

Addendum to Agenda Items Tuesday 6th May 2014

7. OTHER REPORTS

7A

The impact of emerging plan policy in determining planning applications

None.

7B

Update on matters pertaining to Planning Application N/2013/1263 – Erection of 38 no. new dwellings comprising 12 no. flats and 26 no. houses in addition to a retail unit with associated parking and installation of new access road at land between Booth Rise and Talavera Way

Item **withdrawn** from the Agenda.

The applicant has submitted revised plans and requested that the amendments are considered. These revisions include the removal of the retail unit from the proposal; alterations to the elevations of some of the proposed dwellings; and alterations to the proposed landscaping. The applicant has also submitted additional supporting information, including details on pedestrian routes, ecology survey and archaeology matters. Following further consultations a report will be presented to the Planning Committee in June.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

8A

N/2014/0213

Demolition of existing buildings and structures and erection of new building comprising of 21,607m² offices and ancillary accommodation, including café (up to 184m²); 138 parking spaces; cycle park; flexible space on level -2 to allow for part A1, A2 or A3 uses (approx 900m²) and provision of new vehicle access on Fetter Street and repositioning of access on St John's Street at NCC Car Park, Angel Street

Environment Agency - withdrawn their holding objection to the application and request the imposition of conditions and these are outlined below. It is **recommended that** these are added to those conditions outlined in the main Planning Committee report.

NBC Environmental Health – no objection to the application subject to planning conditions regarding noise protection and land contamination as set out below.

Additional Conditions:

12) No development approved by this planning permission shall take place until a scheme that includes the following components 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:

1) 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.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) 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.

4) 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 (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the potential risk from contaminated material has been appropriately assessed to secure an appropriate development in line with the requirements of the NPPF.

13) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remedial works are completed as per an approved Remedial Strategy and that a Verification Report is produced in accordance with CLR 11 'Model Procedures for the Management of Land Contamination'.

14) There shall be no infiltration of surface water drainage into the ground except with the express prior written approval of the Local Planning Authority. Where such approval has been given the development shall be carried out only in accordance with the approval details.

Reason: To ensure that infiltration drainage does not increase the potential risk posed to groundwater to comply with Policy 5 of the CAAP

15) If during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that if any unsuspected contamination is encountered during redevelopment that it is dealt with adequately to secure an appropriate development in line with the requirements of the NPPF.

16) The development hereby permitted shall only be carried out in accordance with the conclusions and recommendations of the submitted Acoustic Reports. The control measures required to meet the target noise levels shall be retained thereafter.

Reason: To ensure a satisfactory form of development in accordance with Policy 1 of the Central Area Action Plan.

17) Before the first occupation of the development hereby permitted a further noise validation/modelling exercise shall be undertaken and the findings submitted to and agreed in writing by the Local Planning Authority. This report should ensure that all the target noise levels detailed in the submitted Acoustic Reports are achieved. Any necessary mitigation measures required as a result of this exercise shall be retained thereafter.

Reason: To ensure a satisfactory form of development once plant and equipment which has not yet been selected has been installed, in accordance with Policy 1 of the Central Area Action Plan.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9A

N/2014/0106

Listed building consent application to install steel beams to support floors at first and second floor levels, steel beams in loft space to support second floor ceiling and installation of gallows brackets at ground floor to support chimney breast at 42 Bridge Street

None.

10. ITEMS FOR DETERMINATION

10A

N/2013/0338

Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road (as amended by revised plans received 14/03/14 & revised Transport Assessment- January 2014) at Land to the east of Hardingstone north of Newport Pagnell Road

Andrea Leadsom MP – further letter dated 28 April 2014 has been received requesting Committee consider the following points raised by concerned residents:

