



PLANNING AGENDA

Tuesday, 22 October 2019

The Jeffrey Room, The Guildhall, St. Giles
Square, Northampton, NN1 1DE

5:00 pm

Members of the Committee

Councillor: Brian Oldham (Chair), Jamie Lane (Deputy Chair)

Councillors: Alan Bottwood, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Muna Cali, Enam Haque, Arthur McCutcheon and Brian Markham.

Chief Executive: George Candler

If you have any enquiries about this agenda please contact democraticservices@northampton.gov.uk or 01604 837722



PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 2nd July, 30th July, 3rd September, 24th September, 22nd October, 19th November, 17th December 2019, and 21st January, 18th February and 17th March 2020.

The Council permits public speaking at the Planning Committee as outlined below:

Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837722
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)

by email to: democraticservices@northampton.gov.uk

When Do I Speak At The Meeting

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

How Long Can I Speak For?

- All speakers are allowed to speak for a maximum of three minutes.

Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.

- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1
1DE

on Tuesday, 22 October 2019

at 5:00 pm.

AGENDA

1. APOLOGIES

2. MINUTES

(Copies of minutes from meetings held on 03/09/19 and 24/09/19 attached)

3. DEPUTATIONS / PUBLIC ADDRESSES

4. DECLARATIONS OF INTEREST/PREDETERMINATION

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

6. LIST OF CURRENT APPEALS AND INQUIRIES

Report of Head of Planning (copy herewith)

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

10. ITEMS FOR DETERMINATION

(Addendum attached)

(A) N/2018/1238 - PROPOSED CONVERSION OF WAREHOUSE/FACTORY TO 25 NO. FLATS AND DEMOLITION OF SINGLE STOREY PROJECTION AND REMOVAL OF DORMER. 69B KETTERING ROAD

(B) N/2019/0591 - RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION N/2018/0904 (OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR UP TO 132NO DWELLINGS) FOR THE DEVELOPMENT OF 132NO DWELLINGS, PUBLIC OPEN SPACE AND ASSOCIATED DEVELOPMENT. PARKLANDS MIDDLE SCHOOL, DEVON WAY

(C) N/2019/1041 - CHANGE OF USE FROM BETTING SHOP (SUI GENERIS) TO HAIRDRESSER/BEAUTY SALON, INCORPORATING SMALL ICE CREAM KIOSK (SUI GENERIS). 8 NEWNHAM ROAD

- (D) N/2019/1079 - CHANGE OF USE OF GROUND FLOOR RETAIL UNIT (USE CLASS A1) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS AND ALTERATION TO WINDOWS (RESUBMISSION OF N/2019/0778). 11-13 GOLD STREET**
- (E) N/2019/1209 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2018/0466 (SINGLE STOREY EXTENSION TO COMMUNITY CENTRE) TO INCREASE THE SIZE OF THE EXTENSION. BLACKTHORN COMMUNITY CENTRE, LONGMEAD COURT**

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

- (A) N/2019/0321 - DEMOLITION OF 11NO DOMESTIC GARAGES AND ERECTION OF 1NO NEW BUILD BUNGALOW. LOCK UP GARAGES, CONNAUGHT STREET**
- (B) N/2019/1048 - DEMOLITION OF 8NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS (RESUBMISSION OF PLANNING PERMISSION N/2018/1549) (PART RETROSPECTIVE). LAND TO REAR OF 33 SOUTHWOOD HILL**

12. ITEMS FOR CONSULTATION

13. 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.”

PHOTOGRAPHY AND AUDIO/VISUAL RECORDINGS OF MEETINGS

Anyone may record meetings of the Council, the Cabinet, any Committee or Sub-Committee of the Council through any audio, visual or written method to include taking photographs of meetings, filming meetings or making audio recordings of meetings. The Chair of the meeting shall have the discretion to revoke the permission in the event that the exercise of the permission is disturbing the conduct of the meeting in any way or when it is otherwise necessary due to the nature of the business being transacted at the meeting. Permission may only be exercised where the public have the right to attend the meeting; and if a meeting passes a motion to exclude the press and public, then in conjunction with this, all rights to record the meetings are removed.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 3 September 2019

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Golby, Joyce, Kilbride, Kilby-Shaw, M Markham,
McCutcheon and Russell

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Scaife (Development Management Team Leader),
Hannah Weston (Principal Planning Officer), Paulette Tedd (Planning
Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors Bottwood, Birch, B Markham and Haque. The Chair announced that Councillor Kilby-Shaw would be arriving late. The Chair further announced that Councillor Hallam had registered to speak, however he was unable to attend but would like his comments reiterated in relation to item 10c.

2. MINUTES

The minutes of the meeting held on 30th July 2019 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

That under the following items, the members of the public and Ward Councillors below were granted leave to address the Committee:

N/2018/1722

Councillor Smith
Paul Flatt

N/2019/0404

John Green
Gavin Warren

N/2019/0481

Bob Woolard

N/2019/0519

Rhys Bradshaw

N/2019/0647

Pat Dooley
Councillor Smith
Nick Archer

N/2019/0680
Councillor Stone
Pat Dooley

N/2019/0736
Councillor Smith

N/2019/0811
Councillor Stone
Oliver McLaughlin

N/2019/0884
Councillor Smith
Deirdre Rockingham

N/2019/0680
Councillor Stone
Pat Dooley

N/2019/0866
Pat Dooley

N/2019/0904
Pat Dooley

N/2019/0253
James Thorpe

N/2019/0385
Mrs Withey
James Thorpe

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a disclosable and pecuniary interest in respect of items 11a and 11b as a board member of Northampton Partnership Homes (NPH).

Councillor M Markham declared a disclosable and pecuniary interest in respect of items 11a and 11b as a board member of NPH.

Councillor Russell declared a predetermination in respect of item 10c and advised that she would leave the room whilst the item was discussed.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

Councillor McCutcheon joined the meeting at this juncture. He advised of no declarations of interest or predetermination.

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Head of Planning and reported that the Inspector had dismissed 6 appeals, the initial decisions having been made under delegated authority. Of note was an appeal relating to 56 St Leonards Road which was granted planning permission for a change of use from dwellinghouse to House in Multiple Occupation for 3 occupants. An application to vary a condition to increase the number of occupants to 4 was dismissed by Planning Officers on flooding grounds due to the property's location within Flood Zone 3; the Inspector agreed with this decision.

In response to a question relating to a retrospective application and dismissed appeal, the Development Manager explained that the applicant would now be the subject of the Planning Department's enforcement process.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2019/0836 - LISTED BUILDING CONSENT APPLICATION FOR THE INSTALLATION OF PERMANENT EXTERNAL LADDER AND LANDING OUTSIDE THE FIRST FLOOR FARMERS ROOM FLAT ROOF AND THE INSTALLATION OF PERMANENT INTERNAL ACCESS STAIRCASE AND LANDING INSIDE THE GUILDHALL CLOCK TOWER (INCLUDING MANSAFE AT ROOF LEVEL BELOW PARAPET LEVEL). THE GUILDHALL, ST GILES SQUARE.

The Development Manager submitted a report to the Committee. Members were informed that presently, the clock tower was accessed via wooden ladders; the proposed development would comprise of aluminium ladders and platforms, making access to the clock tower easier and safer. It was noted that Historic England had been consulted whilst making the Listed Building Consent application and had no objections. Any harm caused to the building was considered less than substantial when compared to the benefits that the development would produce.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

10. ITEMS FOR DETERMINATION

(A) N/2018/1722 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS TOGETHER WITH ENLARGED LIGHTWELLS TO FRONT AND REAR AND ENLARGED WINDOWS TO FRONT AND REAR AT BASEMENT LEVEL. 29 STIMPSON AVENUE.

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained comments from Private Sector Housing and an additional neighbour objection. The Committee were informed that currently, the property's basement was split and used as 2 bedrooms; the rear room would remain a bedroom and the front converted to a living space, with the front and rear basement windows being enlarged. The ground floor living room would be converted to a bedroom. Should the application be approved, the concentration of HIMOs in a 50m radius would be 10.2%. It was explained that Private Sector Housing were satisfied with the room sizes and that the property had adequate storage for waste and bicycles. Whilst the Local Highway Authority had objected to the application, the property sat within a sustainable location, close to shops and public transport links.

