AGENDA

1. APOLOGIES
2. MINUTES
3. DEPUTATIONS / PUBLIC ADDRESSES
4. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

5. LIST OF CURRENT APPEALS AND INQUIRIES
   Report of Head of Planning, Transportation & Regeneration (copy herewith)

6. FRINGE AREA APPLICATIONS
   None.

7. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS
   None.

8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS
   None.

9. PRINCIPAL ITEMS

   (A) N/2004/1724 - 61-63 CHURCH WAY (OUTLINE APPLICATION)
       Report of Head of Planning, Transportation & Regeneration (copy herewith)
       Ward: Weston

   (B) N/2004/1812 - LAND AT FORMER NORTHAMPTON MIDDLE SCHOOL AND GREEN OAK LOWER SCHOOL LAND OFF BECTIVE ROAD (OUTLINE APPLICATION)
       Report of Head of Planning, Transportation & Regeneration (copy herewith)
       Ward: St David

   (C) N/2005/0219 - LAND EAST OF UPTON WAY, SOUTH OF WALTER TULL WAY, WEST OF STORTON PITS

M McLean
Chief Executive
Report of Head of Planning, Transportation & Regeneration (copy herewith)

**Ward: St James**

- (D) N/2005/0356 - 2-10 THENFORD STREET (OUTLINE APPLICATION)
  - G Smith
  - 838084

Report of Head of Planning, Transportation & Regeneration (copy herewith)

**Ward: St Crispin**

- (E) N/2005/0366 - LAND AT JUNCTION OF BEDFORD ROAD AND LILIPUT ROAD, BRACKMILLS
  - J Chance
  - 838909

Report of Head of Planning, Transportation & Regeneration (copy herewith)

**Ward: Nene Valley**

10. SCHEDULE OF PLANNING APPLICATIONS FOR CONSIDERATION

- L Richards
- 838985

11. ENFORCEMENT MATTERS

- (A) 38A MAIN ROAD, DUSTON
  - C Robinson
  - 838914

Report of Head of Planning, Transportation & Regeneration (copy herewith)

**Ward: Old Duston**

- (B) UNIT 1 HORSLEY ROAD
  - C Robinson
  - 838914

Report of Head of Planning, Transportation & Regeneration (copy herewith)

**Ward: Kingsthorpe**

12. OTHER REPORTS

- (A) CHANGES OF USE OF BUILDINGS AND LAND - THE TOWN AND COUNTRY PLANNING (USE CLASSES) ORDER 1987 (CIRCULAR 3/05)
  - L Richards
  - 838985

Report of Head of Planning, Transportation & Regeneration (copy herewith)

- (B) CONSULTATION PAPER ON THE PLANNING CONTROL OF MEZZANINE AND OTHER INTERNAL FLOOR SPACE ADDITIONS
  - L Richards
  - 838985

Report of Head of Planning, Transportation & Regeneration (copy herewith)

- (C) THE TOWN AND COUNTRY PLANNING TEMPORARY STOP NOTICE (ENGLAND) REGULATIONS 2005
  - L Richards
  - 838985

Report of Head of Planning, Transportation & Regeneration (copy herewith)

- (D) DEED OF VARIATION TO S106 AGREEMENT AT FORMER ST CRISPINS HOSPITAL SITE
  - L Richards
  - 838985

Report of Head of Planning, Transportation & Regeneration (copy herewith)
13. LISTS OF DELEGATED APPLICATIONS

(A) LIST OF DELEGATED APPLICATIONS APPROVED
Report of Head of Planning, Transportation & Regeneration (copy herewith)

(B) LIST OF DELEGATED APPLICATIONS REFUSED
Report of Head of Planning, Transportation & Regeneration (copy herewith)

14. LIST OF DEFERRED APPLICATIONS
Report of Head of Planning, Transportation & Regeneration (copy herewith)

15. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:
“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”
NORTHAMPTON BOROUGH COUNCIL
PLANNING COMMITTEE 27 APRIL 2005

LIST OF CURRENT APPEALS AND INQUIRIES

PLANNING APPEALS

N/2004/359  Temporary change of use from lairage to vehicle storage at former Auction Centre, Liliput Road, Brackmills Industrial Estate – To be dealt with by Written Representations (APP/V2825/A/04/1162224)

N/2004/461  Change of use from residential to offices at Gough Lodge, Main Road – Dealt with by written representations (APP/V2825/A/04/1158873) – Appeal Allowed

N/2004/681  Two storey rear extension at 42 Brunel Drive – To be dealt with by Written Representations (APP/V2825/A/04/1162157)

N/2004/821  Change of use from office (Class A2) to restaurant (Class A3) at 188/190 Wellingborough Road – To be dealt with by Written Representations (APP/V2825/A/04/1165313)

N/2004/1051 New shopfront at 40 Kingsley Park Terrace – To be dealt with by Written Representations (APP/V2825/A/04/1170781)

The Address for Planning Appeals is Mr K Pitchers, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Local Government (Access to Information) Act 1985 Background Papers

The Appeal Papers for the appeals listed.

Author and Contact Officer

Mr D W Simpson, Support Services Manager
Telephone 838702 Extension 8702.
Planning Transportation and Regeneration Division
Cliftonville House, Bedford Road, Northampton, NN4 7NR.
Dear Sir/Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY JACKSON GRUNDY ESTATE AGENTS
SITE AT GOUGH LODGE, GOUGHS COTTAGES, NORTHAMPTON, NORTHANTS, NN5 6JJ

I enclose a copy of our Inspector's decision on the above appeal.

The attached leaflet explains the right of appeal to the High Court against the decision and how the documents can be inspected.

If you have any queries relating to the decision please send them to:

Quality Assurance Unit
The Planning Inspectorate
4/09 Kite Wing
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Phone No. 0117 372 8252
Fax No. 0117 372 8139
E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully

[Signature]

Mrs Sheila Poole

COVERDL1
Appeal Decision

Site visit made on 21 February 2005

by David Stephenson OBE BSc(Eng) CEng MICE
an inspector appointed by the First Secretary of State

Appeal Ref: APP/V2825/A/04/1158873
Gough Lodge, Main Road, Duston, Northampton, Northants NN5 6JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Jackson Grundy Estate Agents against the decision of Northampton Borough Council.
- The application Ref: N/2004/461, dated 2 April 2004, was refused by notice dated 1 July 2004.
- The development proposed is the change of use from residential to business use (B1).

Decision

1. I allow the appeal, and grant planning permission for the change of use from residential to business use (B1) at Gough Lodge, Main Road, Duston, Northampton, Northants NN5 6JJ in accordance with the terms of the application, Ref: N/2004/461, dated 2 April 2004, and the plans submitted therewith, subject to the following conditions:

   1) The development hereby permitted shall begin before the expiration of five years from the date of this decision.

   2) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no change of use to B8 (storage and distribution) shall take place.

Reasons

2. I understand from the Council’s representations that the concern in this case is over the safety aspects of the access from the site onto Main Road. The reasons for refusal refer to Policies H19 and B19 of the Local Plan (LP), but from the copies supplied to me, these policies relate to the effect on the intensification of existing business uses would have on residential amenity, amongst other things, but not safety, and I can attribute very little weight to them.

3. The Council has referred to the area as a busy local centre and I see no reason to disagree. The access to the site from Main Road, where it joins the footway, is some 4m wide between Nos 50 and 52 which does not allow 2 vehicles to pass. Because of the buildings on either side, there is very little visibility for drivers of vehicles leaving the site as regards to pedestrians on the footway, which is used by shoppers. As the footway is some 2m wide, once vehicles have moved onto it drivers, in my opinion, have a fair view of traffic approaching along Main Road without having to encroach onto the road.

1 Northampton Local Plan 1993-2006 adopted in 1997
4. Drivers attempting to enter the site, however, would have a limited view of other vehicles just inside the entrance which could result in vehicle conflicts and resulting obstruction on the highway. I have not been supplied with a copy of LP Policy H12 appendix 8, that was referred to in the Council’s Statement, but from my observation and experience, and taking account of national guidance for the layout of accesses such as that in Places, Streets and Movement – A companion guide to Design Bulletin 32, I consider that the access is significantly below standard. In my opinion it poses a safety risk to pedestrians and is detrimental to highway safety and the free flow of traffic in Main Road, and any increase in use would exacerbate this situation.

5. However the access exists and from my observations and the representations before me it appears to be lawfully used by a number of users with a right of access other than the appellant. In addition to the appellant’s property the entry provides access to residential properties to the rear at 2-8 Goughs Cottages and to carparks to the rear of 50 and 54 Main Street with considerably more space used by them for parking than that controlled by the appellant. Gough Lodge, the subject of this appeal, has a vehicle gate into the garden with a turning head and hardstanding space for about 2 cars. The existing residential use of this property could generate several vehicle movements a day, a level that could not be controlled.

6. The plans for the proposed change of use do not indicate any increase in parking space, and I am not persuaded by the Council’s representation that B1 business use of Gough Lodge would generate materially more vehicle movements at the access than exist at present, or could lawfully be expected to take place. However, if this use were changed under permitted development rights to B8 Storage and Distribution, the number of movements could reasonably be expected to increase. In my view this right should be limited to prevent any such uncontrolled changes in use, and this can be achieved by condition. Any future applications for development in the area would need to be considered on their own merits.

7. In my opinion there would be no increase in use, as a result of this proposal, that would lead to any further reduction in highway safety and the free flow of traffic in Main Road. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should succeed.

[Signature]

INSPECTOR
Planning Committee
27 April 2005

Report of Head of Planning, Transportation and Regeneration

Author/Contact Officer:
Gerri Smith
Planning Officer

Tel: 01604 83 8084

Planning Application: N/2004/1724
New access and siting for two building plots for bungalows. (Outline application)
61-63, Church Way, Weston Favell

Recommendation
That the application be APPROVED subject to conditions, for the following reason:

The application involves the development of a brownfield site in a residential area for residential purposes and is acceptable following consideration of Policies GS2, GS4, GS5, GS6, H1, H2, H6, and H7 of the Northamptonshire County Structure Plan and Policies H6, H10, H12, H15, T17, E20, and E40 of the Northampton Local Plan.
1. **Description and Planning History**

1.1. The site comprises 1.9 hectares which forms part of the rear garden of 61 and 63, Church Way, Weston Favell. The site is mainly laid to grass and contains a number of trees.

1.2. The site is bounded to the north, east and south by the mature gardens of dwellings in Thorburn Road and Church Way.

1.3. The area generally comprises large detached houses set in extensive mature gardens. There is an established pattern of backland development in this area as several of the large garden areas have been subdivided and developed as housing plots with access from Church Way.

1.4. Two bungalows are proposed to be sited to the rear of 61 and 63 Church Way. The application is in outline but includes details of siting and access. Access is via long narrow drive 3 metres wide, which is proposed between 61 and 63 Church Way. The existing drive to No. 63 is to be resited to the south. This will entail the removal of a section of hedge to allow for visibility splay at the access. The proposed access includes a turning head to the front of Plot 2.

2. **Planning History**

2.1. The application was originally submitted without details of siting and with a differently configured access. Further details were requested to include siting in order that the relationship of the proposed bungalows to the existing trees could be assessed.

3. **Development Plan Policies**

3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The current Development Plan comprises the Regional Spatial Strategies, Northamptonshire County Structure Plan and the Northampton Local Plan 1997.

3.2. Relevant policies from the Structure Plan are: -

- GS2 – Best Use of Brownfield land within urban areas
- GS5 – Design
- GS6 – Infrastructure, facilities and services
- H1, H2 – Housing development
- H6 – Housing Density
- H7 – Housing Mix
- T8 – Provision for walking and cycling
- T9 – Parking standards
- T10 – Maximum Parking standards for Residential Development

3.3. Relevant policies from the Northampton Local Plan are: -

- E20 – New development
- E40 – Crime and vandalism
- E12 – Trees and hedgerows
- H6 – Residential Density
- H10 – Backland
3.4. In addition the following Planning Policy Guidance Notes should also be taken into consideration in the determination of this application.

PPS1- Sustainable Communities
PPG3 – Housing

3.5. Other Material Considerations: -

Supplementary Planning Guidance (SPG)
SPG Planning out Crime Adopted Feb 2004

4. **Representations:**

4.1. Neighbours – Letters of objection received from 65a, Church Way; and 10 Thorburn Road, raising the following concerns:-
- Additional traffic on to Church Way near a junction and a bend may cause accidents
- Loss of wildlife
- Loss of character of area and residential amenity
- Both dwellings should be true bungalows with no windows above ground floor level to avoid overlooking and overdominance
- No felling of trees should be allowed
- Access to Church Way is long and narrow
- Footprint of bungalows should be larger and sited further from existing stone wall boundaries
- There is a well close to the wall on the eastern boundary with no 61. Should this need to be filled in, drainage or run off will not be permitted to 10 Thorburn Road

5. **Planning Considerations:**

5.1. The following main planning issues are relevant to the consideration of the application.

*Land Use Principle*

5.2. PPG3 Housing supports and encourages the reuse of brownfield sites in urban areas where a variety of transport options are available to reduce reliance on the motorcar. PPG3 emphasises good design and layout in new development, which make more efficient use of land without compromising the quality of the environment. In this case, a high density development is not an acceptable solution in view of the prevailing low density development in the area. It is considered that the proposal achieves more efficient use of land without compromising character of the area in accordance with Policy H6 of the Northampton Local Plan.

*Character and Residential Amenity Considerations*

5.3. The principle of residential development is acceptable on this site and accords with Policy H10 of the Northampton Local Plan which relates to the development of additional residential units on backland sites, unless it can be shown that the development will not be detrimental to the character and amenity of the area or cause amenity problems to adjoining occupiers. In this case there is an established history of backland development in the immediate area such that the proposal will
not alter the character of the site adversely. The siting proposed is sufficiently
distant from neighbouring properties so that overlooking will not result to adjoining
gardens. A condition to restrict the future insertion of roof lights or dormers is
recommended to protect neighbour’s privacy. Provided that the shared boundaries
are adequately fenced to avoid overlooking from ground floor windows, no loss of
residential amenity from privacy loss should result. This can be secured by planning
condition. The access to the proposed bungalows will run past the side elevations
of existing dwellings, but provided the drive is adequately fenced along the shared
boundaries, it is not considered that residential amenity problems will result.

Access and On-site Turning

5.4. Access to the site is via a long driveway between two dwellings. The width of the
access is 3m and insufficient to allow two vehicles to pass. The access should be a
minimum of 3.7m wide to accommodate a fire appliance. The access widens to
4.5m close to its junction with Church Way to allow a vehicle to enter and leave the
site simultaneously. A condition is suggested to require details of the access to an
adequate width before any development commences on the site. The junction
includes adequate pedestrian visibility splays and is acceptable in highway terms.
The site has a turning circle also needs a slight alteration; this can be sorted out as
part of the driveway detail referred to above.

Impact on Trees

5.5. The siting of the bungalows, and in particular plot 2, involves the removal of a
number of small trees. In view of the fact that the site contains a number of other
trees, some of which are protected by a Tree Preservation Order, and are closer
and therefore more visible from the public realm, it is not considered that the loss of
the trees as indicated will be unduly detrimental to the visual amenity of the area.
The proposal therefore satisfies Policy E12 of the Northampton Local Plan.

5.6. Planning Out Crime
The recent SPG on Planning Out Crime and policy E40 of the Local Plan are
relevant to the proposal. The advice requires that all communal areas should have
good surveillance to minimise the opportunity for criminal activity. The development
of two additional dwellings will allow for greater surveillance over the garden area
and represents an improvement from the community safety point of view.

6. Conclusion

6.1. The development proposed is acceptable and generally complies with Development
Plan policy and Government Guidance.

Conditions

(1) Approval of the details of the design and external appearance of the buildings, and the
landscaping of the site (“the reserved matters”) shall be obtained from the Local Planning
Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 3(1) of the Town and

(2) Application for approval of the reserved matters shall be made to the Local Planning
Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.
(3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990.

(4) Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings 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.

(5) Approval of the above reserved matters shall be for two single storey dwellings only.

**Reason:** To define the permission.

(6) Details and/or samples of all proposed external facing materials 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.

(7) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. 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.

(8) All trees shown to be retained in the approved plans 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 nor 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.

(9) All hedges within the site are to be retained and protected by stout fencing during construction work. Details of the means of their protection shall be first submitted to and agreed in writing by the Local Planning Authority prior to any work commencing on the site. The hedges are to be subsequently retained unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In the interest of visual amenity and to retain the character of the area.
(10) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no dormer windows shall be constructed in the roof of the dwelling hereby permitted without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the privacy of nearby residents.

(11) Full details of the proposed surface treatment of all access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site.

**Reason:** To secure a satisfactory standard of development.

(12) Notwithstanding the submitted detail, a plan to show the drive and turning circle arrangement shall be submitted to and approved in writing by the Local Planning Authority concurrently with the reserved matters. The driveway shall be a minimum width of 3.7 metres.

**Reason:** In the interests of highway safety and to enable the development to be accessed by a fire appliance.

**Drawing Numbers:**

The following drawing numbers are relevant to the above decision:-
1724/1AB; 1724/2.
**Recommendation**

That the application be **APPROVED IN PRINCIPLE** subject to:

1. A legal agreement to secure the provision of:
   - 35% affordable housing on site;
   - public open space and play equipment on site and commuted sum for maintenance costs;
   - contributions towards education provision.

2. The appended conditions and for the following reason:

Although this site is allocated as a school site in the Northampton Local Plan, following the Schools Review undertaken by Northamptonshire County Council the site is now deemed surplus to educational requirement, and due to its sustainable location and the surrounding uses, the principle of residential development in this location is considered acceptable.
1. **Background**

1.1. This outline planning application is for residential development on part of the former site of the Northampton Middle School and the Green Oaks Lower School off Bective Road.

1.2. The Northampton Schools Review has resulted in surplus land and property on many education sites throughout the town. It is the intention of the County Council to sell this surplus land and property to developers with the benefit of outline planning permission. The capital receipts that arise from these sales will be reinvested in sports and education provision throughout Northampton.

1.3. The application site measures approximately 3.6 hectares and is designated as an existing school site in the Northampton Local Plan. Much of the surrounding area is characterised by dense residential areas.

1.4. The planning application is for outline planning permission only, details of the means of access are submitted for determination, but all other matters are reserved. As part of the development an indicative design layout proposes a community hall, a Local Equipped Area for Play and small pockets of open space.

2. **Planning History**

2.1. A previous application for residential development (N/2004/1061) was withdrawn prior to being determined.

3. **Planning Policies**

3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

3.2. The current Development Plan comprises the Regional Spatial Strategies, Northamptonshire County Structure Plan and the Northampton Local Plan. Policies GS1, GS3, GS4, GS5, GS6, NPA1, T3 and T8 of the Structure Plan and Policies E20, H7, H12, H14, H15, H17, H20, L2 and L3 of the Local Plan are considered relevant.

4. **Representations**

**Original Plans**

4.1. **237 Eastern Avenue North** – the school should be served from Whiston Road and the housing from Bective Road only, object to the connection of the two roads.

4.2. **180 Ruskin Road** – concerned about:

- the scale and location of the houses
- unacceptable numbers of houses
- increased traffic chaos and problems at Ruskin Road Junction
- lack of green space available
- unsatisfactory provision of play equipment
- the land should be used for the benefit of existing and future residents ie football nets, wildlife
- understood that the school should be built on the existing school site
- the green space was left for the people of Kingsthorpe and can’t be built on.
4.3. **76 Bective Road** – any new development will overlook my living room. The two points of access will encourage its use as a rat run from the Kingsthorpe shopping area. Additional noise and pollution caused by the increase in vehicle numbers.

4.4. **172 Ruskin Road** - feel that the level of playing field allocated to the proposed redeveloped school is two small and that this site should be reduced in size squaring off the site to give more land to the school.

5. **Consultations**

   **Original Plans**

   **External**

5.1. **NCC Cycling & Walking Officer** – would welcome links from the development to facilitate cycle permeability of the area. Would like to be assured that adequate cycle parking will be included as part of the development.