- Excessive amounts of development which have already taken place in the area surrounding Hardingstone has resulted in inadequate infrastructure, significant traffic congestion and insufficient capacity at schools and doctors' surgeries. Further development in this area would be unsustainable.
- The site has been turned down for development within the last 20 years as being unsuitable due to ground conditions. This raises concern that the land is not suitable for a sustainable development of this size.
- The land is currently identified as 'green space' and highlighted as an 'important skyline feature' within the Northampton Local Plan. This plan still contains vital policies, E1, E6 and E7 that are relevant to the area and over the years have protected it from development. These policies should not be ignored and are still relevant.
- Disappointed that Hardingstone has lost its 'village status' within the West Northamptonshire Joint Core Strategy. Many moved to Hardingstone to live in a village community and still consider Hardingstone retains many features of village life including plenty of open green space. This is now under threat if included in the West Northamptonshire Joint Core Strategy. Would support Hardingstone regaining 'village status' and planning decisions protecting the area from absorption into the town of Northampton.
- Would strongly urge the Borough Council to try to defer any planning applications for the green space around Hardingstone until the Joint Core Strategy (JCS) has been determined and believe it would be undemocratic to consider specific applications without the JCS in place. The Planning Inspector said at the inquiry that it would be presumptuous to determine an application in advance of the outcome of the inquiry.
- It is important that Northamptonshire has an agreed Local Plan in place as soon as possible in order to prevent developments being approved on appeal by the Planning

Inspectorate.

Hardingstone Parish Council – further comments received 6 May 2014 in respect of a Critical Landscape Appraisal carried out by Lockhart Garratt on behalf of the Parish summarised as follows:

- The illustrative residential styles do not integrate well with the traditional styles of Hardingstone, or the newer development of Wootton Fields.
- The proposed landscape buffer to protect the skyline views is inadequate and unlikely to form a sufficient buffer.
- The need for the Design Code (covered by condition for reserved matters) to include the mitigation to adverse landscape and environmental effects.
- Disagree with the applicant's assertion that the current site is 'strongly' influenced by the existing urban settlement of Northampton.
- Applicant takes Northamptonshire and Leicestershire Vales National Character Areas regional assessment of medium-low landscape sensitivity, but the report says that this should be put in the context of the Northampton Landscape and Green Infrastructure Study site-specific assessment of high sensitivity.
- Disagree with the applicant's assertion that the green space provided on site will reflect the character of the landscape lost.

Brackmills Industrial Estate Ltd – further comments received 5 May 2014 as follows:

- Brackmills Industrial Estate is united in our commitment to growth and expansion. It is essential that growth is accompanied with the appropriate investment in infrastructure and that any development such as Hardingstone SUE comes with commitment from developers to invest in infrastructure and the local environment.

Councillor Phil Larratt – comments received 6 May 2014 summarised as follows:

- Suggest the determination of this application is premature. The application should not be considered until the Inspector's report on the submitted Joint Core Strategy (JCS) has been received. If the site is not supported by the Inspector and an application is allowed there is clearly a conflict with the process and no way to go back.
- The SUE has been extended within the submitted JCS but this application only relates to the original area. If there is to be a comprehensive and cohesive development of the SUE the outline application should cover the entirety of the SUE.
- Northampton Borough Council over at least the last 12 months has consistently opposed the inclusion of this SUE with the JCS. Members of NBC and the County Council have voted against the JCS on the ground that development to the south of Northampton fails to deliver any significant infrastructure, especially to the A45. Developments proposed to the south should be moved to the north/north west of the town where they can deliver much need infrastructure such as the North West by-pass. While there is some investment to improve the A45 junctions this is just tinkering at the edges.
- There are many businesses on Brackmills that depend on timely deliveries and which provide many jobs for the people of Northampton. Congestion on the A45 is already affecting Brackmills businesses. The concerns of the Brackmills BID are worthy and should be carefully considered.
- Development will severely impact on Newport Pagnell Road, a heavily trafficked road that is often congested. The impact of Waitrose has not been considered in the traffic

assessments.

- Residents of Wootton village incur major delays at the junction of Water Lane/Newport Pagnell Road which will increase with this development.
- Hardingstone maintains a village identity and there are valid Local Plan policies identifying the land as 'green space' in order to maintain the village identity within Northampton and as an important skyline. These policies remain valid today and should be upheld.
- The application should be refused as being premature and piecemeal because it is not sustainable for reasons highlighted by objectors but significantly on traffic grounds, impact on Brackmills and because valid policies exist in the Local Plan.

Sport England – previously objected to the proposal but has removed their objection following the receipt of amended parameter plans which show provision of a youth pitch within the application site and supports the principle of seeking a S106 contribution to off-site sports facilities to ensure that demands created by the new population are met.

Planning Policy - At section 5.3 - Northampton Local Plan, include Policy E7 – special importance will be attached to the effect of development on the skyline (between Great Houghton and Hardingstone). Referenced in officer report.