Councillor Smith, in her capacity as the Ward Councillor for Abington, spoke against the application and commented that the basement was unsuitable to be used as a bedroom. She further raised concerns around the small number of bathrooms to be shared by the occupants, and around parking. Councillor Smith noted that parking restrictions in the area had recently been increased.

Paul Flatt, a local resident, spoke against the application and commented that the Council's behaviour encouraged HIMOs in the town, that the Council was in breach of its own concentration levels with regard to HIMOs and that developers seemed to be trying to get HIMO licences in place before new laws came into effect. He further stated that an officer in the Planning Department had told him that there were more unlicensed HIMOs than HIMOs with licences but due to "resource problems", most went un-investigated.

In response to a question, Mr Flatt explained that occupants of student HIMOs in the area were persistent offenders when it came to waste dumped on the street.

The Head of Planning explained that figures relating to concentration came from a variety of sources and that all complaints were investigated. He noted that around half of complaints investigated regarding unlicensed HIMOs revealed large families living together, as well as other alternative living situations.

In response to a question regarding the toilet/bathroom facilities, the Development Management Team Leader explained that they met statutory requirements in relation to the provision of those facilities.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

**(B) N/2019/0404 - 2NO NEW DETACHED DWELLINGS WITH GARAGES.
LAND TO REAR OF THE WOODEN WALLS OF OLD ENGLAND PUBLIC
HOUSE. 25 HIGH STREET, COLLINGTREE.**

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained further comments from the Local Highway Authority regarding the design of the access. The Committee heard that the Councillor Nunn had emailed the Planning Department in relation to the application, reiterating points made by local residents and by Collingtree Parish Council. He also thanked Planning officers for their work on the amended plans.

The Development Management Team Leader explained that the site was situated in the conservation area and comprised an enclosed paddock area to the rear of a public house and part of the pub's rear garden. The proposal would comprise 2 detached dwellings, each with double garages and 3 parking spaces. It was explained that whilst a number of objections referred to the loss of open space, the area was privately owned. The proposed footprint of the development would encroach on the pub's garden by 10m, although 25m of the garden would remain; this was amended to ensure that sufficient space was left between the development and existing structures. It was explained that elevations facing existing properties would either be blank, or if windows were proposed, these would be an appropriate distance away or obscure glazed. The nearest listed building from the proposed development was 30m away and Members were informed that the Local Highway were happy with the plans following amendments.

John Green, Chairman of Collingtree Conservation Area Committee, spoke against the application and commented that many community events took place on the green space, the closest being a fete on 7th September 2019, and suggested that the report's statement that the development "would have an acceptable impact upon community facilities" was incorrect.

In response to a question, Mr Green explained that the site was the only area of open space left in the village, and although privately owned had been used for village fetes and to develop it would be a huge loss to locals. The site also did not provide sufficient room for passing vehicles or refuse vehicles.

Gavin Warren, the developer on behalf of the applicant, spoke in favour of the application and commented that the Chair of Collingtree Parish Council had praised developers for the application and explained that the large access was in line with suggestions made by the Local Highway Authority.

In response to a question, Mr Warren stated that whilst the loss of open space was lamentable, there was a pressing need for housing and the application was respectful of the area.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(C) N/2019/0481 - SITING OF A PREFABRICATED, SINGLE STOREY 'CAR STORE' PREMISES ('POD'). MORRISONS, KETTERING ROAD.

Councillor Russell left the room at this juncture.

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained further neighbour and councillor objections. The Committee were advised that the proposed development would comprise of a single-storey, prefabricated structure, taking up approximately 4 parking spaces. The business would use up to 10 parking spaces and would create 3.5 full time employment opportunities. The loss of parking spaces represented a minor impact on the site. Opening times for the car store would be similar to the supermarket and Members noted that planning permission would only last for 3 years due to the potential for the appearance of the modular to deteriorate over time.

Bob Woolard, the agent on behalf of the applicant, spoke in favour of the application and commented that there had been no statutory objections to the application. He advised that this was a new way of buying vehicles in a fast-changing industry.

In response to a question, Mr Woolard explained that around 10 applications for car stores had been approved so far.

The Development Manager advised that after 3 years, the applicant would need to submit another planning application to keep the store.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(D) N/2019/0519 - SINGLE STOREY AND TWO STOREY REAR EXTENSION, FIRST FLOOR PITCHED ROOF EXTENSION ABOVE GARAGE AND PITCHED ROOF PORCH TO FRONT ELEVATION. 22 ATTERBURY WAY.

Councillor Russell re-joined the meeting and Councillor Lane left the room at this juncture.

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional representations and amendments to minor errors within the report. The Committee were informed that the application sought approval for single storey and two storey rear extension and a first floor extension over the garage, and alterations to the front porch roof. The application as originally submitted proposed much larger extensions, however these were reduced following neighbour objections. It was noted that if some elements of the proposal were slightly smaller, the development would have been acceptable under permitted development rights.

Rhys Bradshaw, the agent on behalf of the applicant, spoke in favour of the application and commented that the plans, both external and internal, had been amended, addressing neighbour concerns. He further commented that the main patio

area would be to the side of the property, not at the front. He also noted that there would now not be any overbearing or overshadowing from the proposed development.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(E) N/2019/0647 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 39 WYCLIFFE ROAD.

Councillors Lane and Russell re-joined the meeting.

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained further objections in the form of a petition. The Committee heard that a small rear projection would be demolished to allow for a single-storey extension to create a new bedroom. The living room would be retained as part of the development. Should Members be minded to approve the application, the concentration of HiMOs would be 12.6%.

Councillor Smith, in her capacity as the Ward Councillor, spoke against the application and voiced concerns around parking, stating that the situation in the area was "impossible and dangerous".

Nick Archer, a local resident, spoke against the application and commented that the area was overdeveloped and suggested that the applicant's refusal to carry out a parking beat survey was suspicious. He stated that the development would result in a loss of light to his kitchen and stated that it would not be in-keeping with the rest of the street.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that due to the property being within a sustainable location, the applicant was under no obligation to carry out a parking beat survey. He noted that a family of 4 might have the same number of vehicles as 4 adults. Mr Dooley explained that the applicant had chosen to retain the communal living space as he wanted to offer a high-quality property.

The Principal Planning Officer advised that the height of the proposed extension was not such that it would cause unacceptable overshadowing of Mr Archer's property. It was also advised that with regards to parking the site was in a sustainable location, within walking distance of bus stops and a local shopping centre and as such the proposal complied with the HiMO IPPS.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(F) N/2019/0680 - PROPOSED CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS . 35 HOOD STREET.

Councillor Kilby-Shaw arrived at this juncture and advised of no declarations of interest/predetermination.

The Development Manager submitted a report to the Committee. The Committee heard that the concentration of HIMO properties in a 50m radius would be 13.5%. It was noted that whilst the Local Highway Authority had objected to the application, however the property sat within a sustainable location close to public transport links and shopping facilities.

Councillor Stone, in her capacity as the Ward Councillor, spoke against the application and commented that the area faced huge pressures, including gangs, insufficient parking and prostitution. She stated that families were leaving the area due to the increase of HIMOs.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposed HIMO could be similar to a family home, in terms of vehicles used by the occupants. He explained that the property would include a communal space for occupants and that the locale made it ideal for professionals who would walk to work in the town centre.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(G) N/2019/0736 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS INCLUDING SINGLE STOREY REAR EXTENSION. 52 LUTTERWORTH ROAD.

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional comments from Private Sector Housing. The Committee were informed that a small projection to the rear of the property would be removed and replaced with a single-storey extension, creating an additional bedroom. The dining room would have a corridor inserted and be changed to a bedroom, and the lounge would also be converted to a bedroom. It was explained that the number and siting of bathrooms within the property complied with the Council's IPPS regarding HIMOs. Should Members be minded to approve the application, the concentration of HIMOs in a 50m radius would be 9.5%. The Local Highway Authority had requested that a parking beat survey be undertaken, however with the property sitting in a sustainable location, it was not a statutory requirement.