5.2. **NCC Rights of Way** – make the following observations in respect of Public Rights of Way:

   - Public Footpath HW55 – would like confirmation that this will remain and would like to know the proposed boundary treatment.
   - Footpath alongside 142 Ruskin Rd – good to see this path being opened again, must be resurfaced.
   - Mill Meadow to Whiston Rd – would recommend a north south route across the site to negate any rights of way claim through the new school.

5.3. **NCC Education Services** – it is the Council’s intention to seek developer contributions from residential developments towards the cost of secondary and sixth form provisions. The contributions will be based on the County Council’s approved SPG on Planning Obligations and School Provision. This gives a levy per house of £2,435 for houses of 2 or more bedrooms, flats and apartments with 2 or more bedrooms will attract a 20% contribution i.e. £487 per dwelling.

5.4. **NCC Highways** – No objection in principle with residential development on this part of the site. I do not necessarily agree with the assumption of a 50/50 split in traffic between the two accesses. It is essential that existing pedestrian/cycle accesses and routes through the site are retained or protected. Traffic calming measures will be necessary at all entrances to the development.

5.5. **Sport England** – the supporting statement indicates that there will be no loss of playing field area, however, comparison of drawings indicate that a small area of playing field is within the application red line. Although this level of loss might not raise an objection in itself, we are concerned to see that the full context of this application is considered. Sport England has raised concerns over the proposed new Green Oaks Primary School. The school reorganisation proposals and the disposal and redevelopment of land such as this are interlinked. The Council should rigorously examine the statements made in support of this application regarding public open space and playing pitch resources. The statements do not provide analysis and reassurance that adequate open space will be provided to support the development itself, or to serve the wider community. The statement points out that that the current pitches adjacent will be unaffected by this application, but this only serves to highlight our concerns about the application for the new school which does affect the playing fields. Sport England does welcome the general intention to deliver adequate open space to serve the development itself, and particularly welcomes the suggestion that a sports/community hall is constructed within the site. The amount of open space suggested may prove to be sufficient. However, the current information supplied does not clearly demonstrate this is so, and together with our on-going concerns over the
school application, we feel that these points should be clarified and properly evidenced before a decision is made. Therefore, Sport England objects to this application at the present time.

Following submission of further information Sport England have withdrawn their objection on the understanding that the pitches on the redeveloped adjacent school site will be available for community use. The community hall should be capable of being used for sport.

5.6 Environment Agency – no objection.

Internal

5.7 Environmental Health Manager – the site may contain elevated levels of contaminants. Approval should be subject to conditions.

5.8 Landscape Project Development Team – has a tree survey been carried out? Has a need been identified for the community hall? Confirm that the telecommunications mast will be removed. A landscape management plan should be provided. The small pockets of open space do not add anything to the quality of the development.

5.9 Access Officer – the applications states that the development will be fully accessible. 10% of units of the development should be designed to NBC mobility standards. The applicants may wish to consider submitted an access statement. Would like to see the principles of a ‘home for life’. Will comment in more depth once detailed plans are submitted.

6. Observations

6.1. Although this site is allocated as a school site in the Northampton Local Plan it has become surplus to requirement following the School’s review, the sustainable location of the development and the surrounding uses mean that the principle of residential development in this location is acceptable.

6.2. Whilst the application site is confined to the site of Green Oaks School and that of the former Northampton Middle School, concern was initially expressed in respect of the potential overall loss of playing fields. The Council’s playing pitch strategy 2005 identifies this area as having a large undersupply of junior pitches. It has now been confirmed that 3 playing pitches was retained on the wider site primarily of use by Kingsthorpe Community College will also be available for community use.

6.3. Whilst an outline only the application seeks agreements of access details. The indicative plans submitted with the application shows access which will connect Bective Road with Whiston Road. The Transport Assessment concludes that both existing access points have ample width to accommodate the standard design of two footways and a 5.5 metre carriageway and currently have spare capacity. Whilst it is suggested that future traffic is likely to be split 50/50 between the two accesses, the difficulty of accessing on to Kingsthorpe High Street is likely to lead to more traffic using Whiston Road.

6.4. Existing pedestrian and cycle routes onto the site have been blocked in the past and it is proposed that these should be reinstated and which would assist waiting routes to the new School. Pedestrian access will be sought from Ruskin Road, Mill Meadow, Eastern Avenue and Yelvertoft Road, although some of these fall outside the application site, future schemes will aim to incorporate footpath links.

6.5. On the basis that adequate playing fields will be retained, and satisfactory pedestrian access through the housing development to the school site be achieved, it is considered that the proposed is acceptable.
6. **Social Impact**

6.1. As set out in the report.

7. **Background Papers**

8.1. N/2004/1812

**Conditions**

(1) Approval of the details of the siting, design and external appearance of the buildings and the landscaping of the site ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

**Reason:** This permission is in outline only granted under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

(2) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990.

(3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

**Reason:** To comply with Section 92 of the Town and Country Planning Act 1990.

(4) A minimum of 10% of the affordable dwellings and a minimum of 10% of other dwellings shall be available for occupation by persons with disabilities and constructed to the Local Planning Authority ’s mobility housing standards and details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site and thereafter implemented concurrently with the development, and thereafter retained as such.

**Reason:** To ensure adequate provision is made for people with disabilities in accordance with Local Plan Policy.

(5) 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. 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.

(6) Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

**Reason:** In the interests of residential and visual amenity

(7) Full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on
Reason: To secure a satisfactory standard of development.

Prior to the commencement of any development, a detailed FRA including an assessment of overland flood routing site prior to and after development shall be submitted to the Local Planning Authority. The Stage 2 FRA shall also include a detailed surface water drainage strategy for the design, provision, implementation and long term maintenance of surface water drainage, full in accordance with the requirements of the approved flood risk assessment and Planning Policy Guidance Note 25 (PPG25) shall be submitted to and approved by the Local Planning Authority.

Reason: To prevent the increase in flood risk.

The approved surface water drainage strategy for flood risk protection shall be implemented fully in accordance with the requirements of the approved flood risk assessment and with the approved implementation programme. The applicant shall confirm the completion of the approved scheme in writing to the Local Planning Authority within one month thereafter.

Reason: To prevent the increase in flood risk.

Full details of a tree survey shall be submitted as part of the reserved matters application.

Reason: In the interests of amenity.
## Planning Committee
### 27 April 2005

### Report of Head of Planning, Transportation and Regeneration

**Author/Contact Officer:**
**Gareth Jones**  
Principal Planning Officer

**Tel:** 01604 838916

### Planning Application N/2005/219

**Residential, Integrated Primary Care Trust Centre, Open Space and Associated Access Road (Outline Application)**

**Land East of Upton Way, South of Walter Tull Way and West of Storton's Pits**

### Recommendation

A. That the application be **APPROVED IN PRINCIPLE** subject to:
   1. The prior finalisation of a legal agreement to secure-
      - Provision of 35% on-site affordable housing
      - Contribution to education facilities
      - Provision of public open space and play equipment and its maintenance
      - Contribution to public transportation facilities; and
   2. The appended conditions

   For the following reason-
   The proposed development would bring previously developed land into more efficient use through the provision of a new health care facility for the benefit of the community and new dwellings as part of the wider Joint Initiative regeneration programme without prejudice to the potential designation of the Sixfields area as a District Centre. The development would not harm other interests of acknowledged importance and accords with the Policies of the Development Plan and the aims / objectives of government policy.

B. That an Order be made pursuant Section 257 of the Town and Country Planning Act 1990 in respect of the proposed diversion of public footpath HW5.
1. **Background**

1.1 The application site is located within boundary of the outline planning application N/2004/530 for the Joint Initiative development at Sixfields, which was reported to Committee on 21 July and 18 August 2004. A Members site visit of all of the Joint Initiative sites was conducted on 11 August.

1.2 At the meeting on the 18 August Members resolved to approve in principal the other Joint Initiative applications; reference nos. N/2004/495 (Harvey Reeves Road – Outline), N/2004/496 (SDLR - Detailed), N/2004/510 (Ransome Road – Outline) and N/2004/930 (Harvey Reeves Road – Detailed). Although progress has been made with application N/2004/530 (Sixfields – Outline) there remain a number of outstanding matters, particularly regarding retail impact, and as such the application remains undetermined.

1.3 Application N/2004/530 (Sixfields – Outline) comprises a range of proposals, including a community facility, known as site C1, sandwiched between two areas of residential development, known as sites H1 and H2. An area of open space, known as PS3, is also proposed to the south of H2. The indicative drawings that accompany the application show the C1, H1 and PS3 sites located on land that is currently principally in use as an overflow car park for the Sixfields stadium to the south of the Walter Tull Way / proposed SDLR.

1.4 The application site also overlaps with the site boundary of application N2005/177 (outline) for the development of an integrated care centre / primary health care facility. Committee approved this application at its last meeting on 30 March 2005.

1.5 The application reported herein for determination is made by English Partnerships as part of the Joint Initiative regeneration programme (see section 2 below). The application is for outline planning permission with all matters reserved except for access. The application is comprised of broadly the same proposals as for part of the southern element of the N/2004/530 Sixfields application and essentially replicates some of the residential (H1), community facility (C1) and open space (PS3) elements of that application.

1.6 In addition to the car park referred to above (para 1.3), the H1 development would result in the loss of the northern section of the access road to the existing public car park located at the western end of Duston Mill reservoir. Details of access form part of the application. These show a new adoption standard access road running south from the southern arm of the existing Walter Tull Way roundabout between the C1 and H1 sites. The road would then diverge at a T-junction to the north of PS3 and run west toward but not linking with Duston Mill Lane and east to link with the retained southern section of the access road that serves car park to the west of the reservoir. Although the proposed road would not provide a vehicular link to Duston Mill Lane a pedestrian / cycle link is proposed.

1.7 When the application was submitted the proposals were for a larger area including land to the west of Duston Mill Lane (the H2 site and an area identified
for informal leisure use). The applicant has subsequently amended the application to omit this land.

1.8 In summary this outline application, with all matters reserved except of access, is for the development of a 4.5ha site comprising the following principal elements:

- **Housing** (site H1, measuring 0.59ha) - providing medium density housing incorporating some 30 units at a density of some 50 units per ha) and include three / four storey buildings;
- **Community Facility** (site C1, measuring 0.51ha) – providing an integrated primary care trust centre including shared provision for GP’s, dental care, ophthalmology, osteopathy, physiotherapy, health education, community health visiting facilities and a pharmaceutical dispensary;
- **Open Space** (site PS3) – providing public open space of landscaped grassland and incorporating a locally equipped area of play; and
- **Vehicular access** to these uses.

2 Joint Initiative - The Overall Regeneration Concept

2.1 Although there have now been seven separate planning applications submitted as part of the Joint Initiative, the applicant’s submissions emphasise that the regeneration of the sites at Sixfields, Harvey Reeves Road and Ransome Road is interdependent. The applicant’s submissions on this matter are summarised in the following paragraphs.

2.2 The three sites are physically distinct but all are contaminated and underused. Sixfields and Harvey Reeves Road, which abut, are located to the west of the Town Centre, whilst Ransome Road is located south east of the Town Centre.

2.3 As the three sites are interdependent, it is only through executing a comprehensive strategy that full regeneration is possible. Complementary development strategies have been prepared for each site, which explore individual issues and regeneration requirements, but which also enable all three sites to be implemented holistically.

2.4 The remediation of the site off Harvey Reeves Road will enable match day parking to be moved on to a single managed location and the recycling centre to occupy new premises, actions which will assist in the comprehensive regeneration of the Sixfields area. It will also allow business uses, including occupiers of the Ransome Road site, the Lincoln Road workshops, First Bus and Stagecoach to relocate to new premises at Harvey Reeves Road. This will enable areas within the Ransome Road and Harvey Reeves Road sites to be redeveloped for housing. The relocation of Stagecoach from the Town Centre will enable a major redevelopment of the Town Centre to proceed.

2.5 The regeneration of the Sixfields site will be facilitated by the relocation of car parking and the civic amenity site to the Harvey Reeves Road site. It is intended that part of the Sixfields site will form part of the proposed ‘District Centre’. The proposed Primary Care Centre and retail and commercial leisure uses will support Sixfields’ future role as a District Centre serving existing residential development and also the proposed development in the South West District.
In summary the applicant states that development needs to take place on all three sites for the schemes to be viable and that collectively the proposed development will deliver the following range of regeneration benefits:

- More efficient use of well located, previously developed land;
- Improved linkages to adjacent sites and to Northampton Town Centre;
- Provision of a range of new housing types to meet both national and local housing need;
- Provision of high quality employment areas;
- Net reduction in flood risk; and
- Provision of community, retail and leisure facilities to serve both the development proposed, the wider area and development commitments within the South West District, Northampton.

### 3 Planning Policies

#### Development Plan

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The current Development Plan comprises the Regional Spatial Strategies, Northamptonshire County Structure Plan and the Northampton Local Plan.

3.2 Current Regional Planning Guidance for the East Midlands is set out in RSS8 (March 2005), which incorporates the Milton Keynes and South Midlands Sub-Regional Strategy. MKSM Strategic Policy 1 and MKSM Northamptonshire Policy 1 of RSS8 both identify that provision shall be made for 30,000 new homes in Northampton for the period 2001 to 2021.

3.3 The Northamptonshire County Structure Plan (1996-2016) was adopted in March 2001. Policies of particular relevance are:

- GS1 – Provision of housing and other development
- GS2 – Best use of brownfield land within urban area
- GS3 – Land use and transportation
- GS4 – Compact urban growth and transport choice
- GS5 – Design quality
- GS6 – Infrastructure, facilities and services
- H1, H2, H6 & H7 – Housing
- RT2 – Open space and play areas
- T1 & T2– Transport strategy
- T3 – Transportation requirements
- T5 – New road improvements
- T6 – Provision for the bus
- T8 – Walking and cycling
- T9 & 10 – Parking
- AR2 – Landscape character
- AR3 & AR5 - Biodiversity
- AR8 – Flood risk and protection
- AR9 – Water resources
- RN1 – River Nene Regional Park
3.4 The **Northampton Local Plan** was adopted on 5th June 1997. Relevant Local Plan Policies are:

- E1, E2 & E8 – Landscape character and enhancement
- E3 & E4 – Water environment
- E9 – Locally Important Landscape Areas
- E11 & E12 – Hedgerows, trees and woodland
- E14 – Principal corridors of travel
- E17, E18 & L19 – Nature conservation
- E19 – Provision of infrastructure, services & amenities
- E20 & E21 – New development
- E37 - Archaeology
- E40 – Crime and Vandalism
- H7, H12, H13, H14, H15, H16, H17, H20 & H32 – Housing
- T4 – Development requiring road improvements
- T9, T10 & T12 – Traffic management & road safety
- T15 – Bus services
- T17 – Parking
- T20 - Cycling
- T21 – Pedestrian movement
- T22 - Provision for people with disabilities
- L4 & L5 – New recreational land, sports facilities and open space
- L6 – Maintenance of open space
- L16, L17 & L29 – River Valley Policy Area and use of river
- L22 & L23 – Footpaths and bridleways
- D7 – Duston Mill Development Site
- D11 – Sixfields Development Site

**National Government Guidance**

3.5 The following Government guidance is relevant:

- PPS1 – Delivering Sustainable Development (February 2005)
- PPG13 – Transport (2001)
- PPG16 – Archaeology and Planning (1990)
- PPG17 - Planning for Open Space, Sport and Recreation (2002)
- PPG23 - Planning and Pollution Control (2004)
- PPG24 - Planning and Noise (1994)
- PPG25 - Development and Flood Risk (2001)

**SPG**

3.6 The following Supplementary Planning Guidance is also relevant:

- **Affordable Housing Policy** (NBC – 2004);
3.7 The County Council adopted its Planning Obligations and Local Education Authority School Provision in June 2004. This document is also relevant.

Interim Policy Statement

3.8 The Interim Policy Statement for the Ransome Road / Nunn Mills, St James / Harvey Reeves Road and Sixfields areas was adopted by the Borough Council in December 2003. It provides guidance for the making and consideration of planning applications on the three sites including preferred development options and requirement for any potential Section 106 agreements. It states:

“The Sixfields area should be developed to increasingly provide district level retailing, leisure uses, business, transport interchange facilities and a residential development to support the sustainable urban extension of Northampton. The site should continue to provide facilities for the Football and Athletics Clubs. Proposals that are considered to be detrimental to the emerging development at Upton or to established centres at Duston village or St James will be resisted. Additional development should be accompanied by an improved network of pedestrian, cycle and bus links.”

“The development of an element of residential use is supported in the south western corner of the site. This development should have regard to the design codes prepared for the Upton development, west of Upton Way and provide homes built to an environmental standard.”

“…Land should be safeguarded to provide for a centre for primary health care services and other needs and requirements (such as for policing and other emergency services) will be established prior to the Action Area Plan being prepared…”

4 Representations & Consultations

4.1 NBC Environmental Health Manager – no objection to the principle of the proposal subject to the imposition of conditions re land contamination and traffic noise.

4.2 Environment Agency – comments awaited.

4.3 NCC Rights of Way – public footpath HW5 runs directly across the site. Whilst having no objection in principle to the application the developers will be required to liaise directly with us in the event that permission is granted to discuss proposals to divert the footpath to a more suitable route around or through the development.

4.4 Minerals Planning Authority (NCC) – no comment.
4.5 **Built & Natural Environment Services (NCC)** – state that they have no serious objection to the scheme, but make some comments and suggestions regarding mitigation including:

- Any development adjacent to Storton’s Pit County Wildlife Site must mitigate any negative effects on it (e.g. screen planting / landscaping and Sustainable Urban Drainage)
- Existing bat habitat should at minimum be kept intact and if possible enhanced
- Support the inclusion of land zoned for informal leisure
- In the event that planning permission is granted a condition should be imposed facilitating a programme of archaeological work;

4.6 **Northamptonshire Police Crime Prevention Design Adviser** – raises no objection subject to there being no development prior to the replacement car parking becoming available at land at Harvey Reeves Road and the SDLR completed.

4.7 **Northamptonshire Wildlife Trust** – comments awaited.

4.8 **English Nature** – initially objected to the application but following the submission of additional information it raises no objection.

4.9 **The Ramblers’ Association** – indicate that it is awaiting proposals for the diversion of footpath HW5 and advises that Duston Mill Lane is for vehicular access to land to the south and is used by horse riders as well as pedestrians.

4.10 **Public Transportation Officer, NBC** –

4.11 **Education Authority (NCC)** – seek a contribution towards improving education facilities associated with the proposed residential development in line with the requirements of the draft SPG relating to School Facilities.

4.12 **Oliver Prentice** (owner of land to the west of the site) – lodges a holding objection application pending agreement with English Partnerships re the provision of alternative access to his land.

5 **Observations**

5.1 The Joint Initiative outline application N/2004/530 for the wider Sixfields area is yet to be determined, principally pending confirmation of detailed matters relating to retail and commercial aspects of the development and their relationship with existing Centres (in the town centre and local /district centres) and the potential designation of an area at Sixfields as a District Centre and the associated draft Sixfields Area Action Plan (AAP), as part of the Local Development Framework.

5.2 Although the current application is in advance of the Sixfields AAP, due to its location on the southern fringe of the Area and as a it is not for retail use, it is not considered that determination of the application would be prejudicial to the planned Sixfields AAP or the area’s potential future designation as District Centre. The principle of the proposed integrated primary care trust centre is established by planning permission N/2005/177 as approved by Committee on
30 March 2005 and would be of significant benefit to serve the existing and planned communities of west Northampton. Moreover, the development forms part of the wider Joint Initiatives regeneration proposals and accords with the Council’s Interim Policy Statement (see para 3.8 above.

5.3 Storton’s Pits County Wildlife Site is located adjacent to the eastern boundary of the site. Most of the Storton’s Pits is identified as a Site of Acknowledged Nature Conservation Value in the Local Plan. Following the submission of additional information by the applicant English Nature has confirmed that it has no objection to the application. The observations of the Northamptonshire Wildlife Trust (NWT) were outstanding at the time of drafting the Committee report. The applicant, Council Officers and officers of the NWT have worked very closely together on securing the mitigation measures in the vicinity of Storton’s Pits associated with other Joint Initiative development in this area including advance remediation works, the Southern Development Link Road and the car park development at Harvey Reeves Road. Bearing this in mind and with reference to the past advice of the NWT, it is not anticipated that the NWT will oppose the proposed development. Nonetheless, the application is only recommended for approval on the basis that NWT raises no objection.

