



PLANNING COMMITTEE: 18 October 2011
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/0481 Demolition of existing outbuildings and erection of 11 flats and two and three storey buildings and 9 two storey dwellings with new access road, parking and amenity space. Land adjacent to the NBC depot, Wheatfield South

WARD: Headlands

APPLICANT: Willowcharm Ltd
AGENT: Paul Hewitt

REFERRED BY: Head of Planning
REASON: Part of the site owned by the Borough Council

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to the prior completion of a S106 legal agreement and conditions and for the following reason:

The principle of a residential development in an existing residential area is acceptable and in accordance with Policy H6 of the Local Plan Policies. The siting, design and appearance of the development will enhance the surrounding residential area and not be detrimental to visual or residential amenity or highway safety in accordance with Policies H6 and E20 of the Local Plan Policies and the guidelines contained within PPS3 and PPG13.

- 1.2 The S106 agreement shall secure the following matters:
- i) The provision of 35% on-site affordable housing (4 x 1 bed flats, 7 x 2 bed flats and 9 x 2 bed houses, 70% social rented and 30% Low Cost Home Ownership)
 - ii) Payment is made to fund improvements to the provision of open space within the environs of the application site.
- 1.3 It is also recommended that in the event that the S106 legal agreement is not secured within three calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

2. THE PROPOSAL

- 2.1 Erection of 11 flats and 9 dwellings with a vehicular access off Wheatfield Road South. The flats would be contained within two and three storey buildings constructed of brick, which face onto Wheatfield Road South with a return adjacent to the new access road. Seven of the flats would be 2 bed units and the four would be 3 bed.
- 2.2 A two storey row of four, 2 bed dwellings would also face onto Wheatfield Road South with the remaining five situated at the rear of the site in the form a two storey pair of 2 bed semis and a two storey row of three of 2 bed houses. Car parking would be located to the rear of the site in small groups adjacent to the houses and accessed via a new road from Wheatfield Road to be located between the flats and the proposed row of house which front this Road.

3. SITE DESCRIPTION

- 3.1 A former NBC depot is situated on the northern portion of the site with the remaining land an area of open grass with a car parking area to the front. The depot contained small business units but these are now vacant and are in a poor state of repair. The open grass and car park used to contain a building owned by the County Council known as The Dallington Centre, which became redundant and was demolished in the 1990's. The site is jointly owned by the Borough and County Councils and situated in a predominantly residential area in the Local Plan.
- 3.2 The site is located in a residential area containing semi-detached and terraced dwellings. The Abington Community Centre is situated to the south with houses adjoining the other boundary. The site measures 0.26 hectare in area.
- 3.3 The Abington Community Centre is used for a variety of events, functions and meetings.

4. PLANNING HISTORY

4.1 None relevant to the determination of the current application.

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

PPS3 - Housing

PPG13 – Transport

PPG17 – Planning for Open Space, Sport and Recreation

PPS23 – Planning and Pollution Control

5.3 Northampton Borough Local Plan

E20 – New Development

E19 – Implementing Development

H6 - Housing Development within Primarily Residential Areas

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning Out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS / REPRESENTATIONS

6.1 **Planning Policy** - No objections but request a financial contribution towards open space provision.

6.2 **Public Protection** – No objection but request a condition to control and investigate contaminated land.

6.3 **Housing Strategy** – No objections subject to a legal agreement to secure affordable housing on the site.

6.4 **NCC Planning Policy** – No objections subject to the securing S106 matters (see paragraphs 7.9 - 7.13).

6.5 **Anglian Water** – No objection subject to condition re drainage.

6.6 **Northamptonshire Police** - No formal objection and make detailed comments and suggestion re the site layout.

- 6.7 **Highway Authority** - No objection subject to conditions. Also queries the status of the existing on-site car parking fronting Wheatfield Road.
- 6.8 **Northampton Abington Community Association** – objection
Will result in the loss of off road parking which is used by the Community Centre which is well used for a variety of community events and the extra demand for street parking will create a highway safety problem. The new access road is located in a blind bend offer poor visibility. The buildings are close to the public highway in front of the “building line“ and the proposed layout would result in pedestrians have to do a zigzag manoeuvre adjacent o the Centre. The building closest to the Abington Community Centre will result in a loss of light.
- 6.9 **Abington North Residents Association** – objection: Will remove the parking area used by visitors of the community centre causing the surrounding narrow streets to be clogged by and result in a loss of light and ventilation to the community centre kitchen.
- 6.10 **200 Birchfield Road East** – agrees that the disused yard to the rear of their house requires attention, but it currently offers a great deal of shelter and have concerns that the removal of the high wall situated on the rear boundary of their property. The development of the site will reduce the level of security of their dwelling as the proposed development shows an open car parking / circulation area adjacent to this boundary. Objects until this matter is resolved.
- 6.11 **204 Birchfield Road East** raise a number of queries and have concerns about the reduction in level of security, loss of trees, duration of building works and the possible detrimental effect of an increase in overlooking and loss of privacy to their property.