Councillor Smith, in her capacity as the Ward Councillor, spoke against the application and advised that a “constant stream of HIMO applications” had left local residents feeling incredibly frustrated. She further commented that the proposal would result in parking and refuse issues, and that the loss of garden space meant that it would be more difficult to turn the property back into a family home.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(H) N/2019/0811 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS (PART RETROSPECTIVE). 2 VICTORIA GARDENS.

The Development Manager submitted a report to the Committee. Members were informed that the property was currently operating as a HIMO but did not yet have planning permission. The proposed bedrooms would all have en suite facilities and should the application be approved, the concentration of HIMOs in a 50m radius would be 8.6%. Due to parking restrictions in place in the area, the Local Highway Authority had not raised objections to the application.

Councillor Stone, in her capacity as the Ward Councillor, spoke against the application and voiced concerns regarding the high number of HIMO applications in the area, as well as parking, waste and fly-tipping. She stated that the area was no longer balanced and expressed her disapproval of retrospective applications.

Oliver McLaughlin, the applicant, spoke in favour of the application and stated that there had been no complaints from neighbours regarding the occupants or their parking.

In response to a question, Mr McLaughlin explained that he was not aware at the time of purchasing that the property sat within an Article 4 area, and sought to rectify the issue as soon as it came to light. He also used this time to make improvements to the property.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(I) N/2019/0884 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 49 LUTTERWORTH ROAD.

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained an additional neighbour objection. It was explained that the lounge and dining room would be converted to

bedrooms and a shared kitchen/lounge would be created. Should the application be approved by Members, the concentration of HIMO properties in a 50m radius would be 14.09% (including a property given planning permission for a change of use to HIMO earlier at the meeting). Whilst the Local Highway had not objected to the application, they did issue a warning around parking pressures in the area. The Officer explained that as with the application approved earlier within this committee, the application site is located within a sustainable location, within walking distance of bus stops and a local shopping centre and as such complies with the Council's HiMO IPPS with regards to parking. The Officer advised that Planning Inspectors are consistently of the view that HIMOs within sustainable locations do not require parking.

Councillor Smith, in her capacity as the Ward Councillor, spoke against the application and voiced concerns around parking and that NCC Highways objected for the application over the road but not for this application. She stated that the Planning Committee were "held to ransom" by the Inspector since refusals based on parking grounds would not hold up at appeal.

Deirdre Rockingham, a local resident, spoke against the application and commented that the area had changed completely in the time that she had lived there, due to the influx of HIMOs. She explained that HiMO occupiers do own cars and double parking is already near-constant, cars were frequently blocked in and reported that recently, a funeral procession had to manoeuvre around double-parked cars. Concerns with regards to refuse issues were also raised.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** against the officer recommendation on highway safety grounds.

(J) N/2019/0860 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 19 BURNS STREET.

The Development Management Team Leader submitted a report to the Committee. Members were informed that a small single-storey rear extension would be built to create a shower room/toilet, the dining room would be converted to a bedroom and the living room would be retained. A new shower room and toilet would be created on the first floor with an existing bedroom enlarged, and a bedroom with en suite facilities would be created in the loft space. The property would comprise of 5 bedrooms in total and should the application be approved, the concentration of HIMO properties in a 50m radius would be 10.14%. Although Highways had requested a parking beat survey, this had not been undertaken by the applicant, however due to the siting of the property within a sustainable location the proposal was considered to comply with the Council's requirements.

Councillor Stone, in her capacity as the Ward Councillor, spoke against the application and commented that transients occupying HIMOs made it difficult to

create cohesive communities. She also voiced concerns around parking and antisocial behaviour in the area.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that his client aimed to provide accommodation that surpassed minimum requirements. He advised that car ownership could be the same among a family with adult children, as a HIMO. He noted that bad management was the reason for HIMO-related issues, not HIMOs themselves.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(K) N/2019/0866 - CHANGE OF USE OF DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, WITH REPLACEMENT OF EXISTING CONSERVATORY WITH SINGLE STOREY REAR EXTENSION. 85 LEA ROAD.

The Development Management Team Leader submitted a report to the Committee. Members were informed that a rear conservatory would be replaced with a single-storey extension, to allow for an extension to the kitchen. An en suite bedroom would be created at the front of the ground floor, with 2 further en suite bedrooms on the upper floors and 2 sharing bathroom facilities. Should the application be approved by the Committee, the concentration of HIMO properties in a 50m radius would be 5.3%. Whilst the Local Highway Authority had objected to the application, the property sat within a sustainable location, close to public transport links and shopping facilities.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the property would be completed to a very high standard, and that the applicant was looking to create storage “pods” in the basement for use by occupants, further improving the amenities in the property.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(L) N/2019/0904 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING RAISING OF ROOF OVER EXISTING SINGLE STOREY REAR ADDITION. 73 DELAPRE STREET.

Councillor Cali left the meeting at this juncture.

The Development Management Team Leader submitted a report to the Committee. Members’ attention was drawn the addendum which contained further objections

from neighbours and the Ward Councillor. The Committee heard that as part of the development, the rear roof would be raised to allow for the creation of a shower room. Should the application be approved, the concentration of HIMO's in a 50m radius would be 7.2%. The Local Highway Authority had requested that a parking beat survey be undertaken, however, the applicant declined siting a recent approval in the area where Highways advised there was residual parking. In addition, the site is in a sustainable location.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the application was in line with the Council's IPPS in relation to HIMO's and noted that car ownership may be the same if the property was occupied by a family with adult children.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(B) N/2019/0385 - DEMOLITION OF 4NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS WITH ASSOCIATED PARKING. LOCK UP GARAGES, BAUKEWELL COURT

Councillors M Markham and Kilbride left the meeting at this juncture, having declared interests. Councillor Cali re-joined the meeting.

The Principal Planning Officer submitted a report to the Committee and advised of further updates not contained in the addendum, with condition 2 (plans) to be amended to include the site plan. The Committee were informed that as part of the development, a net increase of 3 additional parking spaces would be created, including new spaces opposite the site on Tonmead Road.

Mrs Withey had left the meeting by this point; the Chair used his discretion to allow her husband to speak on her behalf. Mr Withey spoke against the application and commented that the 3 new spaces on Tonmead Road posed a danger to drivers and further stated that the loss of the parking court and garages would cause huge disruption to residents. Mr Withey noted that his property would overlook the proposed properties' gardens and further noted that the site was not big enough for two houses and raised concern with the access to these properties being unsafe.

In response to questions, Mr Withey confirmed that NPH held a consultation meeting at a local community centre.

James Thorpe, Construction Manager for NPH, spoke in favour of the application and commented that the proposed dwellings were purpose-built for elderly residents, of which 3,000 were on a waiting list. He noted that 1 garage was occupied and a replacement had been offered 40m away. James Thorpe further advised that NPH had worked with the Planning Officer and NCC Highways to increase parking and ensure the development is safe.

The Principal Planning Officer confirmed that the 3 spaces on Tonmead Road had been created in consultation with the Local Highway Authority.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(A) N/2019/0253 - DEMOLITION OF 12NO DOMESTIC LOCK UP GARAGES AND ERECTION OF 1NO NEW BUILD DWELLING AND PARKING SPACES. LOCK UP GARAGES, CHURCHILL AVENUE.

The Principal Planning Officer submitted a report to the Committee. Members were informed that the application sought approval for the demolition of 12 garages to create 1 new build property and 6 new parking spaces. An area of hardstanding would be retained to allow neighbouring properties with rear garages to retain access to these.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 8:45 pm

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 24 September 2019

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Golby, Haque, Kilby-Shaw, B Markham,
M Markham and McCutcheon

OFFICERS: Peter Baguley (Head of Planning), Nicky Scaife (Development
Management Team Leader), Hannah Weston (Principal Planning
Officer), Paulette Tedd (Planning Solicitor), Ed Bostock (Democratic
Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors Cali and Russell. Councillor Kilbride would be arriving late.

