



**PLANNING COMMITTEE:** 10 January 2012  
**DIRECTORATE:** Planning and Regeneration  
**HEAD OF PLANNING:** Susan Bridge

**N/2011/0839:** Erection of 35 one bedroom and 15 two bedroom living apartments for the elderly (Category II type accommodation), communal facilities, landscaping and car parking  
Former Westonia Garage Site, 582-592  
Wellingborough Road, Northampton

**WARD:** Park

**APPLICANT:** McCarthy and Stone Retirement Lifestyle Ltd  
**AGENT:** Miss L. Matthewson; The Planning Bureau Ltd

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

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 REFUSAL** for the following reason:

The proposed development fails to provide adequate provision of affordable housing and public open space facilities in order to provide sufficient infrastructure and mitigation to meet the needs of the development. As a result of this, the proposal fails to comply with the requirements of PPS1, PPG17 and PPS3 and Policy H32 of the Northampton Local Plan.

**2. THE PROPOSAL**

**2.1** The applicant seeks planning permission to erect a building of two and three storeys in height, to accommodate 35 one bedroom dwellings and 15 two bedroom dwellings, which would fall within Class C3 as defined by the Town and Country Planning (Use Classes) Order 1987

(as amended). The accommodation has been designed to provide accommodation tailored to meet the requirements of elderly residents. The development would also include the provision of private amenity areas and 21 car parking spaces.

### **3. SITE DESCRIPTION**

- 3.1 The application site was previously in use as a garage use, which has not ceased and the associated building demolished. Planning permission was granted in June 2011 for the erection of a foodstore on part of the site former garage site, which is now operational. The remainder of the site remains undeveloped and forms for the current application site.
- 3.2 The site is situated adjacent to Wellingborough Road, which serves as one of the main routes into the town centre. The site is close to a small local centre located to the west beyond the recently developed foodstore. The majority of the surrounding buildings are in use for residential purposes.
- 3.3 Vehicular access to the site is via a spur in the access road that serves the recently constructed supermarket.

### **4. PLANNING HISTORY**

- 4.1 N/2011/0295 - Proposed new foodstore (use Class A1) with associated car parking and landscaping (Revised scheme of Planning Permission 09/0096/FULWNN) – Approved.

### **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  
PPS23 – Planning and Pollution Control  
PPS25 – Development and Flood Risk  
PPG13 – Transport  
PPG17 - Planning for Open space, Sport and Recreation  
PPG24 – Planning and Noise

#### **5.3 Northampton Borough Local Plan**

E11 – Trees and hedgerows  
E19 – Implementing Development

E20 – New Development  
E40 – Crime and anti-social behaviour  
H6 – Housing Development within Primarily Residential Areas  
H32 – Affordable Housing

#### 5.4 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004  
Affordable Housing SPD

### 6. **CONSULTATIONS / REPRESENTATIONS**

- 6.1 **Housing Strategy (NBC)** – In line with current policies, 35% of the development should be made available for affordable housing, which is the equivalent of 18 units. Securing on site provision would lead to an unsustainable situation due to the revenue requirements. As a result of this, it is recommended that an off site payment be secured in lieu of this.
- 6.2 **Environmental Health (NBC)** – The contamination report that has been submitted is satisfactory; however, a condition covering unsuspected contamination is advised. The air quality assessment demonstrates that a satisfactory level of residential amenity can be secured.
- 6.3 **Highways (NCC)** – There are concerns regarding the level of car parking within the proposal. It is considered that manoeuvring spaces should be increased and clarification over surface treatments is sought.
- 6.4 **Northamptonshire Police Crime Prevention Design Advisor** – Access to the private amenity space should be of a secure nature. Further comments are made regarding door and window types.
- 6.5 **Environment Agency** – Would request conditions relating to unsuspected land contamination, drainage systems and interceptors to the car parking.
- 6.6 Representations from the occupiers of **7 Charnwood Avenue; 45 Conifer Rise; 31 Ferndale Road; 23 Grendon Walk; 73 High Street, Weston Favell; 17 and 36 Pine Trees** and 35 **Spinney Hill Road**. Comments can be summarised as:
- There is a need for a pedestrian crossing
  - Adequate parking spaces should be provided
  - Wellingborough Road is likely to become very busy, particularly with regards to the impacts of the new supermarket and the proposed development
  - The site is in close proximity to a supermarket and bus stops
  - The proposal would provide a useful facility
  - Interested in seeing the development progress
  - An area of open space would be more preferable