7. APPRAISAL

- 7.1 The principle of this proposed residential development in an existing residential area is acceptable as long as the design and appearance of the scheme compliments the other properties in the vicinity of the site and there is no detrimental impact on residential amenity or highway safety in accordance with Policy H6 of the Northampton Local Plan.

Design and Appearance

- 7.2 The proposed development has been designed with traditional elevations to blend with the scale, and design detail of the existing residential properties in the locality. The proposed apartment block includes a three-storey element, which although not characteristic of the locality, provides a visually strong corner feature at the proposed site road access. This proposal will help regenerate a former council depot that is in a state of disrepair and generally improve the general street scene.

Residential amenity

- 7.3 The siting and design of the individual elements of the scheme will ensure there is no significant impact on the amenity of the adjoining residential properties. There is a separation distance of approximately 15 metres at the closest point with the properties in both Britton Terrace to the east and Birchfield Road East to the east. Although the layout generally accords with the Council's space around dwellings guidelines, in order to protect the privacy of properties to the north, a condition is recommended that the side facing windows to the kitchens of two flats (nos. 2 and 6) are obscure glazed.
- 7.4 Concerns have been raised by the occupiers of properties in Birchfield Road East regarding security issues if the existing 3 metre high rear boundary wall with the business units is removed. However, the security of those dwellings will be reasonably maintained as this wall is to be reduced to 2.4 metres and retained. Moreover, the proposed layout would ensure a good level of natural surveillance of this boundary.

Parking

- 7.5 The proposed development provides 22 off-street designated parking spaces for the 20 residential units and there would also be some capacity for on-street parking within the site. Overall this is considered to be sufficient. A secure cycle is also proposed to be provided for the flats.
- 7.6 The application site currently contains a parking area, which is used by the public, specifically by the patrons of the adjacent Abington Community Centre. The Northampton Abington Community Association and Abington North Residents Association as users of the Centre have raised concerns regarding the loss of this parking area. Although it appears that this car park could be withdrawn at any time regardless of the current development, its loss would result in the parking of vehicles in the nearby streets. The Highway Authority has not raised any objections to this situation arising and considers that the residential streets in the vicinity of the site are capable of taking the excess capacity, even when events are taking place at the Centre.

Other Issues

- 7.7 There are a small number of trees on the site the majority of which are located at the rear adjacent to the boundary with the dwellings in Britton Terrace. Whilst these will be retained, the two towards the front are to be removed.
- 7.8 Concerns have also been raised over the nearness of the dwellings on the Wheatfield Road frontage to the Community Centre and the impact on the outlook from the windows located on the north-western

elevation. However, as there is a separation distance of 2 metres between the respective buildings, the impact should not be significant bearing in mind that the proposed building is a conventionally proportioned two storey house typical of existing houses in the locality.

Planning obligations

- 7.9 The key tests in determining the justification for planning obligations are laid out in Circular 05/05: Planning Obligations as amended by the Community Infrastructure Regulations 2010, which states that planning obligations must be:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
- 7.10 35% on-site affordable housing is required to be secured by S106 agreement in accordance with the Council's adopted policy and as summarised in paragraph 1.2.
- 7.11 No on-site public open space has been proposed and due to the limited size of the site it is considered impractical to secure provision of open space as part of the development. Therefore, it is considered that a payment to enhance existing recreational facilities in the vicinity of the development is a reasonable and appropriate alternative.
- 7.12 The Council County as local education authority has advised that due to the types of dwellings planned it is unlikely that any pupils will be generated from the development and as a result it does not request an education contribution.
- 7.13 The County Council has also requested financial contributions towards funding of library and fire services. However, given the scale and type of the development, the fact that it is not clear how such contributions would not be directly related to the proposed development and, such capital costs can no longer be pooled and secured by a Section 106 Agreement, it is considered that any request for a financial contribution to these matters could not be reasonably sustained.

8. CONCLUSION

- 8.1 The application is considered acceptable, as it would regenerate a disused depot into a modern residential development without having a detrimental impact on the amenity of nearby residents. Whilst it will also result in the removal of a parking area, there should be sufficient capacity in the adjoining streets to accommodate the necessary parking requirement without creating a highway safety issue.

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. Details and/or samples 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.

3. Notwithstanding the details submitted, full details of all surface treatments shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, implemented prior to the first occupation of the development and retained thereafter.

Reason: In the interests of visual amenity in accordance with the requirements of Policy E20 of the Northampton Local Plan.

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

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

5. No development shall take place until a desktop 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 the advice contained in PPS23 Planning and Pollution Control.

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 5.

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 the advice contained in PPS23 Planning and Pollution Control.

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 indications of all existing trees and hedgerows 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.

7. 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, unless the Local Planning Authority gives written consent to any variation.

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. Unless otherwise agreed in writing by the Local Planning Authority, the car parking spaces as shown on the approved drawings shall be implemented prior to the first occupation of the development and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development and to ensure a neutral impact upon highway safety in accordance with the requirements of PPG13 – Transport.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the residential development hereby permitted or outbuildings, shall take place without the prior written consent of the Local Planning Authority on Plots 12 to 20 inclusive.

