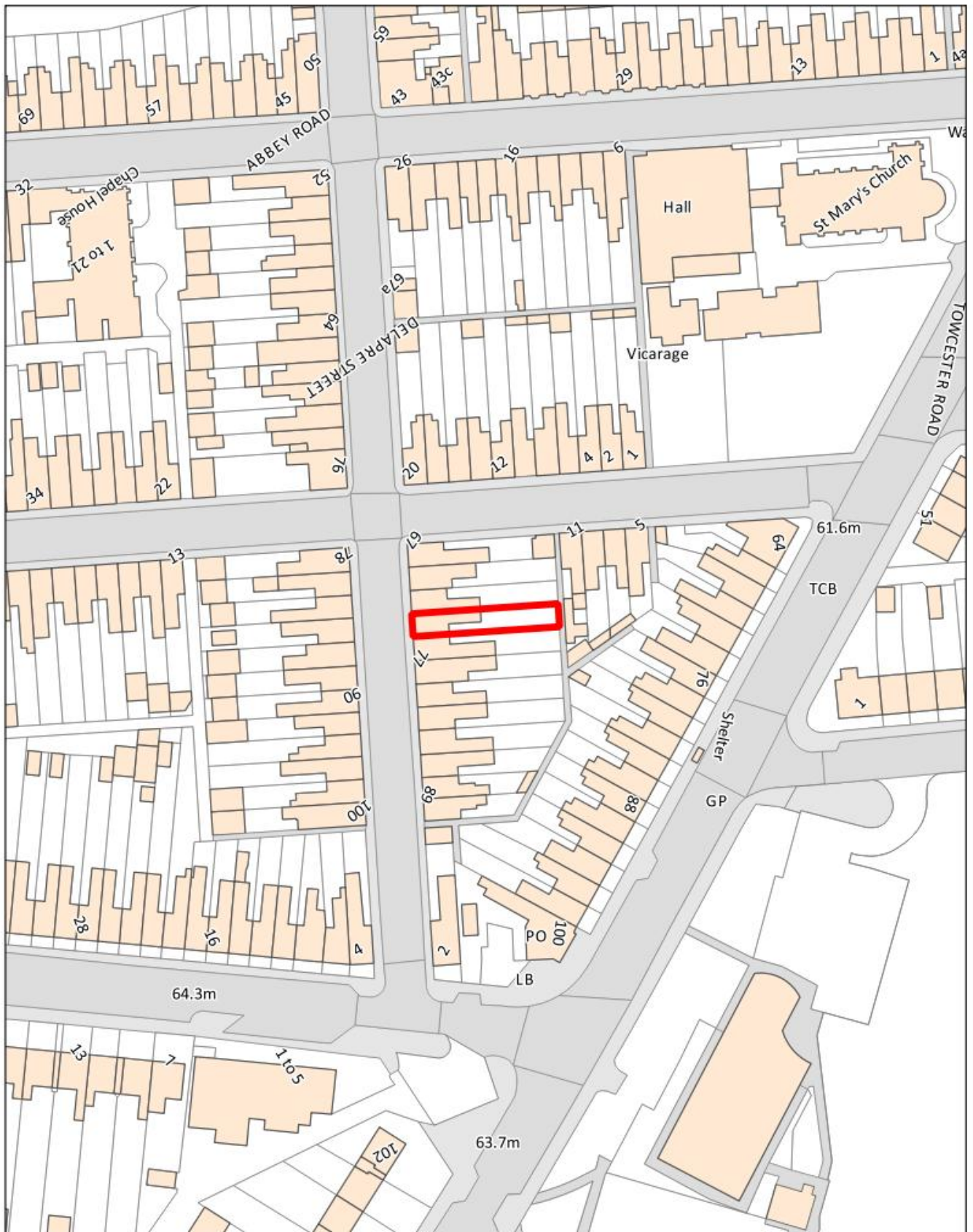
11.1 None.

