



**NORTHAMPTON**  
**BOROUGH COUNCIL**

**PLANNING COMMITTEE:** 24<sup>th</sup> November 2015  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**N/2015/1067** Conversion into 2no. 1 bed flats, 4no. new 1 bed flats and 2no. new 2 bed semi-detached dwellings at 54 Adams Avenue, Northampton (retrospective application).

**WARD:** Abington

**APPLICANT:** Oakmead Developments Ltd  
**AGENT:** Mr I. Abrams

**REFERRED BY:** Director of Regeneration, Enterprise and Planning; Councillor Danielle Stone; and Councillor Zoe Smith

**REASON:** Development requiring a legal agreement; the development would place a greater pressure on services and the community; and there are considerable constraints in Adams Avenue with regards to parking and refuse collections.

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to the conditions below and for the following reason:

The proposed development has a neutral impact upon the streetscene and on the amenities of existing neighbouring residents and provides a suitable standard of accommodation for future residents. As the highway impacts can be mitigated, the proposal would thereby comply with the National Planning Policy Framework; Policies H1 and S10 of the West Northamptonshire

Joint Core Strategy and Policies E20 and H6 of the Northampton Local Plan.

- 1.2 The prior completion of a Unilateral Undertaking in order to secure a financial payment towards the review and improvement of parking layout, availability and regulations within the vicinity of the site in order to improve availability and/or highway safety.
- 1.3 It is also recommended that in the event of a completed Unilateral Undertaking not being submitted within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his 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 Policy INF1 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 Planning permission was granted for the same development in 2010. This was subject to a condition that required the development to commence within three years from the date of the permission. As no works took place on the site within this timescale, the permission expired. Notwithstanding this, some works have since taken place on the site without the benefit of planning permission. The applicant therefore seeks permission to retain these works and complete the scheme in a manner that is identical to the 2010 approval.
- 2.2 In summary, the works involve the conversion of the existing property at 54 Adams Avenue which has most recently been used for commercial purposes into two one bedroom flats. Aside from this structure, all other buildings have been demolished. A new block adjacent to 54 Adams Avenue that contains four one bedroom flats is included in the application. This would be built in a style to match the original building at number 54 with two storey bay windows.
- 2.3 A further two units, again in a similar style, would be constructed on Billington Street. These would contain two bedroom semi-detached houses. All units would be of traditional dimensions but finished in a more modern design, featuring brickwork and timber cladding, but also sliding sash windows.

## **3. SITE DESCRIPTION**

- 3.1 The site is located within an area of traditional terraced housing of uniform character, with some commercial uses in particular on street corners. Notwithstanding the commercial uses that are

present in the vicinity, the site is allocated within the Local Plan as being suitable for residential accommodation. A large proportion of the surrounding properties are reliant upon on street car parking provision.

- 3.2 The application property was most recently use used a shop / office with associated single storey extensions and a yard area.

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

- 4.1 Application no. N/2007/1461 was refused by the Planning Committee on February 14<sup>th</sup> 2008 for the following reason:

*The proposed development does not provide any on-site parking. This would give rise to an increased demand for on-street parking in a locality where kerbside parking is already over-subscribed. The proposal would therefore lead to increased highway congestion detrimental to highway and pedestrian safety contrary to Policy T3 of the Northamptonshire County Structure Plan.*

- 4.2 A subsequent appeal was dismissed on December 11<sup>th</sup> 2008. In considering the appeal, the Inspector concluded that the scale and design and principle of the development was acceptable; however, due to errors in the proposed Unilateral Undertaking it was not possible to allow the appeal.
- 4.3 A subsequent application (reference N/2009/0968) was made to the Council and included a revised Unilateral Undertaking to fund highway improvements. This was approved by the Council's Planning Committee on 10<sup>th</sup> March 2010.

#### **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 Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies

##### **National Policies:**

- 5.2 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The

NPPF should be read as one complete document. However, the following sections are of particular relevance to this application.

