

**PLANNING COMMITTEE:** 29<sup>th</sup> July 2014  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Susan Bridge

**N/2014/0600:** Erection of 36 dwellings comprising 12 three bedroom houses; 12 two bedroom houses; and 12 two bedroom flats with vehicular access from Compton Street at land at former Honda Dealership between Compton Street and Grafton Street, Northampton

**WARD:** Castle

**APPLICANT:** Westleigh Developments Ltd  
**AGENT:** RG+P

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

**DEPARTURE:** Yes

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

#### **1.1 REFUSAL** for the following reasons:

- 1) The proposed development by reason of its design and layout would fail to create a safe and distinctive high quality environment. The proposal would therefore fail to secure a satisfactory level of residential amenity for the future occupiers of the development, which fails to comply with the requirements of the National Planning Policy Framework and Policies 1 and 24 of the Northampton Central Area Action Plan.
- 2) The proposal would prevent the site from being developed for employment uses, which would preclude the sustainable redevelopment of the wider area. The development therefore fails to comply with the requirements of the National Planning Policy

Framework and Policy 24 of the Northampton Central Area Action Plan.

- 3) By reason of its design, the proposed development fails to secure a safe road layout. The proposal therefore would adversely affect highway safety, contrary to the requirements of the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 The applicant seeks planning permission to erect 36 dwellings comprising 12 flats arranged in 2 three storey buildings and 24 houses (evenly split between two and three bedrooms), which would be of two storeys in height. The majority of the proposed dwellings would be arranged in a linear form, and would front onto Grafton Street and Lower Harding Street. The exceptions to this would be 12 houses that would be arranged within three short terraces sited perpendicular to Compton Street.
- 2.2 Vehicular access would be from Compton Street and the development would be served by 40 car parking spaces. These would be arranged in three communal areas or provided through in curtilage provision. In addition, a pedestrian route from Grafton Street into the development is also proposed.

## **3. SITE DESCRIPTION**

- 3.1 The application site was originally in use as a vehicle dealership; however, this use ceased some time ago and all buildings have been demolished. Notwithstanding this, the site is allocated within the Northampton Central Area Action Plan as being a site that should be developed for employment purposes. The buildings that immediately surround the site are primarily in use for commercial purposes. There are some residential flats to the east (on the opposite side of Lower Harding Street). The areas to the north are typically characterised by the presence of residential accommodation.
- 3.2 The site is located adjacent to Grafton Street, which forms part of the inner ring road and therefore experiences a significant amount of use. The site is also in close proximity to the crossroads between Grafton Street and St Andrews Road (which is also one of the main roads around the town centre). As a consequence of this, the site is very prominent within the townscape. The application site is also surrounded by Lower Harding Street (to the east) and Compton Street (to the south). These streets predominantly serve existing business properties and the aforementioned flats.
- 3.3 The topography of the site is varied as the land levels slope upwards from the western boundary to the eastern boundary. The site does not feature any existing landscaping.

#### **4. PLANNING HISTORY**

4.1 None relevant

#### **5. PLANNING POLICY**

##### **Development Plan**

5.1 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 Development Plan for the purposes of this application comprises the Central Area Action Plan (hereafter referred to as the CAAP) and whilst not yet adopted, weight can be attributed to the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

##### **National Policies**

5.2 Paragraph 49 of the National Planning Policy Framework (hereafter referred to as the NPPF) requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.

5.3 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

##### **Central Area Action Plan (CAAP)**

5.4 Policy 16 of the CAAP requires that in the period leading up to 2026, the Central Area will be developed to provide up to 3,400 additional new homes and that residential developments will comprise a mixture of dwelling types, sizes and tenures. More specific to this application is Policy 24, which states that Spring Boroughs will be regenerated in a manner that would ensure a balanced community through, in part, the appropriate provision of house types and tenures; the provision of a

wider range of uses within the area that will, in particular, provide increased employment opportunities.

- 5.5 In addition to these points, Policy 1 of the CAAP requires that new developments must positively contribute to the character of an area and should create attractive and uncluttered streets that are lined by attractive buildings. Furthermore, new developments should promote high quality, inclusive design. Policy 36 requires that new developments make the required provision of infrastructure (e.g. affordable housing).