12 LEGAL IMPLICATIONS

12.1 The development is not CIL chargeable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

13.1 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: **73 Delapre Street**

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Date: 14-08-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0253

LOCATION: Lock up garages rear of 143 Churchill Avenue

DESCRIPTION: Demolition of 12no domestic lock up garages and erection of 1no new build dwelling and parking spaces

WARD: Eastfield Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposal would contribute towards the Council’s five year housing land supply and, as part of a balanced assessment, it is considered to be acceptable. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of 12 existing garages and the erection of one bungalow. 6 parking spaces are also proposed. The proposed dwelling would have a width of 9.2 metres and a depth of 9 metres. The maximum ridge height of the dwelling is 4.8 metres.

2.2 During the course of the application the proposal has been amended, with the siting of the dwelling being moved northwards to the rear of the site and the parking provided forward of this.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court located within a residential area. The site is located on the northern side of Skiddaw Walk, to the rear of a row of terraces facing Churchill Avenue.

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

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

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy BN9 - Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 - New Development (Design)

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Suggest conditions on contaminated land, vehicle charging points, and boilers, and an informative on construction and demolition noise.
- 6.2 **Northamptonshire Police** – House provides overlooking of parking and still addresses the street, parking is also visible from the road network. It would be beneficial for the rear garden fence to be supplemented with a trellis topping on all sides to reduce opportunities for climbing. A landscape buffer on eastern boundary by window would be helpful. The land to the front should be landscaped with bushes to reduce opportunities for flytipping.
- 6.3 **NCC Highways** – No objection.
- 6.4 5 neighbour letters have been received from 3 neighbouring properties objecting to the application. The concerns raised can be summarised as follows:
- Development on old persons home had already changed way neighbours have to live and this dwelling is closer.
 - Overlooking of neighbouring properties.
 - Loss of light to neighbouring gardens.
 - Lack of street lights in Churchill Avenue makes it unsafe.
 - No lighting in new parking area
 - One bungalow not worth upsetting a lot of local people.
 - Lack of replacement garages in area.
 - Loss of garages for parking and storage – existing lack of parking in the area and it is unsafe to park not in garages (vandalism).
 - Whole area will be open meaning kids will loiter, play football and be a nuisance.
 - Youths already regularly cut through rear garage court, and residents don't park here because of fear of damage.
 - If approved request street lights and footpath links blocked off to stop walk through vandalism.
 - Fail to see how one bungalow will help housing list.
 - Difficult to manoeuvre into existing garages within rear gardens of adjoining properties.
 - Lack of access for fire service.
 - Won't be able to clean car in this space without blocking access (does at moment). (*Officer response – this is not a material planning consideration*).
 - Disturbance to neighbouring properties from construction works (shift workers) (*Officer response – this is not a material planning consideration*).
 - Currently know who uses garages but won't know who is in area once new bungalow is built. (*Officer response – this is not a material planning consideration*).
 - Parking to rear not overlooked (*Officer response – following these comments the parking has been re-arranged and is no longer at the rear of the site*).

7 APPRAISAL

Principle of development

- 7.1 The application site is in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 It is also the case that the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

- 7.3 A neighbour letter raised concern that it was not understood how the proposal would assist the housing list. It is understood that there is a demand for 1 bedroom bungalows for the elderly or disabled within Northampton.

Design

- 7.4 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The application site comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.
- 7.5 The application proposes a detached bungalow with hipped roof located within an existing garage court, surrounded by residential dwellings. The section of Churchill Avenue within which the site is located and Skiddaw Walk are largely characterised by two storey rows of terraced properties. Whilst the surrounding properties are largely two storey, it is not considered that a proposed bungalow would appear out of character due to its position set back from the street scene.