2. MINUTES

The minutes would be brought to the following meeting.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED:

That under the following items, the members of the public and Ward Councillors listed below were granted leave to address the Committee:

N/2019/0563

Councillor G Eales
Paul Smith

N/2019/0596

Wendy Hench
Alison Wilmot
Barry Waine

N/2019/0390

James Thorpe

N/2019/0391

James Thorpe

N/2019/0468

Keith Shields
James Thorpe

N/2091/0693

James Thorpe

N/2019/0987

James Thorpe

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor M Markham declared a predetermination in respect of item 10c. She also declared disclosable and pecuniary interest in respect of items 11a, 11b, 11c, 11d and 11e as a board member of Northampton Partnership Homes (NPH).

Councillor Bottwood declared a disclosable and pecuniary interest in respect of items 11a, 11b, 11c, 11d and 11e as a board member of Northampton Partnership Homes (NPH).

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Management Team Leader submitted a List of Current Appeals and Inquiries on behalf of the Head of Planning. She explained that 6 decisions had been reached and elaborated upon an appeal relating to 144 Southampton Road. The Planning Committee had refused the application on highway safety grounds. However the Inspector allowed the appeal due to the property falling within what was considered a sustainable location, according to the Council's Interim Planning Policy Statement (IPPS).

An application relating to 116 Church Street for a two storey front extension had been refused under delegated powers on the grounds that it would harm the street scene; the Inspector agreed with this decision.

Members discussed the report.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

(A) N/2019/0703 - VARIATION OF S106 AGREEMENT FOLLOWING THE GRANT OF PLANNING PERMISSION N/2017/0127 FOR THE DEVELOPMENT OF 40 NO. DWELLINGS WITH RETAIL. SOFA KING TIVOLI HOUSE, TOWCESTER ROAD

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained summarised points from a letter sent by the planning agents. The Committee were informed that the application was originally approved in principle by the Planning Committee in 2017, subject to the completion of a Section 106 Legal Agreement which included the provision of 35% affordable housing. Due to the requirements of the S106 Agreement, the

developer had been unable to develop the site, rendering it unviable. A viability assessment was submitted by the applicant and independently assessed by a consultancy on behalf of the Council and the conclusion was that a 0% affordable housing provision would allow the scheme to become viable with a 17.5% return. CIL payments, and S106 contributions to open space, construction worker training opportunities and monitoring fees would still be made as part of the development.

In response to questions, the Committee heard that the applicant had not carried out a viability assessment before applying for planning permission. They further heard that it was understood that the flats would be offered for sale, rather than rented.

The Head of Planning explained that according to the National Planning Policy Framework (NPPF), a 15-20% profit was reasonable. He noted that the developers were still providing housing and that the Council could not currently demonstrate a 5 year housing supply.

Members discussed the report.

RESOLVED:

That a variation of the Section 106 Legal Agreement is **AGREED** so that 0% affordable housing is provided.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2019/0410 - SITING OF 2NO CONTAINERS, 2NO GENERATORS AND ASSOCIATED AIR CONDITIONING EQUIPMENT SURROUNDED BY 2.4 METRE HIGH PALISADE FENCING FOR USE AS A DATA CENTRE (USE CLASS B8). LAND TO NORTH EAST OF SIXFIELDS STADIUM, ACCESSED FROM WALTER TULL WAY

The Development Management Team Leader submitted a report to the Committee. Members were informed that the site formed part of a larger site on which outline planning permission had been approved in principle subject to the completion of a S106 agreement in 2014 for a mixed use development. The larger scheme would need amending should the data centre application be approved. The data centre would consist of 2 large containers and associated air conditioning units which would provide ultra-fast internet to the area. A 2.4m high palisade fencing would surround the development. It was noted that the Local Highway Authority had not objected to the proposed 3m wide access.

In response to questions, the Committee heard that no planting was proposed along with the fencing. The data centre would not compromise the wider development of the site as it was situated on a proposed parking area.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(B) N/2019/0563 - PART DEMOLITION AND CONVERSION OF THE EXISTING FACTORY BUILDING TO 54NO APARTMENTS AND THE ERECTION OF A NEW 3-STOREY BUILDING TO PROVIDE 14NO APARTMENTS, TOGETHER WITH BIN AND CYCLE STORAGE AND PARKING. BARKER BUILDINGS, COUNTESS ROAD

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained written representations from the Ward Councillor, Gareth Eales. The Committee heard that the application sought approval for the part-demolition and conversion of the existing factory, and erection of a new 3 storey building to provide a total of 68 x 1 and 2 bedroom flats. The proposed new building would have a larger footprint than the previously approved scheme and it was explained that Dallington Brook would not be diverted and would continue to run through the site. Due to the unrestricted nature of the nearby commercial units and potential noise issues, the closest new build flats had been designed with corridors along the majority of the affected boundary with a condition recommended for noise mitigation measures to be secured for the limited number of flats affected in the new build, and for a number of flats in the converted building. As part of the development 72 parking spaces would be provided, including 8 Electric Vehicle charging points, and storage for 68 bicycles. Access to the development would be from Countess Road. It was reported that no objections to the application had been received from any statutory consultees. An independent viability assessment had previously concluded that the site would not be commercially viable if affordable housing was provided.

Councillor G Eales, in his capacity as the Ward Councillor, spoke against the application and commented that whilst he was not opposed to development, he disputed the report's statement that there were no parking problems anticipated; he and the Local Highway Authority had undertaken parking surveys, paid for by the LHA, which had concluded that parking was a problem in the area. Councillor Eales voiced further concern around the lack of affordable housing or S106 contributions.

In response to questions, Councillor Eales stated that a more modest application would be welcome; the additional building would put an unacceptable level of pressure on parking in the area.

Paul Smith, the agent on behalf of the applicant, spoke in favour of the application and commented that there had been no statutory objections to the application and explained that due to a reduction in the number of 2 bedroom flats, the revised parking provision was sufficient. He noted that the development was now less viable than before and that developers were not expecting to make more than 11% profit.

In response to questions, Mr Smith explained that that the development would not be viable if the number of properties were reduced.

The Development Management Team Leader stated that in respect of parking

provision, flats were judged on a case-by-case basis. Head of Planning stated that the businesses operating without time restrictions could be open 24 hours a day, but this was the worst-case scenario.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(C) N/2019/0596 - 3NO NEW DWELLINGS WITH GARAGES AND NEW ACCESS ROAD (AMENDMENTS TO PLANNING PERMISSIONS N/2017/1384 & N/2016/1473). LAND REAR OF 9, 10 AND 11 THORBURN ROAD

Councillor M Markham left the meeting at this juncture, having declared a predetermination in the following item.

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which corrected a typographical error within the report. The Committee were informed that work on the access had already begun in relation to a previous approval, and the Local Highway Authority had raised no objections. It was explained that 2 applications currently existed for the development of the overall site comprising full approval for two dwellings and a separate outline approval for a single dwelling; this application sought to combine the 2 into 1. The properties would each include a double garage and off-road parking spaces; 2 properties would have 4 spaces, the other would have 3. It was noted that there would be no unacceptable overlooking or overshadowing from the proposed development. It was noted that a stone wall to the rear of the site had been the cause of some concern from objectors, however this would be retained.

Amanda Wilmot, a local resident, spoke against the application and stated that she did not object to the application for 2 homes but saw this as an overdevelopment. She commented that the current application did not contain sufficient information and voiced concern around the height of the proposed dwellings, the scale of the development, the positioning of the properties and loss of privacy to her property.

Wendy Hench, a local resident, spoke against the application and stated that the changes made to the proposal were significantly different following neighbour consultation, commenting that it was hard to make an informed decision due to a lack of subsequent information. She voiced concern around the size of the first floor windows.

Barry Waine, the agent on behalf of the applicant, spoke in favour of the application and commented that previous applications for the site had 2 access points; the new application had only 1. He stated that the distances between proposed and existing properties complied with the Council's and national policies and advised that his client did not own the stone boundary wall.

In response to a question, Mr Waine explained that the proposed dwellings would be set farther into the ground and the roof heights would not be significantly higher than those proposed in the previous applications.