**5.6 Supplementary Planning Guidance**

Affordable Housing  
Developer Contributions  
Parking  
Planning out Crime

**Other Material Considerations - Submitted West Northamptonshire Joint Core Strategy**

- 5.7 Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making, being prepared in full conformity with the NPPF. The plan has been the subject of an examination in public and the findings of the Inspector are awaited.
- 5.8 Policy S1 of the JCS states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.
- 5.9 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing.
- 5.10 Policy N11 of the JCS requires that new developments within Spring Boroughs contribute towards the regeneration of the area through improved integration and connectivity, improving the public realm, improved design quality, reducing opportunities for crime and anti-

social behaviour, addressing existing deficiencies and creating opportunities for business and employment opportunities.

- 5.11 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure to be provided.

## **6. CONSULTATIONS/ REPRESENTATIONS**

Representations received are summarised as follows:

- 6.1 **Development Management (NCC)** – Requesting, in the event that the application is approved, Section 106 obligations to fund primary and secondary education, fire and rescue services and the library service.
- 6.2 **Environment Agency** – No objections, subject to conditions in the event of the application being approved.
- 6.3 **Environmental Health (NBC)** – Recommend conditions relating to the investigation of contamination. The applicant has demonstrated adequate noise and air quality attenuation could be secured.
- 6.4 **Highways Agency** – No objections.
- 6.5 **Highway Authority** – There is a need for revisions to the site's turning head and some dwellings need to be re-sited so that they are situated further away from the highway.
- 6.6 **Housing Strategy (NBC)** – The proposal would provide some needed affordable housing. Addressing housing need that also addresses the wider long term need to deliver wider spread regeneration would be desirable.
- 6.7 **National Grid** – Provide advice to the developer in the event of the application being approving.
- 6.8 **Urban Designer (NBC)** – A major concern with the design of this development is its poor physical context and a lack of appreciation of the potential for change in this locality with which the development could be better integrated. This comes through in the proposed layout which fails to offer the potential to integrate with the potential for change in Spring Boroughs. Integrating this site into a wider and more comprehensive development would be more meaningful and capable of delivering the kind of change that the Spring Boroughs Neighbourhood envisages and needs. The poor size of the site and constraints in terms of Grafton Street and context of commercial development is very challenging.
- 6.9 **Western Power** – No objections

- 6.10 **Spring Boroughs Residents Association** – The proposal would address a shortage of housing in the area and has a good mixture of housing.
- 6.11 **Spring Boroughs Neighbourhood Forum** – The need for affordable family housing with gardens in the area is very high. This site could help to achieve some of this provision. The alleyway/footpaths in particular the one leading to Grafton Street are likely to lead to crime being committed and anti-social behaviour. The car parking spaces provided whilst needed, appear to be in some instances placed where space allows rather than planned for security.

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 As discussed within Section 5 of this report, there is a necessity for Local Authorities to demonstrate a five year housing land supply. Northampton at this point does not have such a supply and therefore, in line with the requirements of the NPPF, the primary matter of consideration is whether the proposed development is sustainable.
- 7.2 The site is allocated within the CAAP as being an employment site. The submitted application documents detail that the former car dealership building were marketed for a period of 48 months, before demolition work being carried out in 2011. From 2012, the building has been marketed for redevelopment. The current site owners have received four offers, all of which have been for residential schemes. Whilst it is accepted that the site has been vacant for some time, it is considered that the CAAP allocation is exceedingly recent and has been assessed by an Inspector at the plan's Examination in Public. It should also be recognised that the period of marketing coincides with an economic recession. As a consequence of this, combined with the need to provide employment opportunities that is also expressed within the JCS, it is considered that the proposal does not represent sustainable development.
- 7.3 CAAP Policy also seeks to provide a wider range of employment opportunities within the wider area. This is intended to address an existing and significant lack of employment opportunities within Spring Boroughs. The proposed development would prevent the site from being used for employment opportunities and there is no mechanism for securing replacement provision elsewhere.
- 7.4 It is accepted that the proposal would assist in addressing the established housing need within Northampton; however, the scale of the development (i.e. 36 dwellings) means that the overall contribution of the development would be relatively small and would not outweigh the disadvantages created by the loss of employment opportunities within the application site.

