



**PLANNING COMMITTEE:** 9<sup>th</sup> February 2010  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2008/0970:** Development of 111no. affordable residential properties with alterations to access, associated parking and infrastructure works  
Land at Booth Rise and Lumbertubs Way

**WARD:** Headlands

**APPLICANT:** Paddington Churches Housing Association  
**AGENT:** Savills

**REFERRED BY:** Head of Planning  
**REASON:** Major Development

**DEPARTURE:** Yes

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**APPLICATION FOR CONSULTATION BY WNDC:**

**1. RECOMMENDATION**

1.1 That the Council raise no objections in principle to the development for the following reason:

The development would assist in the provision of affordable housing and would not adversely impact upon the function of green space. The proposal therefore complies with the requirements of PPS1 – Delivering Sustainable Development, PPS3 – Housing and Policy 14 of the East Midlands Regional Plan.

1.2 However, WNDC is requested that prior to determining this application, an Environmental Impact Assessment or negative screening opinion is sought in accordance with the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999.

1.4 In addition, WNDC should note that concern is expressed regarding the potential impact upon highway safety as a result of increased usage

and ensure that all matters relating to this issue being addressed prior to determining this application.

1.5 WNDC are requested to investigate the possibility of securing enhancements to the design of the development in order to improve the streetscene when viewed from Lumbertubs Way.

1.6 If WNDC are minded to approve this application, it is requested that the following are secured:

- A legal agreement secure a financial contribution to enhancements to existing areas of open space within the vicinity in order to enable these spaces to cope with the likely increase in demand following the occupation of the proposed development.
- Conditions to ensure that the proposal is implemented in accordance with the recommendations of the supplementary ecological assessment.
- Conditions requiring a study into possible contaminants and the means for their remediation.
- Conditions requiring the submission of a noise assessment and mitigation strategy.
- Conditions to ensure that the trees covered by the tree preservation order are protected during the construction process.

## **2. THE PROPOSAL**

2.1 This is a full planning application to develop this area of green space to develop the site for residential purposes. The development is to have a composition of 2 one bedroom flats, 10 two bedroom flats, 22 two bedroom flats, 35 two bedroom houses, 3 two bedroom mews houses, 6 two bedroom mobility houses, 19 three bedroom houses, 5 three bedroom mobility houses and 9 three bedroom houses. The proposed dwellings are to be constructed to a minimum of Code for Sustainable Homes Level 3. The sole means of access to the development would be off of Booth Rise.

## **3. SITE DESCRIPTION**

3.1 The application site is identified as an area of natural and semi natural space as identified within the Northampton Local Plan. The areas to the south are predominantly in residential use. Towards the north are the industrial areas of Spinney Hill and Moulton Park. The site's boundaries are adjacent to the widely used Booth Rise and Lumbertubs Way. Towards the south of the site are a number of tree protected by a tree preservation order.

- 3.2 The reason for the site's allocation within the Northampton Local Plan as being 'Greenspace' is to provide a buffer between the established residential accommodation and the industrial sites and road network to the north. Furthermore, the site adds to the visual amenity of the surrounding townscape.

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

- 4.1 86/0813 – Erection of four dwellings – Refused  
87/1236 – Residential development – Outline Application – Withdrawn  
88/0741 – Erection of four dwellings and associated infrastructure – Refused  
93/0611 – Proposed food retail store and petrol filling station – Outline Application – Refused  
WN/2006/0184 – Development of 108no. residential properties with alterations to field access, associated parking and infrastructure works – Undetermined
- 4.2 Further to this, it should be noted that this site originally formed part of the now largely completed Challenge Fund II programme. The principle aim of this programme was to accelerate the delivery of affordable housing in settlements with substantial projected growth rates.
- 4.3 This application, was considered in revised form by Northampton Borough Council's Planning Committee in November 2008, where the Committee resolved to request WNDC to defer determination of the application until such point when an Environmental Impact Assessment is provided or a negative screening opinion is supplied; that a revised air quality impact assessment is provided; that an ecological assessment is carried out and that an arboricultural method statement and plan is provided.

