



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 26<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0772

**LOCATION:** 33 Little Cross Street

**DESCRIPTION:** Demolish existing flats and erect three storey building with nine flats on ground floor and nine maisonettes on upper floors

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** rg+p Ltd

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** NBC owned land

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

1.1 **APPROVAL** subject to planning conditions and for the following reason:

The proposed development would have no detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area, and would represent an appropriate use for the site. The proposed development would therefore comply with Policies S2, S3, S9, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy, Policy 24 of the Central Area Action Plan, Policies, Polices H6, H17, H32, E20, E40 of the Northampton Local Plan Policies OP1, OP2, OP5 and AB2 of the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposal is for the demolition of the existing flats and the erection of a two to three storey building comprising 9 flats on the ground floor and a further 9 maisonettes on the upper floors.

2.2 The current site (when occupied) provided 23 one bedroom units that were occupied as social rented housing. The proposal seeks to provide 9 one-bedroom flats and 9 two-bedroom maisonettes with a private roof terrace, which again will provide social rented housing for the area.

- 2.3 Currently there are 13 parking spaces adjacent to the site, these are outside the application site boundary and they are shown to be retained. On-street parking in this area is controlled through a residents permit scheme.
- 2.4 The scheme has been designed taking account of the principles of Secure by Design and seeks to provide natural surveillance along the length of Little Cross Street and within the amenity space. The properties also have individual entrances, rather than communal entrances.

### **3. SITE DESCRIPTION**

- 3.1 The site comprises a two storey block of flats also incorporating a convenience store. The flats have been vacated and are now in a dilapidated condition and are fenced off.
- 3.2 The current site is set down in level from Little Cross Street, which forms the eastern boundary of the site. Lower Bath Street, to the North and Fitzroy Place to the South form the other boundaries and as they both have a slight gradient are on the same level as the amenity area between the existing blocks of flats.
- 3.3 The area has some mature landscaping and some attractive street trees that provide some pleasant vistas, particularly in areas where work has taken place.
- 3.3 Spring Boroughs has been the subject of various initiatives work with residents and agencies, to enhance the area and to reduce crime and anti-social behaviour and as part of this work, some of the flats have been improved others are being replaced.

### **4. PLANNING HISTORY**

- 4.1 Consent was granted under the Prior Notification procedures, for the demolition of the existing two storey building and associated structures on the site on 28<sup>th</sup> April 2016. At that time the developers' attention was drawn to the fact that the site has the potential for archaeological remains to exist and consideration should be given to this when carrying out demolition and when proposals for redevelopment of the site are brought forward.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

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), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and Spring Boroughs Neighbourhood Plan.

#### **5.2 National Policies**

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:

The NPPF has a presumption in favour of sustainable development.

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

Paragraph 49 – housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 56 – good design is a key aspect of sustainable development and should contribute to making places better for people.

### **5.3 West Northamptonshire Joint Core Strategy (2014)**

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S1 – The distribution of development - in assessing the suitability of sites for development priority will be given to making best use of previously developed land and vacant and under-used buildings in urban or other sustainable locations contributing to the achievement of a West Northamptonshire target of 30% of additional dwellings on previously developed land or through conversions.

Policy S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings in the plan period 2011 to 2029.

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations, be located where services and facilities can be easily reached by non-car modes; protect, conserve and enhance the built environment; minimise pollution from noise, air and run-off.

Policy H1: Housing Density and Mix and Type of Dwellings – new housing development will provide for a mix of house types, sizes and tenures having regard to the character of the area; accessibility to services and facilities and public transport; living conditions of future residents and impact on amenity of occupiers of neighbouring properties.

Policy H2: Affordable Housing – required to be provided at 35% on sites of 15 dwellings or more.

### **5.4 Northampton Central Area Action Plan 2013**

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 24 – Spring Boroughs: Spring Boroughs will be regenerated consistent with encouraging a more balanced community in terms of: age, wealth, household size and reducing the turnover of residents through appropriate provision of housing management, housing types and tenures, access to necessary social and physical infrastructure. In addition proposals should seek to enhance the setting of the Castle Mound and Grade II Listed Castle Hill United Reform Church.

### **5.5 Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 – the design of new development should adequately reflect the character of the surrounding area and be designed and located to ensure adequate standards of privacy, daylight and sunlight.

#### 5.6 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

#### 5.7 **Other Material Considerations**

##### Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton.

The following policies are relevant to the determination of this proposal:

Policy OP1 – Sustainable Development Principles: New and affordable homes related to local housing demand and the needs of the community; High quality environment for residents, visitors, community groups and businesses; Infrastructure to support improved leisure, recreational and social facilities; Better connections to adjoining areas: Security for occupiers and users through the use of design principles from “Secured by Design”.