- 7.5 In addition, Policy 24 of the CAAP represents a very recent assessment of future development within Spring Boroughs. In particular, the policy requires the creation of a more balanced community. The characters of the existing surrounding residential buildings are generally small houses and flats. The proposed development maintains this form (i.e. being predominantly comprised of two bedroom dwellings and a significant number of flats). As a consequence of this, the proposal does not facilitate the creation of a more varied community and also fails to comply with the requirements of the NPPF in terms of providing a range of house types to meet the different needs of the community.
- 7.6 For the foregoing reasons, it is considered that the proposal does not represent sustainable development due to the replication of existing house types and the loss of a site that could potentially provide employment opportunities.
- 7.7 The applicant has submitted assessments which demonstrate that the development would secure a suitable level of mitigation from noise and air quality. Furthermore, investigations into on site contamination can be carried out prior to any construction works taking place and appropriate mitigation works carried out if necessary. Whilst these points are noted, it is considered that these do not outweigh the harm as previously identified.

### **Design and layout**

- 7.8 The layout of the proposed development features a significant amount of inward looking buildings that fails to provide an adequate level of activity onto Lower Harding Street or Compton Street. It is accepted that dwellings could, in theory, front onto Compton Street; however, this would create a further set of problems as the primary outlook of these dwellings would then face industrial units, which would not secure a satisfactory level of amenity.
- 7.9 In design terms, it is considered that the presence of two storey houses facing onto Grafton Street fails to create a satisfactory frontage and presence onto this key route around the town centre. Grafton Street (and the adjoining Campbell Street and Campbell Square) are, in part, characterised by larger scale buildings that make a positive contribution to the quality of the streetscene. In addition, this design approach does not allow for a possible landmark building to be situated towards the north west of the site as identified in CAAP Policy 24.
- 7.10 Whilst it is accepted that 40 car parking spaces is acceptable given the general location of the development, a number of these space are located within garden spaces or central parking areas. These spaces have the necessary visibility splay; however, the effect of this is to create a car dominated development, which is detrimental to the character of the development due to the absence of any significant soft landscaping. The car parking that serves the dwellings which front onto

Grafton Street would experience a poor level of natural surveillance due to the lack of windows that would overlook these spaces and boundary treatments that would disrupt views of these parking spaces from the associated dwellings.

- 7.11 The need for some dwellings to face onto Grafton Street means that a significant proportion of the internal access road is surrounded by boundary fences, which limits the attractiveness of this part of the development. This layout also fails to create a safe and secure development due to the expanse of rear boundary fences that would not be habitually overlooked. There are additional concerns regarding the pedestrian route running from Grafton Street. This path would not feature any natural surveillance from the surrounding properties and therefore this could become a venue for anti-social behaviour.
- 7.12 The surrounding land uses and scale and position of the road network mean that the development is not integrated with the surrounding area. Whilst there may be scope to overcome this through a more holistic regeneration of the wider area, it is incumbent upon Local Planning Authorities to assess planning applications upon their own individual merits. For the reasons previously discussed, the design and layout of the proposed development is unacceptable and would fail to represent sustainable development within the context of the NPPF.
- 7.13 As a consequence of this, it is necessary to balance the poor quality design against the lack of a five year housing land supply. By reason of the significant design flaws, which could not be realistically overcome due to the inherent constraints of the site means that it is concluded that the proposal is not sustainable and therefore the benefit of the extra house provision is outweighed.
- 7.14 The proposed layout would ensure that all residents would have a suitable level of light, outlook and privacy and that the development would not impact upon the amenities of the surrounding occupiers. The proposed flats do not feature any private amenity space; however, this arrangement is considered appropriate given that these units are unlikely to be used as family accommodation and the proximity of the site to the Miller's Meadow recreation ground. It is considered that these points are insufficient to outweigh the harm and deficiencies of the scheme as highlighted previously.

### **Highway impacts**

- 7.15 As discussed previously, the provision of 40 car parking spaces is considered appropriate given the proximity of the site to major roads and the town centre. No objections have been received from the Highway Authority in terms of the impacts of the development upon the surrounding road network.
- 7.16 The Highway Authority have raised concerns regarding the position of three dwellings (adjacent to Compton Street) and have also requested



amendments to the turning head serving the proposed flats. By reason of the significant inherent weaknesses of the scheme, officers have not secured amendments to the proposal. Therefore, the proposed development does not allow for the safe manoeuvring of vehicles meaning that the development is not in accordance with the requirements of the National Planning Policy Framework.

## **8. CONCLUSION**

- 8.1 In conclusion, it is recognised that there is a need for new residential accommodation within Northampton and that there is not an available five year housing land supply; however, the NPPF requires that in such instances, applications should be assessed as to whether they would represent sustainable development. It is considered that due to the proposal representing a departure from the Central Area Action Plan, which would prevent the site from being developed to provide employment opportunities combined with the development's poor design and layout, the proposal is not sustainable. Accordingly, the development is not in compliance with the requirements of the NPPF and local planning policies.