- 5.3 Of particular note to residential proposals is that Paragraph 49 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.
- 5.4 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).
- 5.5 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)

5.6 **West Northamptonshire Joint Core Strategy**

H1 – Housing Mix  
S10 – Sustainable Development Principles

5.7 **Northampton Borough Local Plan**

E20 – New Development  
H6 - Housing Development within Primarily Residential Areas

5.8 **Supplementary Planning Guidance**

Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/REPRESENTATIONS**

6.1 **Environment Agency** – No objections

- 6.2 **Highway Authority (NCC)** – Consider that greater survey work is required regarding existing car parking provision. In the event of approval, conditions are recommend that would require the submission of details in respect of the reinstatement of disused dropped kerbs and the developer should be advised that foundations and other building works should not encroach onto the highway.

- 6.3 **Northamptonshire Police Crime Prevention Design Advisor** – Recommend that details of gates and lighting are submitted.
- 6.4 **Cllr. Z. Smith** – There are a number of constraints in Adams Avenue in terms of rubbish collection and parking.
- 6.5 **Cllr. D. Stone** – The surrounding area is already under streets and this development will lead to a greater pressure on services and the local community.
- 6.6 Objections have been received from the occupiers of 11 properties. Comments can be summarised as follows:
- The development would exacerbate existing parking problems in the vicinity
  - There is a need for off street parking to be included in the scheme
  - There are a number of other uses in the vicinity which generate significant traffic movements
  - The area has changed since the previous consideration of this development.
  - It is considered that traffic impacts could not be adequately mitigated

## **7. APPRAISAL**

### **Principle of the development**

- 7.1 By reason of the site's allocation in the Local Plan, it is considered that the development of this site for residential purposes is acceptable and compatible with the character of the surrounding area. In addition, the redevelopment of the site in the manner proposed would result in the removal of a policy non-conforming land use that has the potential to have a significant negative impact upon neighbour amenity.
- 7.2 Planning permission has previously been granted for residential developments on this site and the retention of the existing building works and continued development of the site would be consistent with these approvals.

### **Design and appearance**

- 7.3 The proposed development would consist of blocks of a similar scale and bulk to the existing neighbouring houses on Adams Avenue, but with a more modern external appearance, including the use of timber cladding as well as brickwork but also featuring sliding sash windows. It is considered that this design would not be out of character with the surrounding area and that this is preferable to any attempt to mimic features of the older buildings.

7.4 The two flats within the existing building would be accessed from Adams Avenue, whilst the other four flats in the adjacent new block would be accessed from a communal entrance on Billington Street, via the communal gardens. The ground floor flat within 54 Adams Avenue would also have access to this space.

The four new build flats would be accessed via a single entrance, off the communal area. It is considered that this represents a suitable arrangement, subject to adequate security measures being in place, as requested by the Police Crime Prevention Design Advisor. In order to ensure a safe and secure form of development, conditions are recommended that would require the submission of details pertaining to access gates.

7.5 The relocation of the electricity substation (which has taken place) would be screened by fencing. Given that the substation must be adjacent to the road it is considered that this represents a suitable solution, given that the existing substation would otherwise remain in place. Details of the screen are not provided and it is recommended that these are obtained by means of a condition. A further condition is proposed requiring details of the acoustic screening of the substation.

7.6 The dwellings have been designed in such a way so as to ensure a neutral impact upon neighbouring properties in terms of considerations such as light, outlook and privacy. It has also been demonstrated that future residents of the development would have a good standard of amenity.

7.7 The rear of the site is surrounded by residential properties on all sides. These would not be overshadowed or overlooked by the proposed development as this follows the line of neighbouring buildings. In the case of houses on Bostock Avenue adequate separation between the side wall of the proposed houses and the rear of these neighbouring properties is proposed (11m gap). It is considered, therefore, that existing neighbouring occupiers would not be adversely affected by the proposal. In fact, given that an existing non-residential use would be removed, the possibility of disturbance to neighbours would be reduced.

### **Highway impacts**

7.8 It is accepted that car parking spaces within the vicinity are in high demand and that some of the future occupiers of the development are likely to have access to private cars. It is also noted that the Highway Authority have requested further survey work in respect of parking availability.

7.9 In response to these issues, it is considered that weight should be given to the fact that in planning terms, the site could be used for commercial purposes. There are also no planning controls that

would prevent this commercial use from being intensified. This could potentially generate a significant number of vehicle movements as employees and patrons arrive and leave the site and larger commercial vehicles makes deliveries and collections. In light of this valid fall back option, it is likely that the highway impacts associated with the development under consideration would be no greater and as a consequence refusal of the application on this ground would be unreasonable.