The **County Ecologist** has commented as follows:

- In order to ensure that a full assessment of the impacts on protected and notable species and non-statutory sites within 2km are undertaken, as part of both the Green Infrastructure Plan preparation and reserved matters applications, the significance of potential impacts on birds and existing County Wildlife Sites and Potential Wildlife Sites public greenspace should be given further consideration.
- The significance of the direct impact of loss of breeding habitat on farmland and ground-nesting birds that would result from the proposed development and the indirect disturbance during the operational phases of development should be assessed as part of all future reserved matters applications. Where appropriate additional mitigation and/or compensation should be proposed.

Condition 29 is therefore **amended** as follows:

29) Prior to the submission of each reserved matters application, details of the need and scope for updated any protected species surveys including a full assessment of the impacts on protected and notable species and non-statutory sites within 2km of the site and the significance of potential impacts on birds and existing County Wildlife Sites and Potential Wildlife Sites public greenspace shall be agreed in writing with the Local Planning Authority. Where required, updated surveys and proposed mitigation measures shall be submitted as part of the reserved matters application. The works shall be carried out in accordance with the agreed scope and any approved mitigation measures contained therein.

Additional Condition:

43) Concurrently with the submission of reserved matters applications for each phase of development, full details of the existing and proposed ground levels and finished floor levels of the development in relation to adjacent land levels to that part of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with the requirements of NPPF.

10B

N/2013/1325

Residential development comprising 69 dwellings with associated access (via Harcourt Way), public open space and local equipped area of play and balancing pond (as amended by revised plans received on 24/02/2014 and 09/04/2014) at Development land, Danes Camp Way

Environment Agency – withdrawn objection to the application subject to the imposition of a drainage condition. It is considered that the presently drafted Condition 8 be revised to accord with the full requirements of the Agency:

NCC Highway Authority - confirmed that the Transport Statement is fit for purpose and that no further actions are required and has confirmed that no further amendments are required to the proposed layout before full technical approval through a Section 38 Agreement.

It is therefore considered that both Paragraphs 1.2 and 1.3 of the Recommendation detailed in the Committee Report have been satisfied.

County Councillor Jill Hope has reiterated her objection to the application on the grounds of inadequate access being in place to and from the estate on to Danes Camp Way. Improvements to pedestrian crossing arrangements would be required and flooding pressures would be accentuated.

Further letters of objections and comments have been received from 18 no. addresses that have previously commented upon the scheme. In addition, objections and comments from 5no. new addresses have been received as follows: **28, 42, 55, 69 Harcourt Way; 29 Highdown Close**. The points raised can be summarised as follows:

- Concerns about access arrangements into the new development both during construction and once occupied, there are highway safety implications at the Danes Camp Roundabout.
- There will be a lot more traffic than predicted.
- The play area is inappropriately located so as not to be overlooked and be vulnerable to crime.
- The scheme will generate pressure upon local education and health facilities; it is unclear how potential improvements to facilities shall be made.
- Concerns about the mix of housing proposed, including a high percentage of affordable units.
- The new houses would impact upon the privacy of existing residents.
- The site is at risk of flooding.
- The site may be contaminated.
- It is unclear how the secondary emergency vehicle entrance would be controlled to ensure no wider use.
- Local bat and badger populations would be adversely affected by the development.
- The scheme is in non-compliance with the Local Plan as Green Space shall be lost.
- A weight restriction sign on Hunsbury Hill Avenue has recently been removed.
- The latest consultation period expired after the publication of the Committee Report.

Officer Response: It is considered that the vast majority of the further representations received following the publication of the Committee Report have raised comments and concerns in respect to matters that have already been raised through previous representations upon the scheme.

The latest consultation period expired after the publication of the Committee Report, but prior to the date of this Committee Meeting. This is acknowledged in paragraph 6.1 of the Committee Report. This Addendum provides the opportunity for officers to present to Members the additional representations received.

In respect to potential flood risk, the Environment Agency has confirmed the acceptance of the scheme in a Flood Risk context with the final details of surface water drainage being dealt with

via condition. In respect to highway related concerns, the Local Highway Authority (LHA) has confirmed that the Transport Statement is fit for purpose based upon future year junction capacity assessments (factoring in the future growth of the town up to the year 2026). The LHA has confirmed that the vehicle rates and trip numbers used in assessment are acceptable and appropriate. The conclusion of the Transport Statement is that the impact of the proposed development will be negligible.