## **9. BACKGROUND PAPERS**

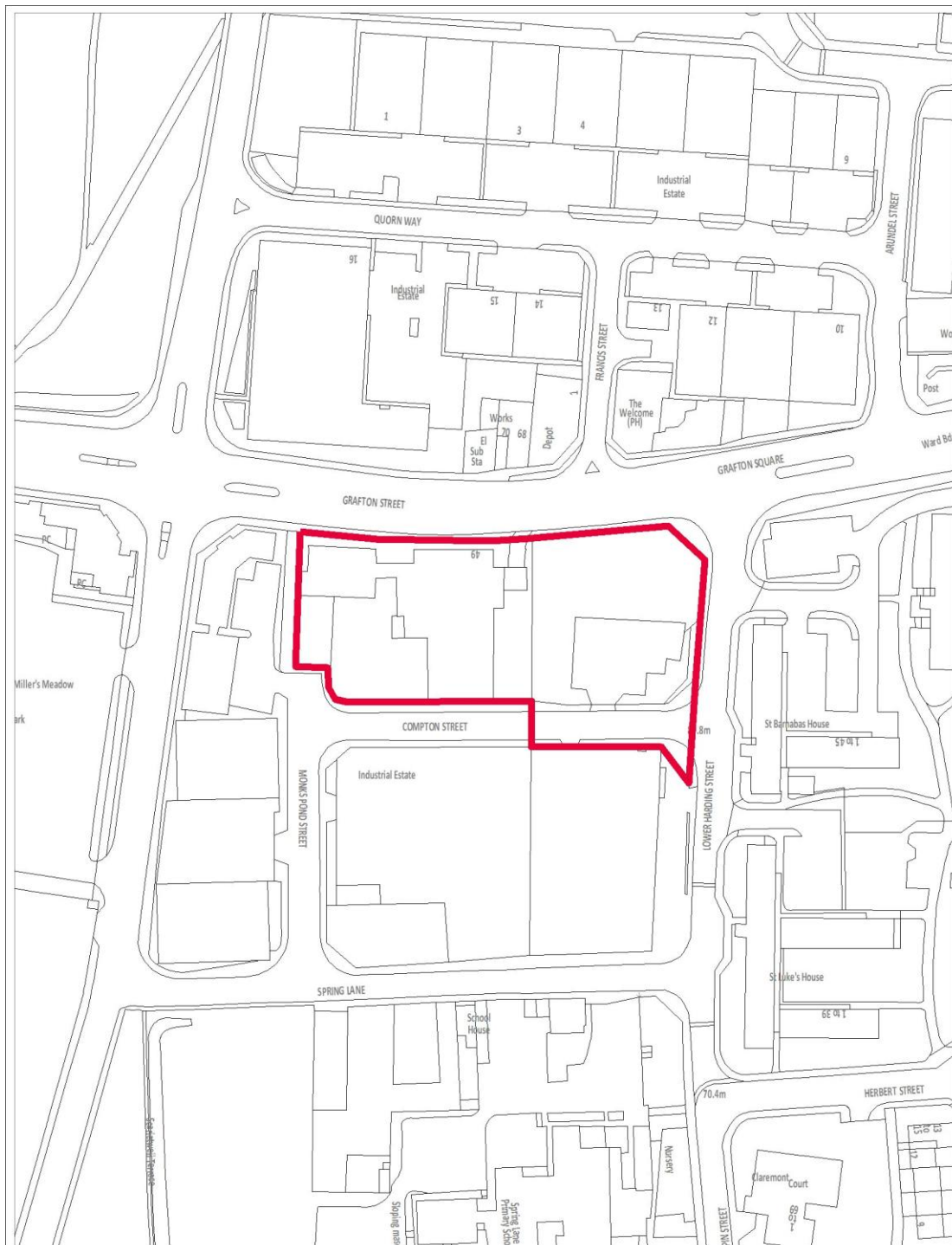
- 9.1 N/2014/0600

## **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.



Name: Becky Gittins  
 Date: 17th July 2014  
 Scale: 1:1250  
 Dept: Planning Support  
 Project: Location Plan

Title  
**Former Honda Dealership, Grafton Street**

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