- Additional comments received on the costs and availability of such a development

## **7. APPRAISAL**

### ***Principle of the Development***

- 7.1 Although the site has a long heritage of being used for commercial purposes, it is allocated within the Northampton Local Plan as being a site an existing residential site. As a result of this, as well as the prevailing character of the area it is considered that the principle of developing this site for residential purposes is acceptable subject to a satisfactory impact upon all other relevant material considerations.
- 7.2 The developer has submitted an air quality and land contamination assessments, which indicate that the proposed development would not have an undue detrimental impact upon residential amenity in line with the requirements of PPS23 – Planning and Pollution Control.

### ***Design and Appearance***

- 7.3 The proposed building, although of large proportions, reflects the prevailing vernacular within Wellingborough Road, which on the southern side can be characterised as featuring large dwellings with the gables orientated towards the highway. Furthermore, the curved glazed corner feature on the north western section of the building would add interest to the streetscene. As a result of these characteristics, it is considered that the design approach taken is appropriate to its context given the prominence of the site as being adjacent to a key route into the town and the high quality design of surrounding buildings (including adjacent dwellings and the St Johns Residential Care Home opposite).
- 7.4 The roof form of the building varies in type throughout the development, and includes pitched and flat roofs. Whilst flat roofs are not common within the environs of the application site, it is considered that this approach would mean that the proposed development would have a neutral impact upon the visual amenity of the locality by reason of the lack of prominence of such roof forms in addition to the fact that these reduce the overall bulk and massing of the proposed building.
- 7.5 Whilst there are some concerns regarding the palette of materials specified within the application and their suitability for the area in which the development is to be situated, it is considered that should the application be approved, this could be addressed via a condition in order to ensure that the materials used are in line with the objectives of Local Plan Policy E20 in this regard.
- 7.6 The use of the landscaping is considered to be satisfactory and provides a development that it is in keeping with the prevailing character as landscaping is a common feature on adjacent sites. This

landscaping also reduces the impacts upon the neighbouring properties.

- 7.7 On account of the proposed development being for the provision of apartments for elderly residents, it is considered that the level of private amenity space is proportionate to the type of accommodation proposed and therefore is in line with the requirements of PPS3 – Housing; which advocates the importance of such spaces.
- 7.8 The layout of the site is such that the proposed car parking area would be readily overlooked by a combination of residential units as well as communal areas. Furthermore, views would be possible from the street. As a result of this, it is considered that there would be sufficient natural surveillance to deter any anti-social behaviour within this space. The consultation response from Northamptonshire Police's Crime Prevention Design Advisor has recommended that if the application be approved, it be subject to a condition that would require that details of the boundary treatments to the private amenity space (including gardens) be submitted and approved by the Local Planning Authority. As a result of this, it is considered that the proposed development would be in accordance with the requirements of Local Plan Policy E40.

#### ***Impact upon Neighbouring Properties***

- 7.9 The vicinity of the application site is characterised by the provision of a number of residential dwellings, located to the north, east and south. The impacts upon those residents to the north are unlikely to be significant by reason of the separation distances involved.
- 7.10 Although of large proportions, the building has been set back from the eastern boundary of the site by 10-18m, with the only exception to this being one element that is 4-7m from the boundary. However, in the case of the latter measurement, this would be approximately 35m away from the rear elevation of the adjoining property at 608 Wellingborough Road. Furthermore, the majority of the building at this point would be two stories in height, with windows at the closest point to the boundary being relatively few in number.
- 7.11 A similar relationship exists with the rear boundary, in that the bulk of the building would be more than 20m from the sites boundary with one 2-storey element extending to within 8m of the site's boundary. This distance is in addition to the rear gardens of the properties to the south in St Peter's Gardens, which measure some 15m in length. Overall the separation distance to the dwellings to the south for the scale and type of development proposed is considered to be acceptable.
- 7.12 By reason of these characteristics and the design of the building, it is considered that the proposal would have a neutral impact upon the residents of the surrounding properties as required by Local Plan Policies E20 and H7.