- 7.10 There is no scope to provide parking, however, within this area of closely packed terraces there is generally no off-street parking and the proposed development would be consistent with this pattern. The street adjacent to the site is, however, available for use by neighbouring residents, particularly in the evening when the business is closed, and this would no longer be available if occupied by residents of the proposed development. In addition, the site is relatively close to the town centre, to which it is also connected by public transport and is within easy walking distance of Wellingborough Road, which is well served by local facilities.
- 7.11 Weight should also be given to the fact that the permission has previously been granted for a comparable development. Whilst this permission has since expired there have been limited changes to the overall character or patterns of activity in the surrounding area in the intervening period and as a result, there is no material change in circumstances that would justify a differing outcome to this application.
- 7.12 Notwithstanding these conclusions, it is accepted that improvements can be made within the vicinity. In line with previous decisions on this site, the applicant would provide a Unilateral Undertaking that would provide a financial payment towards such works. The sum that would be agreed would be utilised by the Highway Authority on either reviewing parking controls in the vicinity of the site or, put towards an area wide review and implementation of parking provision and restrictions, which is currently in the process being planned.

## **8. CONCLUSION**

- 8.1 The proposed development would have no significant adverse impact on the street scene or the amenities of adjoining occupiers. The concerns over parking as previously expressed have been overcome by the proposed contribution towards transport measures within the vicinity to address the lack of on-site parking. In addition, the development represents an acceptable land use and contributes to addressing the established need for housing within Northampton.

## **9. CONDITIONS**

Within one month from the date of this permission a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. 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.

1. 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.
2. A management plan, including management responsibilities and maintenance schedules, for all external and shared/common areas of the development shall be submitted to and approved by the Local Planning Authority prior to the first occupation of the development for its permitted use. The management plan shall be carried out as approved and retained thereafter.  
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.
3. Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority within one month from the date of this permission. 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.
4. Full details of the method of the treatment of the external boundaries of the site, including the proposed cladding screen to the electricity substation, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first 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.

5. Full details of a scheme for the acoustic screening of the proposed replacement substation shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

6. The garden/amenity space approved as part of the development hereby permitted shall be available for use prior to the occupation of any flat or dwelling and shall be accessible to the occupants of all dwelling units in the scheme and retained in that form thereafter.

Reason: In the interest of the amenity of the future residents of the development hereby approved in accordance with Policy E20 of the Northampton Local Plan.

7. Notwithstanding the submitted plans, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and provided prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy E20 of the Northampton Local Plan.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the residential development hereby permitted without the prior written consent of the Local Planning Authority.

Reason - To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

9. All existing vehicle crossovers shall be reinstated to footway and full details of which shall be submitted to and approved in writing by the Local Planning Authority and the works shall be carried out prior to the development being first brought into use.

Reason: In the interests of highway safety and in accordance with Policy E20 of the Northampton Local Plan.

10. Notwithstanding the submitted plans, full details of fenestration to the approved dwellings shall be submitted to and approved in writing by the Local Planning Authority within one month from the

date of this permission. The development shall thereafter be constructed in full accordance with the approved details.  
Reason: To prevent encroachment over the public highway, in the interests of highway safety and in accordance with Policy E20 of the Northampton Local Plan.

11. Notwithstanding the details submitted, full details of all access gates shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of this permission. Development shall be carried out in accordance with the approved details and be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.  
Reason: In the interests of creating a safe and secure form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.
12. Notwithstanding the details submitted, full details of all refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.  
Reason: In the interests of creating a safe and secure form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

Informative:

The Highway Authority advises that foundations do not encroach or undermine the highway and that building drainage, pipes, eaves, sills, outward opening windows, fenestrations or anything else attached to the building (e.g. gas meter), must not encroach upon or overhang the highway.

**10. BACKGROUND PAPERS**

- 10.1 N/2009/0968 and N/2007/1461.

**11. LEGAL IMPLICATIONS**

- 11.1 None

**12. SUMMARY AND LINKS TO CORPORATE PLAN**

- 12.1 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: **Site Location Plan**  
 Date: **6th November 2015**  
 Scale: **1:1250**  
 Dept: **Planning**  
 Project: **Planning Committee**

**Title**  
**54 Adams Avenue**

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