5.4 The applicant has submitted a Flood Risk Assessment in support of the application. The FRA identifies that the proposed open space area and part of the access linking to the existing car park at the western end of Duston Mill Reservoir would be the only parts of the site to lie within the 200 year plus climate change floodplain. The applicant states that the ground levels in the floodplain will not be changed and as such the development would not result in any loss of flood storage. At the time of drafting the report the comments of the Environment Agency had not been received, however, bearing in mind the contents of the FRA and that the Agency did not object to application N/2004/530 it is not anticipated that the EA will oppose the current application. Nonetheless, it is not recommended that the application be determined until the EA has formally responded.

5.5 Public right of way HW5 runs through the northern half of the site. It extends from Upton Way south of Sixfields Stadium thorough to Abbey Street to the east. The proposals involve the diversion of part of HW5 to the north of the site. HW5 is also planned to be realigned as part of the SDLR development to the east of the site. No objections have been received to the proposed realignment of HW5. In the event that Members are minded to approve the planning applications, in order to facilitate the development, officers recommend that an appropriate Order be made in respect of the proposed diversion of HW5.

5.6 Council highway engineers have confirmed that the proposed road and access arrangements are acceptable. Existing bus services in the immediate vicinity of the site are inadequate at present and must be upgrade before the development can be occupied. Bus services will be upgraded to an appropriate standard as a result of Planning Obligations secured as part of the Upton development to the west of Upton Way and this development will assist in the long term viability of these services. Therefore, there is no requirement to provide further bus services although there will still be a need to provided new bus stops to the north
of the site to ensure the new bus service is accessible by users of the proposed development.

5.7 The applicant has confirmed in writing that they are prepared to enter into a legal agreement to secure provision of on-site affordable housing at a rate of 35% and the education contribution requested by the Education Authority.

5.8 Officers therefore feel that the application is acceptable subject to the advice of NWT and EA, the imposition of conditions and the securing of obligations via a Section 106 Agreement. The development would deliver new housing and community facilities on previously development land, in the line with RSS8 and PPG3, and represents a further step in the delivery of the wider Joint Initiative regeneration scheme.

6 Social Implications

6.1 As set out in the report.

7 Background Papers

   (Local Government (Access to Information) Act 1985

CONDITIONS

(1) Approval of the details of the siting, design and external appearance of the buildings, and the landscaping of the site (hereinafter called “the reserved matters”) shall be obtained from the Council.

Reason: This permission is in outline only granted under Article 3(1) of the Town and Country Planning (General Permitted Procedure) Order 1995.

(2) Application for approval of the reserved matters shall be made to the Council before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(4) Unless otherwise agreed in writing by the Local Planning Authority the total floorspace of the integrated care centre / primary health care facility development hereby permitted shall not exceed 2,500m$^2$ gross in area.

Reasons: For the avoidance of doubt and to allow the Local Planning Authority to consider the implications of a larger building / use at the site.

(5) Unless otherwise agreed in writing by the Local Planning Authority, the development hereby permitted shall not be brought into use before the development permitted by planning permission N/2004/496 (for the Southern Development Link Road (SDLR) and the Ross Road Spur Link (RSRL) has been fully implemented and these highways are made available for use by the public.

Reason: In the interests of highway safety and the free flow of traffic and to ensure adequate / suitable access to the site.

(6) Unless otherwise agreed in writing by the Local Planning Authority, the submission of reserved matters shall include the provision of secure and safe cycle parking for the development hereby permitted.

Reason: To ensure the provision of adequate cycle facilities to promote the use of modes of transport other than the private car.

(7) Prior to the commencement of development a detailed scheme assessing the Noise Exposure Category(ies) (NEC) of the site resulting from its exposure to transportation noise shall be submitted to and approved in writing by the Council. The scheme must take into account, where appropriate, Roads or Railways that may not be immediately adjacent to the site and the likely growth of traffic over the next 15 years.
Reason: To protect occupants for the development from excessive noise in the interests of amenity.

(8) Pursuant to the approved NEC scheme (condition 7), a scheme to protect the site where noise exposure exceeds NEC A shall be submitted to and approved in writing by the Council. The approved scheme shall include a site plan showing the position, type and height of the proposed noise protection measures together with the resultant NEC(s) for the site; where noise protection measures for the site are impractical or do not reduce the NEC for all amenity areas, all facades or all floors of the proposed dwellings to NEC A the plan shall clearly indicate the site layout and the predicted NEC for all facades; and where facades or floors do not fall into NEC A a noise insulation scheme including mechanical ventilation shall be required. The approved scheme shall be implemented concurrently with the development to which it relates and completed prior to its first occupation.

Reason: To protect occupants for the development from excessive noise in the interests of amenity.

(9) 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. 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.

(10) Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to the Southern Development Link Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity.

(11) Unless otherwise agreed in writing by the Local Planning Authority (LPA), prior to the commencement of the development a scheme for the re-routing of Footpath HW5 through or around the site shall be submitted to and approved in writing by the LPA. The approved scheme shall be fully implemented prior to the first use of the development hereby permitted and maintained thereafter.

Reason: to ensure appropriate re-routing of the right of way in the interests of amenity and to promote non-car modes of transport.

(12) Unless otherwise agreed in writing by the Local Planning Authority, the “C1 site”
identified on the approved drawings shall be used for an integrated care centre / primary health care facility and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interests of amenity and to ensure that effective planning control retained by the Local Planning Authority.

(13) A detailed scheme for the control and prevention of on-street parking (associated with football matches or other events held at the Sixfields Stadium) within the site shall be submitted to and approved in writing by the Local Planning Authority (LPA). Unless otherwise agreed in writing by the LPA, the approved scheme shall be fully implemented prior to the occupation of any of the residential units hereby permitted.

Reason: To reduce the risk of on-street parking in the interests of residential amenity, and to promote the use of modes of transport other than the private motor car.

(14) Unless otherwise agreed in writing by the Local Planning Authority, the submission of reserved matters shall reflect the proposed land uses and zoning thereof shown on drawing CBBADL221/SWSF/04A.

Reason: For the avoidance of doubt and to allow the LPA opportunity to consider the implications of different land use zoning / siting and area sizes and in the interests of flood prevention.

(15) A minimum of 10% of all of the residential units hereby permitted shall be available for people with disabilities and constructed to the Council’s mobility housing standards and thereafter maintained.

Reason: To ensure adequate provision is made for people with disabilities in accordance with Local Plan Policy.

(16) Full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients shall be submitted to and approved by the Local Planning Authority prior to the commencement of development.

Reason: In the interests of safety, amenity and to secure and satisfactory standard of development.

(17) Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of the development a scheme for the provisions of two bus stops and shelters with realtime information located on the Walter Tull Way and pedestrian crossings thereto shall be submitted to and approved in writing by the LPA. The approved scheme shall be fully implemented prior to the first use of any part of the development hereby permitted and maintained thereafter.

Reason: To ensure provision of adequate facilities for sustainable development.
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order), no gates, walls, fences or any other means of enclosure shall be erected or constructed without the prior written consent of the Local Planning Authority.

Reason: In the interests of visual amenity.

 Provision for the secure storage of refuse shall be submitted concurrently with reserved matters applications.

Reason: To secure the satisfactory provision of refuse storage.

Prior notice shall be given to the Local Planning Authority’s nominated archaeologists (Northamptonshire County Council, Built and Natural Environment, PO Box 163, County Hall, Northampton NN1 1AX) of the exact date on which it is proposed that construction of the development hereby permitted is to begin. During the construction period representatives of The Built and Natural Environment of Northamptonshire County Council, shall be allowed access to the site in order to observe and inspect all excavation works and record all findings of archaeological interest. If required they shall be allowed to excavate such remains, provided that this shall not interfere unreasonably with the progress of the development.

Reason: In the interests of archaeological research.

Unless otherwise agreed in writing by the Local Planning Authority, prior to the commencement of the development a scheme for the provisions of a pedestrian crossing of the proposed access road to the proposed public open space shall be submitted to and approved in writing by the LPA. The approved scheme shall be fully implemented prior to the first use of any part of the development hereby permitted and maintained thereafter.

Reason: To ensure provision of adequate safe links to the open space area in the interests of amenity.

Unless otherwise agreed in writing by the Local Planning Authority, the footway link from the proposed access road and Duston Mill Lane shown on drawing CBB/ADL/223/P6C shall be a combined cycle and pedestrian link and shall be implemented concurrent with the development hereby permitted in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure provision of adequate safe links for pedestrians and cyclists to promote sustainable modes of transport.

Unless otherwise agreed in writing by the Local Planning Authority none of the buildings hereby permitted shall have more than 3 storey.

Reasons: For the avoidance of doubt and to allow the Local Planning Authority to consider the implications of taller buildings at the site.
Planning Committee

27 April 2005

Report of Head of Planning, Transportation and Regeneration

Author/Contact Officer:
Gerri Smith
Planning Officer

Tel: 01604 83 8084

Planning Application: N/2005/0356
Residential Development (Outline application)
2-10 Thenford Road, Northampton

Recommendation
That the application be APPROVED subject to conditions, for the following reason:

The application involves the development of a brownfield site in a residential area for residential purposes and is acceptable following consideration of Policies GS2, GS4, GS5, GS6, H1, H2, H6, and H7 of the Northamptonshire County Structure Plan and Policies H6, H11, H12, H15, H17, T17, E20, and E40 of the Northampton Local Plan.
1. **Description and Planning History**

1.1. The site comprises 0.27 hectares on the site of a factory in Thenford Street.

1.2. The site is bounded to the north, east and west by terraced housing dating from the Victorian period. Immediately to the south are two garage blocks which lie to either side of the site access. Beyond this is an area of car parking which serves the businesses facing Billing Road.

1.3. The existing access to the site is from Thenford Street via a gap in the built frontage into the factory complex and also from Victoria Road through a small gap between the end terraced property No 67 Victoria Street and a modern block of flats. The gap is less than 4 m wide at this point and serves to access two garage blocks and the car parking areas behind the Billing Road properties in addition to serving the existing car parking area to the rear of the factory site.

1.4. The application seeks outline planning permission to establish the principle for residential development on the site; siting, design, access landscaping and external appearance are all reserved for subsequent approval.

1.5. The existing factory building is to be demolished.

2. **Planning History**

2.1. N/2005/194– Outline planning permission for 19 flats with access and siting - Withdrawn

3. **Development Plan Policies**

3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The current Development Plan comprises the Regional Spatial Strategies, Northamptonshire County Structure Plan and the Northampton Local Plan 1997.

3.2. Relevant policies from the Structure Plan are: -

   - GS2 – Best Use of Brownfield land within urban areas
   - GS4- Urban Growth Strategy
   - GS5 –Design
   - GS6- Infrastructure, facilities and services
   - H1, H2 -Housing development
   - H6 – Housing Density
   - H7- Housing Mix
   - T8 – Provision for walking and cycling
   - T9 – Parking standards
   - T10 – Maximum Parking standards for Residential Development

3.3. Relevant policies from the Northampton Local Plan are: -

   - E20 – New development
   - E40 – Crime and vandalism
   - H11- Development of existing commercial property
   - H15- Design and layout considerations
   - H12 – Housing standards
   - H17- Mobility Housing
3.4. In addition the following Planning Policy Guidance Notes should also be taken into consideration in the determination of this application.

PPS1- Sustainable Communities
PPG3 – Housing
PPG13 – Transport

3.5. Other Material Considerations: -

Supplementary Planning Guidance (SPG)
SPG Planning out Crime Adopted Feb 2004)

4. **Representations:**

4.1. Neighbours – Objections letters from 67A; 70 Victoria Road and 61, Denmark Road, on the following grounds:-
- Access is too narrow and cars have to back out into the road to allow a vehicle to pass.
- Damage has occurred to the boundary wall from vehicle manoeuvring at the access from Victoria Road,
- On street parking is a problem in the area which would be made worse if more residential properties were allowed,
- Access is too narrow to allow a fire engine to gain access,
- Potential overlooking to 61 Denmark Road
- Concerned about security to Denmark Rd which is currently enclosed by the existing factory wall and will be opened up by the development

4.2. **Police Architectural Liaison Officer** – No comments received to date.

4.3. **Environmental Health** – Requests that a complete and robust site investigation is carried out in respect of possible contaminants.

5. **Planning Considerations:**

5.1. The following main planning issues are relevant to the consideration of the application.

*Land Use Principle*

5.2. PPG3 Housing supports and encourages the reuse of brownfield sites in urban areas where a variety of transport options are available to reduce reliance on the motorcar. PPG3 emphasises good design and layout in new development, which make more efficient use of land without compromising the quality of the environment.

5.3. The principle of residential development is acceptable on this site and accords with Policy H11 of the Northampton Local Plan which supports the development of existing commercial sites within a primarily residential area for housing.

*Density*

5.4. The character of this part of Northampton is high density Victorian terraced housing which rely upon on-street parking. The site is capable of being developed to a minimum density of 35 dwellings per hectare in accordance with the Northamptonshire County Structure Plan Policy H6.
Access

5.5. Access to the site is available by using the two access points which currently serve the factory building. Whilst the access from Victoria Street is narrow and substandard, it is not considered that the vehicle movements generated by the proposed development will be any worse than the level of vehicles which are currently attracted by the factory use, however, the pattern of the use of the access will be different from its current commercial use. The site has an alternative access point from Thenford Street and a condition is suggested to restrict access to the development from this point only. This will improve the problems currently being experienced by use of the Victoria Street access point.

Planning Out Crime

5.6. The recent SPG on Planning Out Crime and policy E40 of the Local Plan are relevant to the proposal. The advice requires that all communal areas should have good surveillance to minimise the opportunity for criminal activity. This is a matter to be assessed when the detailed layout and parking arrangement is known at the reserved matters stage.

Mobility Housing

5.7. Policy H17 of the Northampton Local Plan requires 10% of housing to be provided to mobility standards. This can be made the subject of a condition.

6. Conclusion

6.1. The development proposed is acceptable and generally complies with Development Plan policy and Government Guidance.

Conditions

(1) Approval of the details of the siting, design and external appearance of the buildings, the means of access thereto and the landscaping of the site ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

(2) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

(4) Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings 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.
(5) If the development hereby permitted is to have 15 or more dwellings, 35% of the total number of dwellings shall comprise affordable housing. Details proposed affordable housing shall be submitted to and approved in writing by the Local Planning Authority as part of the reserved matters application.

Reason: To ensure that adequate affordable housing is provided in line with the Local Planning Authority’s Affordable Housing Policy.

(6) Prior to the occupation of the general market housing on the site, the affordable housing as approved shall have been built and allocated in accordance with arrangements to be first approved by the Local Planning Authority.

Reason: To ensure that adequate affordable housing is provided in line with the Local Planning Authority’s Affordable Housing Policy.

(7) The affordable housing shall only be used for the purposes of providing housing accommodation to be occupied by households in need of rented affordable housing in Northampton and to meet the objectives of a registered social landlord.

Reason: To ensure that adequate affordable housing is retained in line with the Local Planning Authority’s Affordable Housing Policy.

(8) Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved by the Local Planning Authority, implemented prior to the occupation or bringing into use of the buildings and thereafter maintained.

Reason: In the interests of amenity and to secure a satisfactory standard of development.

(9) Details and/or samples of all proposed external facing materials 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.

(10) 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 prior to the commencement of development hereby permitted, provided prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities.

(11) Full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site.

Reason: To secure a satisfactory standard of development.

(12) A minimum of 10% of the total number of dwellings shall be constructed to the Local Planning Authority’s mobility standards in accordance with further details to be submitted to and approved in writing by the Local Planning Authority and implemented concurrently with the development and thereafter retained as such.
Reason: To ensure the provision and retention of dwellings(s) suitable for use by people with disabilities in accordance with local plan policy.

(13) 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. 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.

(14) Access to serve the development shall only be taken from Thenford Street and not from Victoria Road.

Reason: In the interests of highway safety.

The following drawing numbers are relevant to the above decision:— 2173/03.
Planning Application
N/2005/0366
Development of Industrial Starter Units, Warehousing, Lorry Compound, and Workshops with Associated Offices and facilities. Land at junction of Bedford Road and Liliput Road, Brackmills

Recommendation
To inform Members of the application and to afford the opportunity to attend a site visit prior to the next scheduled Planning Committee.
1. **Background**

1.1. The site is a triangular piece of land, measuring 4.64 hectares situated adjacent to the Cattlemarket site. It is currently undeveloped. It has a long frontage to Bedford Road, some 350m, and is prominent from the Bedford Road, Liliput Road roundabout. The site is accessed via Liliput Road.

1.2. The application is submitted by W S Wreford Ltd who currently occupy land at Ransome Road. The firm have been looking for an alternative site, since the plans to regenerate the area were first proposed.

2. **The Proposal**

2.1. It is proposed to develop the site primarily for a haulage firm. Approximately a third of the site would be used as a lorry compound (132 lorry spaces) with another third used for associated warehousing, workshops, ancillary offices and parking. The remaining space would be for the development of B2 industrial units and repair workshops including a coachworks.

2.2. The following reports are to be submitted as part of the application:
- Ground Investigation;
- Ecological Survey;
- Noise Assessment;
- Traffic Assessment;
- Floodlighting;
- Design and Landscape Design.

2.3. In addition an Air Quality Report has been requested by the Council’s Environmental Health Team.

2.4. A Flood Risk Assessment was submitted with the application.

3. **Planning Policies**

**Development Plan**

3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

3.2. The current Development Plan comprises the Regional Spatial Strategies, Northamptonshire County Structure Plan and the Northampton Local Plan.

3.3. Relevant policies include:
- Policies 1, 2, 3, 4, 5 of the Regional Spatial Strategy (RSS8);
- Policies GS1, GS2, GS3, GS4, GS5, GS6, IC1, T3, T4, T9 and AR8 of the Structure Plan; and
- E1, E20, E21, E40, B3, B31, T9, T12, and D1 of the Local Plan.

**Planning Policy Guidance**

3.3. The following Planning Policy Guidance Notes are relevant to the determination of the application.
- PPG1 ‘General Policies and Principles’
- PPG4 ‘Industrial and Commercial Development and Small firms’
- PPG13 ‘Transport’
- PPG23 ‘Planning and Pollution Control’
3.4 The Supplementary Planning Guidance, 'Planning Out Crime' is also relevant.

4. Representations

4.1. None at the time of writing.

5. Observations

5.1. The site is specifically allocated for development purposes in the Local Plan. Policy D1 states that:

'Planning permission will be granted...for employment development comprising either uses within Class B1 ...or a combination of uses within Classes B1, B2 and B8... or other agriculturally bases uses appropriate to an adjoining Cattlemarket, subject to:

A) The buildings being of a scale and character appropriate to a prominent location on the fringe of the urban area.

B) Any buildings along the frontage to Bedford Road being of a quality and design which reflects development to the north of Bedford Road.

C) Vehicular access being solely from Liliput Road, Brackmills.

D) The retention of the mature hedgerow along the frontage to Bedford Road and provision of a landscaped margin in the eastern corner of the site.

5.2. It has always been an aspiration of the Council to seek a high quality design of development along the Bedford Road frontage of this site. In July of 2002 Members deferred an application for renewal of an outline permission for B1, B2 and B8 uses requesting that the B8 (warehousing) element be deleted from the proposal as this was no longer considered appropriate in the location. Members and Officers particularly wanted to avoid the prospect of a large box warehouse on a road that forms an entrance to the town. The application remains undetermined.

5.3. The proposed uses, by their nature, could not provide a high quality design development. The site would be dominated by HGV vehicles and industrial units. However, the units would be relatively low in height, being primarily between 8m and 11m, and it is proposed to mitigate the visual effects of the development by a 6m wide landscaping strip on the Bedford Road frontage.

5.4. To the west of the site, across from Liliput Road is the MFI warehouse, whilst to the south east of the site is the land allocated for the Cattlemarket half of which is defined as Greenspace in the Local Plan. Beyond this is the locally important landscape area that defines the space between Brackmills and Great Houghton. The area has a semi-rural quality. The visual impact of the development needs to be considered in this context.