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

##### **5.1 Development Plan**

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 current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

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

PPS1 - Delivering Sustainable Development  
PPS 3 – Housing  
PPS 9 – Biodiversity and Geological Conservation  
PPG 13 – Transport  
PPS 23 – Planning and Pollution Control  
PPG 24 – Planning and Noise

- 5.3 **East Midlands Regional Plan 2009**  
Policy 2 – Promoting Better Design  
Policy 13b – Housing Provision within Northamptonshire  
Policy 14 – Regional Priorities for Affordable Housing

- 5.4 **Northampton Borough Local Plan**  
E1 – Landscape and Open Space  
E6 – Green space  
E11 – Hedgerows, Trees and Woodland  
E19 – Implementing Development  
E20 – New Development  
H7 – Housing Development Outside Primarily Residential Areas

- 5.5 **Supplementary Planning Guidance**  
Planning out Crime in Northamptonshire SPG 2004

## 6. CONSULTATIONS/REPRESENTATIONS

- 6.1 **Public Protection (NBC)** – No objections are raised on the issue of air quality as a result of the revised assessment. Conditions requiring a contamination investigation and noise assessment are required.
- 6.3 **Housing Strategy (NBC)** – Support the application on the grounds that it will assist in meeting the growing demand for this type of housing within Northampton. The mix of housing types will assist in creating a varied neighbourhood.
- 6.4 **Arboricultural Officer (NBC)** – No objections, but tree protection measures during the construction process are required.
- 6.6 **County Cllr A Wright** – concerns have been raised regarding the development site being identified as green space, the outcome of the proposed development at Thorpeville and the impact on traffic.
- 6.7 As Northampton Borough Council is a consultee on this application, no consultations of neighbouring properties have been carried out. However, copies of representations received from the occupiers of **Gate Lodge, 40, 50, 51, 55 and 60 Booth Rise, 9, 19 and 43 Thorpeville**, and a letter without an address are summarised below.
- The site is designated as greenspace and therefore other brownfield sites should be developed in preference to this site.
  - The site should become a park and be made available for residents to use
  - The density is incompatible to the surrounding area.
  - Given that the development is entirely for affordable housing, it would not create a mixed community.
  - The majority of dwellings within the vicinity are bungalows, in the main dating from the 1930s.

- The size of the amenity space and garden areas are not compatible with the size of dwellings.
- The proposal will increase pollution levels.
- The proposal will generate excessive noise
- The environment will be adversely affected
- Congestion will increase within the vicinity and the road network is already over capacity.
- Road usage will increase as a result of the extension to Northampton College
- Road safety within Booth Rise could be compromised, as vehicles from the existing dwellings need to manoeuvre onto Booth Rise in close proximity to the close access.
- Speeding takes place within Booth Rise.
- Spinney Hill roundabout is widely used and accidents occur there.
- Booth Rise is already used by a number of large lorries serving industrial properties and supermarkets within the vicinity.
- The traffic survey should be carried out by an independent body
- The Fire Service and Ambulance Station is based close by.
- There are concerns regarding the impact on ecology including badgers and owls.
- The proposed wormeries could become attractive to flies and vermin.
- There is a lack of facilities within the area, such as schools and doctors surgeries
- There is an absence of bus services within the vicinity
- The sewerage system is outdated and overused.
- Former industrial buildings could be converted to provide housing.
- Similar issues existed over the proposed development at the Thorpeville site and a takeaway nearby was refused permission, with highway safety being a concern.

## **7. APPRAISAL**

### Principle of the Development:

- 7.1 Given the site's allocation within the Northampton Local Plan, the main issue in assessing the principle of the development is the suitability of developing the existing area of Greenspace for residential purposes. Policy E6 of the Northampton Local Plan and specifically Appendix 2 outlines that the reason for the site's allocation is to provide a buffer of open space between contrasting land uses, which in the case of the application site would appear to be the residential uses to the south and the commercial activities to the north beyond the Round Spinney Roundabout, some distance from the site. It is considered that the proposed development would not unduly impact upon this buffer function on account of there still being a suitable level of space between these functions on account of the remaining space surrounding the Spinney Hill Roundabout and fringe areas.

