

Addendum to Agenda Items Tuesday 10th April 2018

7. Other Reports

7a

N/2018/0434

**Development of a Strategic Rail Freight Interchange comprising a major logistics and distribution hub with direct rail connections to the West Coast Main Line and Northampton Loop Line alongside road access to the A43 and M1 and highway improvements, with a major upgrade to J15A of the M1 (Rail Central Phase Two consultation)
Land at Arm Farm, Milton Malsor**

No update.

9. BOROUGH COUNCIL APPLICATION

9a

N/2018/0264

**The construction of a section of highway linking the two ends of St James Mill Road together; resulting in the creation of a road corridor
Land for road development, St James Mill Road**

RECOMMENDATION AMENDED:

1.1 APPROVAL IN PRINCIPLE subject to delegated authority to be given to the Head of Planning to consider any further representations received from the County Ecologist and to condition as appropriate, and subject to seeking a financial contribution toward the provision of Automatic Number Plate Recognition (ANPR) along the proposed route, and subject to the conditions as set out below and for the following reason:

Councillor Gareth Eales – as the County Councillor for the Dallington Spencer Division, supports the proposal, but is aware of previous discussions/campaigning about the possibility of a new Northampton to Bedford rail link and previous suggestions during discussions between Network Rail and NBC that a covenant be imposed on this scheme, meaning in the event of a future rail programme, the railway could be brought back and presumably a crossing or bridge introduced in order that the road and rail link can co-exist. The submitted details make no mention of this covenant or any reassurance around future proofing in the event of the railway link expansion, which should be added. However, whilst I admire the campaign and absolutely support the desire for the re-creation of the Northampton to Bedford rail link, I would not support or advocate any delay to the St. James Mill Link Road, seeing first-hand the traffic congestion in St. James.

Response: In addition to comments made in paragraphs 7.14 to 7.16 of the committee report, NBC Regeneration and Economic Development has advised that negotiations on the purchase of Network Rail land are still progressing and the Council can discuss this further with Network Rail. The development defined by the current planning application would not prevent the re-opening of the railway line at a future date in any event.

NCC Highway Authority – no objection subject to the following conditions:

9. No development shall take place until full engineering and constructional details of the proposed

link road works currently shown indicatively on plan/s ref. R4054-100-001 Rev: A have been submitted to, and approved in writing by, the Local Planning Authority. Amendments to the submitted scheme required include the provision of industrial accesses (instead of the crossovers currently shown), delineation between the highway and private land, rotation of southern car park access to meet the highway at 90° and the provision of a tactile crossing point where the footway on the southern side ends.

Reason: To secure a satisfactory standard of development and in the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

10. No development shall take place until full engineering and constructional details, and a timetable for implementation of the highway improvement works, as shown indicatively within the submitted Transport Assessment, have been submitted for approval in writing by the Local Planning Authority for the following junctions:

- i. Weedon Road / St. James Mill Road
- ii. St James Mill Road / Harvey Reeves Road
- iii. St James Mill Road East/Towcester Road (B&Q roundabout)

The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

NCC Ecologist – the Ecology Survey has determined that there is a reasonable likelihood of bats being around/near the site. Whilst the disturbance level would be considered low because it would not involve the actual destruction of a (potential) roost, because bats received ‘strict protection’ under the Habitat Regulations, even low-level disturbances can constitute an offence. In the absence of any exceptional circumstances to warrant conditioning a survey, a bat survey should be carried and appropriate mitigation agreed prior to determination of the application. Request a condition with regards to ground clearance and the protection of reptiles.

Response: That prior to determination, the applicant submits a Bat Survey including appropriate mitigation measures to the Local Planning Authority for approval in consultation with the County Ecologist, with delegated authority to the Head of Planning to condition that the development is carried out in accordance with the approved details.

11. Prior to the removal of any vegetation or ground clearance within the application site, a Method Statement shall be submitted to the Local Planning Authority for approval in writing detailing mitigation measures in relation to the potential presence of reptiles on site. The Method Statement shall include details for the removal of vegetation and ground clearance, the dismantling of any rubble piles or other potential refuges or basking sites by hand. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring impacts on biodiversity are minimised in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

NCC Archaeology – request the following condition:

12. No development shall take place within the area indicated 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 by the applicant and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Environment Agency – withdraw their objection/objection to the following conditions:

13. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) (WSP, reference number FRA01, dated January 2018), email dated 28 March 2018 from Northampton Borough Council confirming flood risk vulnerability and the following mitigation measure detailed within the FRA:

The proposed road will not be acceptable as a primary route for emergency services and as such be closed in times of flood.

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme.

Reason: To ensure that the access route remains safe and vehicles do not become stranded in times of high flows in accordance with the National Planning Policy Framework.

14. No infiltration of surface water drainage into the ground over any part of the former landfill is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development does not contribute to, or is put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with the requirements of the National Planning Policy Framework.

Amendment to Condition 4:

4. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority but shall include a preliminary risk assessment which has identified: all previous uses; potential contaminants associated with those uses; a conceptual model of the site indicating sources, pathways and receptors; and potentially unacceptable risks arising from contamination at the site. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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. This is a pre-commencement condition to ensure information is submitted in a timely manner.

10. ITEMS FOR DETERMINATION

10a

N/2017/1454

Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 4 occupants

15 Victoria Road

No update.

10b

N/2017/1538

Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 5 occupants

70 Ivy Road

No update.

10c
N/2017/1627
Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 4 occupants
58 London Road

Item **WITHDRAWN** from agenda.

10d
N/2018/0020
Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 4/5 occupants
37 Henry Bird Way

NBC Private Sector Housing – the room sizes, amenities and facilities would meet requirements for a 4/5 occupants HIMO.