5.5. In addition to the visual impact of the proposal, other issues that need to be considered are noise, air and light pollution. Although the area is primarily business, there is a hotel and public house on the other side of Bedford Road, and residential properties adjacent to the Cattlemarket (140m away). In addition, Great Houghton village is in
close proximity. The impacts of these will be analysed more fully when the Assessments have been received.

5.6. The use is expected to operate 24 hours per day as the company operates at the moment. This is primarily lorry movements, rather than the industrial units. The impact of the lorry movements on the road network will also need to be assessed. However, this is clearly a more appropriate location for such a use than the applicants’ present location adjacent to residential properties within the town centre.

6. **Social Implications**

6.1 The development would provide for the relocation of a firm within the Borough allowing for the regeneration of the Ransome Road area. Existing jobs would be retained and the redevelopment of the existing site would provide for sustainable housing.

7. **Background Papers**

7.1. N/2005/0366
## SCHEDULE OF PLANNING APPLICATIONS FOR CONSIDERATION BY THE

**PLANNING COMMITTEE**

**27 APRIL 2005**

**SUMMARY SHEET**

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Application No: N/2004/1794
Location : 8-16 Clare Street
Proposal: Conversion and extension of existing building to form 7no. flats and parking area.
Officer : Gareth Jones

Recommendation:

APPROVAL subject to conditions and for the following reason:

Although the site is identified as an existing business area in the Northampton Local Plan the principle of residential development is considered acceptable in this location. The design, density and layout of the scheme is considered acceptable in accordance with the Development Plan, particularly Policies E20, E21, H7, H12, H15, H17, H20 and B14 of the Northampton Local Plan.

Site Description and History:

The application site comprises Albany House and its associated car parking area. Albany House is an existing three-storey light industrial and office building. It is situated in an area, which is designated as an existing business area in the Northampton Local Plan.

This application proposes the conversion and extension of the existing commercial building to form 7no flats, which equates to approximately 140 dwellings per hectare. There are 7no parking spaces proposed as part of the development together with associated bin and cycle stores.

The application was deferred by the Planning Committee at its meetings on 2 and 30 March 2005 because requisite revised drawings had not been submitted by the applicant to address highway and design issues and in the light of the Council’s decision to undertake a Masterplanning exercise for this area. Revised drawings have now been submitted which amend the scheme by omitting a proposed new building, which was intended to house two flats, fronting Great Russell Street. However, the drawings do not address the highway issue.

Planning Policy:

Northamptonshire County Structure Plan: GS2, GS3, GS4, GS5, H6, H7 and T10

Representations: None.

Consultations:

NBC Environmental Health Manager – No objections to the proposal, but would request that conditions are added to enable the site to be assessed in relation to its exposure to road traffic noise.
**Northamptonshire Police** – Access control measures are required on all entrance doors to the buildings and also within the main building. Ground floor bedroom windows will require window restrictors.

**Appraisal:**

The application site is identified within an existing business area, however, bearing in mind that many of the surrounding buildings are residential and the site is in a sustainable location, residential development is considered acceptable.

Council Officers are currently investigating the possibility of comprehensively redeveloping an area of land south of Clare Street, east of Earl Street and north of the Chronicle and Echo’s premises and have appointed consultants to prepare a Masterplan for the area. However, these investigations are at an early stage and there is no Development Plan Policy for the redevelopment of this area. For these reasons, with reference to Government policy, it is felt that to resist the application or delay its determination on grounds relating to prematurely would be difficult to justify.

Notwithstanding this, officers have negotiated the removal of the proposed new build element of the original proposals fronting Great Russell Street. Although this land remains part of the application site and is proposed for car parking and bin / cycle storage, the removal of build development on this part of the site avoids the potential ‘land-locking’ of a smaller parcel of land at the western corner of Clare Street and Great Russell Street, which lies outside the application boundary.

The external alterations to the main building will enhance its visual appearance, and its layout will ensure no adverse impact on the amenities of nearby properties. It is hoped that this development will initiate the comprehensive redevelopment of the wider area in an appropriate manner and without unduly prejudging the potential redevelopment of the adjacent prominent site at the corner of Clare Street and Great Russell Street.

Nonetheless there remains an outstanding highway matter. The land at the corner of Clare Street and Great Russell Street which lies outside the site is currently used as a car park. The only access to this car park at present is from Great Russell Street via the application site. For reasons of highway safety this parcel of land should not be accessed direct from the highway. Therefore, an amendment to the proposed car park has been sought from the applicant to retain the existing vehicular access to this land via the application site. The recommendation that the application be approved is subject to receipt of revised drawings which address this matter.

**Conditions:**

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

(2) Notwithstanding the details submitted, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building 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.

(3) The accommodation shall be used solely in accordance with the approved drawing(s), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants and nearby residents.

(4) Details and/or samples of all proposed external facing materials 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.

(5) The parking spaces as shown on the submitted plan shall be laid out and marked out prior to the occupation of the flats hereby permitted and retained thereafter.

Reason: In the interests of highway safety.

(6) Prior to development commencing the applicant shall assess the Noise Exposure Category(ies) of the site due to its exposure to transportation noise. This must take into account, where appropriate, roads and railways that may not be immediately adjacent to the site and the likely growth of traffic over the next 15 years. Where facades or floors do not fall into NEC A, a noise insulation scheme, which will require the provision of mechanical ventilation shall be submitted for approval by the Local Planning Authority and implemented prior to the properties being occupied.

Reason: To protect the enjoyment of future occupiers of their dwellings.

(7) Full details of the proposed balconies shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction work on site. The development shall be carried out in accordance with the approved details.

Reason: To safeguard the privacy of nearby properties.

(8) Unless otherwise agreed in writing by the Local Planning Authority, the first and second floor western bedroom windows shall be glazed with obscured glass before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining property.

(9) Unless otherwise agreed in writing by the Local Planning Authority, a minimum of 10% of the total number of dwellings shall be constructed to the Local Planning Authority’s mobility standards in accordance with further details to be submitted to and approved in writing by the Local Planning Authority and implemented concurrently with the development and thereafter retained as such.

Reason: To ensure the provision and retention of dwellings suitable for use by people with disabilities in accordance with local plan policy.
(10) Unless otherwise agreed in writing and notwithstanding the details shown on the approved drawings, the hall and bathroom windows shown in the eastern elevation shall not be installed and be removed from the development.

**Reason:** To ensure that the potential future redevelopment of the parcel land to the north and east of the site is not unduly fettered by the development hereby permitted.
Application No: N/2005/0030
Location: Land at St Andrews Street/Broad Street
Proposal: Residential development including creche and live/work units with landscaped areas and car parking (Approval of reserved matters)
Officer: Miss Mary Baynham

Recommendation:
APPROVAL of reserved matters subject to conditions and for the following reason:

The principle of residential development with crèche and live/work units was established under the outline permission. The details are considered acceptable in terms of impact and relationship to adjacent properties and the general street scene in accordance with Policy H6 of the Northamptonshire County Structure Plan and Policies H7, H20 and D18 of the Northampton Local Plan.

Site Description and History:
A cleared triangular 0.73 hectare site lying between St Andrews Street and Broad Street, bounded by Narrow Lane to the north, and Victoria House and new flats to the south. There is a 2m difference in levels between Broad Street, dropping down to St Andrews Street.

N2002/0497 – demolition of existing buildings and residential redevelopment, live/work units, crèche and parking (outline). S106 agreement for 22% affordable housing; highway improvements; £40,000 contribution towards CASPAR project.

N2004/0202 – 22 flats. 25-33 Regent Street (immediately north of site). Approved

Planning Policy:

Development Plan:
Northamptonshire County Structure Plan Policies GS4, GS5, GS6, H6, TCR1, T3, T6, T8, T10, AR6
Northampton Local Plan Policies E37, H7, H12, H15, H17, H20, H32, H35, T9, T10, T23, D28

National Policy:
Planning Policy Guidance Notes (PPG) 3 (Housing), 13 (Transport), 15 (Planning and the Historic Environment), 16 (Archaeology and Planning), 24 (Planning and Noise)
Planning Policy Statements (PPS) 6 (Planning for Town Centres)
**Consultations:**

**Environmental Health** – No objection in principle. Concerns in relation to noise and contaminated land and air quality. The acoustic consultants report included with the application considered satisfactory. Condition should require glazing and ventilation to be installed as specified. Site investigation report satisfactory, request condition be imposed. Site located close to a busy road with elevated nitrogen dioxide levels. Recommended that traffic pollution should not be increased as a result of development and it is questioned whether level of car parking spaces specified is considered necessary.

**Health and Housing** – affordable housing units need to be identified. Mobility units need to be pepperpotted throughout the site. Number of flat types do not have safe combined living/dining/kitchen areas but reduction in bedroom occupation from 2-bed 4 person to 2-bed 3 person may overcome the problem.

**Access Manager** – Needs to be level access to building. Main entrance door should be easy to open. Access controls needs careful consideration of use by disabled eg the sensory impaired and to be at a suitable height for wheelchair users. Wheelchair users will need access to communal facilities such as bin storage.

**NCC (archaeology)** – Trial investigations carried out in early 2003 which demonstrated that much of the site contained considerable depths of modern made ground above any historic deposits and features. A subsequent specification for additional archaeological monitoring and recording works required was approved in November 2003.

**Police Crime Prevention Design Adviser** – Would expect applicants to apply for Secured By Design. Most crimes are of the “street” variety such as robbery and assault. Past and current activity in the area would indicate that to prevent problems of crime and disorder with the development access control arrangements on external doors will need to be very robust. Internal security within blocks will also need to be very stringent to prevent problems associated with unauthorised access. Fire exit doors need to be alarmed and signed as such. Cycle stores to be metal cages with good visibility and secure locks. CASPAR manager has serious concerns about communal space for roof garden – if one owner or tenant wishes to engage in criminal or anti-social behaviour within this space then the quality of life of all other residents on this level will be seriously affected.

**Town Centre Conservation Advisory Committee** – welcomed idea of a crèche. Design of St Andrews façade would benefit from having roof windows on right hand side to match and balance those on lefthand side. On Broad Street would prefer a wall rather than hedge and railings – to prevent accumulation of litter. Hoped materials will be compatible with Holy Sepulchre conservation area and that all railings will be painted black.

**Environment Agency** - No objections.

**Representations:**

**Victoria House (Northampton) Management Limited** - object in particular to height of proposed buildings and can see no reason why this should not be reduced to 4 storeys to fit in with the surrounding residential buildings along with most, if not all the new apartment blocks which have been built in and around Northampton. Our reduced light and increased noise caused by the residents comings and goings, particularly with height of buildings keeping it in, would be detrimental. 3 of the larger apartments having outside
living space which is already overlooked by recent building of the 28 flats in Victoria Court. Proposed six storey buildings will leave us with no privacy and significantly reduce our outside leisure time. Previous site owners did not make good the damage to gable end of Victoria House. Reduction in height of buildings less car parking spaces would be required and therefore less traffic congestion. Would be more space available for visitors cars – unlike Victoria Court, where there are problems causing disagreements with neighbours. The development of land will help the area of Spring Boroughs.

Appraisal:

Scheme reduced from 260 flats, including 2 live/work units, to 253 flats, including 2 live/work units. Represents 346.6 dwellings per hectare. 154 2-bed units, and the remainder 1-bed units. 57 of the units are to be affordable (22.5%) – to be provided in part of the block on the St Andrews Street frontage. A crèche is to be provided on the corner of St Andrews Street and Narrow Lane.

Vehicular access to the site is off St Andrews Street with 211 car parking spaces provided (including 14 disabled spaces,) plus cycle storage under the building.

The scheme has been designed largely on the basis of the sketches submitted at outline stage, with buildings on the site frontages, undercroft parking, and an outdoor area within the triangle of buildings.

Existing building adjacent to the site are essentially 3 and 4 storey (13m to ridge). The proposed buildings vary in height. Plans have been revised from those originally submitted to take into account development on adjoining land: On the St Andrews frontage it varies from 4 storeys, plus rooms in the roofspace at the northern and southern ends, up to 6 storeys (23m ridge height). 4 storeys up to 6 storeys on the Narrow Lane frontage. On the Broad Street frontage it varies from 4 storeys, plus rooms in roofspace, to 6 storeys, plus rooms in roofspace. Due to a change in ground levels, the block on the Broad Street frontage has a lower ground level, which contains the parking.

There is some concern about the impact of the development on the flats approved under N/2004/202 on adjoining land to the north access Narrow Lane. Distances between the two blocks vary between 6m and 10m. Although care has been taken to minimize intervisibility between living rooms, town centre living invariably results in intervisibility distances that are well below those set out in the Local Plan.

Buildings to be constructed to appear as different units with dark grey concrete “slates” and terracotta plain concrete tiles, and buff and red brick with some parts renders. There is some use of reconstituted stone cills to the windows.

At the time of writing the report further clarification was being sought from the agents about the location of the mobility housing, means of enclosure around and within the site, details of controlled access to the development.

Details pursuant to conditions 1, 5, 6, 7, 8, 9, 15, 16 of outline planning permission N2002/0497 be approved
Conditions:

(1) Samples of all proposed external facing materials shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of construction work on site.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings.

(2) Precise details (elevations) of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced, provided prior to the development being first brought into use and thereafter maintained.

Reason: To ensure the provision of adequate facilities.

(3) Precise details (elevations) of the refuse stores shall be submitted to and approved in writing by the Local Planning Authority before the development hereby approved is commenced, provided prior to the development being first brought into use and thereafter maintained.

Reason: To ensure the provision of adequate facilities.

(4) If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an addendum to the Method Statement. This addendum to the Method Statement must detail how this unsuspected contamination shall be dealt with.

Reason: To ensure that the site is properly decontaminated.

Note
You are reminded of the need to comply with the remaining conditions of outline planning permission N2002/0497.
You are reminded that there is a S106 agreement attached to the outline planning permission.

Plans
Application No: N/2005/0245
Location: Arnold House, 56 Lorne Road
Proposal: Change of use from office to community centre
Officer: Miss Mary Baynham

Recommendation:

REFUSAL for the following reason:

The proposed change of use represents an over intensive use of the site, likely to result in noise disturbance at a scale detrimental to the amenity of residents and occupiers of nearby premises contrary to Policies H19 and L14 of the Northampton Local Plan.

Site Description and History:

The site has frontages to both Lorne Road and Louise Road, and lies approximately 60m to the east of Barrack Road. Louise Road is predominantly residential. The premises immediately adjoin a social club. On Lorne Road there are shops immediately opposite, but terraced housing to the east.

Application site comprises the ground floor of this 2 and 3 storey building. There is existing on-site parking (for the whole building) for 3-4 cars.

Planning Policy:

Development Plan:

Northampton Local Plan Policy H19, L14
SPG - Parking

National Policy:

Planning Policy Guidance Notes (PPG) 24 (Planning and Noise)

Consultations:

Environmental Health: should be condition attached relating to noise generation.

Police: Site in a predominantly residential area where on street parking is prevalent and occasionally gives rise to parking problems....ask that consideration is given to limiting the opening hours of such a community facility so as to ensure neighbouring residential premises are not unnecessarily inconvenienced beyond say 23.00 hours every evening, otherwise the police have no objections to this planning application.
Representations:

57 Louise Road: No parking facilities or safe drop-off area. Excessive opening hours – unreasonable to expect noise and activity between 6am and 10pm 7 days a week; could be open to abuse with people staying overnight. Would increase problem of people hanging around together.

74 Louise Road: Main objection relates to increased strain on existing parking problem in the area – proposed opening hours would not be covered by parking attendants resulting in residents spaces being taken by people using the community centre. Noise is already an issue in the street and a lot of extra noise would be unacceptable.

82 Louise Road: strongly objects – three storeys of windows overlook the houses. Already have parking problems with the Naval club so this proposal would mean more parking problems, traffic noise and pollution.

Royal Navy & Royal Marines’ Association: Object on grounds of car parking. Due to proposal for after school activities believe that the 3 visiting cars per day is misleading. There is very limited on-street parking. Since No.39 Barrack Road converted to a restaurant have suffered a decline in trade and membership due to people being unable to park in the area and matters will get worse if this planning application goes ahead.

Letters in support from Tony Clarke MP and the Northamptonshire Somali Community submitted with the application.

Appraisal:

The premises will be used for various activities, such as prayers and helping the Somali youth learn the value of Somali culture. It would be open every day between 06.00 and 22.00.

With regard to the concerns about car parking, there is limited on-site parking, and in the adjoining streets the parking is restricted to permit parking with limited 1-2 hour spaces. However, as the site is within easy walking distance of the town centre it is considered to be in a sustainable location. The proposed use would require approximately 8 parking spaces in line with parking standards.

I am more concerned about the impact of the general noise and disturbance caused by the use of the premises for 16 hours every day of the week. I consider that this will give local residents no respite. Although the applicants state that they are committed to the lowest noise level to respect the surrounding environment, there will be activity associated with people entering and leaving the building, over which there could be no control.

Plans
Location plan; existing ground floor plan
Application No:  N/2005/0248
Location:  8 Collingwood Road
Proposal:  Change of use from former post office (Class A1) to restaurant (Class A3) and hot food takeaway (Class A5)
Officer:  Gareth Jones

Recommendation:

REFUSAL for the following reason:

The proposed change of use, by reason of the resultant cooking odour, noise and general disturbance combined with the close proximity of surrounding residential property, would adversely affect the amenity of neighbouring properties and the area as a whole contrary to Policies E21, R9 and H20 of the Northampton Local Plan and the aims and objectives of PPS23 (Planning and Pollution Control).

Site Description and History:

The application premises are a 2 storey mid-terrace property, close to the junction of Collingwood Road and Ashburnham Road. Parking is permitted along part of Collingwood Road including outside no. 8. The site is located within a Local Centre as identified in the Local Plan.

The adjacent property, no. 7, was the subject of a planning application (N/2002/68) for change of use from an office to a hot food takeaway. At its meeting on 20 February 2002, the Planning Committee resolved to approve that application, however, as the applicant failed to submit the requisite fee the application has been treated as having been withdrawn (i.e. there is no planning permission). Planning permission (N/2005/80) was recently granted at no. 8 for a rear garage.

Planning permission for applications for change of use to hot food takeaways has been refused by the Council at nos 12, 17 and 18 Collingwood Road (ref nos 1153/80 in 1981, 87/0116 in 1987 and 91/0615 in 1991 respectively).

Planning Policy:

Development Plan

National Guidance
PPS6 (Planning and Town Centres) and PPS23 (Planning and Pollution Control)

Representations:

NBC Environmental Health Manager – has severe reservations about the proposal. The site is surrounded by residential properties. The proposed use is likely to generate both noise and odour problems. The main concern is the potential for odour arising which
cannot be controlled through an odour mitigation scheme, because of the close proximity of residential houses. He therefore advises against the proposal on grounds of odour and noise. In the event that Members are minded to approve the application it is advised that a full noise and odour control scheme be submitted prior to planning permission being granted so as to minimise the impact on surrounding houses.

2 Collingwood Road – objects on grounds relating to parking, litter, noise at night and lack of need.

6 Collingwood Road – strongly objects and states that this is a quiet residential area with no problems. The problems which will arise are extensive litter, noise from cars and huge parking problems.

9 & 10 Collingwood Road – a letter submitted on behalf of the occupants of these two dwellings objects to the application and states:

- In relation to Local Plan Policy R9 traffic generated late into the evening is likely to have the greatest impact
- Similar applications have been refused in this local centre because of the potential adverse effects on the neighbourhood
- The proposal would probably have a major impact on the amenity of the residents above the parade and in the adjoining areas (e.g. form smells, increased noise from plant and patrons, vehicle movements at unsocial hours, litter and poor refuse management)
- Smells from the use would harm residential amenity contrary to Structure Plan Policy GEN4
- The use would require an odour dispersal system protruding above the ridge level of the existing building and being visually intrusive contrary to Local Plan Policy R9
- No trading times are shown

10 Collingwood Road - strongly objects and states that parking and litter will be problems. Also queries whether the premises would be big enough.