- 7.2 The 2009 update of the Open Space, Sports and Recreational Needs Assessment and Audit identifies the application site as falling under the description of 'natural and semi-natural space'. Within the analysis area in which the application site is located, the 2009 assessment identifies a surplus of this typology of open space. Furthermore, the site is classified as having only an average quality level. Given this scenario, it is considered that the principle of developing this site is acceptable, subject to an acceptable impact on all other relevant material considerations. It should also be noted that the land is not public open space in so far as it is not publicly accessible but rather its amenity value lies in its visual qualities in its own right and as forming a gap between the surrounding areas of developments.
- 7.3 In addition to this, it is noted that site is included within Northampton Borough Council's 2003 Urban Housing Capacity study, which concluded that the site is suitable for the development of between 104 and 148 residential units.
- 7.4 Notwithstanding the preceding, it is considered that on account of its scale, the proposal falls within the development thresholds as included within the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. Therefore, it is recommended that WNDP be requested that prior to determining this application a screening exercise should be undertaken to establish if an Environmental Impact Assessment should be undertaken and submitted. If the screening exercise is negative this should be properly recorded and placed on the Planning Register,
- 7.5 As the development is entirely for affordable housing, it is considered this would assist in meeting the requirements to provide this type of housing within Northampton. Furthermore, there would be a mixture of tenure types as dwellings would be either shared ownership or made available for social renting. In addition, the variety in dwelling types, which vary from one bedroom flats to three bedroom houses, with a likely occupancy of six people. Such a scenario would assist in creating a balanced community in terms of the mix of residents and follows the requirements of PPS1 – Delivering Sustainable Development and PPS3 – Housing within this regard as well as Policy 14 of the East Midlands Regional Plan.

Design:

- 7.6 As covered previously, the submitted scheme has been amended subsequent to the Northampton Borough Council's previous consideration of the proposal to include 111 dwellings. This therefore provides an average density of approximately 42 dwellings per hectare. Whilst it is recognised that this density is higher than the surrounding areas, it is compliant with the thresholds on density established within PPS3 – Housing. Although it is recognised that the proposed density is relatively high, for the foregoing reasons, there are insufficient grounds

to raise objections regarding the density, indeed in the interests of making the best use of previously developed land there are good land use planning reasons to support the proposed development density. As a result of this, the proposal complies with the requirements of PPS3 and Policy H7 of the Local Plan with regards to density. In addition the boundaries of the site feature dwellings arranged in a pattern that reflect the linear pattern of the surrounding streets. As a result of this the impact of this higher density development is mitigated against.

- 7.7 Although the majority of surrounding buildings within Booth Rise are of a single storey, it is considered that the introduction of the two and three storey buildings within the proposed development would not adversely impact upon the area's character. This is because the three storey building have been located towards the middle of the site, which therefore minimises the visual relationship between the two sets of dwellings. It is noted that a three storey block of flats is to be located adjacent to the northernmost boundary. However, given the degree of separation between it and the established dwellings within the vicinity, it is considered that there would not be a significant detrimental impact upon the vicinity of the area.
- 7.8 The majority of buildings that adjoin Lumbertubs Way would be located in such a fashion that only the rear elevations would be visible. Whilst it is recognised that Lumbertubs Way, unlike Booth Rise, is not a pedestrian route it is a widely used road by vehicular traffic. Given this and the relatively low speeds that vehicles may travel at when approaching the roundabout adjacent to the site's eastern boundary, enhancements to the design of the dwellings could be sought in order to improve the visual quality of the development, particularly at times when natural screening is reduced.
- 7.9 It is noted that a small provision of communal open space has been provided, which would be reasonably overlooked by the various residential dwellings. However, given that this space has an approximate area of 800m<sup>2</sup>, it is considered that this is not sufficient to meet the recreational needs of the future residents of the proposed development.
- 7.10 Therefore, in order to secure suitable facilities for the occupiers of the proposed development and in line with the requirements of PPS3 – Housing, WNDC is to be requested to ensure that a suitable financial contribution is secured to improve existing areas of open space within the vicinity on account of the likely increase in demand that these facilities would experience following the occupation of this development.