NCC Highway - The LHA have received a number of parking beat surveys submitted as part of numerous planning applications. After analysing the data it has become apparent that when on-street parking is at 85% to 90% of capacity, there are very few available spaces in the area and it is therefore considered at capacity. Whilst it is acknowledged that there is a good chance not all the residents of a HIMO will have a car, there is nonetheless a greater probability of a higher number of cars being associated with the property. As there is no residual parking capacity on-street, the cumulative impact from the high concentration of HIMO's properties is contributing towards inappropriate parking in other areas. This demand is resulting in parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. This development will increase the demand exacerbating the existing problems. Any development impact that compromises the safety of motorists and pedestrians on the highway network is considered severe.

Additional Condition 5:

5) The second floor study as shown on drawing no.HBW 2/1 shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure satisfactory accommodation is provided for future occupants in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

10e
N/2018/0027
Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Sui Generis) for 7 occupants
31 Farmfield Court

NCC Highway Authority - have no objections to the proposal.

10f
N/2018/0081
Extension to existing building to form fourth floor to create 13 additional residential apartments and external alterations to the building
Beaumont House , Cliftonville

No update.

10g
N/2018/0093

**Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 5 occupants
84 Moore Street**

No update.

10h

N/2018/0191 and N/2018/0267

Variation of Condition 8 of Planning Permission N/2016/0769 (Demolition of 43 garages, erection of 14 dwellings with associated gardens, parking and access ways) to allow for site compound area to be located over 7 parking spaces to the eastern boundary to allow for the safe construction of approved dwellings for approximately 6 months

and

Temporary change of use from ancillary residential space to site compound area for surrounding residential development (retrospective)

Lock Up Garages, Lower Bath Street

Applications **WITHDRAWN** by the applicants.

10i

N/2018/0238

Change from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for 4 occupants

30 Rothersthorpe Road

Since the officer's report has been written, a Petition signed by 18 people has been received in objection.

Officer's Response: All the issues raised in the petition are already addressed in officer's report.

10j

N/2018/0251

Change of use from dwellinghouse (Use Class C3) to house in multiple occupation (Use Class C4) for 3 occupants

35 Henry Bird Way

Additional Condition 6:

6) The second floor study as shown on the proposed second floor plan shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure satisfactory accommodation is provided for future occupants in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

10k

N/2018/0375

First floor extension to bungalow to become two storey dwelling, first floor side extension and ground floor side/rear extension to include raising of roof over garage (part retrospective)

16 Swallow Close

4 letters of objection from 3 residents have been received, the comments of whom are summarised as follows:

- General discrepancies in the submitted details.

- The proposed garage roof lights are not obscurely glazed and no measurements have been provided.
- Construction works on the site are poorly planned and have left the site and its surroundings in a very untidy state.
- No health and safety is being considered while executing the project and no regard to the public safety during the construction.
- Track record of non-compliance to the approved drawings and permission and poor quality of the drawings lacking technical details.
- Proposal to convert a bungalow to a house is detrimental to disabled persons' access and would remove a bungalow from the housing stock setting a precedent.
- Proposed amendments to the Planning permission like enlarged bathroom dormer are not in keeping with the character of the area. All the proposed amendments have resulted in larger structures and no technical justification has been provided for not demolishing the un-authorized works and rebuild in compliance with the approved drawings associated with N/2016/1136.
- Loss of privacy
- Detrimental visual appearance.
- Additional structural details and cross sections should be requested to ensure that the implementation of the proposed amendments will be feasible and no further amendment is required in the future, to comply with the Building Regulations.
- Further information on building materials is required to tidy up the non-matching bricks used on the dwelling.
- Proposed design of the garage roof is not in keeping with the character of the area. Cumulative, the resulting development will result in a very large development and will not be in keeping with the character of the local area.
- Rendering will not be in keeping with the character of the local area and rendering the shady part of the house will have adverse impact on the character of the house.
- Conditions should be imposed in relation to the following issues:
 - Time line to finish the project should be imposed.
 - Construction traffic shall be regulated to ensure that the entrance of the cul-de-sac is not blocked for other users.
 - Structural details should be verified with building regulations prior to further commencement of works.
 - Further information on structural integrity of the garage roof and how it will be finished, should be requested.
 - The applicant shall adopt and duly demonstrate that Health and safety measures are being undertaken on the site in the best interest of the public safety.
 - No scaffoldings adjacent to no15 and adequate passageway is maintained between the two properties.
 - Bathroom dormer should be eradicated from the scheme and be replaced with roof lights.
- Officer recommendation has been made before the consultation period was expired, this

practise is not acceptable as this reflect that opinions of consultees is not considered.

- Materials, including details of rendering should be agreed.
- Question whether the proposal will meet fire safety requirements within Building Regulations.
- The site is in, as a building site, is indescribably chaotic and an unsightly scene.

Officer Response:

- Condition 2 – amended as follows:

2. The proposed first floor bathroom window on the side elevation and two rear rooflights serving the bathroom and dressing room shall be glazed with obscure glass to Level 3 or higher of the Pilkington scale of privacy and be top hung and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining property in accordance with Policy E20 of the Northampton Local Plan.

- Health and Safety and fire regulations are not a planning consideration.
- The application is assessed on the basis of the submitted drawings.
- Planning conditions should only be imposed where they meet the necessary tests as set out in paragraph 203 and 206 of the National Planning Policy Framework.
- Additional condition 5:

5. Notwithstanding the submitted details, within 1 month of the date of this decision, details of all proposed external facing materials including render details shall be 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.