

PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1649

LOCATION: Former Lakeview House Old Persons Home, 88 Churchill Avenue

DESCRIPTION: Redevelopment of land to provide 45no. 1 bedroom flats for the elderly with associated facilities and demolition of 10no. existing garages to the north of the site to create overall 31no. car parking bays (including 3 accessible bays). Creation of new access into Shap Green

WARD: Eastfield Ward

APPLICANT: Northampton Partnership Homes
AGENT: Quattro Design Architects Ltd

REFERRED BY: Head of Planning
REASON: NBC owns the land and is the Applicant

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development would contribute to the Borough's 5 year housing land supply and would not cause undue harm to residential amenities of the neighbouring occupiers, highways or biodiversity. The proposed design and layout are considered to be acceptable and the development is considered to be in conformity with the requirements of the National Planning Policy Framework, Policies H1, BN3, S4 and S10 of West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The application relates to the redevelopment of land to provide 45 no. 1 bedroom flats for the elderly with associated facilities, including demolition of 10 no. existing garages to the north of the site to create a total of 31 no. car parking to serve the development (including 3 accessible bays) and creation of new access onto Shap Green.

2.2 The application is accompanied by the following documents;

- Design and access statement
- Ecological Assessment
- Ground investigation report
- Flood risk assessment
- Transport assessment
- Travel plan

2.3 Cabinet considered a report in July 2016 which agreed the Northamptonshire Partnership Homes Board Older Persons Strategy. Lakeview House was identified as an opportunity to provide older persons housing which is both fit for purpose and provides a secure environment above that normally provided in rented accommodation.

3. SITE DESCRIPTION

3.1 The proposal relates to the redevelopment of a vacant site located between Churchill Avenue and Shap Green in the Boothville area of Northampton. The site was previously occupied by the former Lakeview House Old Peoples Home which was a two storey building demolished in early 2016.

3.2 The area is predominantly residential in nature, with a neighbourhood shopping centre located towards the south east of the site. Much of the development in this area was constructed in the 1970's and is mainly two storey and brick built.

4. PLANNING HISTORY

4.1 The site has been the subject of a number of planning applications for change of use;

- N/2013/0305 - Change of use from Residential Care Home (use class C2) into Hostel Accommodation (use class Sui Generis) and provision of car park. This application was withdrawn in May 2013.
- N/2013/0925 - Change of use from residential care home (Use Class C2) into 28no. residential flats (Use Class C3) and provision of on-site car parking spaces. Refused in November 2013.
- N/2014/0911 - Change of use from residential care home (Use Class C2) to 20no. residential flats (Use Class C3). Refused in February 2015.
- N/2015/1448 - Demolition of existing 2 storey building and associated buildings. Approved January 2016.

4.2 There have also been a number of enforcement complaints regarding activities on this site relating to untidy land, change of use and impact on the protected trees.

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.

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:

Paragraph 7 – There are three dimensions to sustainable development. These dimensions give rise to the need for the planning system to perform a number of roles: an economic role, a social role, an environmental role.

Paragraph 14 – Central to the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 17 – sets out core land-use planning principles, which seek to secure high quality design and a good standard of amenity for existing and proposed occupiers; encouraging the effective use of brownfield sites; managing patterns of growth to make fullest use of sustainable locations.

Paragraph 35 - sustainable transport – developments should be located and designed where practicable to create safe and secure layouts which minimise conflicts between traffic and cyclists and pedestrians.

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 in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Paragraph 50 – To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, should plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community.

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 SA: presumption in favour of sustainable development requires the Council to take a positive approach that reflects a presumption in favour of sustainable development and that proposals should be determined in accordance with the development plan.

Policy S4: Northampton Related Development Area sets out the housing needs for the plan period for Northampton.

Policy S10: Sustainable Development Principles - Seeks to achieve the highest standards of design and to protect, conserve and enhance heritage assets and their settings.

Policy H1: Housing Density and Mix and Type of dwellings – considers the location and setting of the site, the character of an area, living conditions for future residents and amenities of occupiers of neighbouring properties. The principles of Policy H1 require that development should make most efficient use of land.

Policy BN2: Biodiversity – seeks to protect biodiversity and ensure adequate surveys are undertaken to establish habitats and species on the site.

Policy BN3 Woodland Enhancement and Creation – seeks to protect aged or veteran trees and will not permit their loss unless the need for and the benefits of, the development in that location clearly outweigh the loss.

