

Addendum to Agenda Items Tuesday 7th May 2013

10. ITEMS FOR DETERMINATION

10A.

N/2013/0131 – Redevelopment of site to provide a convenience store (Class A1) including ancillary parking and service area at Ashtree Service Station, 237-245 Main Road, Duston

Additional representations from **Duston Parish Council** objecting to the development on the grounds that the proposal would pose a detrimental impact to the viability of existing businesses. There is already a large car parking and traffic problem within the vicinity of the site. Whilst the garage shuts at 6pm, the proposed store would be open for longer hours, which would add to this problem. There are concerns about increases to noise, disturbance and anti-social behaviour. It is important that the trees are retained.

Further representations from the occupiers of **258 Main Road** which raise objections on the grounds that whilst the trees on site have now been retained, this does not change the previous objections relating to safety, parking, property boundaries and disturbance that would emanate from vehicles leaving the site.

Objections have also been received from the occupiers of **94 Wrenbury Road**, which states that the current land use is appropriate and that the proposed convenience store is unnecessary as the area is already well served by such developments.

An objection has also been received from the occupier of **69 Grafton Way** as the area is already well served by retail outlets.

The **Highway Authority** has confirmed that they have no objections to provision of 12 car parking spaces and that the available manoeuvring space.

Officers Response:

As set out above (in the representations from the Highway Authority) and within Paragraphs 7.12-7.15 of the Committee report, it is considered that the proposed car parking provision is sufficient to meet the needs of the development and to allow for large vehicles to turn within the site. Although the store may be open for hours longer than the existing garage, as discussed within Paragraph 7.11 of the Committee Report, the garage does not have any restrictions on operating times. The impacts of vehicles leaving the property are also set out within Paragraph 7.11. The impacts on existing businesses are discussed with Paragraph 7.3 of the Committee Report, where it is concluded that the impacts upon specific existing businesses is not a material planning consideration.

As no objections have been received from the Highway Authority, it is considered that the parking provisions provided with the development is sufficient to meet the needs of the proposal, particularly given that the store is likely to serve a local market, which would be likely to operate in conjunction with trips to other facilities within the vicinity or encourage walking to the store. The availability of manoeuvring space within the site would reduce the potential for congestion to be created in Main Road as delivery vehicles would not need to stop or undertake complex manoeuvres within the highway.

A **revised plan** has been submitted, which includes the provision of a security gate to the side of the store. As a result of this, a revised wording to Condition 2 is recommended to reflect the updated drawing:

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 04 Rev. E; 06; 07; NN5 6PR; and SCP/12239/SK002
Reason: For the avoidance of doubt and to accord with the terms of the planning application.

10B.

N/2013/0153 – Variation of condition 3 of planning approval N/2008/0521 to extend hours to use of gates until 21:00 to allow pedestrian access to Delapre Park, Mencap Day Centre, Delapre Park, London Road

Additional recommended condition, for the avoidance of doubt and to ensure consistency with previous permissions:

(3) The conditions of planning permission N/2006/0621 continue to apply insofar as they are capable of taking effect.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development, in accordance with Policies E20, E26 and E40 of the Northampton Local Plan and the National Planning Policy framework.

10C.

N/2013/0211 – Change of use from dwelling (Use Class C3) into house of multiple occupation (Use Class C4) for 5no. occupants at 52 Bective Road

Representation from **54 Bective Road** (23rd April 2013): Objection to the application – the proposed use would not be suitable for this area.

Officer Response: As concluded within the officer's report, it is felt that the proposal would not have an undue detrimental impact on the character of the locality or on the residential amenity of the area.

Comments received from Local **Highway Authority** (25th April 2013): No observations.

10D.

N/2013/0297 – Erection of single storey dwelling including detached garage at land rear of 25 Penfold Lane, Great Billing

Item withdrawn from the agenda

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

12A.

N/2012/1252 – Outline application for residential development of up to 200 dwellings (including affordable housing) including road infrastructure, public open space, landscaping sustainable drainage and engineering works (access not reserved) on land to east of Harlestone Road

A letter has been received from Pegasus Group, acting on behalf of the applicant. The letter contends that the committee report is 'misdirected in key facts'. A summary of the key points made within the letter is set out below:

- The revised heads of terms for the s.106 for affordable housing have been revised to allow up to 29% subject to viability
- No objections have been raised by NCC or the Highways Agency with regard to transportation. Contributions have been agreed with NCC in terms of public transport and the route of the future north west bypass is safeguarded
- The position with regard to education is known and it is agreed with the education authority that a contribution should be made to primary provision
- Details of noise assessments and other matters for DDC as planning authority have been covered in exchanges in respect of which NBC officers do not appear to have been briefed.

In the light of misdirection regarding the above it is requested that the committee report is revised. Discussions on the main Dallington SUE will take place shortly and the applicant has a duty not to prejudice the development of this wider SUE.

It would appear that there is scope for NBC to be involved in discussions regarding the s.106 with regard to housing nominations but the rest of the agreement will be a bilateral agreement with DDC.

Officer Response

Officers do not agree with the assertion that the report is 'misdirected in key facts' and are satisfied that the recommendations as presently set out. In respect of the main points:

- Whilst the revised s.106 draft allows 'up to 29%' affordable housing this is subject to viability. The tenure split is not confirmed. Therefore, at the present time the s.106 agreement is not finalised. The recommendation requests that NBC are involved with discussions on this issue for reasons that are explained in the report. This position remains unchanged. The applicant suggests that NBC may be involved with discussions regarding nominations agreements for affordable housing with all other matters being between them and DDC. Officers would reiterate the request for NBC to be involved directly with negotiations on affordable housing as per the main report.
- It is noted that the NCC and the Highways Agency do not object to the application. However, the Memorandum of Understanding with regard to the A45/M1 Access Management Strategy recognises the need for large scale SUE's, including Dallington, to contribute on a proportionate basis. This scheme is brought forward as part of the wider SUE and the impact of 200 dwellings should be recognised.
- In terms of primary education, discussions with NCC have confirmed that no agreement has been reached with the applicant over the level of contribution. The recommendation therefore remains pertinent as currently set out.
- In terms of noise levels, NBC officers have simply set out the information that was submitted in 2007 as part of the wider Dallington application and noted the discrepancies with information submitted with the current application. NBC is entitled to raise this matter as a consultee. As decision making authority DDC will need to assess the information submitted and satisfy itself on this matter.

Accordingly, officers do not recommend any changes to the report.