

Addendum to Agenda Items Tuesday 1st May 2012

Northampton Borough Council Applications

NONE

Items for Determination

**ITEM 10A
N/2011/1234**

Erection of three additional dwellings (as amended by revised plans received on 12th March 2012) at 86 Church Way

Additional representations received from **2 Favell Way, 84 Church Way and 88 Church Way** making the following points –

- My objection previously was directed towards the overdevelopment of the site and in particular the effect of more traffic in Church Way.
- Church Way is an over-developed area with needless crowding of properties on plots of land i.e. gardens.
- The application is not in keeping with the area, this part of Weston Favell has many detached houses set well back from the road, however this applications is for what amounts to a mini housing estate.
- It is clear that one of the new houses will literally be facing into the third bedroom of m house. This would have a major impact on my quality of life.
- The plans show another house to be front facing into my rear garden. When combined the effect of these plans are an extreme invasion of my privacy.
- The proponent of the plans has said no protected trees will be felled, however it is clear that to build this estate so tightly around the trees will necessitate the use of many heavy vehicles driving over the roots on a regular basis.
- At east 12 residents who live north south east and west of the proposed development have objected to this application. This clearly shows the highly invasive nature of these plans.
- I consider that my previous objections are still relevant.

**ITEM 10B
N/2012/0055**

Erection of 4no. detached dwellings. (As amended by revised plans received 27th March 2012) at Building Plot adjacent to Springfield, 61 Church Way

Letters from the occupiers at **78 and 80 Church Way** withdrawing their previous objections.

Additional Representation:

4 Churchway Court - I don't see that the revisions address the issues previously raised and still consider that proposals to be over development, Plot 4 would be overbearing to adjacent properties and be over bearing. Concern is also expressed the houses could be extended in future.

ITEM 10C
N/2012/0063

Erection of 3 dwellings following the demolition of existing car sales garage, including first floor extension at 2a Port Road (as amended by revised plans received on 19/03/2012) at 4 Port Road

Nothing to add

ITEM 10D
N/2012/0100

Erection of 2no. 4 bedroom dwellings, car parking and associated works (as amended by revised plans received on 13/03/2012) at Land Adjacent to 23 Greenview Drive

Nothing to add

ITEM 10E
N/2012/0140

Erection of 35 x 1 bed and 15 x 2 bed living apartments for the elderly (Cat II type accommodation), communal facilities, landscaping and car parking. (Re-submission of N/2011/0839) at Development Land at Former Westonia Garage, 590 - 592 Wellingborough Road

Additional Submissions for the Applicant

Further correspondence has been received from the applicant confirming their agreement to the required Section 106 payments for the provision of affordable housing and off site open space.

Revised Recommendation

As a result of this, there is a change to the recommendation detailed in Paragraph 1.1 of the Committee report. It is now recommended that the application be **APPROVED IN PRINCIPLE** for the following reason:

The proposed development would have a positive impact upon the quality of the streetscene within Wellingborough Road, a neutral impact upon neighbour amenity and the highway system and would secure sufficient mitigation. Therefore, the proposal is compliant with the requirements of Policies E19, E20, H6 and H32 of the Northampton Local Plan and the National Planning Policy Framework.

This recommendation is subject to the prior finalisation of a Section 106 Legal Agreement to secure the following:

- i) A financial payment to fund the provision of offsite affordable housing within Northampton; and
- ii) A financial payment to fund the provision or improvement of facilities within Abington Park and Eastfield Park.

It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application (at their discretion) on account of the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Northampton Local

Plan Policies E19, H18 and the National Planning Policy Framework.

This recommendation is subject to the following 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. 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, implemented prior to the occupation of the building (s) 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.

4. 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, including all surface treatments. 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.

5. 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.

6. Unless otherwise agreed in writing by the Local Planning Authority, the car parking as shown on approved drawing 1781-2-02 shall be fully constructed prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development and in the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

7. 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 must identify any necessary remediation and shall be submitted to and approved in writing by 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 the advice contained in PPS23 Planning and Pollution Control.

8. Prior to the commencement of development, the developer shall assess the Noise

Exposure Category(ies) (NEC) of the site due to its exposure from transportation noise. Thus must take into account, where appropriate, roads or railways that may not be immediately adjacent to the site and the likely growth of traffic over the next 15 years.

The applicant shall submit for approval a scheme to protect the site, where its noise exposure exceeds NEC A. The scheme shall include a site plan showing its position, type and height of the proposed noise protection measures with the resultants NEC(s) for the site. The scheme shall be agreed in writing by the Local Planning Authority and development shall be carried out in accordance with the approved details prior to the first occupation of the development and retained thereafter.