5.4 **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: New Development - requires new development to reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and be located in a manner which ensures adequate standards of privacy, daylight and sunlight.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Northampton Partnership Homes Older Persons Strategy (adopted by NBC in July 2016)

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** – satisfied that the level of parking proposed is sufficient to accommodate the development given the estimated trip generation and use of the building. A Construction Traffic Management plan should be submitted to provide details of the construction access to the site, routing to and from the site and hours of operation and delivery times.
- 6.2 **NCC Local Lead Flood Authority** – further information was provided during the course of the application and this is to the satisfaction of the Surface Water Drainage team.
- 6.3 **Environment Agency** – no objections.
- 6.4 **Anglian Water** – further details of the means of drainage of the site are required. This can be dealt with by condition.
- 6.5 **NCC Archaeology** – no objections.
- 6.6 **NCC Development Management covering comments from Northants Fire and Rescue** – require the installation of one additional fire hydrant (site to be agreed with the Fire and Rescue Service Water Officer) and the inclusion of ducting works to enable broadband to be provided within the development.

- 6.7 **NCC Ecology** – require a further bat survey prior to the demolition of the garages. The Ecologist has also identified the presence of invasive species of plants on the site and advised about their removal and comments on the proposed landscaping scheme.
- 6.8 **NBC Public Protection** recommend that the recommendations set out in the site report submitted with the application are carried out and a condition is imposed relating to unforeseen contamination being present on the site.
- 6.9 **Northamptonshire Police** were involved in pre-application discussions with the applicant prior to the submission of the application. It is intended that the development will be constructed in a manner that will achieve Secured by Design accreditation.
- 6.10 **NBC Arboricultural Officer** – a tree report accompanied the application and provides detailed information about the trees, an arboricultural impact assessment and arboricultural method statement. Further information was provided from the applicant regarding the impact a proposed land drain would have on the root protection area of two limes that are identified in the report.
- 6.11 45 local residents were directly consulted on the application and a number of public notices were placed around the site. The application was also advertised in the local newspaper. Two representations have been received that relate to the following issues;
- enforcement of parking to the rear of 1-11 Churchill Court
 - request that a higher fence is provided for the residents of Churchill Court
 - that the building will not be used for the elderly
 - loss of streetlight (streetlight to the west is indicated to be removed)
 - overlooking of the gardens to the west of the site
 - reduction in parking for the existing residents

7. APPRAISAL

- 7.1 Northampton has a shortage of accommodation for older people which is fit for purpose and offers a level of security over and above normal rented housing. When older people find living in their own home too much to cope with there are currently limited solutions and often they have to move into residential care homes when they do not really require such an intensive and expensive level of service. Lakeview House is intended to provide self-contained independent accommodation specifically for older people in an environment specifically designed and developed for them.
- 7.2 The location of Lakeview House is suited to older people due to its level proximity to local services such as local shops, doctors and dentist surgeries, a pharmacy and a bus route nearby. The area is popular and very settled with a number of bungalows for older people nearby and a community room which hosts a range of activities suitable for older people.
- 7.3 Lakeview House will provide independent self-contained accommodation for older people and is not an extra care scheme (there is no on-site provision of care however tenants may receive low levels of care using funding from personalised budgets). There are communal facilities by way of a small lounge, mobility scooter store as well as a garden and greenhouse. Each tenant will also be linked to a community alarm system enabling them to summon assistance via a remote contact centre 24 hours a day.
- 7.4 Prior to the submission of the application, consultation was carried out with the wider community involving 700 leaflets being delivered and a consultation event was also held. This identified the

need for additional parking in the area, which has been incorporated into the scheme, along with amendments to boundary treatment and finish of the building.

Principle of development

- 7.5 The principle of development for a residential use in this location is considered to be acceptable. Combined with the need for housing to suit the needs of Northampton's older population would be a much welcomed development. The previous facility provided accommodation for up to 48 older people offering care for residents with sensory impairments, dementia care and physical disabilities.
- 7.6 The current proposal is aimed at residents who require an element of care, whilst retaining the independence in their own apartment. The provision of this type of housing therefore contributes to the Council's five year housing land supply serving a particular need and mix of development as required by Policy H1 of the Joint Core Strategy.
- 7.7 The site has a number of protected trees around the boundaries, which can be adequately protected and retained. Although trees are indicated to be removed, replacements are proposed as further mitigation and enhancement of the development.