Amenity

- 7.6 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.7 The application site is bordered by residential properties to the east and west. To the west of the application site is a relatively new development which is separated from the proposed bungalow by an access road and boundary screening. As such it is not considered that the proposed bungalow would have an unacceptable impact upon these neighbouring properties. To the east of the application site is a terrace row of two storey residential dwellings and the proposed bungalow would be 7 metres from the boundary with these dwellings and 12 metres from the rear elevation. 143, 145, and 147 Churchill Avenue all have existing rear extensions or garages up to the boundary with the application site. The proposal has been amended to ensure that sufficient access width is retained for the garages within the rear gardens of these properties to remain accessible.
- 7.8 With regards to overshadowing concerns, the proposal is for a bungalow with a hipped roof. In line with this it is not considered that the proposal would result in unacceptable overshadowing to neighbouring properties. With regards to overlooking concerns, the main windows for the proposed bungalow are to the north and south and do not look towards neighbouring properties. One window is proposed on the eastern elevation. This window is at ground floor level and offers overlooking of the hardstanding area provided for the garages within 145 and 147 Churchill Avenue and acts as a form of surveillance of this area. The proposed window would not, however, offer views into neighbouring properties, being at ground floor and with existing boundary treatments being in place.
- 7.9 In line with the above it is considered that the proposal would not have an unacceptable impact upon neighbouring amenity.
- 7.10 It is also the case that the proposed dwelling provides good sized rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

Parking and highway safety

- 7.11 Concern was raised within neighbour letters that there is an existing parking problem in this area and the loss of garages would exacerbate this. It is, however, also outlined that no-one parks in this area as it is currently unsafe.

- 7.12 The Northamptonshire County Council Parking Standards seek 1 on plot parking space per dwelling for 1 bedroom properties. The proposal provides 1 1xbedroom property and 6 parking spaces. 1 parking space would be allocated to the proposed dwelling and 5 parking spaces would be available for communal parking by existing residents and visitors. The proposal also provides 1 shed which could be used for bicycle storage.
- 7.13 The application site as existing provides 12 garages. It is understood that 8 of these garages are currently occupied and all of these have been offered a replacement garage within Churchill Avenue. It is the case, however that the existing garages are not to a size that could be counted as providing existing parking spaces for the site, and as such the existing parking provision on the site must be assessed as 0. The proposal provides 5 unallocated replacement parking spaces, a net increase of 5 parking spaces. These parking spaces are provided forward of the proposed dwelling, which offers natural surveillance of these parking spaces.
- 7.14 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection. In line with this, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.

Other considerations

- 7.15 Neighbour letters raised concern as to the impact of the construction noise on neighbouring properties, in particular those who work shifts, that the existing residents would not know who was in the new bungalow, and that it would be difficult to wash cars. These are not material planning considerations.
- 7.16 Concern was also raised that the proposal would result in a lack of access for the fire service. The proposal is set back in the site with an access road, and as such it is not considered that there would be an unacceptable access for the fire service as a result of this proposal.
- 7.17 Concern was raised that there are existing crime safety issues in this area, with cars being damaged, children playing football, and the fear of vandalism. The application adds a residential dwelling within this area with windows overlooking the car park and access road. This provides natural surveillance of these areas. In line with this, it is considered that the proposal is likely to improve crime safety in this area. The Northamptonshire Police have been consulted on this application and have raised no objection. Trellis topping to fencing is requested, and in line with this a condition is proposed requiring details on boundary treatments. Northamptonshire Police also request that the landscaping to the front (south) of the site is shrubs to discourage flytipping. With a large section of this area being grassed as existing, it is not considered reasonable to require planting in this area. The Northamptonshire Police also request planting to the east of the application dwelling. In order to provide adequate access to the garages within the existing neighbouring properties, it is not considered that planting can be provided within this area.
- 7.18 A neighbour letter also raised that should planning permission be granted, street lights should be turned back on and footpaths closed. It is not reasonable for the Council to require the closing of existing footpaths as a result of the proposed bungalow, nor can the Borough Council control when street lights are turned on and off. It is, however, considered that low level lighting should be provided within the parking area, and a condition is proposed requiring details on this.
- 7.19 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.20 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and an informative on construction hours. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in an air quality management area such that it is not considered that it would reasonable to condition the boilers to be installed in the new properties. With respect to construction hours, the proposal is only for a

small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.

8 CONCLUSION

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

9 CONDITIONS

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

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

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

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

3. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

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.

4. Prior to the construction of the new dwelling hereby approved above ground floor slab level, details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

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

6. All planting, seeding or turfing shown on approved drawing numbers (P)03 Rev E and SCH-002 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be

maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

7. The new parking spaces shown on approved plan (P)03 Rev E shall be constructed prior to the first occupation of the dwelling hereby approved and retained thereafter solely for the parking of vehicles.