#### Ecology:

- 7.11 Given that the application site is located within an area of Greenspace, there remains the possibility that a number of species could be

affected. Subsequent to the previous consideration of this application, a Protected Species Report has been carried out covering the impacts on bats, great crested newts, reptiles and badgers.

- 7.12 The submitted Protected Species Report does not consider there to be any significant impact upon the bat, great crested newts and reptile population. However, the badger survey identified a well used but small main sett. Therefore, the Report recommends that the sett is closed and relocated during the months of July and November to avoid the breeding season. It is therefore recommended that if WNDC are minded to approve this application, it be subject to a condition requiring this in order to insure that the development is implemented in accordance with PPS9 – Biodiversity and Geological Conservation.

Highways:

- 7.13 It is noted that WNDC have provided Northampton Borough Council with copies of representations received from Northamptonshire County Council Highways, which express support for the scheme on account of the revised layout and access and a satisfactory impact upon the level of road usage. However, in order to mitigate against the impacts of the development and encourage a modal shift in travel patterns financial contributions are requested to secure enhancements to public transport and cycle networks.
- 7.14 Whilst these comments are acknowledged, officers continue to hold reservations over the impact of the development on the highway system, particularly regarding the egress from the development. Although it is likely that many residents if they are travelling away from Northampton would elect to turn right across the line of traffic when leaving the development and journey northwards along Booth Rise before joining the ring road system. However, during periods of busy traffic, it is likely that residents may elect to undertake an 'easier' manoeuvre by turning left onto Booth Rise and either turn around at the nearest roundabout before travelling northwards or joining Lumbertubs Way via Lumbertubs Lane. Therefore, WNDC is requested to ensure that if future residents were to undertake this manoeuvre, that there would be no undue adverse impact upon highway safety as required by PPG13 – Transport. However, it is noted that the car parking provision is in accordance with the standards within PPG13.

Contaminated Land:

- 7.15 In line with the guidance and requirements of PPS23 – Planning and Pollution Control, WNDC is to be requested that if minded to grant permission for this development, it be subject to a condition requiring a study to be undertaken into possible contaminants and identifying, where appropriate, the necessary remedial works.



### Air Quality:

- 7.16 Subsequent to the previous consideration of this application, a revised air quality assessment has been submitted. Having considered this revised information, no objections have been forthcoming from Northampton Borough Council's Public Protection and given this it is considered that the proposal is in accordance with PPS23 – Planning and Pollution Control on this matter.

### Noise:

- 7.17 In light of the site's location in close proximity of the site to the roads at Booth Rise, Lumbertubs Way, Talavera Way and Thorpeville Road, it is considered that there is a risk that noise from these roads could detrimentally impact upon the residential amenity of the occupiers of the proposed development. As a result of this, WNDC is requested that if minded to approve this application, suitable conditions are attached to any consent requiring the submission of a scheme ensuring that the development will be constructed in such a way to minimise the disruption to residents as a result of noise. Such an approach is required to ensure that the proposal complies with PPG24 – Planning and Noise.

### Arboricultural Matters:

- 7.18 The site is in close proximity to a number of protected trees. The revised layout would have a neutral impact upon these trees as a result of the various buildings being located outside of the root protection areas, WNDC are to be requested to ensure that the sufficient tree protection measures in place during the construction process as required by Policy E11 of the Northampton Local Plan.

## **8. CONCLUSION**

- 8.1 In conclusion, it is considered that, subject to the imposition of conditions, the site is suitable for being developed for residential purposes. Nonetheless, WNDC is requested to ensure that an Environmental Impact Assessment or negative screening exercise is undertaken prior to the determination of the application. Furthermore, a financial contribution to enhance existing areas of open space should be secured in order to meet the future needs of the occupiers of this development. Opportunities to improve the design of the frontage onto Lumbertubs Way should be investigated.

## **9. BACKGROUND PAPERS**

- 9.1 Item 12b from the Committee meeting on the 19<sup>th</sup> November 2008

## **10. LEGAL IMPLICATIONS**

10.1 None

## **11. SUMMARY AND LINKS TO CORPORATE PLAN**

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

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| <b>Position:</b>                           | <b>Name/Signature:</b> | <b>Date:</b> |
| <b>Author:</b>                             | Ben Clarke             | 24/01/10     |
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