Policy OP2 – Family Housing: Proposals for housing developments within Spring Boroughs will be supported if they contribute toward rebalancing the housing stock to ensure Spring Boroughs offers a range of dwelling types, sizes and tenures to meet local housing needs; Achieve the design principles set out in Policy OP1 including using “Secured by Design”. Proposals for affordable family housing with private outside space will be particularly encouraged.

Policy OP5 – Streets, Movement and Parking. The Neighbourhood Plan supports proposals which increase conductivity between Spring Boroughs and the wider area, particularly by direct, overlooked pedestrian routes, provided that they adhere to the principles set out in OP1. Pedestrian routes should be reconfigured to design out crime and proposals should show and increase in kerbside parking for residents and local businesses.

Policy AB2 – Central Spring Boroughs: Develop central housing area of Spring Boroughs as new residential to include a high proportion of affordable housing suitable for families. The area will include a high proportion of affordable family housing with gardens.

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Environment Agency** - the site is considered to be of low environmental risk. No objections are raised.

6.2 **Anglian Water** - the preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with a connection to sewer seen as the last option. The Flood Risk Assessment submitted is unacceptable to Anglian Water. A condition is proposed requiring the submission of a surface water management strategy.

- 6.3 **NCC Local Lead Flood Authority** - insufficient information has been provided within the flood risk assessment. Further information has been requested.
- 6.4 **NCC Highways and Access** - it is noted that the development only provides 12 parking spaces. These are not allocated, but they are within a controlled parking zone. Given that this is a relatively sustainable location and there are fewer units than within the previous development. No objections are raised, although it is recommended that a travel pack is provided to new residents to promote bus and cycle usage.
- 6.5 **NCC Archaeology** - the proposed development is in an area of archaeological sensitivity, specifically the civil war defences to the south and eastern side of the site. It is likely that if any archaeological deposits are present, they are likely to be at some depth. A geotechnical works to be undertaken in conjunction with the development could inform both an enhanced heritage assessment and inform a mitigation strategy.
- 6.6 **NBC Arboriculture Officer** - in the absence of an arboriculture report, further information is required in respect of methods of protection of the trees on the site during demolition and construction. Concerns have also been expressed regarding some of the species shown in the landscaping plan.
- 6.7 **Northamptonshire Police** - have had extensive pre application discussions with both the architect and Northampton Partnership Homes and given advice throughout the process. There is a live Secured by Design application for the site and therefore no concerns have been raised regarding what is proposed. All of the suggestions made by the Police have been included in the final design although, no provision for cycle storage on the plan. This will be referred to the agent for update prior to the meeting.
- 6.8 **Friends of Northampton Castle** - concern regarding the impact on archaeology in the area, but note that the proposal offers new opportunities to discover new remains. The Friends of Northampton Castle would like to work with the applicant to explore opportunities.
- 6.9 One letter has been received that raises concerns regarding disruption during the course of construction, the need to improve existing road quality and infrastructure, lack of parking in the area and the need to implement a workable parking system.
- 6.10 The letter also asks if the retail unit is to be replaced. This is the subject of a separate application N/2016/0773, which relates to a single storey extension to St Peters House to provide a retail unit.

## 7. APPRAISAL

### Principle of Residential Use

- 7.1 The NPPF has a presumption in favour of sustainable residential development and encourages the use of brownfield sites, where there is an identified need for additional housing. In this instance whilst the number of units is a reduction on the previous development, the accommodation meets the local needs for Northampton by providing addition two bedroom units, which are to be of affordable rent tenure.
- 7.2 The application site is allocated as being within a Primarily Residential Area in the Local Plan and is identified as a housing area in the Spring Boroughs Neighbourhood Plan.
- 7.3 It is considered, therefore, that the principle of residential use would be acceptable and would provide much needed housing supply for the Borough.

### **Impact on the street scene and the character and appearance of the area**

- 7.4 The proposed flats comprise 9 flats on the ground floor and 9 maisonettes on the first floor. The maisonettes are indicated to provide a kitchen/living room on the second floor, which leads to a roof terrace. The addition of the second floor element provides a variation to the street scene.
- 7.5 Neighbouring residential properties in the area are mainly two/three storey flats which have recently been rendered in a white finish. There is a public house that is closed and some nearby retail units close to the site. It is considered that the proposed dwellings whilst of a modern design and finish would be in keeping with the general character of this area.