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

8. Prior to first occupation of the dwelling hereby approved, full details of the shed shall be submitted to and approved in writing by the Local Planning Authority. The approved shed shall be provided on site in full accordance with the submitted details prior to first occupation of the dwellings hereby approved.

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

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

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

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

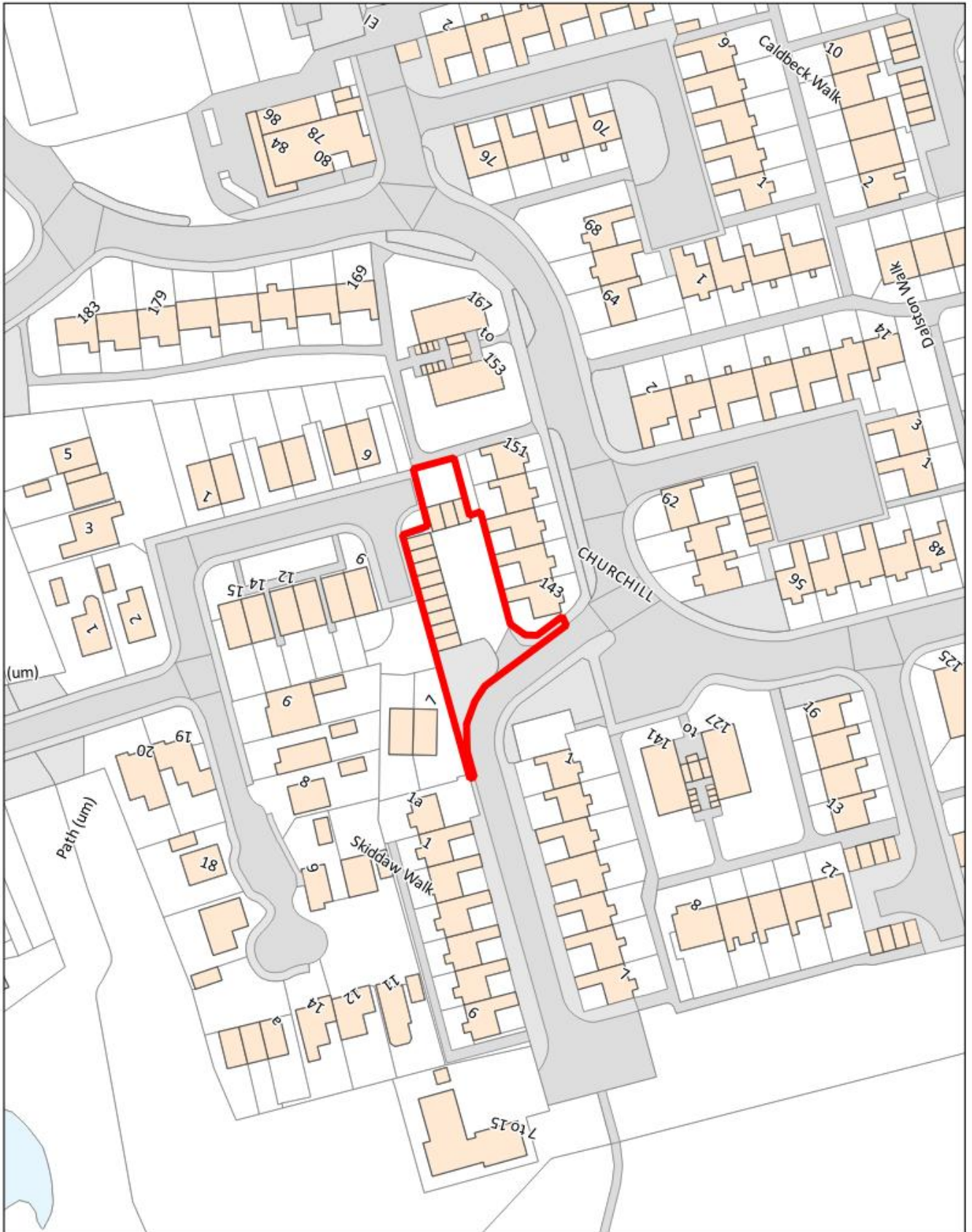
Reason: In the interests of appearance of the locality, residential amenity, and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

10 LEGAL IMPLICATIONS

- 10.1 The development is 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.