14a Collingwood Road – whilst sorry to have lost the post office, accepts that another business / shop will replace it, but a takeaway is totally unacceptable in a quiet residential road only 5 minutes walk away from other takeaways.

Khindas (General Store) 16 Collingwood Road – objects on grounds relating to parking (reference is made to there being a problem with parking already), noise caused by people coming and going until late night, litter, cooking odour, late night opening attracting the undesirable element of society to congregate, planning permission has been refused in the past for similar scheme and there is covenant to prevent its use as a takeaway.

52 Ashburnham Road (Longland Butchers) – objects on the grounds that there is no need for the takeaway, parking is already difficult and the proposed use would aggravate the problem especially in the evening, the use would give rise to noise and litter. Reference is also made to takeaways not permitted by deeds however this is not a land use planning issue and must be given no weight when determining the application.

58 Ashburnham Road – strongly disapproves and objects on grounds relating to parking, rubbish and noise (particular reference is made to late opening). Reference is also made to other planning applications for similar development in Collingwood Road having been refused in the past and there having been no changed circumstances.
42 Birchfield Road – object on grounds relating to parking and traffic congestion (especially after 17.00 hours), sense of intimidation related to getting out of vehicles late at night to open the gated access to the private service road to the rear of Collingwood Road, Birchfield Road and Ashburnham Road, rubbish and letter, another takeaway is not need / warranted in the area; and the harmful effect of cooking odour on residential amenity especially during the summer.

A petition of 130 signatories strongly opposed to the use has also been submitted.

Appraisal:

It is Council policy to protect the shopping character of district and local centres, except where it is considered that additional non-shop uses can be accommodated without detriment to the centre. It is considered that use of this property as a restaurant / takeaway will not undermine the vitality and viability of the local centre. Moreover, the principle of a change of use to a hot food takeaway in this location was considered and accepted by the Planning Committee in 2002, albeit that planning permission was not issued for application N/2002/68 for the reasons set out above. There have been no significant changes in circumstances since that time.

Parking is available on Collingwood Road. Customers may visit the proposed use on foot or use public transport as alternatives to private cars. For these reasons and bearing in mind that there have been no significant changes in highway circumstances since the consideration of N/2002/68 it is not considered that refusal of the application could be sustained on grounds relating to highway safety or the free-flow of traffic.

The principal remaining issues relate to amenity, particularly residential amenity, over which Officers have substantial concerns. It is acknowledged that a condition limiting hours of opening could mitigate some of the harmful effects of the proposed use on amenity. However, the Council’s Environmental Health Manager has made very strong representations against approval of the application particularly due to the detrimental effect that noise and odour associated with the use would have on the amenity of users of the surrounding area and that mitigation would not overcome this objection. For these reasons, therefore, the application is recommended for refusal.
Application No: N/2005/0258 and N/2005/0259
Location: 18-20 Kingsley Road (Kingsley Nursing Home)
Proposal: Demolish rear single storey of building and erection of
ground and first floor rear extensions.
Officer: Geoff Wyatt

Recommendation:

N/2005/0258
APPROVAL subject to conditions and for the following reason:
The siting design and appearance of the extensions and their impact on residential amenity
are acceptable in accordance with Policy E20 of the Northampton Local Plan.

N/2005/0259 (Conservation Area Consent Application)
APPROVAL subject to conditions and for the following reason:
The demolition of a small part of the ground floor would not have an adverse effect upon the
character of the Kingsley Conservation area in accordance with the advice contained in
PPG15 (Planning and the Historic Environment).

Site Description and History:

Kingsley Nursing Home is situated on the Eastern side of Kingsley Road next to the White
Elephant Public House. It is proposed to demolish a small part of a single storey building to
the rear and erect a replacement single storey extension and a new first floor rear extension.
A planning permission to use No. 18 Kingsley Road in conjunction with No. 20 was granted by
the Planning Committee in December 2002 with a condition that the combined care home
shall not have more than 25 residents (ref 2002/1173).

Deferred at planning committee on 30 March 2005 for site visit.

Planning Policy:

Northampton Local Plan Policy E20
PPG15 (Planning and the Historic Environment)

Representations:

Letter forwarded by applicant from Northamptonshire County Council confirming shortfall of
nursing bed spaces.
Letter forwarded from Agent from Commission for Social Care Inspection:
-Improvement in the premises would meet the need to comply with National Minimum Standards for care homes as published by the department of health. Improvements would not increase the existing footprint of the building but would increase the facilities for service users with increased day space provision and an additional bedroom. No objections to proposal and support improvements in existing premises wherever it is practical. Need for additional beds in Northampton which an increase in the registered numbers would assist in meeting

22 Kingsley Road:
Object strongly to yet another extension (fifth application by the current applicant.).
- Development spreads over 4 single width plots and the 3 plots at no 20 are already far larger than any other site. To add to this would be an overdevelopment of the site and is overpowering and detrimental to the essentially Victorian rear aspect of the rest of the terrace.
- Concerned at further extension and setting of yet another poorly justified new footprint in the garden at no 18.
- Want continual piecemeal extension to end and request that the Planning Committee takes history of the development into account when considering this particular further extension.
- Applicant owns equivalent of 7 of the original single plots and uses these for care and nursing. The additional and rearward development creates an imbalance between commercial and residential uses on Kingsley Road. In less than three years the applicant has converted 2 houses from family use to care facilities.
- Extensions obliterate almost all rear traces of original buildings in what is supposed to be a Borough Council driven Conservation Area.
- Provides huge residential space for the incapacitated elderly who (through no fault of their own) contribute little to the general life of the community.
- The combined facility will have approximately doubled in size since original application for no 20. This was originally opposed by NBC.
- The new space regulations for care homes only apply to new build. New day space is driven by increased occupancy rather than to upgrade existing provision.
- Proposal reduces size of garden at no 18.
- Two spaces in garage would require considerable manoeuvring.
- Further increase in deliveries/collections by ambulance.
- First flood building is a large intrusion into space adjacent to garden. Oppose additional windows overlooking garden.
- If approved request:
  - Removal of north facing rear window.
  - Requirement that passing spaces are not used for parking
  - Requirement that people not associated with business are not allowed to park at no 20.

8 Kingsley Road:
Support application. Need for homes is paramount in Northampton. Brickwork will be in matching brick as is his usual quality of work. Request application be approved.
26 Kingsley Road:
The nursing home is of a high standard. Proposal would be a sympathetic development. Applicant strived to ensure that facilities meet modern and exacting standards, with an increase in lounge areas, an increase in the number of single room and an increase in the number of rooms with en-suite facilities. Support application.

1/42 Kingsley Road:
Many homes for elderly have shut recently. Need for this kind of care in Northamptonshire. Proposal can only enhance facilities.

34 Kingsley Road:
Support application

22 Highfield Road: Support application for alter and improve nursing homes to meet current needs, in particular the National Standards.

Need across the County.
To compensate for loss of space required to comply with standards a rear extension of 3 bedrooms is proposed. The extension will not be built beyond the existing rear building line.

Appraisal:

The proposed extensions have been designed sympathetically to compliment the existing buildings. As the first floor extension is situated over 7 metres from the boundaries with the adjoining properties and the ground floor extension is only slightly larger than the existing building which is to be demolished, there will be no detrimental effect upon the amenities of the occupants of the nearby residential properties.

The demolition of a small part of the ground floor of the existing building at (N/2005/259) No.18 will not have an adverse effect upon the character of the Kingsley Conservation Area. The applicant has confirmed that the number of residents living at the nursing home will not exceed 25.

Conditions:

N/2005/0258

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

(2) The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building.
The works hereby permitted shall be begun before the expiration of five years from the date of this permission.

**Reason:** To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.
Application No: N/2005/0262
Location: Unit 1 Cranbrook Road
Proposal: Change of use from warehouse (Class B8) to tyre and exhaust centre
Officer: Mr Geoff Wyatt

Recommendations:

APPROVAL subject to conditions and for the following reason:

The use of the building as a tyre and exhaust centre and its impact on residential amenity and highway safety are considered acceptable and in accordance with Policies E21, H20 and B14 of the Northampton Local Plan.

Site Description and History:

The site is located in an existing business area to the west of Cranbrook Road and is one of two units constructed in the 1960’s. The site was previously used for car storage but is now vacant. The floor area, just exceeds 450sqm.

Planning Policy:


Representations:

The Council received 19 objection from Nos. 14, 16, 18, 22, 24, 26 and 28 Cranbrook Road, Nos. 20, 22, 24, 30, 32, 34 and 38 Balfour Road, Unit 2 Cranbrook Road and Queens Park Working Mens Club.

The reasons for objection are:

i) increase in noise and disturbance
ii) increase in traffic generation
iii) resulting in parking problems
iv) increase in pollution
v) road safety issues.

Environmental Health: have no objections subject to a condition restricting hours of operation and the submission and implementation of a noise control scheme.

Appraisal:

At present the existing unit can be used for warehouse purposes with unrestricted hours of operation. The proposed use will only operate during the day on a Monday to Saturday basis and it is recommended that conditions be attached to the planning permission to this effect. On that basis it is considered that this use will not create a significant increase in
noise and disturbance to the detriment of the amenities of the occupiers of adjoining and nearby residential properties. Furthermore, a noise control scheme will be required to be implemented before the use commences.

There is adequate on-site parking provision for the proposed use and it will not generate a significant increase in traffic to be detrimental to road safety.

**Conditions:**

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

(2) The premises shall be open only between the hours of 08:00 and 18:00 from Mondays to Fridays, 08:00 and 17:00 on Saturdays, and at no time on Sundays or Bank or Public Holidays.

**Reason:** In the interests of the amenities of the occupiers of nearby properties.

(3) The premises shall be used for a tyre and exhaust centre only and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

**Reason:** In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority.

(4) A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

**Reason:** To protect the amenities of nearby occupants from noise and vibration.

(5) Details of the provision of a row of bollards along the highway boundary shall be submitted to and approved by the Local Planning Authority in writing. The bollards shall be erected before the use hereby permitted commences and thereafter maintained.

**Reason:** In the interests of pedestrian safety.

(6) The car parking spaces shall at all times be reserved for the parking of vehicles by staff and visitors and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

**Reason:** To ensure that adequate parking facilities are maintained.

(7) The parking and turning, loading and unloading space shown on the submitted plan shall be laid and marked out prior to the development being first brought into use and retained thereafter.
Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety.

(8) The loading and unloading of all vehicles attending the premises shall at all times take place solely within the curtilage of the site.

Reason: In the interests of highway safety.
Application No: N/2005/0284
Location: 16 Reedhill
Proposal: Front boundary wall and gates (retrospective)
Officer: Miss Mary Baynham

Recommendation:

APPROVAL subject to conditions and for the following reason:

The siting and design of the means of enclosure and its impact on residential amenity are considered acceptable and in accordance with Policy H19 of the Northampton Local Plan.

Site Description and History:

Detached house situated at the end of the Reed Hill cul-de-sac in West Hunsbury. Land slopes down from the road towards the house.

History
   N2002/241 – two storey side and single storey rear extension, new conservatory between house and garage and first floor extension over garage
   N2003/677 – detached garage, wall and vehicular access
   N2003/0874 – summerhouse (retrospective)
   N2003/1210 – rooflights, circular window in rear gable end and 2 no. ground floor windows in side elevation – retrospective

Planning Policy:

Development Plan:

Northampton Local Plan Policy H19

National Policy:

Planning Policy Statement 1: Delivering Sustainable Development

Representations:

17 Reedhill – wall completely destroys visual amenity in the area and is out of proportion with its surroundings and neighbouring properties. Contrary to Development guide which stated that no walls or fences should be erected to enclose the front of the plots. Obstructs drivers visibility from No.17. Asks the Local Planning Authority to prevent further retrospective applications.

18 Reedhill – walls and railings are overwhelming in size and appearance; spheres are disproportionate to size of pillars; concerned that this is the fourth retrospective application.
19 Reedhill – wall is unattractive; excessively high when compared to surrounding walls and hedges; too imposing

Appraisal:

Walls and gates were approved on the site frontage under N2003/677. The current proposal, which is retrospective, mainly differs from the approved scheme in the following ways:

- Gates not set back 5.5m from edge of highway
- Pillars now proposed up to 1.95m (plus stone balls) in height, rather than 1.3m
- Height of enclosure now typically 1.68m – wall 0.83m and railings 0.85m; approved as 0.9m with 0.55m wall and 0.35m railings.
- Stone balls and lights now proposed on 8 of the piers (4 of each)
- Gates proposed approximately 2m in height, approved as maximum 0.8m

Although other properties in this cul-de-sac do not have walls/railings to enclose the frontages, the landscaping is mature, and the cul-de-sac does not appear obviously “open plan”. It is not considered that the walls and gates are detriment to the visual amenities of the area.

The lack of a set-back to the gates does not affect highway safety as the property is sited in a quiet cul-de-sac, with only two other properties lying beyond No.16. The walls and gates do not restrict manouevring space for vehicles within the highway.

Plans
Location plan; 01-227-04B
Application No: N/2005/0327
Location: 38A Main Road, Duston
Proposal: Variation of condition No.5 of planning permission N/2002/0734 to allow hot food takeaway and delivery of hot food
Officer: Gareth Jones

Recommendation:

REFUSAL for the following reasons:

1. The proposed hot food takeaway and delivery of hot food use, by reason of the nature of the use proposed combined with the site’s location close to three road junctions and a pedestrian crossing, would lead to circumstances prejudicial to the freeflow of traffic and highway safety at a dangerous location contrary to Policy R9 of the Northampton Local Plan.

2. The proposed hot food takeaway and delivery of hot food use, by reason of the nature of the use proposed combined with the site’s proximity to residential property, would be give rise to noise, litter and general disturbance harmful to the amenity of neighbouring properties and the area as a whole contrary to Policy R9 and H20 of the Northampton Local Plan.

Site Description and History:

The site is located at the eastern end of Duston Local Centre within a terraced row of four properties. From east to west the uses of these are an estate agent, a vacant former travel agents (the application site), a hairdressers and a house.

Planning application (N/2001/1452) was refused for change of use of the premises from a shop to an estate agents on 30 January 2002. A subsequent application (N/2002/0734) for change of use to a restaurant was refused by Planning Committee on 7 August 2002 for the reason:

The proposed change of use, by reason of the resultant loss of an A1 retail unit combined with the existing non-retail uses in the vicinity of the site, would be detrimental to the shopping character and retail vitality of this part of Duston Local Centre contrary to Policy R9 of the Northampton Local Plan and the aims and objectives of PPG6.

Application N/2002/0734 was for change of use to a restaurant only and explicitly excluded hot food take-away. The proposal was later allowed on appeal subject to 8 conditions. Condition no. 5 states “The premises shall not be used for the sale of hot food for consumption off the premises.”

The current application has been submitted in response to alleged breaches of condition 5 following complaints by local residents and investigation by Council Enforcement Officers.
The wider enforcement background to the restaurant use is set out in a separate report in the Enforcement Matters section of the agenda.

**Planning Policy:**

Northampton Local Plan Policy R9 and H20

**Representations:**

**Environmental Health Manager NBC** – expresses concern about the potential increased noise and disturbance from vehicle movements associated with takeaway and delivery of hot food.

**Cllr Tavener** – objects to the application. The site is located on Main Road close to the Meeting Lane and opposite Melbourne Lane (a residential street). The premises do not have any parking facilities and there is a restriction on parking immediately outside and as such customers presently park in Meeting Lane, Melbourne Lane and Holmleigh Close. The residents of Holmleigh Close are currently requesting yellow lines on the entrance because of parking which restricts access for large vehicles. People will inevitably park right outside disregard parking restrictions. There is an ongoing problem with parking by clients and staff parking inappropriately at the junction of Melbourne Lane with Main Road. The local Community Beat Officer has spoken with the owner of Spice about this and the problem goes away but then returns. Also objects to the closing time of 11pm for three reasons:

- There is evidence that the owners are disregarding the closing time of 11pm in place in the current approval and enforcement is in process. Also concerned that it is unlikely they would comply with 11pm for takeaways as much of the business is likely to come after pubs are closed.
- There was a restriction of 10pm on the approval for Duston Village Chippy on Main Road. The owners here adhere to the closing time and it would be unfair to allow a later time for Spice.
- It would be unfair to local residents to have a later time than 10pm for noise and traffic reasons as the site is very close to residential properties.

Two letters of objection have been received from **1 Melbourne Lane**, which raise the following issues:

- Highway safety and free-flow of traffic due parking restrictions, proximity of a zebra crossing / junctions, the lack of rear access for deliveries, parking in the area is already chaotic
- Noise and disturbance and litter (e.g. car radios and doors slamming) from car parking in Melbourne Lane and Main Road
- This a Conservation Area
- Refuse is placed in a bin on the pavement around midnight
- There is no need for another takeaway
- The premises trade outside the permitted opening hours

**Duston Parish Council** – would not want the premises to trade later the nearby chip shop which closes at 2200, curbside parking / drop-off is too close to the zigzag / zebra crossing, and there is little parking around the area of the shop (a vehicular study needs to be undertaken).
3 Melbourne Lane – objects and states:
• The restaurant is a great resource as it is and do not object to its lawful use
• It often stays open outside the permitted hours
• There is already an issue with noise from staff leaving late at night and from bins put out at the front of the premises and traffic parking in Melbourne Lane. This will become unbearable if the takeaway use is allowed
• The existing problem of litter will become worse
• The use will attract people to sit on the garden wall of no 1 and result in general anti-social behaviour
• The restaurant is near a junction and a zebra crossing
• An application of this type should not be tolerated in a Conservation Area

17 Main Road – objects on grounds relating to lack of parking, cooking smells, kitchen waste is left outside overnight with the lid off on the street, and there are already enough takeaways in the area.

6 Holmleigh Close – objects to the application as uses of the additional use would either park illegally close to the premises thereby causing a hazard or legal a little further away such as in Holmleigh Close which is narrow and crowded with vehicles. Concerns is also expressed about rubbish and bin storage outside the premises becoming worse as a result of the proposal.

14 Holmleigh Close – object on the basis that there enough food outlets in the area already; there are already big problems with parking in the area causing traffic hazards; and there would be extra cooking smell and litter.

5 Millway – the use would lead to problems with waste/rubbish from the premises, traffic and parking, and states that there are already ample fast food outlets in the vicinity which already generate too much noise.

A letter has been received from Scott Fowler Solicitors on behalf of a resident of St James strongly objecting to the application as the property and the vehicular access thereto do not lend themselves to the additional proposed use.

Appraisal:

The premises can lawful operate as a restaurant within the terms of planning permission N/2002/0734. Therefore the determining issues relate to matters arising from the proposed additional hot food takeaway / delivery use of the premises only.

The applicant’s agent has submitted a number documents in support of the application. These include a petition of 315 signatories in favour of the proposal and a survey of car parking within 100 yards of the site. This survey was undertaken on 14 January 2005 and found there were 33 available curb side parking spaces in Pond Farm Close, Main Road, Holmleigh Close and Melbourne Lane at 7.30pm (when 20 covers of the restaurant were occupied) and 30 available spaces at 9.00pm (when 40 covers were occupied).

When determining the appeal the Inspector gave particular consideration to residential amenity and parking. When considering conditions the Inspector stated:

“... the Council has suggested a range of other conditions dealing with emissions of smells and fumes, noise, refuse storage, and hours of operation. I agree that conditions dealing with these matters are necessary in order not to harm the living conditions of
nearby occupiers, … The Council also suggested conditions to restrict the use of the premises to prevent use for sale of hot food for consumption off the premises or as a public house or wine bar. Although the premises are part of an established centre there are a number of residential properties in the immediate vicinity, and the availability of parking in the vicinity of the site is limited. In the circumstances I agree that particular considerations would need to be given to the use of the premises for these purposes and that in this case the imposition of conditions limiting future changes of use within Class A3 is justified.”