The Development Management Team Leader advised that there was approximately 27.8m between the proposed development and closest existing property and acknowledged that whilst the first floor windows would result in an element of overlooking the distance from neighbouring properties was acceptable

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(C) N/2019/0468 - DEMOLITION OF 11NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 6NO NEW BUILD UNITS. GARAGE 1 LOCK UP GARAGES, PELL COURT

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained an additional letter of objection, comments from the arboricultural offer, and an additional condition. The Committee were informed that the application sought approval for the demolition of 11 garages to allow for the construction of 6 new build units. The development would provide 34 parking spaces, and with 12 required for the new dwellings there remains a net increase of parking for existing residents by 16 spaces over that existing. It was noted that the design of the proposed dwellings would be in keeping with the surrounding area.

Keith Shields, a local resident, spoke against the application and commented that the green area that would be built upon was the only local area for children to play on and stated that there were more appropriate places nearby to put houses, and that parking within the turning head had previously been refused by NCC Highways.

James Thorpe, Construction Manager for NPH, spoke in favour of the application and commented that a similar application had been approved and developed at Duston, and had been well received by local residents. He explained that the site was currently underused and the development would provide much needed parking in the area.

In response to questions, Mr Thorpe reported that NPH would be starting a "significant" regeneration project in 2020 and play areas would be included in this; 2 dedicated regeneration officers were currently working on securing funding for play areas etc.

The Principal Planning Officer explained that the loss of green space had been weighed against the need for parking which was considered a higher priority. It was also advised that NCC Highways had been consulted on the parking proposed and

had not raised any objection, including no objection to that proposed within the turning head.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **additional Condition 12** contained in the report.

(A) N/2019/0390 - DEMOLITION OF 8NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 3NO NEW BUILD UNITS. GARAGE 1 LOCK UP GARAGES, PRESTON COURT

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained updated comments from the NBC Arboricultural Officer. The Committee were informed that the application proposed the demolition of 8 garages and the erection of 3 dwellings and 37 parking spaces. The Committee were informed that NPH had advised that users of occupied garages would be offered alternative garages nearby. Parking would be provided as part of the development, and with 6 parking spaces required for the proposed dwellings a net increase of 5 parking spaces would be provided for existing residents in the area above that existing. Members noted that the design of the proposed terraced houses was similar to those existing.

James Thorpe, Construction Manager for NPH, spoke in favour of the application and commented that the large space allowed for more parking provision.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(B) N/2019/0391 - DEMOLITION OF 10NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 4NO NEW BUILD UNITS WITH ASSOCIATED PARKING SPACES. LOCK UP GARAGES, LONGUEVILLE COURT

The Principal Planning Officer submitted a report to the Committee. The Committee were informed that the application proposed the demolition of 10 garages and the erection of 4 new building units, alongside the creation of 19 parking spaces, some of which are provided through the removal of existing raised planters in the street. Members were informed that Officers had been advised by NPH that of the 10 garages on-site, 8 were occupied and these occupiers would be offered alternative garages nearby. The Committee were advised that with 8 parking spaces required for the new dwellings, there was a net increase of 1 parking space above that existing for existing residents.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

**(D) N/2019/0693 - DEMOLITION OF 15 NO. GARAGES AND PROPOSED DEVELOPMENT OF 2 NO. DWELLINGS WITH ASSOCIATED PARKING (PART RETROSPECTIVE) - AMENDMENT TO PLANNING PERMISSION N/2018/1469
LOCK UP GARAGES, THIRLMERE AVENUE**

The Principal Planning Officer submitted a report to the Committee. The Committee were informed that the application was for the demolition of 15 garages and the erection of 2 new dwellings with parking. Members were informed that the application was amending a previously approved scheme due to the discovery of a sewer and that the only change was that the proposed dwellings would be relocated 2.5m to the south-east due to the sewer and that as a result the rear gardens would be reduced from 10m to 7.5m deep. The Committee were advised that no changes were proposed to the appearance of the dwellings or the floorplans.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(E) N/2019/0987 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2018/1509 (DEMOLITION OF DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS WITH ASSOCIATED PARKING) TO AMEND DRAWINGS TO SHOW REVISED POSITION OF DWELLINGS ON SITE. LAND ADJACENT TO 34 OLD BARN COURT

The Development Management Team Leader submitted a report to the Committee. Members were informed that the variation application sought to move the proposed dwellings away from existing neighbouring boundary walls, increasing the space between dwellings to 3.4m. The application also sought to increase the number of bedrooms to 4 by dividing the top floor bedroom.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

12. ITEMS FOR CONSULTATION

There were none.

The meeting concluded at 7:06 pm

Planning Service

Head of Planning: Peter Baguley



List of Appeals and Determinations – 22nd October 2019

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2018/1318 APP/V2825/W/18/3219519	DEL	Retention of bay window in ground floor flat at 3 St Georges Place	DISMISSED
N/2018/1544 APP/V2825/W/19/3230684	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including new rear and front roof lights and new basement window to front elevation (Part retrospective) at 25 Alcombe Road	AWAITED
N/2018/1599 APP/V2825/W/19/3236520	DEL	Alterations to layout of external areas within the curtilage of the existing building at Compton House, 85 Abington Street	AWAITED
N/2018/1717 APP/V2825/W/19/3224666	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 161 Euston Road	ALLOWED
N/2018/1765 APP/V2825/W/19/3230096	DEL	Variation of Condition 3 of Planning Permission N/2017/1217 (Change of Use to House in Multiple Occupation for 5 occupants) to increase number of residents from 5 to 6 at 58 Moore Street	DISMISSED
N/2019/0157 APP/V2825/W/19/3234474	DEL	Change of Use from Restaurant (Use Class A3) to House in Multiple Occupation (Use Class C4) for 5 occupants at the Imperial Oriental Restaurant, 22 Castilian Street	AWAITED
N/2019/0369 APP/V2825/D/19/3232906	PC	Creation of new parking area outside of property, including dropped kerb, removal of part of grassed area and repositioning of footpath at 18 Eastfield Road	AWAITED
N/2019/0447 APP/V2825/W/19/3233085	DEL	Change of Use from House in Multiple Occupation (Use Class C4) for 6 occupants to House in Multiple Occupation (Sui Generis) for 8 occupants, including extension of roof and front rooflights at 64 Edith Street	AWAITED
N/2019/0667 APP/V2825/Z/19/3236102	DEL	Replacement of an existing 48-sheet advertisement display with an illuminated 48-sheet digital advertisement display. Removal of lower two and upper right hand 48-sheet advertising displays at Advertising Right, 32 Harlestone Road	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at - <https://acp.planninginspectorate.gov.uk>

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Mrs Rita Bovey, Development Manager

Telephone 01604 837237

Planning Service

The Guildhall, St Giles Square,

Northampton, NN1 1DE



Addendum to Agenda Items Tuesday 22nd October 2019

10. ITEMS FOR DETERMINATION

Item 10a

N/2018/1238

**Proposed Conversion of Warehouse/Factory to 25 no. flats and demolition of single storey projection and removal of dormer
69B Kettering Road**

No update.

Item 10b

N/2019/0591

**Reserved Matters Application pursuant to Outline Planning Permission N/2018/0904 (Outline application with all matters reserved except access for up to 132no dwellings) for the development of 132no dwellings, public open space and associated development
Parklands Middle School, Devon Way**

Environmental Health have confirmed that the revised Noise Report relating to the amended layout is acceptable.

The **Lead Local Flood Authority** have advised that sufficient information regarding surface water drainage has been provided for this reserved matters application.

Two additional neighbour objections have been received which repeat the concerns summarised in paragraphs 6.10-6.12 of the Committee Report.

Item 10c

N/2019/1041

**Change of Use from Betting Shop (Sui Generis) to Hairdresser/Beauty Salon, incorporating small ice cream kiosk (Sui Generis)
8 Newnham Road**

No update.

