



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

Addendum to Agenda Items Tuesday 21st June 2011

Items for Determination

ITEM 10B

N/2011/0295

Proposed new Aldi food store (use class A1) with associated car parking and landscaping. (Revised scheme of 09/0096/FULWNN) at 582 - 592 Wellingborough Road

Additional representations have been submitted by **Northamptonshire County Council Highways** requesting that additional alterations to the curb adjacent to the north eastern corner of the store in order to prevent vehicles from 'cutting' the corner, which would be detrimental to pedestrian safety. Tactile paving is also requested for the various crossing points. Further clarification has been provided in relation to the request for cycle way improvements. The reasoning for this is that in order to deliver a modal shift in travel patterns, suitable infrastructure should be provided. This would be of use to members of staff and customers. Without this contribution, there would be objections to the scheme on account of it being reliant upon the Travel Plan to secure this modal shift. It is requested that the Travel Plan be secured via a legal agreement and include penalty payments.

Officers Response

It is considered that the amendment to the site layout is necessary and reasonable to secure a satisfactory standard of development and therefore agreement is sought for this matter to be delegated to the Head of Planning in order for this amendment to be negotiated before planning permission is issued. In terms of the surface treatment request, members' attention is drawn to Condition 17 as set out within the committee report, which requires that the Local Planning Authority agree all surface treatments prior to the commencement of development. This adequately addresses NCC's concern re tactile paving.

In terms of the request for the enhancement of cycle ways, the key tests as set out within Paragraphs 7.13 and 7.15 of Committee report outline the reasons for why this request cannot be supported. Whilst the point that the development would be reliant upon the travel plan to secure a modal shift in travel is noted, it is considered that due to the nature of the proposal enhancements to public transport are likely to have a greater impact upon this than cycling given the nature of the use proposed. Improvements to bus stop provision within Wellingborough Road would be secured through the Section 106 Agreement. The contents of the Travel Plan would be negotiated after the determination of the application and agreed prior to the development being first brought into use. As this can be secured via a condition, inclusion within the Section 106 Agreement is not required.

Revised wording to following conditions:

3. Unless otherwise agreed in writing by the Local Planning Authority, a sustainability strategy, detailing the method of achievement of BREEAM 'very

good' for the development and the provision of on-site renewable energy to meet a minimum of 10% of the development's overall energy needs and mechanisms for post-construction assessment shall be submitted and approved in writing by the Local Planning Authority. The necessary works shall be implemented prior to the development hereby permitted being first brought into use and retained thereafter. Within a period of three months from the date of the development hereby permitted being first brought into use a post construction assessment shall be submitted and approved in writing by the Local Planning Authority to demonstrate compliance with the approved sustainability strategy.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of PPS1 – Delivering Sustainable Development.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include the retention of the existing hedge along the southern site boundary and indications of all existing trees on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan

8. The development hereby permitted shall only be open to customers between the hours of 8am and 8pm in any one day on Mondays to Saturdays and 10am to 4pm on Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenities of the occupiers of surrounding properties in accordance with the requirements of PPG24 – Planning and Noise

15. No development shall take place until a scheme of work has been submitted and approved in writing by the Local Planning Authority detailing upgrades to Wellingborough Road. Development shall be carried out prior to the commencement of any on site development and shall be in accordance with the approved details and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of PPG13 – Transport.

ITEM 10C

N/2011/0360

Change of use from letting agency (Use Class A2) to shop/restaurant and takeaway (Use Class A1/A3/A5) at 199 - 199b Kettering Road

Letter from Mr Gordon Noble (owner of neighbouring premises) who is unable to attend Committee setting out clarification and correction of the following points –

Para 6.1 – should refer to 195 and 197 Kettering Road not Colwyn Road

Para 7.4 – The proposed kitchen is adjacent to the bedroom of the neighbouring flat.

Also suggested changes to conditions –

3. Add "A Sound Test (airborne and impact) be carried out on completion of works on the residential units within 197 Kettering Road and Certified accordingly. All windows to be double glazed and to remain closed during opening hours."

4. Add "A grease / effluent trap to prevent waste oil / fat entering the main sewer which (also serves the residential units in 197 /195 and 102 Hood Street) is to be installed"

6. Amend to state "The door **and windows** to the first floor balcony area shall remain closed at all times the premises are open and (**delete kitchen**) **staff or others** shall not be permitted access to this area at any time. **The Balcony must not be used for the storage of waste or provisions. No external lighting shall be installed at the rear of the premises.**

7. Add "all customers to have vacated the premises by 11.00 pm. The premises are not to be used by the proprietor for Private Functions etc. outside the opening hours.

Mr Noble also adds "From the Plans it appears there is only one entrance / exit. The Stairs leading to the 1st Floor do not comply as a fully protected stair under fire regulation, this would no doubt be considered by Building Control if appropriate"

Officers recommend the following changes to conditions –

3. Prior to the commencement of the use hereby permitted a scheme to attenuate noise transmission from the use hereby permitted to adjacent residential uses, to include sound insulation to floors, ceilings and walls as appropriate shall be submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details.

6. The door to the first floor balcony area shall remain closed at all times the kitchen is in use and staff and customers shall not be permitted access to this area at any time other than for the purpose of maintenance.

9. (New Condition) Prior to the commencement of the use hereby approved a grease / effluent trap to prevent waste oil / fat entering the main sewer shall be installed in full accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with PPS 23 - Planning and Pollution Control

10. (New Condition) No external lighting shall be installed on the rear elevation of the premises without the prior approval in writing of the Local Planning Authority.

Reason: for the avoidance of doubt and in the interests of amenity and to secure a satisfactory standard of development in accordance with PPS 23 - Planning and Pollution Control

Applications For Consultation

ITEM 12A

N/2007/1583

Mixed use development of approximately 1050 dwellings, approximately 1.6ha of B1 and B2 employment use, a residential care home accommodating 70 beds, local facilities including primary school, a park and ride facility of 500 spaces, public open space and associated community infrastructure. The main access to the site would be via the A5199 Welford Road and off Brampton Lane.

NCC Highways:

Since the finalisation of the committee report, Daventry District Council have forwarded the final consultation response from Northampton County Council as Local Highways Authority. The response is consistent with the summary set out in the committee report.

NCC does not object to the application in principle, subject to all of the mitigation measures being secured through planning condition or Section 106 agreement.

Should any of the agreed measures not be secured, NCC will revert back to a position of objecting to the application.

Sally Beardsworth Councillor for Kingsthorpe ward:

I am extremely concerned about the impact that Buckton Field development will have on the Cock Hotel junction.

The work being carried out by Northamptonshire County Council highway department over the next six months, although essential to improve air quality and the flow of traffic, will be futile if the Buckton Field development goes ahead.

The increase in traffic will not only overload a junction that is already more than 130 percent capacity at the present time but will increase the rat run through the village which is a great problem now for the residents of High Street and Manor Road.