Since the Inspector’s decision there have been no significant changes in planning circumstances. Bearing in mind the above extract from the Inspector’s decision letter, along with the prevailing highway circumstances and proximity of the site to residential property, combined with the advice of the Council’s Environmental Health Manager and objections received from third parties, and notwithstanding the applicant’s submissions, it is recommended that the application be refused for the reasons set out above.
Application No: N/2005/0328
Location : 25 St Leonard’s Road
Proposal : Change of use from off-licence to restaurant (Class A3) together with rear extension
Officer : Mrs Rita Bovey

Recommendations:

REFUSAL for the following reason:

The proposed change of use, by reason of the resultant loss of a retail unit combined with existing, would result in an excessively high proportion and over-concentration of food and drink uses in this part of the Far Cotton District Centre to the detriment of the retail character and function of the District Centre. The proposal is therefore contrary to Policy R9 of the Northampton Local Plan.

Site Description and History:

The site is located on the north side of St Leonards Road within the boundary of the Far Cotton District Centre in the Local Plan. It is currently used as an off licence. It is adjoined by a retail unit to the west and two hot food takeaways to the east,

The proposal relates to the change of use of the unit to a restaurant (Class A3) with a single storey rear extension.

Planning Policy:


Consultations:

Environmental Health – concerned about potential problems with noise and cooking odours.

Representations:

Owner of 23 and 23A St Leonards Road – object to the proposal; the area is already over populated with fast food outlets; there would also be increased in traffic and parking demand in the area.
**Appraisal:**

The application site is adjoined by two existing hot food takeaways and the proposed change of use would result in 3 adjoining premises being used other than as a shop. It is considered that the proposed change of use would give rise to an over-concentration of non-retail uses thereby would be likely to undermine the long-term attractiveness and retail function of the part of the Far Cotton District Centre in conflict with Development Plan Policy.
Application No: N/2005/0332 & 0333LB
Location: 3 Gray Street
Proposal: Conversion of former factory into 8 No. residential units
Officer: Miss Jennifer Chance

Recommendation:

N/2005/0332

REFUSAL for the following reason:

The proposed conversion would constitute an overintensive form of development to the detriment of the amenities of future occupants due to a cramped internal layout and also be detrimental to neighbouring residents by reason of increased competition for on-street parking. Contrary to Policies E20 and H16 of the Northampton Local Plan.

N/2005/0333

That all members agree to delegate determination of the Listed Building application to the Head of Planning, Transportation and Regeneration.

Site Description and History:

This former factory was used for the manufacture of lace until recently. The building was listed in 2003 for its historic value of being a Boot and Shoe factory. It is an attractive building dating from 1892. The site lies within a terrace street, and is surrounded on all sides by residential properties. As the building covers virtually 100% of the plot, it has no real curtilage.

Five of the units would be one bed, with the remaining three units being two bed. They would have an internal floor area ranging between 41sqm for the smallest unit to 85sqm for the largest, however much of the internal space is taken up by corridors and stairs.

Storage for cycles and bins is provided within the building. A bin cupboard is provided on each floor with a cycle room on the lower ground floor.

A lift provides disabled access to all floors.

As there is no curtilage there is no off-street parking provided.

Planning Policy:

Development Plan:

Northamptonshire County Structure Plan Policies: GS1, GS2, GS3, GS4, H1, H7 and T9
Northampton Local Plan Policies: E20, E40, H6 and H19
National Policy:

Planning Policy Guidance Notes (PPG) 3 ‘Housing’; 13 ‘Transport’.

Representations:

Letters have been received from 12 and 14 Gray Street and 27, 32, 38, 39, 42, 44, 51 Hunter Street.

Comments made include:

- loss of privacy;
- light pollution from security lighting;
- increase in noise, smells and rubbish that may be created;
- don’t want more bin bags in street;
- development too big for site, better use of space could be made;
- underground parking should be provided;
- no parking is provided;
- parking at a critical mass in area with people double parking;
- need for parking permits queried.
- conversion will improve area but have concerns regarding parking and overlooking
- reduction in number of units needed

Appraisal:

The conversion of this building to residential use is to be welcomed in principle. The use would be complementary to surrounding uses and would bring a vacant Grade II Listed Building back into beneficial use.

The lack of curtilage and narrowness of the building make it difficult to convert easily, whilst ensuring adequate outlook from principal rooms, furthermore the potential for overlooking of existing property is great.

The applicants have agreed to retain and re-impose frosted panes where necessary, to the lower lights in the windows to avoid overlooking.

However, the internal layout is somewhat contrived resulting in small rooms that are contrary to the openness of factory style living.

There is high demand for on-street parking in the vicinity of the site. Whilst no parking provision means that this would be a sustainable development, it is likely to increase competition for on street parking. It is considered that a reduction in the number of proposed units would lessen the impact of the development on the amenities of neighbouring residents.

There is no objection to the principle of the conversion from a Listed Building point of view. It is the external façade of the building that is of primary importance. There are little if any internal features of architectural or historic merit. However, further technical details are required.
Application No: N/2005/0346  
Location: Land to rear of Barratts Factory, Kingsthorpe Road  
Proposal: Erection of car wash centre for a temporary 5 year period  
Officer: Mr Geoff Wyatt

Recommendations:

REFUSAL for the following reasons:

(1) The proposal would result in a piecemeal development which would prejudice the comprehensive redevelopment of an existing business area resulting in potential loss of benefits to the local community and employment opportunities contrary to Policy B14 of the Northampton Local Plan.

(2) By reason of its siting and design the proposed car wash centre would represent a visually intrusive feature within the curtilage of a listed building contrary to Policies E23 and E25 of the Northampton Local Plan.

Site Description and History:

An identical application to this one was refused by the Planning Committee on 5th January 2005. A copy of the relevant report is attached.

Planning Policy:

PPG15: (Planning & the Historic Environment)

Representations:

Environmental Health: no objections subject to a condition to restrict opening hours.

Appraisal:

The applicants have submitted this application for an identical development but only for a temporary 5 year period. However, it is considered that the temporary nature of the development still warrants refusal on the same grounds as previous.

The proposed car wash centre would create a visually intrusive feature within the curtilage of the listed building for whatever period that the development would be in place. Furthermore, the proposal would still prejudice the comprehensive redevelopment of the site resulting in the potential loss of benefits to the local community.
Application No: N/2005/0350
Location : Halfords, Weedon Road
Proposal : Change of use of the MOT and servicing area to be incorporated within the existing retail warehouse selling primarily car, motorcycle and cycle components and associated products
Officer : Geoff Wyatt

Recommendations:

APPROVAL subject to conditions and for the following reason:

The use of the remaining part of the building for restricted retail purposes is acceptable and shall not have a detrimental effect upon the vitality and viability of nearby retail centres in accordance with Policies R2, R3 and R9 of the Northampton Local Plan.

Site Description and History:

The application site is located on Tyne Road off Weedon Road. The premises were purpose built for Halfords who has been occupying the building since 1986. The building has a floor area of 1,200m².

The original outline planning permission (ref:79/86) for the site was granted in April 1986. The development was described as for the erection of a retail warehouse selling primarily car, motorcycle and cycle components, associated products together with M.O.T and service bay and ancillary car parking. Condition 3 of the planning permission specifies that the use of the building shall only be used for the sale primarily of motor car, motorcycle components and cycle/cycle components and associated products together with M.O.T testing and servicing of motor vehicles and shall not be changed in whole or part to any other purpose whatsoever without the further express consent of the Council. The reserved matters application 86/0338 for the development was approved in May 1986.

An application to vary condition no.3 of planning permission 98.0095 to allow the use of the unit for non-food retail (Class A1) was submitted to the Council in 1998. This application was subsequently withdrawn. A similar application submitted in January 2003 was also withdrawn.

Planning Policy:

Northampton Local Plan Policies R2, R3 and R4.
Northamptonshire County Structure Plan Policies TRC1 and TRC2
PP56 (Planning for Town Centres)

Representations:

None.
**Appraisal:**

The application site is currently being used for retail with a restriction on the type of goods for sale.

This site is situated within an existing business area and not an identified District or Local Centre in the Local Plan.

Part of the site also includes an MOT and servicing area which is now vacant. Whilst the applicants, Halfords, have a lease over the whole of the unit, they are unable to use the vacant space for retail sales as the M.O.T/servicing area to be included within the existing area is a ‘sui generis’ use. This application has been submitted to allow the MOT/servicing area to be included within the existing retail area, with an identical condition restricting the sale to certain goods only. This is considered acceptable as the floor area involved is only relatively small (332 Square metres) and will not result in a detrimental effect upon the viability or vitality of nearby retail centres.

**Conditions:**

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

(2) The building shall only be used for the sale primarily of motor car/motor cycle components and cycle/cycle components and associated products and for no other purposes within use Class A1 without further consent of the Local Planning Authority.

**Reason:** As a general retail use is unacceptable in this location.
Application No: N/2005/0412
Location: Land at Police HQ Wootton Hall
Proposal: Change of use from Police HQ curtilage to residential gardens.
Officer: Gareth Jones

Recommendation:

APPROVAL subject to conditions and for the following reason:

The proposal would bring under-used land into better use without harm to interests of acknowledged importance in accordance with Development Plan Policy.

Site Description and History:

In February 2005 complaints were received that the car park element of the development of the Police HQ was not in accordance with details set out in planning approval N/2004/171 in that the ground levels were higher than expected to the rear of 12, 14 and 16 Lambrook Drive and that the spaces were not laid out in accordance with the approved drawing.

A site meeting was held with officers, representative of the Police, contractors and residents affected in Lambrook Drive. As a result of the meeting the planning application reported herein for determination has been submitted for land to the rear of the affected houses to be changed to residential gardens. In summary the applicants agreed to transfer an area of fringe curtilage land to affected neighbours to enlarge their gardens and to mitigate the impact of the higher than expected car park finished surface level. This approach was agreed in principle between the representatives of the Police and affected neighbours attending the site meeting.

A further outcome of the site meeting has been that a second planning application been invited, and is anticipated to be submitted, which will seek permission to regularise the other breach in respect of the car park layout in the vicinity of Hidcote Close and Bressingham Gardens. This matter will be reported to a future meeting of the Planning Committee.

Planning Policy:


Representations:

None.
**Appraisal:**

The proposed development offers an important first step in the delivery of a pragmatic solution to a breach of planning control, which has had a detrimental effect neighbouring residents, whilst giving these residents the opportunity to enlarge their rear garden. Although the Police HQ site is identified as Existing Business Area and a Locally Important Landscape Area in the Local Plan due to the nature of use proposed the relatively small area concerned and the existing context, it is considered that the proposal would not harm either the Council’s business land strategy or the landscape character of the area. The proposal would also bring under-used land into better use without harm to other interests of acknowledged importance.

**Conditions:**

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

   **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

2. Notwithstanding the details submitted, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings 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.
Application No: N/2005/0418
Location: 46-52 Henry Street
Proposal: Conversion of warehouse into 9 No. apartments
Officer: Miss Jennifer Chance

Recommendation:

APPROVAL subject to conditions and for the following reason:

The proposed conversion would provide an acceptable form of living accommodation without undue detriment to amenities of existing residents or the locality, in accordance with Policy H19 of the Northampton Local Plan.

Site Description and History:

It is proposed to convert this attractive Victorian warehouse currently used as an electrical wholesalers into 9 flats. The site lies within a terrace street, alongside a number of other factory units. To the rear, east and opposite are dwellings and to the west is an industrial unit.

Eight of the units would be 2 bed, with the remaining unit being a one bed. They would have an internal floor area of between 40sqm for the smallest unit to 80sqm for the largest.

The factory currently has three vehicular entrances with roller shutters, this would be reduced to one entrance to a rear parking area secured by gates. The parking area provides one space per unit, plus cycle and bin compounds.

Planning Policy:

Development Plan:

Northamptonshire County Structure Plan Policies: GS1, GS2, GS3, GS4, H1, H7 and T9
Northampton Local Plan Policies: E20, E40, H6 and H19

National Policy:

Planning Policy Guidance Notes (PPG) 3 ‘Housing’; 13 ‘Transport’. 
**Representations:**

66 Talbot Road: No objection but raise concerns re: boundary wall treatment and privacy; light pollution from increased number of windows to rear; loss of privacy; increased noise from car park and residents; increase in need for parking; security; welcome use of reclaimed materials – hope windows will not be upvc.

The three week period for consultation has not expired at the time of writing. Any representations received will be reported orally to Committee or included in the addendum. The officers’ recommendation may be amended in the light of representations received.

**Appraisal:**

The development would result in an increased level of overlooking of properties, particularly in the evenings when the warehouse unit would have probably been closed. All rear windows are to bedrooms or stairwells, so it would be inappropriate to request that these be obscure glazed. However, as they are bedrooms there would be less likelihood of casual overlooking that would occur from living room windows. The windows on the properties to the rear are situated between 18 and 23m away. On balance it is considered that the degree of overlooking is acceptable.

Although the level of noise and activity is likely to increase at weekends and in the evening in comparison to the existing warehouse/factory use, this is a long established use, with no controls over hours. An alternative company could move in and operate 24 hours a day.

The parking area to the rear is rather tight and there is no opportunity for any landscaping buffer strip. It is essential therefore that the boundary treatment is marked by a solid wall.

The proposed conversion would provide for a satisfactory form of accommodation and continued use of this attractive building.

**Conditions:**

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

(2) Details and/or samples of all proposed external facing materials, including windows, 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.

(3) Rear and side boundaries of the site shall be screened with a brick wall the full details of which shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the flats hereby permitted and retained thereafter.

**Reason:** In the interests of visual amenity and to secure a satisfactory standard of development.
(4) The bin and cycle stores shown on the approved plan shall be constructed and available for use prior to occupation of the flats and maintained thereafter.

**Reason:** To ensure adequate cycle and refuse facilities.

(5) Details of a secure entry system shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, implemented prior to occupation of the flats hereby permitted and retained thereafter.

**Reason:** In the interests of personal security.
Application No: N/2005/0422
Location: Plots 1 & 2, Malcolm Drive
Proposal: Two semi-detached dwellings
Officer: Cara Meehan

Recommendation:

APPROVAL subject to conditions and for the following reason:

The siting, size, and design of the new dwellings and their impact on residential amenity are considered acceptable in accordance with Policies H6, H10, H12 and H15 of the Northampton Local Plan.

Site Description and History:

The site forms part of the rear garden areas of 3 and 5 Westfield Road and is within a primarily residential area in the Local Plan. The site fronts onto Malcolm Drive. There is an open grassed area between the front of the site and Malcolm Drive through which runs a culvert.

The proposed development would be at a density equivalent to 53 dwellings per hectare.

Planning Policy:

Development Plan

Other Guidance
PPG3 – Housing.

Representations:

At the time of writing this report, the statutory consultation period has not expired. The recommendation made may be modified in the light of any representations received.

Appraisal:

With reference to guidance contained in PPG 3; which promotes such infill residential development and bearing in mind the site's location within a primarily residential area it is considered that the principle of residential development is acceptable.

A pair of two-storey semis is proposed fronting Malcolm Drive. Each proposed dwelling would have a single garage, located to the rear of the plots and accessed from Malcolm Drive.

There would be approximately a 20.5 metre separation distance between the rear of the proposed dwellings and the rear of the existing properties at 3 and 5 Westfield Road. This
is considered adequate and not likely to result in a significant loss of privacy, particularly bearing in mind the use of the existing and proposed first floor windows. It is considered that the dwelling as proposed would not adversely affect residential amenity.

Semi detached hipped roof bungalows occupy the opposite side of Malcolm Drive, within the vicinity of the site. Two storey semi detached houses occupy the application side of Malcolm Drive. Officers held reservations over the scale and design of the original proposal. However, following negotiation, the frontage of the proposed dwelling has been reduced and the proposal redesigned to more closely reflect the design predominant in Malcolm Drive. As amended it is considered that in scale and design the proposed dwelling would integrate into the existing pattern of development without harm to the character of the area.

**Conditions:**

(1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

**Reason:** To comply with Section 91 of the Town and Country Planning Act 1990.

(2) Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the buildings 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.

(3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order), no additional windows shall be installed in the north side elevation of the proposed development without the prior written consent of the Local Planning Authority.

**Reason:** To safeguard the privacy of adjacent properties.

(5) The windows in the north side elevation shall be glazed with obscured glass before the development hereby permitted is first occupied and thereafter retained in that form at all times.

**Reason:** To safeguard the privacy of the adjacent property.

(6) Notwithstanding the details shown on the approved drawings details and/or samples of all proposed external facing materials 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.
Planning Committee
27 April 2005

Report of Head of Planning, Transportation and Regeneration

Author/Contact Officer:

Carol Robinson
Senior Planning Investigation and Compliance Officer
Tel: 01604 838914

Non Compliance with Breach of Condition Notice number 3/2003 at “Taste of Spice” 38a Main Road, Duston

Recommendation

That the Chief Solicitor be authorised to instigate prosecution proceedings should the non compliance persist.
1. **Introduction**

1.1. In February 2003 planning permission was granted on appeal by the Planning Inspectorate for a change of use from retail (Class A1) to restaurant (Class A3) (Excluding takeaway), subject to a condition that the premises shall not remain open to customers between the hours of 2300 and 0800, also that the premises shall not be used for the sale of food for consumption off the premises.

1.2. Following complaints from residents and the Ward Councillor later that year that the premises were open outside of the permitted hours and also that food was being sold on a takeaway basis, a Breach of Condition Notice was issued on 10 December 2003 requiring compliance with those conditions.

1.3. As a result of the Notice the opening hours were amended on the door of the premises and there appeared to be full compliance.

1.4. However, in March of this year the Ward Councillor, on behalf of residents, produced diary notes to the effect that the premises were indeed operating once again outside of the authorised hours.

1.5. Whilst evidence will need to be gathered personally by Investigation and Compliance Officers for the prosecution proceedings, Committee ratification to proceed at this point would be both practical and useful.

2. **Human Rights Implications**

2.1. The Human Rights Act 1998, introduces a number of rights contained in the European Convention on Human Rights. Public bodies such as the Council have to ensure that the rights contained in the Convention are complied with. However, many of the rights are not absolute and can be interfered with if sanctioned by law and the action taken must be proportionate to the intended objective. In this particular case Officers views are that prosecution in respect of this breach of planning control is compliant with the Human Rights Act 1998 because the harm to the wider community clearly outweighs the harm (in human rights terms) to the offender.

3. **Resource Implications**

3.1. Costs will be met from within the existing budget.

4. **Background Papers**

4.1. N/2002/734, Decision Notice APP/V2825/A/02/1099401 and E/2003/354
Report of Head of Planning, Transportation and Regeneration

Author/Contact Officer:

Carol Robinson
Senior Planning Investigation and Compliance Officer
Tel: 01604 838914

Non Compliance with Enforcement Notice number 02/2004 at Unit 1 Horsley Road

Recommendation

That the Chief Solicitor be authorised to instigate prosecution proceedings in respect of the non compliance with Enforcement Notice number 02/2004.
1. Introduction

1.1. In June 2003 numerous complaints were received about the use of Unit 1 Horsley Road for the purpose of vehicle sales.

1.2. On 10 December 2003 the Planning Committee resolved to refuse a retrospective planning application for a temporary change of use to car sales and further resolved to issue an enforcement notice in respect of the unauthorised use.

1.3. Following co-joined planning and enforcement notice appeals the Planning Inspectorate upheld the Enforcement Notice issued by the Council which required the occupier to :- “Cease the use of the premises and associated land for the sale and display of motor vehicles and, “Remove from the premises and associated land all motor vehicles which are for sale”. The Inspector gave a 2 month compliance period.

1.4. Following the Inspectors decision in July 2004 the proprietor confirmed that the unauthorised use would cease and the land be used for storage only.

1.5. In March 2005 further complaints were received and investigations demonstrated that the land was still being used for vehicle sales and advertisements on the internet and in the local press directed customers to that site. In addition a large advertisement board had been erected at the entrance to Horsley Road directing visitors to the site.

1.6. A letter was sent to the proprietors on 16 March setting out the Council’s position but to date the Notice is not fully complied with.

1.7. As a result of Section 179 of the Town and Country Planning Act 1990 (As amended), a criminal offence is committed if a valid Enforcement Notice is breached. The Local Planning Authority has a discretion as to whether prosecution proceedings should be commenced. The recommendation to instigate prosecution proceedings is in line with the original reasons for issuing the Notice and refusing the planning application.