### **Impact on the amenities of adjoining and nearby occupiers**

- 7.7 The proposed dwellings have been designed to provide adequate separation from the neighbouring residential occupiers and would not result in any overlooking or loss of light to these properties although the amenity area does demonstrate natural surveillance in line with the principles for Secure by Design.
- 7.8 One objection has been received from a local resident raising concerns about noise and disturbance during construction. This has been addressed by a condition requiring a construction environmental management plan, which will address issues such as mitigation measures to include dust and noise reduction procedures, hours of working and haul routes for construction vehicles.
- 7.9 The objector also raised concern regarding the loss of the retail unit that forms part of the current development. This is the subject of a separate planning application for a new retail unit.

### **Parking and Highway Issues**

- 7.10 A Transport Statement has been submitted with the application. This has been considered by the Local Highway Authority and no objections have been raised.
- 7.11 Parking has not been provided as part of the scheme, but a permit parking scheme operates in the area. This is considered to be an appropriate provision of parking, in particular given the proximity of the site to the town centre.
- 7.12 The objector has raised concerns about the provision of parking in the area and the current scheme. This is currently managed by NCC Highways and is not for consideration as part of this proposal, given that no objections have been raised by the Highway Authority.
- 7.13 NCC Highways have requested that travel packs are provided for future occupants of the proposed flats, to encourage residents to encourage sustainable travel measures, such as cycling or bus travel. Given the proximity to the town centre, the properties are already within an easy walking distance of the bus and railway stations. However, it may be possible to provide such information on a central basis at the Community Hub or its future replacement. Discussions will take place separately with the applicant, to see if this can be encouraged. This would be of wider benefit to the community rather than just the 18 units proposed.

### **Drainage and Flood Risk**

- 7.14 The application was submitted with a Flood Risk Assessment. Both Anglian Water and Environment Agency has no objection to the application. The Lead Local Flood Authority has commented that insufficient information has been submitted regarding the proposed surface water drainage scheme. The applicant is currently preparing further details on the matter and the Committee will be updated on the issue via the addendum.

## **Archaeology**

- 7.15 Comments from NCC Archaeology have been received and whilst it is expected that any archaeology will be at a much deeper level than the works proposed, a condition has been imposed requiring a programme of works to be supplied.

## **Trees and landscaping**

- 7.16 The site currently has three trees within the existing development; a pine on the northern edge of the site and two Sorbus sp. (Rowan) located to the west of the existing building. Whilst these are shown to be retained, further information has been sought from the agent as to the protection of the Rowan during the course of demolition of the existing and construction of the proposed building, given their proximity to the existing.
- 7.17 A landscaping scheme has been submitted with the application, although the Council's Arboriculture Officer has raised concerns about some of the species proposed. This will be discussed with the agent.

## **Ecology**

- 7.18 The application has been accompanied by a Bat Survey. Whilst the presence of bats in the area has been noted, it is not believed that any are roosting in the buildings to be demolished. The Construction Environmental Management plan will take note of procedures should evidence of bats be observed during the demolition of the building.

## **Contamination**

- 7.19 A contamination desk top survey has been submitted with the application that shows naturally occurring arsenic on site. In this instance, as the site has been in residential use for a number of years and the properties will not have gardens, where foodstuffs could be grown and therefore the risk to human health is considered low. A planning condition will be imposed to ensure that necessary mitigation is carried should contamination be found during the course of construction.

## **Security of the Site**

- 7.20 The comments from the Crime Prevention Officer relating to cycle storage are noted and will be addressed by the applicant accordingly. The site will be appropriately secured by boundary treatments including fencing and landscaping and also lighting and the details will be secured by appropriate planning conditions.

## **Affordable Housing**

- 7.21 The proposal would provide 100% social rented units. The site is owned by the Borough Council and the development will be carried out by Northampton Partnership Homes. No S106 agreement is therefore required in this instance as ultimately the Council will provide the necessary affordable units in accordance with Corporate objectives.

## **8. CONCLUSION**

- 8.1 In conclusion, it is considered that the proposed development would meet the objectives of the Spring Boroughs Neighbourhood Plan by providing much needed additional housing and that this would have no adverse impact on the amenities of adjoining and nearby.

## **9. 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) The development hereby permitted shall be carried out in accordance with the approved plans scheduled.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3) No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and completed fully in accordance with the approved details and the approved implementation programme and maintained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

4) 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 the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable investigation to take place early.