Item 10d

N/2019/1079

**Change of Use of Ground Floor Retail Unit (Use Class A1) to House in Multiple Occupation (Use Class C4) for 6 occupants and alteration to windows (resubmission of N/2019/0778)
11-13 Gold Street**

Town Centre Conservation Area Advisory Committee - no objections to the proposal.

Two **neighbour comments** from one party have been received stating that there are no details provided on the acoustic performance of the existing building and how neighbouring properties would be affected by occupation of this ground floor unit.

Officer Comment: NBC Public Protection have been consulted on the application and are

satisfied that the proposal is acceptable. Internal insulation and noise transmission would be dealt with under Building Regulations.

Item 10e

N/2019/1209

**Variation of Condition 2 of Planning Permission N/2018/0466 (Single storey extension to Community Centre) to increase the size of the extension
Blackthorn Community Centre, Longmead Court**

NCC Highways - have no comment to make on this application.

11. NORTHAMPTON PARTNERSHIP HOMES

Item 11a

N/2019/0321

**Demolition of 11no domestic garages and erection of 1no new build bungalow
Lock Up Garages, Connaught Street**

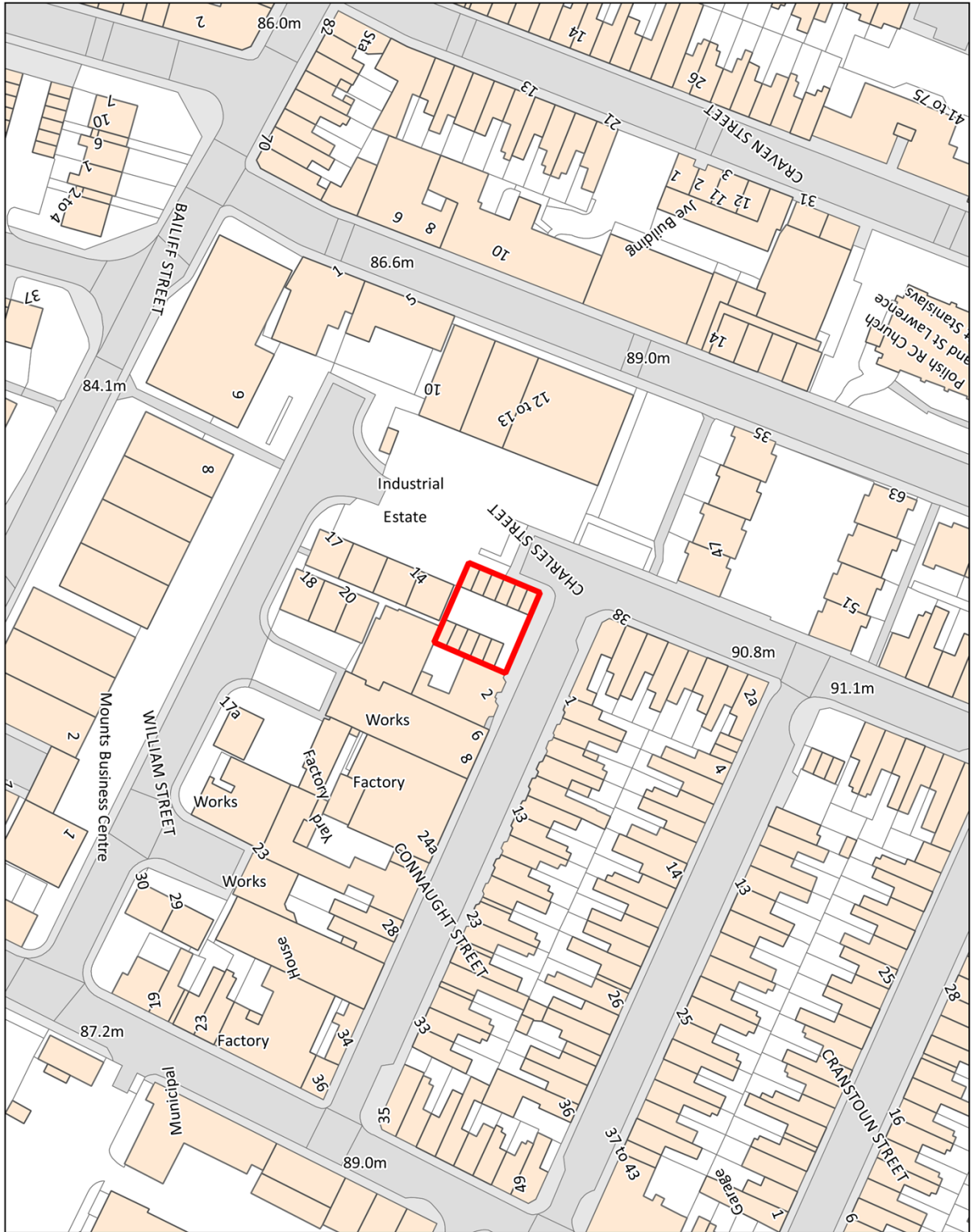
The Committee is advised that the location plan provided on Page 71 is incorrect. The correct site location plan is enclosed.


Item 11b

N/2019/1048

**Demolition of 8no domestic garages and construction of 2no new dwellings (resubmission of planning permission N/2018/1549) (part retrospective)
Land to rear of 33 Southwood Hill**

No update.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Lock up garages at Connaught Street</p>	<p>Date: 17-10-2019</p>
	<p>© Crown copyright and database rights 2019 Ordnance Survey licence no. 100019655</p>	<p>Scale: 1:1,000</p>
		<p>Drawn by: -----</p>



PLANNING COMMITTEE: 22nd October 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1238

LOCATION: 69B Kettering Road

DESCRIPTION: Proposed conversion of warehouse/factory to 25 no. flats and demolition of single storey projection and removal of dormer

WARD: Castle Ward

APPLICANT: Elsevier Group Ltd
AGENT: Mr Mizanur Rahman

REFERRED BY: Head of Planning
REASON: Major application

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The principle of residential development is acceptable in a residential area and would contribute towards the Council's five year housing land supply and secure the long term viability on a non-designated heritage asset in a Conservation Area. As part of a balanced assessment, and subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits. The development is therefore considered to be in accordance with the requirements of the National Planning Policy Framework, Policies S1, S10, H1, H2, BN5, BN7, BN9, E1, INF1 and INF2 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20, E26 and B32 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application proposes the conversion of the former leather works into 25 x 1 bed flats, including the demolition of a single storey front projection. The proposal also includes the removal of a roof dormer, alterations to fenestration details and the erection of bin and cycle stores.

3 SITE DESCRIPTION

- 3.1 The application site is located close to Northampton Town Centre within the Boot and Shoe Quarter Conservation Area. It comprises the former Dickens Bros leather works and is located in a courtyard to the rear of the shopping parade fronting Kettering Road. It is accessed through an attractive archway building and the entrance to the application property provides a pleasing termination to views into the courtyard. The application building, and in particular its roof form, is visible in views along Dunster Street, to the west of the site.
- 3.2 The Boot and Shoe Quarter Conservation Area Appraisal document identifies the application property as a historic shoe factory that is a local list candidate and also refers to the building as having great prominence in the streetscene, including an impressive rear courtyard.

4 PLANNING HISTORY

- 4.1 None relevant.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and Northampton Local Plan (1997) saved policies.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

Section 15 - Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

5.3 West Northamptonshire Joint Core Strategy (2014)

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

S1 – The Distribution of Development

S10 – Sustainable Development Principles

H1 – Housing Developments

H2 – Affordable Housing

BN5 – Historic Environment and Landscape

BN7 – Flooding

BN9 – Noise, Contamination and Air Quality

E1 – Existing Employment Areas
INF1 – Infrastructure Delivery
INF2 – Infrastructure Requirements

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 - New Development (Design)
E26 - Conservation Areas
B32 - Amelioration of Business Impact

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Affordable Housing Interim Statement (2013)
Planning Obligations SPD (2013)
Boot and Shoe Quarter Conservation Area Appraisal and Management Plan (2011)

6 CONSULTATIONS / REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Environment Agency:** No comments.

6.2 **Construction Futures:** A financial contribution should be sought to secure a construction training programme.