2. Human Rights Implications

2.1. The Human Rights Act 1998, introduces a number of rights contained in the European Convention on Human Rights. Public bodies such as the Council have to ensure that the rights contained in the Convention are complied with. However, many of the rights are not absolute and can be interfered with if sanctioned by law and the action taken must be proportionate to the intended objective. In this particular case Officers views are that prosecuting this matter is compliant with the Human Rights Act 1998 because the use is considered to be an unjustified loss of business premises affecting the wider community and harmful to highway safety which clearly outweighs the harm (in human rights terms) to the offender.

3. Resource Implications

3.1. Costs will be met from within the existing budget.

4. Background Papers

Planning Committee
27 April 2005

Report of the Head of Planning
Transport & Regeneration

Author/Contact Officer:
Lindsey Richards
Acting Assistant Head of Planning
01604 838985


Recommendation

That Members note the changes to the Town and Country Planning (Use Classes) Order 1987.
1 **Background and Proposals**

1.1 The existing Town and Country Planning (Use Classes) Order 1987 has effectively remained unchanged since its issue in 1987. Following a lengthy consultation period amendments to the Use Classes Order have now come in force on 21 April 2005.

1.2. The aim of the amended Order is twofold:-

   i) to ensure that the scope of each class accurately reflects the impact on the environment of that class whilst remaining wide enough to encompass the changing needs of a diverse economy; and

   ii) to deliver the Governments planning policies more effectively.

1.3. The accompanying Circular to the statutory instrument gives guidance on a number of areas where there has been an element of uncertainty in the past. These include: primarily purpose, mixed use and the sub division and intensification of uses.

2. **The Amended Order**

2.1. Significant changes have been made to Part A, which now comprises 5 separate use classes. This should enable LPA’s to exert more influence over the broad composition of shopping areas and achieve a more satisfactory balance between the number of restaurants/cafes, pubs/bars and takeaways.

2.2. The five Classes now comprise:  
   - **Class A1: Shops** (largely unchanged but now including internet cafes).
   - **Class A2: Financial and Professional Serves** (unchanged).
   - **Class A3: Restaurants and Cafes** – this class relates to premises whose trade is primarily in house dining but includes those which have an ancillary bar.
   - **Class A4: Drinking Establishments**, specifically pubs and bars – premises within this category may serve food but main function is purchase and consumption of alcoholic liquor. This categorisation is irrespective of the square footage given over to dinning or revenue derived from that function.
   - **Class A5: Hot food takeaways**. The existence of table and chairs within a hot food outlet does not automatically make the premises a restaurant. This is dependant on which element is predominant.

2.3. Parts B & C (Business Residential Institutions) of the Amended Order remain unchanged. Guidance is given to clarify issues such as the categorisation of hostels, provision of care and shared houses. Reference is also made to working from home and sui generis categorisation of live/work units.

2.4. Part D (non residential institutions and Assembly and leisure) is largely unchanged but night clubs are now confirmed as sui generis.

3. **Permitted Changes**

3.1. Statutory Instrument 2005/85 permits change of uses between certain classes and has withdrawn the previous permitted change in the case of motor vehicle show rooms to general A1 retail.
3.2. The permit changes are as follows:

i) premises within A3 Class (restaurant & café) have a permitted change to Classes A1 shops and A2 financial/professional services.

ii) premises within A4 Class (drinking establishment) have a permitted change to the new A3 Class (restaurant & café) as well as to Classes A1 shops and A2 (financial & professional).

iii) Premises with A5 (hot food takeaway) have a permitted change to the new A3 (restaurant & café) as well as both A1 (shops) & A2 (financial & professional).

3.3. Circular 11/95, The Use of Conditions in planning permissions, makes it clear that there is a presumption against conditions designed to restrict future changes of use which are permitted within classes by the General Development Order. The new advice is that as a general rule conditions restricting changes within Classes should not be imposed and would be deemed unreasonable. Where in exceptional circumstances these conditions are deemed to be justified these should prohibit change to a particular use rather than a more general restriction.

4. **Reclassification**

4.1. The consequence of the Amended Order will be that existing premises falling within Class A will be categorised by its existing use. Extant planning permissions granted before 21 April 2005 will be based on the order in use at the time of the grant planning permission, i.e. a general A3 consent will permit changes of use to all of the former uses permitted by the former A3, including drinking establishment and takeaways. Once implemented the use will then be restricted by the permitted changes and restrictions of the Amended Order.

5. **Social Impacts**

5.1. The Amended Order should allow the LPA’s to look at the balance of the different classes when determining new applications. The Council’s interim Policy on A3 uses within the town centre will need to be reviewed to take into account the new use classes.

6. **Background Paper**


Town and Country Planning (General Permitted Development) Order 1995.
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<td>Author/Contact Officer:</td>
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<td>Lindsey Richards</td>
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<td>Acting Assistant Head of Planning</td>
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**Recommendation**

That a response based on the considerations given at Section 3 of this report be forwarded to the ODPM.
1. **Background:**

1.1. The uncontrolled erection of mezzanine floors, particularly in out of town locations, has for some time raised significant concerns for many LPA’s. The lawful erection of mezzanine floors is seen as being in direct conflict with Government policy which seeks to protect the vitality and viability of town centres. Out of centre retail businesses which increase their floor area by mezzanine extensions or basements can divert significant trade away from town centre retailers.

1.2. The installation of additional floorspace within buildings has not previously amounted to development as it was not seen to affect the exterior of the building. Planning permission is only required if the original consent for the building was granted subject to conditions restricting the erection of mezzanine floor or a limit on the total retail floor area to be provided.

1.3. A number of the out of town retail developments within Northampton have a restriction on the erection of mezzanine floors, by way of a planning condition on limiting the maximum amount of retail floor area.

1.4. Nationwide there has been an increase or there is a planned increase in the installation of mezzanine floors resulting in a significant addition to out of town retail floor area. The consultation paper now under consideration does not propose to halt the erection of all mezzanine floors but to control those over a specified size and within premises used for the retail sale of goods other than hot food.

2. **Proposed Threshold:**

2.1. The consultation paper suggests a threshold of 200m² and therefore any mezzanine exceeding this will require planning permission. The threshold of 200m² is based on the assumption that a mezzanine floor will not normally exceed 50% of ground floor area. Research suggests that 93% of shops are smaller than 400m² and on that basis the vast majority of mezzanine floor will not be controlled. Therefore, it will be the larger out of town stores which will be restricted.

2.2. The consultation suggests that restrictions should only apply where the mezzanine will be used to provide additional floor area for retail sales. On that basis it could be argued that the erection of a mezzanine floor for storage purposes could free up ground floor area for retail proposes. This in itself could add significant retail floor area in an out of town location.

3. **Consideration:**

3.1. The control of mezzanine retail floor area is welcomed and will allow Local Planning Authorities greater control in applying the sequential analysis advocated within PPS6. However the threshold of 200m² is considered to be too high a level to be effective.

3.2. Whilst the majority of out of town retail is limited by a condition which limits the maximum retail floor area, other older premises are not controlled. It is the cumulative addition of retail floor area created by mezzanines which is of concern – most of the applications received by this authority are for mezzanines exceeding 200m² but the cumulative total of smaller mezzanines
below the proposed threshold would have a significant impact on town centre vitality and viability.

3.3. By simply limiting the restriction on mezzanine floors to where only additional retail floor area is created will not restrict instances where storage space is created at the mezzanine level so as to free up ground floor area for additional retail sales. All single storey retailers will undoubtedly have some ancillary office/storage/staff accommodation which could be transferred to first floor. It is considered that the only effective control would be to restrict all mezzanines notwithstanding their proposed purpose.

3.4. Clarification should be sought as to whether the threshold proposed is a maximum floor area to be provided within a single unit and subsequent any floor area over and above that which may be added at a later date is controlled.

4. **Background Papers:**

Report of the Head
Of Planning, Transportation and
Regeneration

Author/Contact Officer:
Lindsey Richards
Acting Assistant Head of Planning
01604 838985

The Town and Country Planning
(Temporary Stop Notice) (England)
Regulations 2005

Recommendation

That the Planning Committee:
i) notes the report and the provision of Temporary Stop Notices; and

The Executive:
ii) Grants delegated authority for the Corporate Directors or the Chief Solicitor to
authorise for the serving of a Temporary Stop Notice where a breach of planning control
has occurred.
1 **Background**

1.1. On 7 March 2005 the provisions for Temporary Stop Notices, in Section 52 of the Planning and Compulsory Purchase Act 2004 came into force. The Act gives Local Planning Authorities a new power to issue a Temporary Stop Notice when unauthorised development commences. The Temporary Stop Notice requires the immediate cessation of the breach of planning control but is limited to a period of 28 days only during or after which it is open to the Council to enforce. Secondary legislation, which also came into force on the 7th March, deals specifically with caravans and is covered in section 2.3 of this report.

1.2. Prior to these new regulations stop notices could only be served in conjunction with an enforcement notice and compensation was payable by the Local Planning Authority if subsequently the notice was not upheld. This Council has not, to date, used the provision of stop notices as an enforcement tool due to this uncertainty and the potential cost to the Council.

2. **Application of the new provisions**

2.1. A temporary stop notice may be served to prohibit the use of land which is ancillary or incidental to an unauthorised main use of the land; or a particular activity taking place on part of the land, or an intermittent or seasonal use. It can also be served in cases where conditions attached to a planning permission have not been complied with and which could result in serious harm. This could include archaeological surveys, tree protection and the requirement for tree surveys.

2.2. Because a temporary stop notice is prohibitory, it is not appropriate for use in any circumstances which require some positive action to be taken in response to it. A Temporary Stop Notice can only require an activity to cease, or reduce the level of activity.

2.3. There are restrictions on the use of Temporary Stop Notices and these apply to the use of a building as a dwellinghouse and stationed caravans where that caravan is the main place of residence of the occupier. There are certain qualifications relating to caravans in that they retain specific and existing permitted development rights. These generally relate to seasonal agricultural workers, recreational clubs, site premises, travelling showmen etc. In exceptional circumstances, where there are no permitted development rights and where the risk of harm is so great Temporary Stop Notices may be used to require the immediate removal of caravans. These exceptional circumstances are listed and include within sites of special scientific interest, areas where pollution from vehicles or dumping could damage water courses, and verges of busy roads where fast traffic would be a danger to unauthorised campers. A Temporary Stop Notice may be used to prohibit stationing of additional caravans on land on which a caravan is already stationed.

2.4. A Temporary Stop Notice cannot be used to prohibit an activity which has been carried out for a period of four years or more.

3. **Serving Temporary Stop Notices**

3.1. The advantage of the new provisions is that The Temporary Stop Notice does not have to be served with an enforcement notice and once a site notice is posted on site its effect is immediate. Failure to comply with the notice is an offence with a maximum fine of £20,000. The maximum period of a Temporary Stop Notice is 28
days during which time the Local Planning Authority must decide if it is appropriate to take enforcement action.

3.2. The 28 day period is intended to allow time for a report to the Planning Committee which seeks a resolution for enforcement action if appropriate. However the prevention of further work taking place would rely on the issuing of an enforcement notice and a stop notice before the expiry of the 28 day period.

3.3. The Local Planning Authority cannot issue a further Temporary Stop Notice upon the expiry of a Temporary Stop Notice.

4. **Challenging a Temporary Stop Notice and Compensation**

4.1. There is no right of appeal against the prohibition in a Temporary Stop Notice, although representations can be made to the Local Planning Authority, also the decision to issue a Temporary Stop Notice is open to judicial review.

4.2. The developer issued with the Temporary Stop Notice has the right to make an application for lawful development certificate or for retrospective planning permission. Only where a lawful development certificate is granted will there be any right to compensation, or in instance where the activity has the benefit of a planning permission, or constitutes permitted development. Compensation is not payable where the Local Planning Authority grant retrospective planning permission.

5. **Delegation and Prosecutions**

5.1. For Temporary Stop Notices to be effective it is essential that the Local Planning Authority Acts quickly. The Circular advises that as many breaches of planning control occur outside normal working hours and at weekends it is appropriate for planning enforcement to have the same emergency cover as other environmental and public health protection services. It is therefore fundamental to obtain authorisation for delegation to officers for the issuing of Temporary Stop Notices in order that they be effective.

5.2. To emphasise the seriousness of contravening a Temporary Stop Notice, the Circular advises that the Local Planning Authority should also consider a possible prosecution as soon as they have evidence of the offence that gives rise to the issue of the temporary stop notice.

6. **Conclusions**

6.1. A temporary stop notice is an effective enforcement tool which can be used with immediate effect. It is however effective only for a temporary period of 28 days during which the Local Planning Authority should progress the serving of an enforcement notice (if appropriate):- this together with the expedient prosecution when there is a contravention of a Temporary Stop Notice will rely heavily on legal resources being immediately available.

6.2. So as to be an immediate and effective tool the authorisation for the issuing of Temporary Stop Notice needs to be delegated to appropriate officers.
7. **Social Impact**

7.1. The provision of Temporary Stop Notices will allow immediate action to be taken on breaches of condition and consequently will protect and preserve existing amenity for occupiers.

8. **Background Papers**


9. **Directorates Consulted**

9.1. Legal Services.
Deed of variation to S106 agreement at former St Crispins Hospital site

Recommendation
That a Deed of variation to the original S106 for development of the former St Crispins Hospital Site be agreed confirming that only a primary school is required and that the surplus land be retained by the developer and which will then fall within the terms of the original outline planning permission (97/0566) and the S106 agreement.
1 **Background and Proposals**

1.1. Outline planning permission for residential development at the former St Crispins Hospital was issued in November 2002. The legal agreement relating to the development of the site secured a number of obligations including land to be allocated for the building of schools.

1.2. During the negotiations of the S106 agreement the Schools Review had not been finalised and as such the agreement allowed for both the proposed two tier and what was the existing three tier education system. Under the three tier system the developers were obligated to provide for both a lower and middle school, however under the two tier system, which has now been implemented, the requirement was for the provision of a primary school only.

2. **The School – Site**

2.1. The planning application for the primary school at the St Crispins site has been submitted to the County Planning Authority and Members considered the scheme at the Planning Committee on the 30 March 2005. The final land take of the school has now been agreed between the County and the developer.

2.2. Whilst the S106 agreement does in fact allow for a two tier system and the retention of the surplus school land as a windfall site, the developers of the St Crispins site are seeking a deed of variation to this effect. The deed of variation will confirm that only the primary school site is now required and that the surplus land will fall within the terms of the original outline planning permission and the associated S106.

2.3. Officers are comfortable in progressing a Deed of variation and the County Council have confirmed that they are happy to be a cosignatory subject to some minor changes.

3. **Background Papers**

3.1. Planning Application 97/0566 and N/2005/112.

4. **Directorates Consulted**

4.1. Head of Legal Services.
Recommendation
That Members note that the new powers given to local authorities to deal with complaints about high hedges will come into effect on 1 June 2005.

Summary
1. Part 8 of the Anti-Social Behaviour Act 2003 gives local authorities in England and Wales new powers to deal with complaints about high hedges – by determining whether or not a ‘Remedial Notice’ should be issued. If so, the notice will require the hedge owner to reduce its height by a specified amount within a specified period.
2. The Executive previously determined (item 8, 10 January 2005) that;
   ♦ The Planning Division would deal with high hedge complaints
   ♦ That the scheme of Delegations to Officers be amended to delegate responsibility for the determination of such complaints to the Head of Planning, Transportation and Regeneration under the remit of the Planning Committee; and that the service of Remedial Notices is made with the advice of the Borough Solicitor.
   ♦ Complainants must pay a fee to cover the authority’s costs in dealing with their complaint - £457 generally, with a 50% reduction for those in the concession categories listed in the Council’s Fees & Charging Policy. In the event that a complaint is settled before determination, a proportion of the fee may be remitted to the complainant.
3. The powers come into effect on 1 June 2005.
1. **Main features of the new law**

1.1. Complainants should be able to demonstrate that they have taken all reasonable steps to resolve the matter before complaining to the Council – the Council can decide not to accept the complaint if not satisfied that this has been done.

1.2. The complainant’s property must be domestic – defined as a dwelling (which may be only part of a larger building, including flats) or any associated garden or yard. The owner or occupier of an affected domestic property, or the owner of an unoccupied domestic property, can bring a complaint. A fee must accompany each complaint.

1.3. The complaint must relate to a high hedge – defined as a barrier to light and access (including access to view or outlook) formed wholly or predominantly by a line (rough or regular) of two or more evergreen or semi-evergreen trees or shrubs more than 2 metres in height. Complaints about roots are specifically excluded.

1.4. The hedge need not be on the boundary of the complainant’s property or even on an adjoining property, nor need the hedge be growing on domestic property.

1.5. The role of the Council is not to mediate or negotiate between the complainant and hedge owner, but to adjudicate whether the hedge height is adversely affecting the complainant’s reasonable enjoyment of their property. In doing so, the Council must take account of all relevant factors and strike a balance between the competing interests of the complainant, hedge owner and the wider community.

1.6. If the Council thinks the complaint is justified, it may issue a formal notice to the hedge owner setting out what they must do to the hedge to remedy the problem, and when by. The ‘Remedial Notice’ will remain in force for as long as the hedge remains on site, and be registered as a local land charge so prospective purchasers of the property are alerted to the commitment they would be taking on.

1.7. Failure to comply with the requirements of a Remedial Notice is an offence punishable, on conviction in a Magistrates’ Court, to a fine of up to £1000, with on-going daily fines (current maximum £50) if required work is not carried out within the set period.

1.8. The complainant and the owner and occupier of the land on which the hedge is growing can appeal against the issuing, withdrawal, waiving or relaxation of a Remedial Notice. Complainants can also appeal against the Council’s rejection of their complaint.

1.9. Government will publish a good practice guide on administering the complaints procedure within the next few weeks, and hold training workshops in May. An N.B.C. complaint form is currently being customised from the model supplied by ODPM.

2 **Social Impact**

2.1. The high hedge complaints procedure is intended to provide a means to resolve intractable hedge-height disputes that comply with the criteria. The existing means of resolution via the Courts has proved both lengthy and prohibitively costly, and so not open to everyone. The new procedure, therefore, opens opportunities for resolution of complaints at more reasonable cost to the complainant, and within a shorter timescale.

3 **Resource Implications**

3.1. The Regulations permit the Council to levy a fee at a level that covers the full economic costs, but the discretionary reduction of 50% in the fee to certain categories of complainant will leave a proportion of the costs to be found elsewhere.
4 **Background Papers**

4.1 File 329: ‘High Hedges’.

5 **Directorates Consulted**

5.1 None.

highhedges(PtgCtte)RptApr05
12.04.05
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<td>Street Naming:</td>
</tr>
<tr>
<td>Author/Contact Officer: Gillian Maslin</td>
<td>New road off Blisworth Close</td>
</tr>
<tr>
<td>Tel: 01604 838927</td>
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**Recommendation**

That the proposed name be **APPROVED**.
1. **Background:-**

1.1. The Council has a statutory duty to name new streets, roads, footpaths etc within the Borough. This service is delegated to the Head of Planning, Transportation and Regeneration, however, Members have requested that they be informed of all future street naming.

2. **Requests for Naming:-**

2.1. The Council propose that the new road off Blisworth Close is named Braunston Close. The name continues the theme of naming the roads in this area after tunnels, reflecting the history of the area, this site having been previously known as Tunnel Hill Farm. The attached plans show the road.

3. **Consultations:-**

3.1. The Councillors for St James Ward, Cllr Leslie Marriott and Cllr Terry Wire have been consulted. The Fire Brigade, the Police Authority and the Ambulance Service have been consulted.

4. **Community Safety Implications:** - None

5. **Sustainability Implications:** - None

6. **Background Papers:** -

6.1. AI/2004/7089
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N/2005/123 NORTHAMPTON.
N/2005/123 REAR CONSERVATORY 17 KENDAL CLOSE BOOTHVILLE NORTHAMPTON.

N/2005/125 NORTHAMPTON.
N/2005/125 FIRST FLOOR REAR EXTENSION 59 BANTS LANE NORTHAMPTON.

N/2005/126 NORTHAMPTON.
N/2005/126 REAR CONSERVATORY 19A VILLA WAY WOOTTON NORTHAMPTON.