In respect to the secondary emergency link proposed, the Site Plan details that this link would be treated with bollards to prevent its wider use by general traffic. In the interests of ensuring this, it is felt that a further planning condition should be imposed to secure the details and ongoing management and maintenance of these bollards. It is also considered that the existing proposed wording of the Construction Environmental Management Plan condition (Condition 9) be amended to include a requirement for the applicant to agree appropriate hours of operation in the interests of further protecting the amenities of existing residents.

Revised Condition 8: No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, should be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Confirmation that the hierarchy of drainage has been followed.
- Full detailed surface water calculations to ensure adequate surface water drainage facilities on site all events up to and including 0.5% (1 in 200 AEP) plus climate change.
- Sustainable Drainage System (SuDS) features on site to be in accordance with Table 12.1 of the Northampton Level 2 Strategic Flood Risk Assessment (SFRA).
- An assessment of overland flood flows.
- Details of how the scheme shall be maintained and managed after completion for the lifetime of the development.

Reason: To prevent the increased risk of flooding, both on and off site.

Revised Condition 9: Development shall not commence on any phase of development until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

- a) the management of traffic during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) location of access points for site traffic for that phase of development
- c) detailed measures for the control of dust during the construction phase of development
- d) the location and size of compounds;
- e) the location and form of temporary buildings, adverts and hoardings;
- f) details for the safe storage of any fuels, oils and lubricants (as required by the Environmental Statement at paragraph 5.6.1)
- g) construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) a scheme for the handling and storage of topsoil;
- i) details of the methods of protection of trees, hedgerows and water features in

accordance with Condition 15;

j) a scheme for the protection of areas of ecological interest and for the mitigation of any possible harm to such areas

k) details of any temporary lighting

l) hours of operation

Reason: To ensure that appropriate consideration is given to environmental assets and safeguard the amenities of the locality in accordance with the NPPF.

Additional Condition 21: Prior to the first occupation of the development full details of the bollards to be provided to the emergency link (as detailed on Site Plan SM536 PL04A) together with full details of their management and maintenance shall be submitted to and approved in writing by the Local Planning Authority, development shall be implemented in accordance with the approved details and retained at all times thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

10C

N/2014/0170 And N/2014/0189

Planning Application: Conversion of part existing building from office (use class B1) to 2no. residential dwellings (use class C3) including new roof lights, new window openings, replacement doors and windows, blocking up existing windows, and on-site parking spaces

Listed Building Consent Application: Conversion of part of the building to 2no. dwellings including new roof lights, new window openings, replacement doors and windows, blocking up existing windows, removal of internal walls/partitions and doors; installation of new partition walls, new brick garden wall and installation of block paved areas to the rear

At Billing Arbours House, Heather Lane

None.

10D

N/2014/0171

Change of use from dwelling (Use Class C3) to house of multiple occupation for 5no. occupants (Use Class C4) at 113 Abington Avenue

None.

10E

N/2014/0214

Change of use from dwelling (use class C3) to 7 bed HMO (sui generis) at 37 Semilong Road

Semilong Forum - Semilong is very densely populated with HMOs some licensed many not, which makes a mockery of the Article 4 which should limit the number of landlord owned properties in an area. So often planning for a change of use from house to HMO dwelling is allowed by the planning office because there are already many such dwellings in the area.

Also many landlords who have been renting out their properties now are registering with the Council to prevent fines, and this retrospective planning is also passed. There are more planning applications passed then declined in Semilong and this has led to a huge imbalance, fewer families and a breaking down of our community.

Many landlords do not maintain their properties, overcrowd them and allow rubbish / broken

furniture / human waste to collect in both front and back gardens. Many absentee landlords sub-let their properties and the turnover in these HMO's is frightening.

In a recent report it stated that "a significant proportion of two storey HMO's are being managed sufficiently ineffectively". This report also stated the fire service identified 616 as deficient HMOs out of 770 inspected, 80% of HMOs inspected in Northampton were deficient by the Fire Service.

The people of Semilong do not want any further properties given over to house of multi-occupancy. In fact we would like to see many HMOs in Semilong closed down with other areas of Northampton being opened up to landlords/rented accommodation.

10F

N/2014/0269

Change of use of land for use as access for machinery and the storage of grass cuttings in conjunction with the adjacent tennis club at Land to west of Northampton County Lawn Tennis Club, Graspin Lane

None.

10G

N/2014/0388

Extension to front face of existing west stand to provide new suite of directors boxes at Northampton Town FC Sixfields Stadium, Walter Tull Way

None.