Title: **L/up garages rear of 143 Churchill Ave**

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Date: 14-08-2019

Scale: 1:1,000

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PLANNING COMMITTEE: 3 September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0385

LOCATION: Lock Up Garages, Baukewell Court

DESCRIPTION: Demolition of 4no domestic garages and construction of 2no new dwellings with associated parking

WARD: Brookside Ward

APPLICANT: Baily Garner LLP
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The principle of residential development is considered acceptable in an established residential area and would contribute towards the Council's five year housing land supply. The siting, scale and design are considered acceptable and would be in keeping with the character and appearance of the surrounding area, without harmful impact on neighbouring amenity, trees, crime prevention and parking/ highway safety. The development is therefore compliant with the aims and objectives of the National Planning Policy Framework, Policies S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 Permission is sought for demolition of 4 single garages and erection of 2, one-bedroom semi-detached bungalows. There would be a private garden to the rear measuring 11.5 metres deep and associated off street parking for 4 cars adjacent to the side wall of one of the properties. The application also proposes 3 new spaces opposite the site access along Tonmead Road. The property would have a pitched roof and measures 4.8 metres in height.

3 SITE DESCRIPTION

- 3.1 The site consists of a garage court with 4 garages. The site is surrounded by residential dwellings, primarily terraced. The site is accessed from Tonmead Road. There are no trees within the application site. The site is in a low risk flood zone.

4 PLANNING HISTORY

- 4.1 No recent planning applications.

5 PLANNING POLICY

5.1 Statutory Duty

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

6 National Policies

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

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

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

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

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport.

Section 12 - Achieving well-designed places.

6.2 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 - The Distribution of Development

Policy S3 - Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles

Policy H1 - Housing Design, Density and Mix

Policy BN3 - Trees

Policy BN9 - Planning and Pollution Control

6.3 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 New development (design)

6.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **Northamptonshire Highways** - The proposed layout is considered acceptable. Recommend conditions for Construction Environment Management Plan and provision of additional parking spaces on Tonmead Road.
- 7.2 **NBC Public Protection** - No objection but recommend contaminated land condition, compliance with air quality and construction noise standards.
- 7.3 **Northamptonshire Police** - No objection as the houses address the street and there is overlooking of the side parking. The fencing should be supplemented with a trellis topping to make climbing more difficult.
- 7.4 **NBC Tree Officer** - No comments to make.
- 7.5 Neighbour objections from 4 separate addresses received on following grounds:
- Parking/highway safety concerns
 - Impact on access
 - Impact on daylight
 - Noise pollution
 - Loss of parking/garage
 - Loss of privacy
 - Over-development/site too small
 - Danger to children playing
 - Concern on construction/ delivery issues
 - Access concerns
- 7.6 Petition received with 324 signatures objecting to the proposal on parking grounds.

8 APPRAISAL

Main issues

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

Principle of residential development

- 8.2 The application site is located in a residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton. In addition, the site comprises land that has been previously developed and thus the redevelopment of such brownfield land is encouraged under the NPPF.
- 8.3 The Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for two dwellings would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Design and impact on the appearance and character of the area

- 8.4 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The proposed design and general appearance are considered acceptable within the area. Even though the immediate area consists primarily of two storey dwellings, the proposed bungalows would not be considered out of place. Any approval would also be subject to a materials condition to ensure that appropriate external appearance could be achieved.