N/2005/127 NORTHAMPTON.
29 BOOTH LANE NORTH NORTHAMPTON.

N/2005/129 NORTHAMPTON.
N/2005/129 TWO STOREY FRONT EXTENSION 17 MACON CLOSE DUSTON NORTHAMPTON.
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<td>256 LONDON ROAD NORTHAMPTON.</td>
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<td>N/2005/133</td>
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<td>47 BANBURY CLOSE WEST HUNSBURY NORTHAMPTON.</td>
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<td>KINGSLEY PARK ALLOTMENTS KETTERING ROAD NORTHAMPTON.</td>
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<td>N/2005/149</td>
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<td>N/2005/153</td>
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<td>N/2005/154</td>
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<td>30 GREENWAY AVENUE BOOTHVILLE NORTHAMPTON.</td>
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<td>N/2005/158</td>
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<td>H S B C 3/4 WOOD HILL NORTHAMPTON.</td>
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<td>N/2005/167</td>
<td>REMOVAL OF GARAGE AND ERECTION OF SINGLE STOREY SIDE/ REAR GARAGE AND BREAKFAST ROOM EXTENSION</td>
<td>1 PINewood ROAD NORTHAMPTON.</td>
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<td>45 ST. MATTHEWS PARADE NORTHAMPTON.</td>
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<td>N/2005/169</td>
<td>PROPOSED NEW DWELLING HOUSE</td>
<td>56 ASHBURNHAM ROAD NORTHAMPTON.</td>
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<td>N/2005/175</td>
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<td>9 MARTLET CLOSE WOOTTON NORTHAMPTON.</td>
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<td>1 MIDDLE GREEVE WOOTTON NORTHAMPTON.</td>
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<td>12 ALFRED STREET NORTHAMPTON.</td>
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<td>BUSINESS USE (CLASS B1)</td>
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<td>N/2005/185</td>
<td>SUB-DIVISION INTO TWO UNITS WITH NEW SHOP</td>
<td>UNIT 3 ST. JAMES RETAIL PARK TOWCESTER ROAD NORTHAMPTON.</td>
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<td>N/2005/189</td>
<td>ERECTION OF REAR CONSERVATORY</td>
<td>2 THEBELL ROAD NORTHAMPTON.</td>
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<td>N/2005/197</td>
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<td>N/2005/199</td>
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<td>N/2005/203</td>
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<td>FLAT - RETROSPECTIVE</td>
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<td>N/2005/204</td>
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<td>25 HOLLY ROAD NORTHAMPTON.</td>
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<td>GARAGE</td>
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<td>N/2005/208</td>
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<td>4 HILLCREST AVENUE NORTHAMPTON.</td>
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<td>DOORS AND IRON RAILINGS TO FIRST FLOOR DOORS</td>
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<td>- RETROSPECTIVE</td>
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<td>N/2005/210</td>
<td>ERECTION OF DETACHED WAREHOUSE BUILDING</td>
<td>D PAC LTD 4 SKETTY CLOSE BRACKMILLS INDUSTRIAL ESTATE</td>
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<td>N/2005/211</td>
<td>ERECTION OF FIRST FLOOR SIDE EXTENSION AND</td>
<td>7 HILBERRY RISE NORTHAMPTON.</td>
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<td>REAR CONSERVATORY</td>
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<td>N/2005/212</td>
<td>CHANGE OF USE FROM OFFICE/ONE BED FLAT TO</td>
<td>5 HARLESTONE ROAD NORTHAMPTON.</td>
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<td>HAIRDRESSING SALON</td>
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<td>N/2005/213</td>
<td>REAR CONSERVATORY</td>
<td>26 COWGILL CLOSE NORTHAMPTON.</td>
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<td>N/2005/214</td>
<td>RELOCATION OF SIDE AND REAR BOUNDARY FENCE</td>
<td>85 BURROWS COURT NORTHAMPTON.</td>
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<td>AND ERECTION OF FRONT BOUNDARY WALL -</td>
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<td>RETROSPECTIVE</td>
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<td>N/2005/215</td>
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<td>5 FIRTREE WALK NORTHAMPTON.</td>
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<td>N/2005/217</td>
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<td>N/2005/220</td>
<td>VEHICLE CROSSOVER - RETROSPECTIVE</td>
<td>112 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>N/2005/221</td>
<td>VEHICULAR CROSSOVER - RETROSPECTIVE</td>
<td>110 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>N/2005/222</td>
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<td>102 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>N/2005/223</td>
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<td>96 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>VEHICULAR CROSSOVER - RETROSPECTIVE</td>
<td>100 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>N/2005/225</td>
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<td>84 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>90 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>VEHICLE CROSSOVER - RETROSPECTIVE</td>
<td>82 MAIN ROAD DUSTON NORTHAMPTON.</td>
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<td>N/2005/233</td>
<td>ERECTION OF TWO STOREY SIDE EXTENSION TOGETHER WITH FRONT GARAGE EXTENSION AND PORCH</td>
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<td>N/2005/235</td>
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<td>N/2005/243</td>
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<td>N/2005/246</td>
<td>ERECTION OF EXTENSION.</td>
<td>3 MERCURY DRIVE BRACKMILLS INDUSTRIAL ESTATE NORTHAMPTON.</td>
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Derrick Simpson  
Support Services Manager  
13 April 2005
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<tr>
<td>N/2004/1676</td>
<td>DEMOLISH GARAGE AND ERECT NEW HOUSE ON PART OF GARDEN</td>
<td>15 PARK AVENUE NORTH NORTHAMPTON.</td>
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<td>N/2004/1793</td>
<td>3 No. NON-ILLUMINATED TEMPORARY BANNERS</td>
<td>ABINGTON PARK HOTEL 383 WELLINGBOROUGH ROAD NORTHAMPTON.</td>
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<tr>
<td>N/2004/1806</td>
<td>CHANGE OF USE FROM SINGLE DWELLING TO FORM TWO FLATS</td>
<td>15 VICTORIA ROAD NORTHAMPTON.</td>
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<td>N/2005/7</td>
<td>SINGLE STOREY REAR EXTENSION</td>
<td>109 MENDIP ROAD DUSTON NORTHAMPTON.</td>
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<td>N/2005/21</td>
<td>FIRST FLOOR SIDE EXTENSION OVER EXISTING GARAGE</td>
<td>18 STONE WAY DUSTON NORTHAMPTON.</td>
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<td>N/2005/97</td>
<td>VARIOUS SIGNAGE (RETROSPECTIVE)</td>
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<td>N/2005/111</td>
<td>VARIOUS SIGNAGE</td>
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<td>N/2005/113</td>
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<td>N/2005/124</td>
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<td>591 OBEISK RISE NORTHAMPTON.</td>
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<td>EXISTING GARAGE TO RESIDENTIAL AND EXTENSION OF PITCHED ROOF OVER FRONT</td>
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<td>BAY WINDOW.</td>
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<td>N/2005/132</td>
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<td>248 THE HEADLANDS NORTHAMPTON.</td>
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<td>N/2005/176</td>
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<td>UNIT 7 HARTBURN CLOSE CROW LANE INDUSTRIAL ESTATE NORTHAMPTON.</td>
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<td>N/2005/195</td>
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<td>31 CRAWFORD AVENUE NORTHAMPTON.</td>
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<td>N/2005/209</td>
<td>ERECTION OF 2NO. TWO STOREY HOUSES WITH ATTIC BEDROOMS AND 1NO. SELF-</td>
<td>REAR OF 110-114 KING EDWARD ROAD</td>
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<td>CONTAINED MAISONETTE</td>
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<td>N/2005/234</td>
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<td>51 SANDILAND ROAD HEADLANDS NORTHAMPTON.</td>
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<td>N/2005/236</td>
<td>RETENTION OF A POLYTUNNEL FOR VALETING OF CARS</td>
<td>159-185 ABINGTON AVENUE NORTHAMPTON.</td>
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<td>N/2005/254</td>
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Derrick Simpson
Support Services Manager
LIST OF DEFERRED APPLICATIONS DETAILED BELOW:

APPROVED IN PRINCIPLE

98/0973 Construction of two bus lay-bys at Pavilion Drive
N/2001/788 Demolish existing buildings and erection of 13no. duplex flats/apartments at 27-35 Craven Street
N/2001/1283 Infill two storey extension between the happy gathering Chinese restaurant and eternity nightclub to create three restaurants at 137-151 Bridge Street
N/2002/296 Two storey extn to existing offices at Travis Perkins Trading Co Ltd, Ryehill Close
N/2002/733 Proposed extension of car park and removal of bank at Northampton General Hospital, Cliftonville
N/2002/1041 C/U to hot food takeaway with ancillary seating area at 89 Kettering Road
N/2002/1058 Warehouse Class B8 (Plot 300) at Swan Valley
N/2002/1059 Office Class B1 (Plot 310) at Swan Valley
N/2002/1060 3 units for business, general industry or warehouse uses Classes B1C/B2/B8 (Plot 400) at Swan Valley
N/2002/1061 1 unit for business, general industry or warehouse uses Classes B1C/B2/B8 (Plot 420) at Swan Valley
N/2002/1062 Warehouse Class B8 (510) at Swan Valley
N/2002/1063 1 unit for business, general industry or warehouse uses Classes B1C/B2/B8 (Plot 530) at Swan Valley
N/2002/1294 Proposed drive-thru restaurant at land adjacent to B&Q Retail Warehouse, Towcester Road
N/2002/1540 Erection of 39 apartments above existing buildings at The Ridings Arcade, St Giles Street
N/2002/1641 Conversion and change of use from general industrial (Class B2) to 8 flats, Sunlight Works, Grafton Street
N/2003/195 Change of use of rear ground floor to cafe/restaurant use Class A3, 137 Kettering Road
N/2003/374 Conversion and change of use to 19 flats at 25-29 Robert Street
N/2003/524 Conversion to residential development at Connought House, 32 Connaught Street
N/2003/573 Demolition of garage and erection of 12 flats at 1A Derby Road
N/2003/727 Demolition of existing factory and construction of new residential block of 31no. flats and 8no. affordable housing units at 35-37 Talbot Road
N/2003/1188 Residential redevelopment – Outline Application Land and buildings at Stimpson Avenue/Lea Road/Admitt Road
N/2003/1286 Residential development (flats and houses) - outline application at former Water Works rear of 73-89 Friars Avenue, Delapre
N/2003/1531 C/U to residential care home (Class C2) for a maximum of eight residents at 8 Kingsthorpe Grove
N/2003/1588 Renewal of outline planning permission for residential development ref: N/2003/323 at 544-548 Wellingborough Road
N/2004/200 Comprehensive redevelopment to provide employment (B1 Use and B2 Use), housing, sports facilities and public open space – outline application at former British Timken site, Duston
N/2004/354 Repairs and Alterations at St John’s Church, Bridge Street
N/2004/495 Mixed use development comprising residential, recreation and employment uses, civic amenity site, bus depots, car parking, link road & associated development (outline application) at land west of Harvey Reeves Road
N/2004/510 Residential, community facilities and associated development, access improvements and retention of operational railway line (outline application) at land off Ransome Road
N/2004/918 C/U to restaurant (Class A3) with erection of rear extension and new front entrance at Vernon Hall, 156 Wellingborough Road (Mencap)
N/2004/1071 Refurbishment of listed building including additional floors with new building adjacent providing 130No. residential flats, 2 flexible units, exhibition space and associated parking at 27-29 Guildhall Road
N/2004/1104 C/U from an optician’s (Class A1) to a champagne bar (Class A3) at Unit 2, former Manfield Shoe Factory, Wellingborough Road
N/2004/1115 Extension to existing (vacant) D2 leisure unit at St James Retail Park, Towcester Road
N/2004/1117 Refurbishment of existing retail park including subdivision of unit 3 (courts) and extension of unit 5 (Alders) to create a new unit with reconfiguration of car parking and landscaping at St James Retail Park, Towcester Road
N/2004/1124 Erection of new four/five storey block of apartments and conversion of existing buildings to residential units at Northern portion of former St Edmunds Hospital site, Wellingborough Road
N/2004/1294 Internal and external alterations at Pony Club Stables, Delapre Abbey, London Road
N/2004/1545 Change of use to residential/nursing care for the elderly as an extension to existing adjoining facility at 32 Kingsley Road at 30 Kingsley Road

PENDING AND DEFERRED

98/0957 Link road and alterations to cul-de-sac at Cob Drive, Swan Valley
N/2000/14 C/U to residential-phase one at 36-38 Milton Street, Kingsley
N/2000/15 C/U to residential-phase two at 36-38 Milton Street, Kingsley
N/2000/286 Business/industrial/storage at Pineham, South West District
N/2000/630 Business (class B1) and industrial (class B1/B2) development and wind tunnel together with associated access, parking, infrastructure and landscaping at land at Pineham
N/2000/1192 Redevelopment of existing buildings to form hotel, leisure and conference facilities, restaurant, bar together with ancillary retail areas at former St Crispins Hospital off Berrywood Road, Upton
N/2000/1193 Part demolition of main hospital at former St Crispin Hospital off Berrywood Road, Upton
N/2001/246 C/U from working mill to residential at Upton Mill, Upton
N/2001/247 C/U from working mill to residential at Upton Mill, Upton
N/2001/1112 Renewal of Outline Planning Approval 98/0680 - variation of conditions 2 and 3 of planning permission 95/0502 to allow an extension of time limit for approval of Reserved Matters development of B1, B2 and B8 use Classes land at Lilliput Road/Bedford Road
N/2002/171 Variation of condition 2 of Planning Permission 98/0393 to allow submission of Reserved Matters by 11/6/05 at Land off Wellingborough Road
N/2002/332 Variation of condition 2 and 3 of 98/0679 at land at Billing Park Great Billing
N/2002/638 Variation of cond no.4 of planning permission N/2000/516 to 163-165 Kettering Road
N/2002/1238 Renewal of outline planning permission for the erection of light industrial units (Class B1(C) at 174 St Andrews Road
N/2002/1676 Mixed employment uses at land at Pineham North
N/2003/1076 Residential development at former St Crispin Hospital site, Duston
N/2003/1209 Illuminated advertisements located on 19no. bus shelters at various site in Northampton
N/2003/1288 Demolition of factory and erection of new offices and residential apartments at Pearce Leather Works, Wellingborough Road
N/2003/1289 Demolition of factory and erection of new offices and residential apartments at Pearce Leather Works, Wellingborough Road
N/2003/1290 Forming of new access drive. Erection of garages, refurbishment of cottages and extn of the caretakers cottage at Caretakers & Engineers cottages, Pearce Leather Works, Wellingborough Road, Great Billing
N/2003/1291 Forming of new access drive, erection of garages, refurbishment of cottages and extn at Caretaker & Engineers cottages, Pearce Leather Works, Wellingborough Road, Great Billing
N/2004/265 Mixed use development, incorporating residential, community facilities, local leisure and retail centre, plus access arrangements at Bedford Road and Southbridge Road. – outline application at land at Nunn Mills and Avon Cosmetics
N/2004/530 Residential, retail and commercial leisure development, community facilities, open space, car parking, link road and associated development and access improvements - outline application at land at Sixfields, east of Upton Way south of Weedon Road and west of Storton’s Pit
N/2004/1116 Erection of drive-through restaurant (Class A3) with associated car parking, access and landscaping, with reconfiguration and refurbishment of customer car park serving retail park - Outline Application at St James Retail Park, Towcester Road
N/2004/1200 C/U to care home and single storey side extns at 10 Repton Road
N/2004/1403 Residential development for 24 flats – outline application at 101-103 Berrywood Road
N/2004/1597 20 unit commercial dog boarding kennels at Broad Acres, Bedford Road, Little Houghton
N/2004/1715 Pursuant to outline planning permission 97/0732: A) Approval of all reserved matters for the erection of a warehouse unit for uses within Class A8; and B) Approval in relation to conditions 12 and 14 at Plot 400, Cob Drive, Swan Valley
N/2004/1718 Internal and external alterations and conversion to mixed use development of 9no. office units and 20 flats (Class C3) at former Angel Hotel, 21-23 Bridge Street
N/2004/1719 Internal and external alterations and conversion to mixed use development of offices (Class A2) and 20no. flats (Class C3) at former Angel Hotel, 21-34 Bridge Street
N/2005/144 Residential development of 103no. units at Area E. St Crispin Hospital site, Duston
N/2005/219 Residential integrated primary care trust centre at land east of Upton Way, south of Walter Tull Way, west of Storton Pits, Upton
N/2005/263 Erection of pair of semi-detached dwellings at land adjacent to 129 Malcolm Drive
N/2005/277 Erection of 20No. two bedroom flats at land rear of 81 Station Road, Great Billing
N/2005/285 Demolition of disused church and erection of 6No. houses (3no. semi-detached) at St Margaret’s Gardens, Dallington
N/2005/332 Conversion of former factory into 8No. residential units at 3 Gray Street
N/2005/333 Conversion of former factory into 8No. residential units at 3 Gray Street
**NEW APPLICATIONS:**

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<tr>
<td>N/2005/337</td>
<td>Erection of 7no. new flats at land south of Cattlemarket Road</td>
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<td>N/2005/357</td>
<td>Extn and alts to existing residential care home at 25-33 Berrywood Road, Duston</td>
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<td>N/2005/358</td>
<td>Detached dwelling, 3no. apartments, car parking and double garage at land adjacent to Lowood House, 52 The Avenue, Cliftonville</td>
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<td>N/2005/360</td>
<td>Demolition of existing factory and erection of 52no. residential units at 35-36 Talbot Road</td>
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<td>N/2005/365</td>
<td>Demolition of school building and redevelopment for residential purposes at Old Military Road School, Military Road</td>
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<td>N/2005/368</td>
<td>Conversion of existing bedding factory to 10no. flats at 74-76 Overstone Road</td>
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<td>N/2005/370</td>
<td>Residential development at Abington Vale Middle School at land off Brdiegwater Drive</td>
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<td>N/2005/382</td>
<td>C/U to 6no. flats at 8 Talbot Road</td>
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<td>N/2005/390</td>
<td>Demolition of existing building and construction of new school buildings at Kingsthorpe Community College Boughton Green Road</td>
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<td>N/2005/411</td>
<td>C/U to hot food takeaway (Class A3) at 203 Broadway East</td>
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<td>N/2005/438</td>
<td>Erection of 160no. dwellings at Area G, Sr Crispins, Duston</td>
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<td>N/2005/446</td>
<td>Proposed mix use development compromising 78no. apartments at land adjacent to Cotton End, Southbridge West</td>
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<td>N/2005/447</td>
<td>Conversion of existing factory into 10no. flats at 18 Henry Street</td>
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<td>N/2005/450</td>
<td>Redevelopment of existing industrial unit at Salthouse Road, Brackmills Ind Est</td>
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<td>N/2005/460</td>
<td>Conversion and extn of existing factory to create 12no. apartments at 20 Henry Street</td>
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<td>N/2005/469</td>
<td>Change from 4 to 3 storey residential buildings at former St Crispins Hospital site, Duston</td>
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<td>N/2005/473</td>
<td>Construction of 2no. detached houses at land adjoining 17 Favell Way</td>
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<td>N/2005/477</td>
<td>C/U to coffee bar/internet outlet (Class A3) at 40 Barrack Road</td>
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<td>N/2005/479</td>
<td>Construction of all weather surface to existing runway 03/21 with associated taxiway apron areas and earthworks at Sywell Aerodrome, Wellingborough Road, Sywell</td>
</tr>
<tr>
<td>N/2005/494</td>
<td>C/U to Class A3 use as licensed premises with associated building works with 16 Sheep Street</td>
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<tr>
<td>N/2005/497</td>
<td>Construction of a spine road from Main Road to Cotswold Avenue at former British Timken Works site, Duston</td>
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<tr>
<td>N/2005/500</td>
<td>Conversion of factory to 19no. flats at 74-76 Overstone Road</td>
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<tr>
<td>N/2005/501</td>
<td>New house at rear of 18 Lady Winefrides Walk</td>
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<tr>
<td>N/2005/503</td>
<td>Household waste recycling centre at land off Harvey Reeves Road</td>
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