### ***Highways considerations***

- 7.13 The proposal includes the provision of 23 car parking spaces. It is noted that the County Council as Highway Authority has queried as to whether this is an appropriate amount of parking given the scale of the development. It is noted that the Parking Supplementary Planning Guidance requires a maximum 1.5 spaces per dwelling rather than minimum requirement. Although the proposed parking provision is significantly less than the 75 space maximum figure, it is considered that it is acceptable given the type of development proposed and bearing in mind that the developer has substantial experience of this type of development and is likely to have a well-developed understanding of the needs of its occupiers. Furthermore, the site is reasonably sustainably located given its proximity to local services and availability to public transport.
- 7.14 Vehicular access to the site from Wellingborough Road is via the same access road that serves the adjacent supermarket and was designed with the potential residential re-development of this site in mind. It is considered that the intensification of the use of the junction that would result from the proposed development would not have an adverse impact upon highway safety. Matters such as the surface treatment of the car park could be addressed via condition. Therefore the scheme is in compliance with the requirements of PPG13 – Transport.

### ***Planning obligations***

- 7.15 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.
- 7.16 By reason of the type of development proposed (i.e. a residential development in excess of 15 units of accommodation), it would normally be expected that affordable housing would be provided as well as improved public open space facilities within the vicinity to be secured by S106 Legal Agreement.
- 7.17 In the case of affordable housing, it would normally be expected that this would be provided on-site; however, in exceptional circumstances, it is possible that a financial payment be made in order to fund off-site provision. By reason of the nature of the proposed accommodation / use (i.e. for elderly residents) and bearing in mind the ongoing service and maintenance costs would be likely to be prohibitively expensive and would not be sustainable in the longer term for affordable housing.

For these reasons, in the circumstances of the case, a financial payment for off-site provision is considered appropriate in principle. In reaching a suggested figure, reference has been made to comparable past decision with indexation where appropriate.

- 7.18 It is noted that the site contains a reasonable level of private amenity space; however, this is unlikely to meet all of the requirements for the future occupiers of the development. The Council's 2009 Open Space, Sports and Recreation Needs Assessment and Audit provides a qualitative and quantitative assessment of the current provision of open space within Northampton. There identifies a shortfall of facilities in this area of the Borough.
- 7.19 By reason of the likely increase in residents as a result of the proposed development (given the number and size of units proposed there would be at least 50 residents), it is considered that a payment towards the provision of open space facilities is justified in terms of national planning policy. By reason of the scale of the development and its proximity to existing areas of open space, a payment towards enhancing existing facilities is considered appropriate and necessary.
- 7.20 The developer has submitted a viability appraisal in support of their assertion that the Council's requested payments would render the scheme unviable. This appraisal has been independently assessed and at this stage it has been concluded that the submitted viability appraisal features a number of issues that mean that it cannot be supported.
- 7.21 The site valuation was carried out in excess of one year ago, however it is normal practice that valuations are subject to a validity period of significantly less. Therefore, it is considered that the values included in the submitted viability appraisal should not be relied upon as more accurate data regarding the site's value may available. Consequently the model used by the applicant to calculate the level of financial contributions uses the dated site valuation, which may differ from the existing use value. The submitted viability appraisal also includes figures that fall within the higher ranges of industry standards. Furthermore, the submitted valuation of the site is based on a scheme for 14 residential dwellings, which is of significant variance to the development proposed in this application.
- 7.22 Until these matters are adequately justified or addressed officers currently have strong concerns regarding the applicant's case re the viability of the development but will continue to work with the applicant to try to resolve these matters. Nonetheless at the time of drafting the report the applicant's agent has expressly advised that it wants the application to be reported to the meeting of the Planning Committee on 10 January 2012 notwithstanding the outstanding matters and the consequent officer recommendation to refuse.

7.22 Therefore at the time of the drafting the report, on account of it not having proved possible to agree a figure for the provision of affordable housing and open space, it is considered that the proposed development would fail secure adequate mitigation in the form of affordable housing and open space facilities that are fairly and reasonably related in scale to the development to comply with the requirements of national and local planning policies.

## **8. CONCLUSION**

8.1 Whilst it is accepted that the proposed development is of an acceptable design and would have a neutral impact upon residential amenity, the proposal fails to provide an adequate level of affordable housing and open space facilities as required by PPS1, PPS3 PPG17 and Local Plan Policy H32.