Impact on amenity of neighbouring occupiers

- 8.5 The site is surrounded by residential properties on all four sides. To the immediate east is a row of two storey terraced dwellings, which are at a lower level than the application site. The front windows of the end property no.14 would be impacted upon by the new dwellings, however, given the separation of almost 12 metres from these neighbouring windows to the side wall of the proposed bungalows, it is considered that the impact would not be objectionable. The impact would also be reduced given that the proposal is for single storey dwellings with reduced bulk and massing.
- 8.6 In terms of the properties to the west, again the separation of 20 metres is such that the effect on their residential amenity in terms of loss of light, outlook, privacy and overbearing would be limited. Turning to the properties to the south, the rear of the proposed dwellings is of a substantial distance away and therefore any loss of amenity would be very limited. Given the separation to the properties on the opposite side of Tonmead Road, there would be no loss of amenity to these occupiers.

Amenity of future occupiers

- 8.7 Saved Policy E20 of the Northampton Local Plan and H1 of the Joint Core Strategy all seek to secure a sufficient standard of residential amenity for future occupiers. All habitable rooms would be served by adequate light and outlook and private amenity spaces, providing an acceptable level of residential amenity. Although the proposed rear gardens would be overlooked by the first floor windows of the properties to the west, it is considered that this relationship and separation is not uncommon and that the benefit of providing additional dwellings would outweigh this concern.

Parking and Highways

- 8.8 The application site currently comprises 4 single garages. However, garages are not generally counted as parking spaces under the County Parking Standards as they are often too small to be used for day to day parking. NPH has confirmed that only 1 out of the 4 garages are currently occupied. However, a desktop exercise was carried out and each current occupant would be offered an alternative garage close by on Mounts Court.
- 8.9 Off-street parking of 1 space each would be provided for the dwellings and complies with the Northamptonshire Parking Standards.
- 8.10 There are some issues with parking in the vicinity of the site at peak times. However the proposal also includes 11 other parking spaces for local residents, which has a 1 space net increase as compared with the existing situation. The site is sustainable and near to two bus stops within 50 metres of the application site on both sides of Tonmead Road. Therefore the proposal complies with Paragraphs 108 and 109 of the NPPF.
- 8.11 The Local Highway Authority recommend conditions for additional spaces on Tonmead Road and a standard Construction Environment Management Plan (CEMP). Given that the proposal is for 2 dwellings only, it is not considered reasonable to impose a condition for a CEMP. It is considered that the proposal would have an acceptable effect on the highway network.

Security and Crime Prevention

- 8.11 Northamptonshire Police Crime Advisor raises no objection subject to consideration be given to security measures including type of boundary treatment. Boundary treatment can be agreed by condition on any grant of planning permission. Most of the proposed car parking spaces would also benefit from direct surveillance.

Contamination and Environmental Health issues

- 8.12 In addition, the Environmental Health Officer has provided guidance regarding the Council's Low Emission Strategy and recommends a condition relating to construction hours. In this respect, matters relating to the energy efficiency of buildings are addressed under the Building Regulations, as all new properties have to comply with these. The proposal complies with Policy S10 of the JCS. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway Legislations to address issues arising from such small construction site should they arise.

Landscaping and Trees

- 8.13 There are no trees proposed to be removed within the site and therefore no tree protection required. This accords with Policies S10 and BN3 of the JCS and the aims of the NPPF.

9 CONCLUSION

- 9.1 The site is in an existing residential area and the principle of development is acceptable and would contribute to housing land supply. In this instance, the proposal would comply with the development plan and national policy and subject to conditions, no harm has been identified that would significantly outweigh benefits. The proposal is considered acceptable subject to the following conditions.

10 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: P01, P02, P04, P05A P06B.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

- 4) The proposed parking spaces as shown on the submitted plan shall be constructed prior to the first occupation of the buildings hereby approved and retained thereafter.

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

- 5) Prior to the occupation of development, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning

Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan and H1 of the West Northamptonshire Joint Core Strategy.

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

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

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows including dormers and roof windows shall be installed to the dwellings hereby permitted.

Reason: In the interests of privacy in accordance with Policy E20 of the Northampton Local Plan.

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

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

9) No development shall be occupied until full engineering, drainage and construction details of the proposed additional parking spaces on Tonmead Road have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in accordance with the approved details prior to first occupation of the approved development.

Reason: In the interests of highway safety to comply with the aims of the National Planning Policy Framework.