General layout and design

- 7.8 The footprint of the proposed building is 1,235m² and the total floor area is 3,454m². The building comprises 45 one-bedroom apartments, a communal lounge, staff office, scooter store. Externally, the plans indicate a landscaped garden, parking and vehicular drop off and covered refuse storage area.
- 7.9 Each of the apartments will be approximately 52m² which provides sufficient space for wheelchair movements around the apartments and includes a bedroom, bathroom, kitchen/living room. Each apartment has a private balcony leading from the living area.
- 7.10 On the ground floor the communal lounge leads out to a greenhouse and landscaped area with seating. Two lifts and three staircases lead to the upper floors.
- 7.11 The design has incorporated best practice from national design standards and has incorporated recommendations from the following;
- Housing our Aging Population: Panel for Innovation (HAPPI)
 - Housing Quality Indicator
 - Lifetime Homes
 - Code for Sustainable Homes
 - Secure by Design
 - Wheelchair standards
 - Amey regarding waste collection and storage
- 7.12 To the north and the east of the site, new parking provision is included which provides 27 parking spaces for staff, visitors and residents of the apartments. As some of the apartments are intended for high and medium dependency residents, the Local Highway Authority has accepted that 19 spaces would be sufficient provision for residents, leaving 8 spaces for staff and visitors.
- 7.13 In terms of design, the building is a three storey pitched roof structure finished in buff/yellow brick, off white/cream render and weatherboarding to break up the massing of the building and introduce additional interest. It is considered that the proposed design is acceptable and would be in keeping with the character of the area.

- 7.14 The boundaries to the development are a mix of brick wall (2m on the frontage to the car parking area to the shops) and 1.8m high railings on the other boundaries, which provides an open feel to the development but maintains privacy for the residents in the garden area. Within the garden area, the proposal includes a greenhouse and shed for residents who like to participate in gardening.

Highways and access

- 7.15 The application is accompanied by a Transport Statement. This considers parking, sustainable travel and traffic generation arising from the development. It notes that this area is within a 30mph speed limit.
- 7.16 In terms of parking provision, 60% of the Local Highway Authority's standard is provided. In this instance, given the type of resident that is likely to live at the development and that this is close to existing bus stops that are served throughout the day and at weekends. The applicants see this and the connectivity for cyclists as alternative modes of travel to the site.
- 7.17 Measures are suggested to improve access to the bus stops (through the addition of tactile paving and improvements to the crossing points) which would be of benefit to existing and new residents and their visitors.
- 7.18 A travel plan has been submitted that indicates measures the applicant will use to promote sustainable travel.
- 7.19 In summary, the submitted documents consider that the impact in terms of traffic and measures to promote sustainable travel are acceptable to the Local Highway Authority.

Ecology and Trees

- 7.20 A tree report accompanies the application and provides detailed information about the trees, an arboricultural impact assessment and arboricultural method statement.
- 7.21 The arboricultural impact assessment indicates that the proposed development will require the removal of two individual trees (both limes), two tree groups and part of a further group (incorporating a Silver Birch and an Ash) will need to be removed to accommodate the development. Some of these had already been removed at the time of the demolition of the building.
- 7.22 Concerns were expressed by the Council's Arboricultural Officer that during the course of the works, adequate root protection measures had not been followed. The plans indicated that there is a proposed land drain close to the Root Protection Areas of the two Limes identified as being retained and that the proposed refuse storage also appeared to encroach into the root protection areas. Further information has been received from the applicant regarding the impact on the trees and the Council's Arboricultural Officer is satisfied that adequate mitigation is proposed, subject to protective fencing being erected prior to any work commencing on site. This can be covered by condition.

Impact on neighbouring properties

- 7.23 The building has been designed in a manner that has taken account of the surrounding properties in terms of design and impact.

- 7.24 The materials are indicated to be in keeping with the surrounding dwellings. During the course of the consultation with the community, this was changed from a white finish to an off white/cream finish render. This lessens the impact on the surrounding residents in terms of a stark outlook.
- 7.25 An assessment has been carried out that evaluates the line of site from the surrounding properties and indicates an uninterrupted view within a 25° pitch line of sight. Whilst the building would be visible, this indicates that there would be no demonstrable adverse impact in terms of loss of daylight or sunlight on the existing properties.
- 7.26 The layout of the building is such that at the closest point, there is a distance of 21m between the front faces of the proposed building and existing dwellings (to the west of the site facing Churchill Avenue). The properties to the east of the site (Appleby Walk) are the only properties that would have the potential for overlooking of the rear gardens, however with a distance of around 31m to the back of the existing properties, it is considered that there is sufficient distance for this to not be of a significant impact on the amenities of the residents.