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.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

6) All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development. This is a pre-commencement condition to ensure adequate protection of the trees within or adjacent to the site.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

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 and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of 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 Policy BN9 of the West Northamptonshire Joint Core Strategy

8) No demolition or development approved by this permission shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to the following details: (a) Lorry routing and traffic management (including control of delivery of materials) (b) Noise control measures (c) Dust control measures (d) Site waste management (e) Working hours (f) Measures to prevent pollution of ground and surface water (g) Measures to protect areas of vegetation and wildlife within the vicinity of the development during construction works (h) Compliance with requirements relating to nature conservation specifically protected species (i) Details of how the CEMP will be monitored on site. Development shall thereafter be carried out in accordance with the details as approved and within agreed timescales.

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

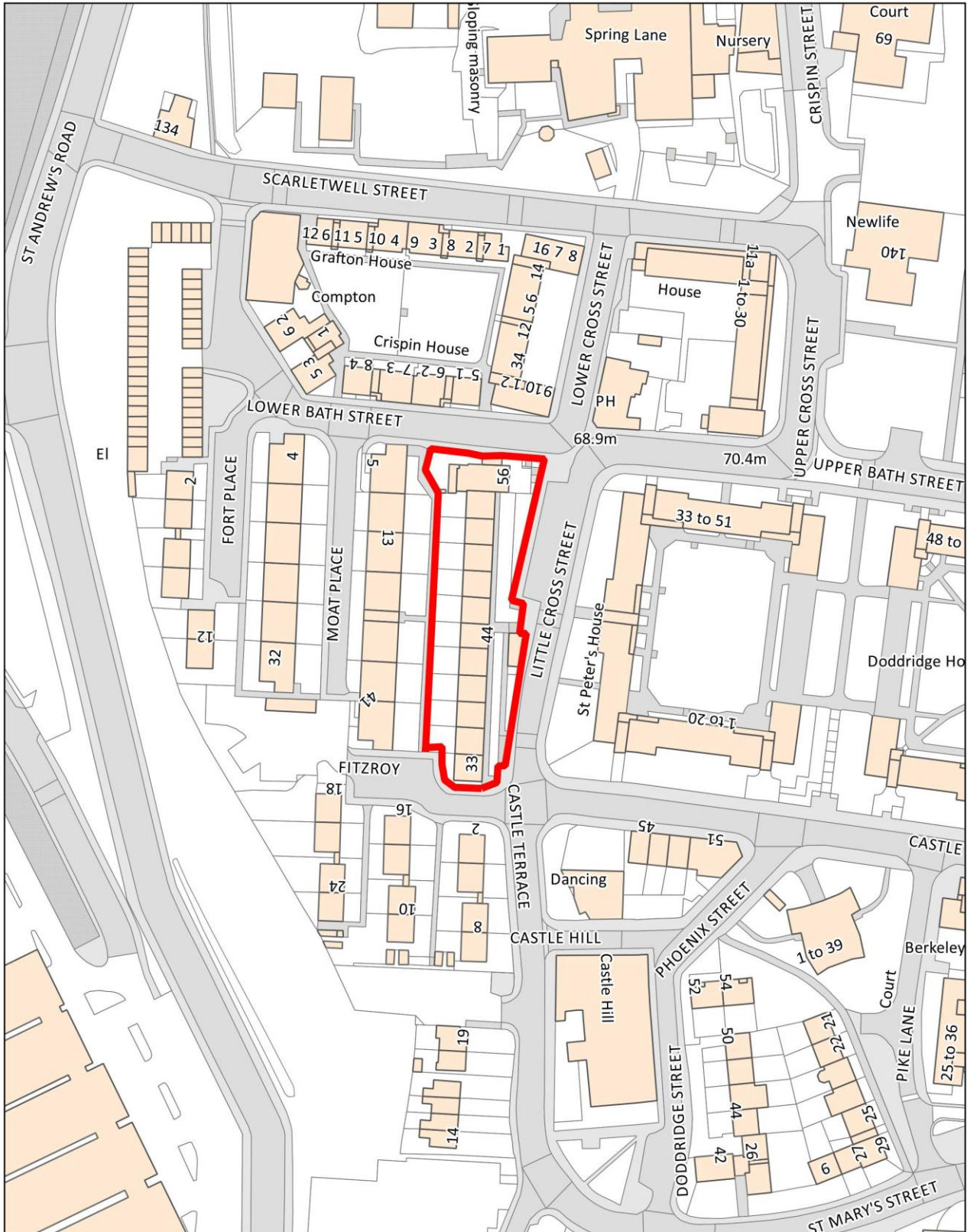
10.1 N/2016/0772

## **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.



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Date: 14-07-2016

Scale: 1:1,250

Drawn by: -----