11. BACKGROUND PAPERS

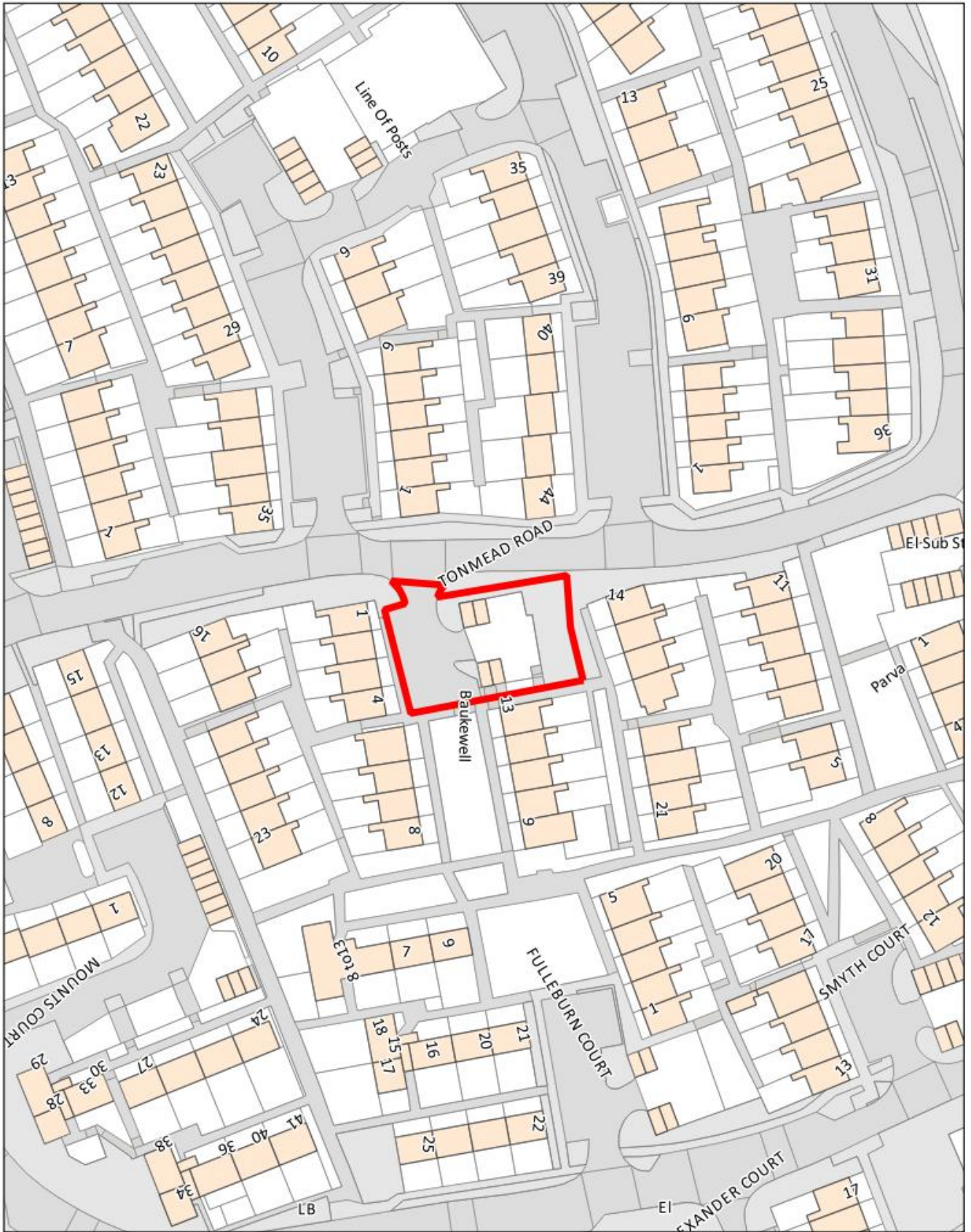
11.1 N/2019/0385

12. LEGAL IMPLICATIONS

12.1 The development is CIL liable

13. SUMMARY AND LINKS TO CORPORATE PLAN

13.1 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: **L/Up garages at Baukewell Court**

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