Where noise protection measures for the site are impractical or do not reduce the NEC for all amenity areas, all façades or all floors of the proposed development to NEC A, a plan shall be submitted, which shall clearly indicate the site layout and the predicted NEC for all façades. Where façades or floors do not fall into NEC A, a noise insulation scheme, which will require the provision of mechanical ventilation 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 first occupation of the development and retained thereafter. Reason: In the interests of securing a satisfactory standard of amenity for the future residents of the development in accordance with the requirements of the National Planning Policy Framework.

9. Notwithstanding the details submitted, a site specific waste audit shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall be carried out in accordance with the agreed details. Reason: In the interests of securing a satisfactory standard of development in line with the requirements of the National Planning Policy Framework.

10. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

i) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

ii) A site investigation scheme, based on (i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

iii) The results of the site investigation and detailed risk assessment referred to in (ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Unless otherwise agreed in writing by the Local Planning Authority, the development shall be carried out in accordance with the agreed details.

Reason: To secure a satisfactory standard of development and to prevent pollution to the water environment in accordance with the requirements of the National Planning Policy Framework.

11. Unless otherwise agreed in writing, no development shall take place until the applicant, or their agents, or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure that any features of archaeological interest are examined and

recorded in accordance with the requirements of the National Planning Policy Framework

Additional Consultation Comments

Environment Agency - which has requested conditions covering the prevention of contamination of the water course and unsuspected contamination.

Officers Response: This has been addressed in draft conditions 7 and 10 as described above.

Northamptonshire County Council's Archaeological Advisor - requesting a condition regarding archaeological investigation.

Officers Response: This has been addressed in draft condition 11 described above

**ITEM 10F
N/2012/0159**

Alterations to shop front at 13 Warren Road

No further comments

**ITEM 10G
N/2012/0163**

Construction of a new Vauxhall Dealership including two storey showroom building, MOT facility, workshop and car parking areas. (As amended by revised plans received 02nd April 2012) at the site of proposed Unit 21 Riverside Prime, Carousel Way.

Nothing to add

**ITEM 10H
N/2012/0193**

Re-submission of planning application N/2011/1220 for a single-storey side and rear extension at 116 Reynard Way

Clarification / Correction of Dimensions

- The occupant of 120 Reynard Way has clarified that the distance from their rear conservatory to the sidewall of the proposed extension is 9.21m rather than "almost 10 metres" as indicated at para 7.10 in the officer's report.
- The length of the applicant's rear garden measures 16.1m, and therefore with the proposed extension its length would be 12.5m rather than "13m to 14m" as indicated at para 7.7 of the officer's report.

These corrections do not alter the recommendation.

**ITEM 10I
N/2012/0263**

Single storey rear extension at 6 Rushmere Avenue

Nothing to add

Enforcement Matters

NONE

Items for Consultation

ITEM 12a N/2012/0122

Hybrid Planning Application comprising: Full application for the erection of a home and garden centre, retail units, drive thru restaurant, gatehouse, lakeside visitor centre, restaurants and bout house, together with proposals for access including a lock. Outline application for the erection of a hotel, crèche, leisure club and marina with some matters reserved (appearance). Plus removal of a ski slope and associated site levelling, landscaping, habitat management and improved works, vehicular access and servicing proposals together with the provision of car and cycle parking and a bus stop. (East Northamptonshire Consultation) at Land adjacent to Skew Bridge Ski Slope, Northampton Road, Rushden

Letter on behalf of the applicants:

A letter has been submitted to the Chair of Committee requesting that consideration of the application is deferred until 29th May in order to allow the applicants to respond to the GVA Grimley report (prepared on behalf of the North Northamptonshire Joint Planning Unit and referred to in the officer report on this agenda). They believe that there are a number of misunderstandings in the GVA report and this may lead to a misinformed decision being made. The applicants have also offered to give a presentation to Committee on 29th May.

Officer Response:

Officers recommend that the item is considered by committee at tonight's meeting, in line with the existing report (item 12a). NBC have been consulted by East Northamptonshire District Council and the consultation response should be based upon the documents submitted with the application. The report on the main agenda raises a number of fundamental objections to the proposed development and officers are satisfied that these comments are soundly based. The letter from the applicants does not respond specifically to these issues.

Therefore, it is recommended that members proceed to consider the matter in line with the main report. Should any new and relevant information be submitted to ENDC in respect of the application, it is expected that NBC would be re-consulted by the planning authority. If necessary, a further report could be brought to members at that stage. Until such time, it is recommended that a consultation response should be sent on the basis of the information presently available.