Other Matters

- 7.27 In terms of the enforcement of the parking as raised by some of the representations, the parking spaces that are part of the application will be managed by the applicant, although any on-street parking would be outside the control of the applicant, however, the parking provided meets with the agreement of the Local Highway Authority in terms of numbers.
- 7.28 The fence to the rear of the parking area adjacent to Churchill Court (the northern parking area) is indicated to have a 2m high close boarded fence between the parking and the side boundary of 1 Churchill Court. Whilst the objector has requested a higher fence on that boundary, it is considered anything higher than 2m would be obtrusive in the street scene and could impact on the residential amenities of the occupier (i.e. loss of light and overbearing). Discussions with Northamptonshire Police have confirmed that a 2m high fence in a setting such as this is acceptable in terms of a Secured by Design perspective.
- 7.29 A condition is proposed to require details of lighting of the site, to ensure that adequate lighting is provided in the area as a result of the loss of any streetlights.
- 7.30 The scheme does not reduce parking for the existing residents. Replacement provision is indicated where existing residents parking has been removed.

Developer Contributions

- 7.31 The development relates to a proposal for social rented housing for the elderly, offering an element of care for the residents. For this reason, the normal contributions such as for affordable housing and public open space, do not apply in this instance. In the absence of a legal agreement, a condition is imposed requiring the applicant to provide a training strategy which could include a contribution towards construction training.

8. CONCLUSION

- 8.1 The proposal represents a replacement facility that provides housing for a section of the community that has its own needs and requirements. The proposal has generally been supported by the local community throughout the consultation process. The objections that have been received have been considered during the assessment of the application and have been dealt with appropriately.
- 8.2 The proposal is supported by national and local planning policy and guidance and would contribute to the Council's 5-year housing land supply requirements. The development is

therefore in conformity with the requirements of the National Planning Policy Framework, Policy H1, BN3, S4 and S10 of West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

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 following approved plans: Site location plan: 5434-P-0001, location plan: 5434-P-0100, block plan: 5434-P-0101, Ground Floor Plan: 5434-P-0200A, First Floor Plan: 5434-P-0201A, Second Floor Plan: 5434-P-0202A, Proposed Roof Plan: 5434-P-0203A, Proposed Sections A&B: 5434-P-0601A, Proposed elevations: 5434-P-0700A and 5434-P-0701A, Proposed street elevations 5434-P-0702A, Illustrative 3D drawings: 5434-P-0800A and 5434-P-0801A, Proposed soft landscaping 5434-P-0111, Drainage arrangements: MA10454/200, Proposed drainage layout: MA10454/210

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

3. Details of all proposed external facing materials shall be first submitted to and approved in writing by the Local Planning Authority. 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 all external lighting shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

5. Prior to commencement of works on site, a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority to address construction working hours, delivery times, routing to and from the site and removal and disposal of invasive plant species. The development shall be carried out in accordance with the CEMP.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

6. 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 and works cease. An investigation and risk assessment must be undertaken and a remediation scheme prepared, submitted to and approved in writing by the Local Planning Authority prior to works recommencing on site.

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.

7. 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, where present, the location and species of any 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 BN3 of the West Northamptonshire Joint Core Strategy.

8. 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.

9. All trees shown to be retained in the approved plan no.5434-P-0111 shall be protected for the duration of the development by (a) stout fence(s) to be erected and maintained on (an) alignment(s) 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.

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.

10. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage strategy/flood risk assessment shall be 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 secure satisfactory drainage of the site and to reduce the risk of flooding in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

11. Prior to commencement of development a scheme for the provision of construction training during the course of the development shall be 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.

Reason: To secure satisfactory opportunities for training within the Construction Industry in accordance with Policy INF2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

12. Prior to the commencement of any construction work on site, a survey of the site shall be undertaken to identify the presence of bats in the area, the results of which shall be submitted to and approved in writing by the Local Planning Authority. Should any bats be identified on the site, a scheme for the protection of these species shall be submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the approved scheme concurrently with the development and retained thereafter.