6.3 **NBC Conservation:** The building is part of a significant group of industrial buildings within the Boot and Shoe Quarter Conservation Area that make a positive contribution to its character and appearance of the area. It is identified as a potential candidate for the Local List in the adopted appraisal and management plan for the area. If vacant, conversion to residential use of the existing structure, working with the existing scale and window openings, may be acceptable in principle as a means of securing a viable future for the building.

The application has deleted a roof extension proposed under a pre-application enquiry and the application scheme works better with the building. However, the replacement of the existing timber and metal windows with grey upvc units would harm its appearance and this harm to a non-designated heritage assets would not be outweighed by wider public benefits (Officer Note: Amended plans received detailing that new windows and doors would be timber double glazed).

The insertion of doors within the windows should also be reconsidered; the number of roof lights is also excessive – if justified, then metal conservation-style roof lights, fitted flush to the plane of the roof should be specified together with timber doors (Officer Note: Amended plans detail that the roof lights would be conservation style roof lights and new doors would be of timber construction).

Given the historic significance of the building, recording of the building before conversion is justified and should be required by condition.

6.4 **NBC Environmental Protection:** The development would introduce a residential use to the site and standard land contamination conditions should be included on any approval.

The submitted noise assessment is satisfactory and details that standard double glazing should be installed to achieve suitable noise levels within the residential units and this should be secured by condition.

An air quality assessment is not required, however, it is recommended that suitable mitigations measures are considered such as controls on the standards of all gas-fired boilers. In addition, refuse storage should be controlled by condition.

- 6.5 **NCC Archaeology:** The application property was built in 1900 as Dickens Bros Leather Works as part of the firm's expansion from its original premises in Victoria Street. Access to the factory is via an ornate three storey archway on the Kettering Road. The significance of the building lies in its role within the Boot and Shoe Industry in Northampton as well as in its historic fabric. The use of the building would be altered by the proposal but this does not represent an overriding constraint on the development provided that a planning condition for building recording is imposed.
- 6.6 **NCC Development Management:** The development comprises one bed units and therefore no s106 education contributions would be required. However, it is recommended that contributions are sought for libraries, a condition is imposed relating to fire hydrants/sprinklers and guidance is provided relating to broadband.
- 6.7 **NCC Highways:** No concerns regarding the principle of the development.
- 6.8 **NCC Surface Water Drainage Assessment Team:** There is no increase in floor area and therefore no surface water implications.
- 6.9 **Northants Police Crime Prevention Design Advisor:** The site is not readily observed from the road and will therefore benefit from minimal levels of surveillance from passing pedestrians and vehicles. Therefore, the use of CCTV as proposed by the applicant is welcomed however it is important that the development includes other security measures such as external and internal access control measures. The bin store however is too close to the flats and would limit views of the front door and restrict space around the entrance of the building. An internal bike store should be provided per floor.

7 APPRAISAL

Principle of development

- 7.1 The application site is located in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 However, the application property comprises an employment premises which benefits from a lawful B2 General Industrial Use and Policy E1 of the Joint Core Strategy seeks to protect against the unjustified loss of existing employment sites. Although, Saved Policy B32 does allow for the loss of employment uses in residential areas where the existing use adversely affects the environment of its surroundings.
- 7.3 In terms of the loss of the lawful employment use on the site, it is understood that the property has been vacant for some two years. In addition, the application has been supported by a Marketing Statement which indicates that the property has been marketed for commercial purposes since June 2018 without any success in securing a commercial tenant. The Marketing Statement also includes a commentary on the difficulties in securing a commercial occupier for this particular unit and identifies issues including a poorly configured layout for modern industrial use (e.g. with only 3 metres floor to ceiling heights and multiple levels), as well as restricted vehicular access such that the report concludes that the premises are not well suited to commercial use. Also, it was apparent from the case officer site visit that the property is in a poor state of repair, with considerable renovations required to bring the building up to standard for any use. In addition, given the close proximity of the site to residential properties, it is considered that there is potential for the lawful use to give rise to conflict with adjoining residential uses. As such, in this instance, no objections are raised to the principle of the loss of the employment generating use.

- 7.4 Notwithstanding the above, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for 25 flats would contribute towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Design and Heritage Assets

- 7.5 Policy H1 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan place great importance on the quality of design of new developments and are in conformity with the NPPF, which advises that planning should always seek to secure high quality design.
- 7.6 The site is located in the Boot and Shoe Quarter Conservation Area such that special attention must be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, with great weight given the conservation of the heritage asset. Furthermore, the application property comprises a leather works built in 1900 with historic significance derived from its role within the Northampton Boot and Shoe Industry and its historic fabric such that it would comprise a non-designated heritage asset. Paragraph 197 of the NPPF details that the effect of an application on the significance of a non-designated heritage asset should be taken account, with any harm requiring a balanced judgement.
- 7.7 The applicant initially explored roof extensions to the property as part of a pre-application enquiry, however the current scheme proposes a residential conversion within the structure of the existing building and principally relies on existing window openings to serve the flats. As such and given that the building has been vacant for some two years and the marketing of the site indicates that the property is not particularly suited for modern employment use (as detailed above), it is considered that the proposed change of use is acceptable from a heritage perspective to secure the long term viability of the property. This is however subject to a building recording condition.
- 7.8 Turning to the detail of the alterations to the property, the application would remove a dormer addition and a single storey front projection to better reveal the historic form of the original building. Although, to facilitate the conversion of the building to residential use, the proposal would involve alterations to windows including the creation of doorways to serve the ground floor gardens and additional roof lights. However, it is considered that the alterations are reasonable to facilitate the conversion of the property. Furthermore, other than the proposed communal entrance door, the new doors would not be visible from public vantage points, with some of the doors being located in windows which are presently bricked up with concrete blocks. Also, the application has been amended to retain the original entrance doors to the leather works as a feature of the development. Moreover, the applicant has agreed to replacement timber windows and conservation style roof lights and full particulars of all replacement fenestration details could be secured by condition. In addition, it is considered that the bin and cycle stores would comprise subservient features to the converted property subject to conditions to secure appropriate materials.
- 7.9 Overall, it is considered that the harm to the non-designated heritage asset from the proposed change of use and alterations to the property would be outweighed by the benefits from securing a long term viable use for this vacant property such that, overall, the proposal would not have an unacceptable impact on the Conservation Area.

Residential amenity

- 7.10 In terms of residential amenity, as required by Saved Policy E20 of the Local Plan, Policy H1 of the Joint Core Strategy and the guidance in the NPPF, it is necessary to consider the amenities of neighbouring properties and also future occupiers of the proposed dwellings on the site.
- 7.11 In respect of the amenity of neighbouring properties, as detailed above, it is considered that the lawful employment use on the site has the potential to adversely impact on residential amenity in

terms of noise, activity and disturbance. In contrast, in planning terms the proposed residential use is by definition appropriate in a residential area and thus the proposal offers benefits to neighbouring residential properties. It is acknowledged that the occupiers of the new flats would be able to overlook neighbouring properties, however the proposal utilises existing window openings in the application property which are not subject to any planning controls regarding glazing such that the proposal would not result in an unacceptable loss of privacy to neighbours. As such, no objections are raised with regards to the amenity of neighbouring properties.

- 7.12 Turning to the amenity of future occupiers, the proposed flats would be 1 bed units and have been designed with floor areas to accord with the National Space Standards. In addition, the Environmental Health Officer raises no objections on noise or odour grounds subject to a condition to control the glazing standards of the windows serving the flats. The outlook from a number of the ground floor units would be somewhat constrained by their close proximity to the boundaries of the site. However, these units would have tall ground floor to ceiling heights with large windows and would also benefit from outdoor amenity space, which is unusual in a location close to the town centre. The accommodation in the roof space would also have constrained outlook with the bedrooms only served by roof lights, although each bedroom would have at least one roof light with a low cil height offering some outlook and the open plan kitchen and lounges serving these apartments in the roof would be served by a window as well as roof lights. As such and taking into account the benefits of securing a long term viable use for a non-designated heritage asset in a Conservation Area and the location of the site on the periphery of the town centre, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers.