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

10. Notwithstanding the details submitted, no development shall take place until details in of improvements to the footway and vehicular accesses along the site frontage have been submitted to and approved in writing by the local planning authority and the approved details have been fully implemented.

Reason: In the interests of visual amenity in accordance with the requirements of Policy E20 of the Northampton Local Plan.

11. Prior to the commencement of any development, a surface water strategy / flood risk assessment shall be submitted to and approved in writing by the local planning authority. These details shall ensure that surface water from private drives / vehicle circulation space does not discharge on to the adopted highway. No dwellings shall be occupied until the works have been carried out in accordance with the approved details unless otherwise approved in writing by the local planning authority.

Reason: To secure satisfactory drainage of the site and to reduce the risk of flooding in accordance with the advice contained in PPS25 Development and Flood Risk and PPG13 Transport.

12. The kitchen windows of flats 2 and 6 shall be glazed with obscured glass 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 E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

10.1 N/2011/0481

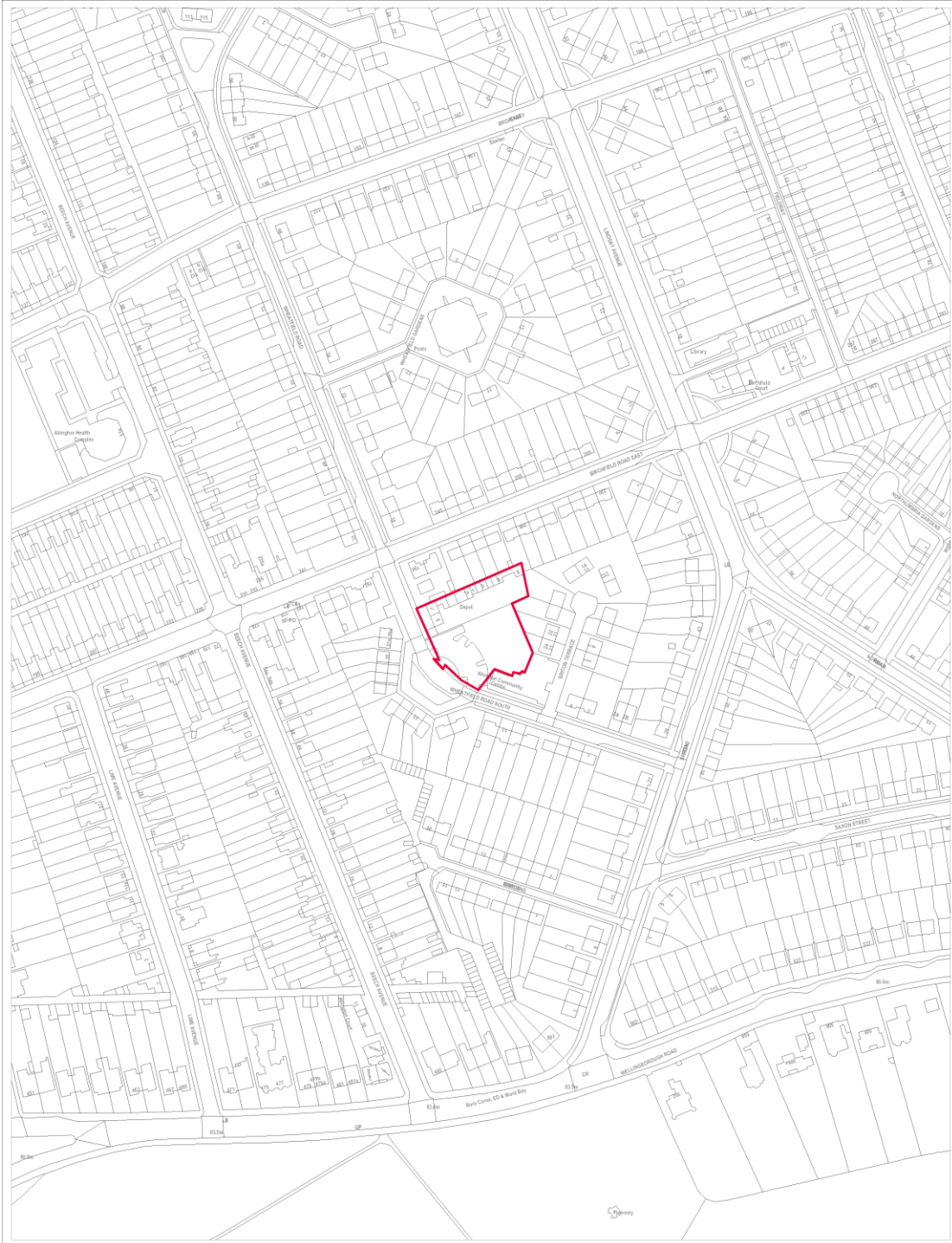
11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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

Position:	Name/Signature:	Date:
Author:	Geoff Wyatt	27/09/2011
Development Control Manager Agreed:	Gareth Jones	04/10/2011



Name: LZ
Date: 28th September 2011
Scale: 1:2500
Dept: Planning
Project: N/2011/0481

Title
Location Plan

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