## **9. BACKGROUND PAPERS**

9.1 None.

## **10. LEGAL IMPLICATIONS**

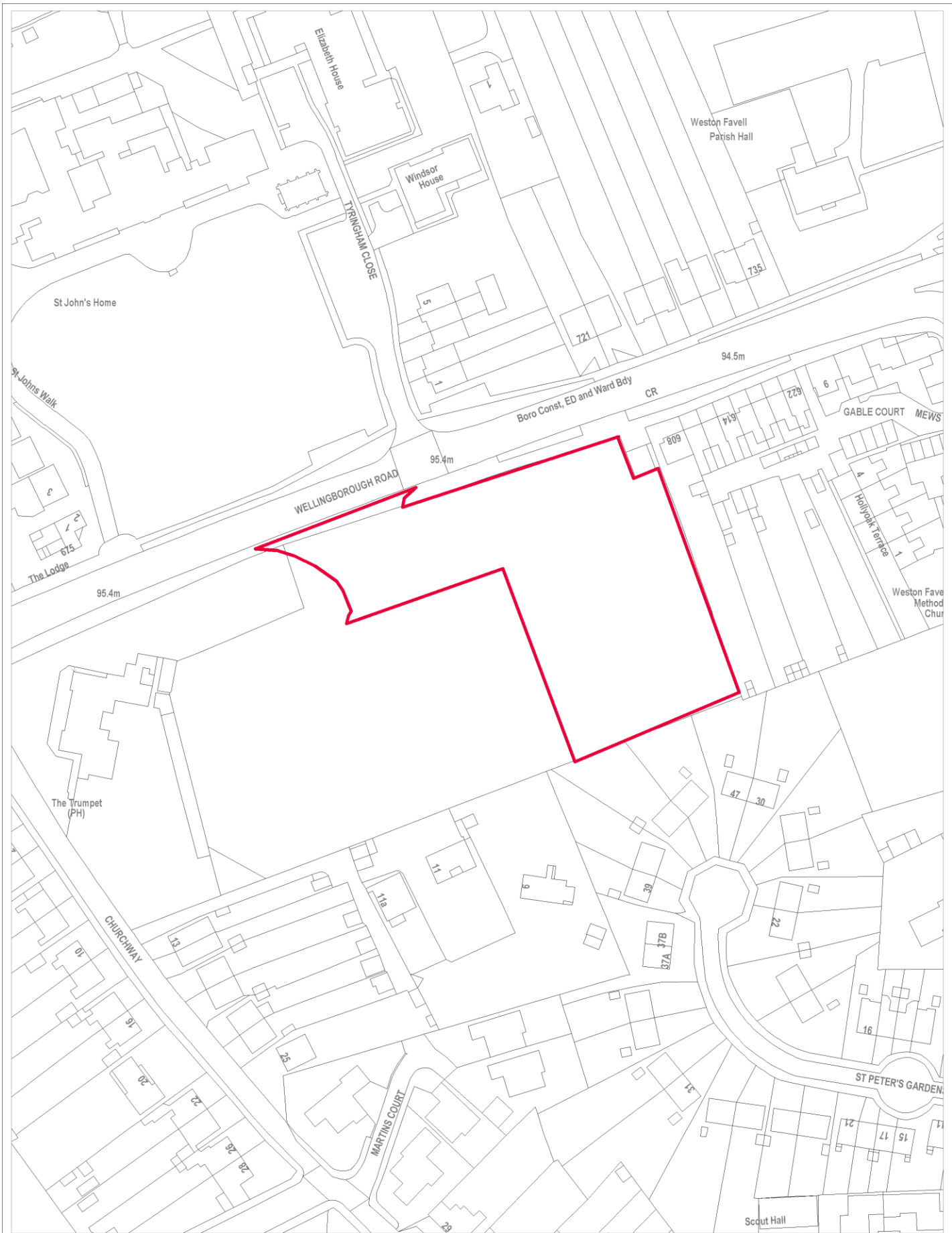
10.1 None.

## **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.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Ben Clarke	23/12/2011
<b>Development Control Manager Agreed:</b>	Gareth Jones	28/12/2011





Name: Charis Holder  
 Date: 29th December 2011  
 Scale: 1:1250  
 Dept: Planning  
 Project: Location Plan

Title

## 582-592 Wellingborough Road

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