Reason: In the interests of wildlife and nature conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

10. BACKGROUND PAPERS

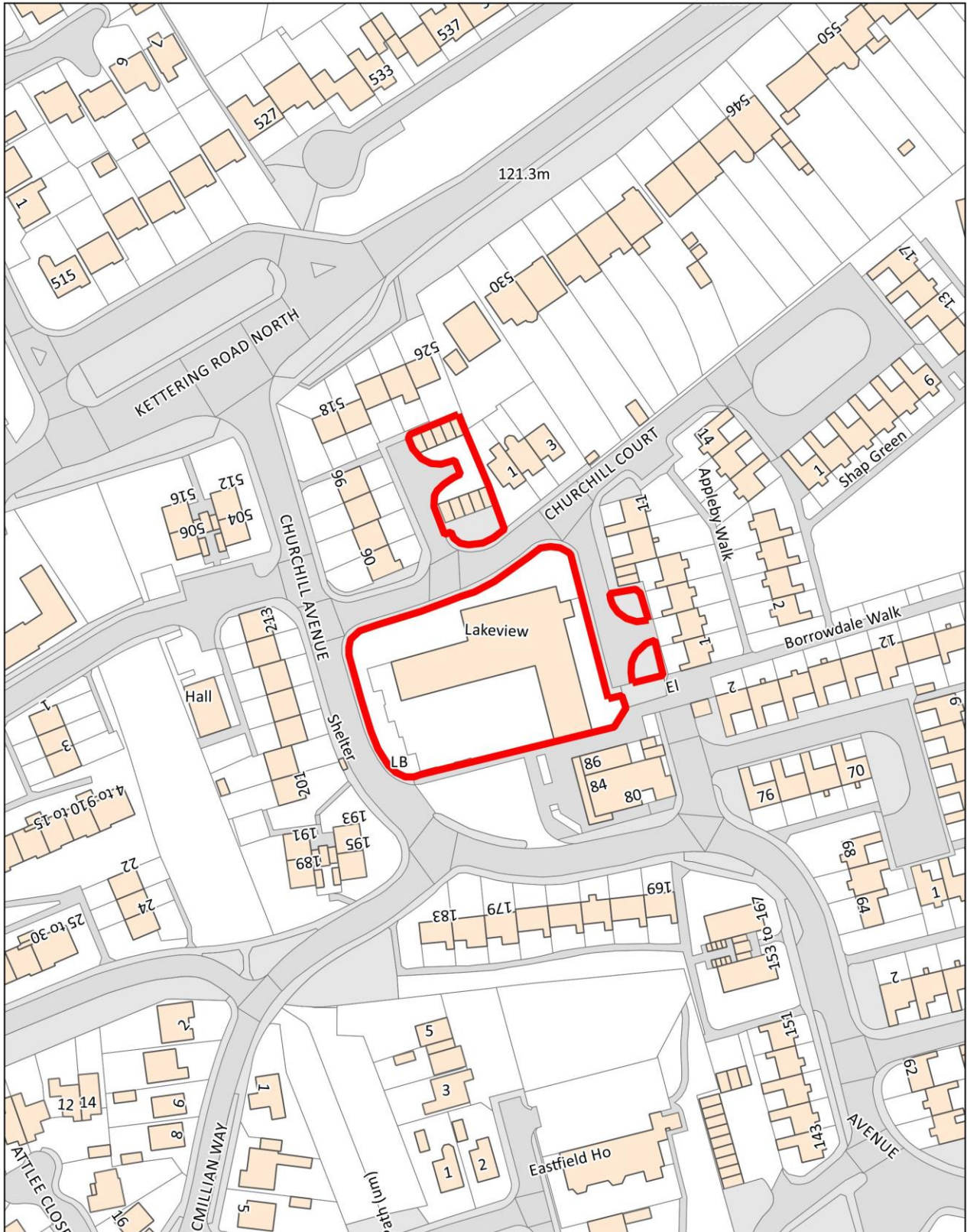
10.1 N/2016/1649.

11. LEGAL IMPLICATIONS

11.1 The development is CIL liable as the development proposed falls within Class C3 of the Use Classes Order.

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.



Title: **Lakeview House Old Persons Home, 88 Churchill Avenue**

© Crown copyright and database rights 2016 Ordnance Survey licence no. 10019655

Date: 01-03-2017

Scale: 1:1,250

Drawn by: -----