Parking and Highway Safety

- 7.13 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.14 The County Highway Parking Standards seek 1 car parking space per 50sqm of industrial floorspace (Use Class B2) and 1 parking space per bedroom from 1 bed properties, as well as cycle storage.
- 7.15 The application site occupies a highly sustainable location on the periphery of the town centre. It benefits from informal parking in a courtyard area that can accommodate some 14 parking spaces and the property has a floorspace of some 1,643sqm. Therefore, under the County Parking Standards, the existing use would require some 33 parking spaces and there is an existing onsite parking shortfall of 19 spaces. In contrast, the proposed 25 flats would generate a parking requirement of 25 spaces under the Standards and therefore would reduce the onsite parking shortfall to 11 spaces. In addition, the proposal would reduce the vehicle movements using the access through the archway compared to the lawful use and would introduce some cycle parking provisions. As such and given that the County Highway Engineer raises no objections to the proposal, it is considered that the proposed development is acceptable on parking and highway safety grounds.

Section 106 Obligations and Affordable Housing

- 7.16 Policies INF1 and INF2 of the Joint Core Strategy seek to secure the provision of infrastructure needed to serve new developments, such as physical, green and social elements, either directly on site or by a financial contribution secured through a planning obligation. Further, Paragraph 56 of the NPPF specifies that planning obligations must only be sought where they meet all of the following tests:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.

- 7.17 In addition, the NPPF details that major housing developments should be expected to provide at least 10% affordable housing, with Policy H2 of the Joint Core Strategy seeking the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.
- 7.18 In terms of viability, the NPPF advises that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances, including whether the plan and the viability evidence under pinning is up-to-date. Furthermore, the Planning Practice Guidance supporting the NPPF provides detailed standards for viability appraisals and indicates that an assumption of 15-20% profit is a suitable developer return.
- 7.19 The application has been supported by a viability assessment which details that the proposed residential conversion without any affordable housing or financial contributions for infrastructure cannot achieve the standard 15-20% developer profit. The assumptions in the applicant's viability assessment have been tested by an Independent Viability Consultant on behalf of the Council. The Independent Viability Consultant advises that the assumptions made in the submitted assessment are fair and reasonable, and that a policy compliant scheme which provides affordable housing and/or S106 requirements is not viable. The Independent Viability Consultant has also undertaken sensitivity testing of range of scenarios and in all instance found that neither affordable housing nor S106 related payments can be accommodated in the appraisals. The proposed development would not be considered viable having regard to standard benchmarks and any affordable housing or S106 contributions would clearly make the scheme undeliverable.
- 7.20 In light of the above, it is considered that it would not be reasonable to require any affordable housing on the site as it would exacerbate the viability issues relating to the scheme and make the development unviable.
- 7.21 Turning to infrastructure requirements, it is noteworthy the County Council are not seeking any education contributions on the basis that the scheme proposes only one bed units. The County Council are however seeking financial contributions for libraries but, in the absence of a specific planning policy requiring such a contribution, it is considered that there is insufficient justification to include such matters within a Legal Agreement.
- 7.22 A further requirement is for the provision of construction training and the Council would also normally seek contributions relating to off-site open space to mitigate the impacts of the development. These requests would satisfy the tests for planning obligations and the payments would be secured through a s106 legal agreement.
- 7.23 However, the above s106 contributions are also subject to viability assessment as discussed above. Given that conclusions of the viability assessment, the requirement for any contributions would worsen the viability of the development such that it would be undeliverable and the site would remain vacant for a further period. This is a material consideration in determining the planning application. Furthermore, in this instance, it is considered that that the harm arising from the lack of offsite open space and construction training contributions is outweighed by the benefits arising from the delivery of 25 flats to contribute to the Council's housing supply and securing the long term viability of the non-designated heritage asset in a Conservation Area.

Other Considerations

- 7.24 Environmental Health recommend conditions relating to ground contamination and, given the historic use of the property as a leatherworks, it is considered that such conditions would be reasonable.
- 7.25 The comments of Environment Health regarding air quality mitigation measures are noted, however the development would be less intensive from a vehicle movement perspective to the lawful B2 industrial use of the site and matters relating to the efficiency of boilers are addressed under the Building Regulations.

- 7.26 The County Council are seeking a condition relating to fire hydrants/sprinklers, however such matters are also addressed under the Building Regulations.
- 7.27 The comments of the Police Crime Prevention Design Advisor are noted and the scheme has been amended to propose a polycarbonate cycle shelter to open up views of the communal entrance to the flats from the courtyard. Furthermore, it is considered that details of the security measures for the flats such as external access controls can be secured by condition.
- 7.28 In terms of flood risk, the application relates to a residential conversion outside Flood Zones 2 and 3 and no objections have been received to the proposal from the Environment Agency or the Lead Local Flood Authority. As such, it is considered that the proposal would not give rise to flood risk concerns.

8 CONCLUSION

- 8.1 To conclude, the principle of residential development is acceptable in a residential area and the proposal would contribute to the Council's five year housing land supply. The proposed development would however result in the loss of an employment generating use and internal and external alterations to a non-designated heritage asset in a Conservation Area. However, the property has been vacant and marketed for a significant period of time and its layout and location is not well suited to a modern commercial use. Furthermore, there is potential for the lawful employment use to give rise to conflict with adjoining residential uses. Moreover the proposal would secure the long term viability of the non-designated heritage asset and would have not be objectionable with regards to existing or proposed residential amenity or highway impacts.
- 8.2 In addition, it is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the requisite S106 contributions for open space and construction training are sought. This consideration needs to be weighed against the benefits of the scheme arising from the delivery of housing and securing a viable future for the non-designated heritage asset in a Conservation Area.
- 8.3 Overall, and as part of a balanced assessment, it is considered that the identified harm would not significantly and demonstrably outweigh the benefits. The development is therefore considered to be in accordance with the requirements of the National Planning Policy Framework, Policies S1, S10, H1, H2, BN5, BN7, BN9, E1, INF1 and INF2 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20, E26 and B32 of the Northampton Local Plan.

9 CONDITIONS

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: A531 - SLPa, A631-CP1A, 531 - 1a, A531 - 2, A531 - 3d, and A531 - 4e.

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

3) Prior the commencement of the development hereby permitted, the implementation of a programme of archaeological work shall be secured in accordance with a written scheme of investigation that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework. Pre-commencement condition to ensure that archaeological works are undertaken before development commences. Pre-commencement condition to ensure that archaeological works are undertaken before development commences.

4) No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

5) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

6) Prior to the installation of the new timber windows and doors hereby permitted, full details of all the windows and doors to serve the development including drawings at a scale of at least 1:20 and details of glazing formats / secondary glazing to protect the dwellings from noise shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the occupation of the approved development.

Reason: To seek to preserve the character and appearance of the heritage assets and protect the amenity of future occupiers in accordance with Saved Policy E20 and E26 of the Northampton Local Plan and Policies H1, BN5 and BN9 of the West Northamptonshire Joint Core Strategy.

7) The roof lights hereby permitted shall be conservation type with vertical glazing bars and have no parts that project above the plane of the roof.

Reason: To seek to preserve the character and appearance of the heritage assets in accordance with Saved Policy E20 and E26 of the Northampton Local Plan and Policies H1 and BN5 of the Joint Core Strategy.

8) The new brickwork and tiles hereby permitted to the external walls of the existing property shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: To ensure that the alterations harmonise with the existing building to preserve the character and appearance of the heritage assets in accordance with Saved Policy E20 and E26 of the Northampton Local Plan and Policies H1 and BN5 of the Joint Core Strategy.

9) The bin store shown on the plans hereby approved shall be constructed prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10) Full details of all proposed external facing materials for the bin store shown on the plans hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings and heritage assets in accordance with Policies H1 and BN5 of the West Northamptonshire Core Strategy and Policies E20 and E26 of the Northampton Local Plan.

11) The bicycle shelter shown on the plans hereby approved shall be installed prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the National Planning Policy Framework.

12) Prior to the occupation of the dwellings hereby permitted, full details of security measures including details of post boxes, access control and CCTV to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

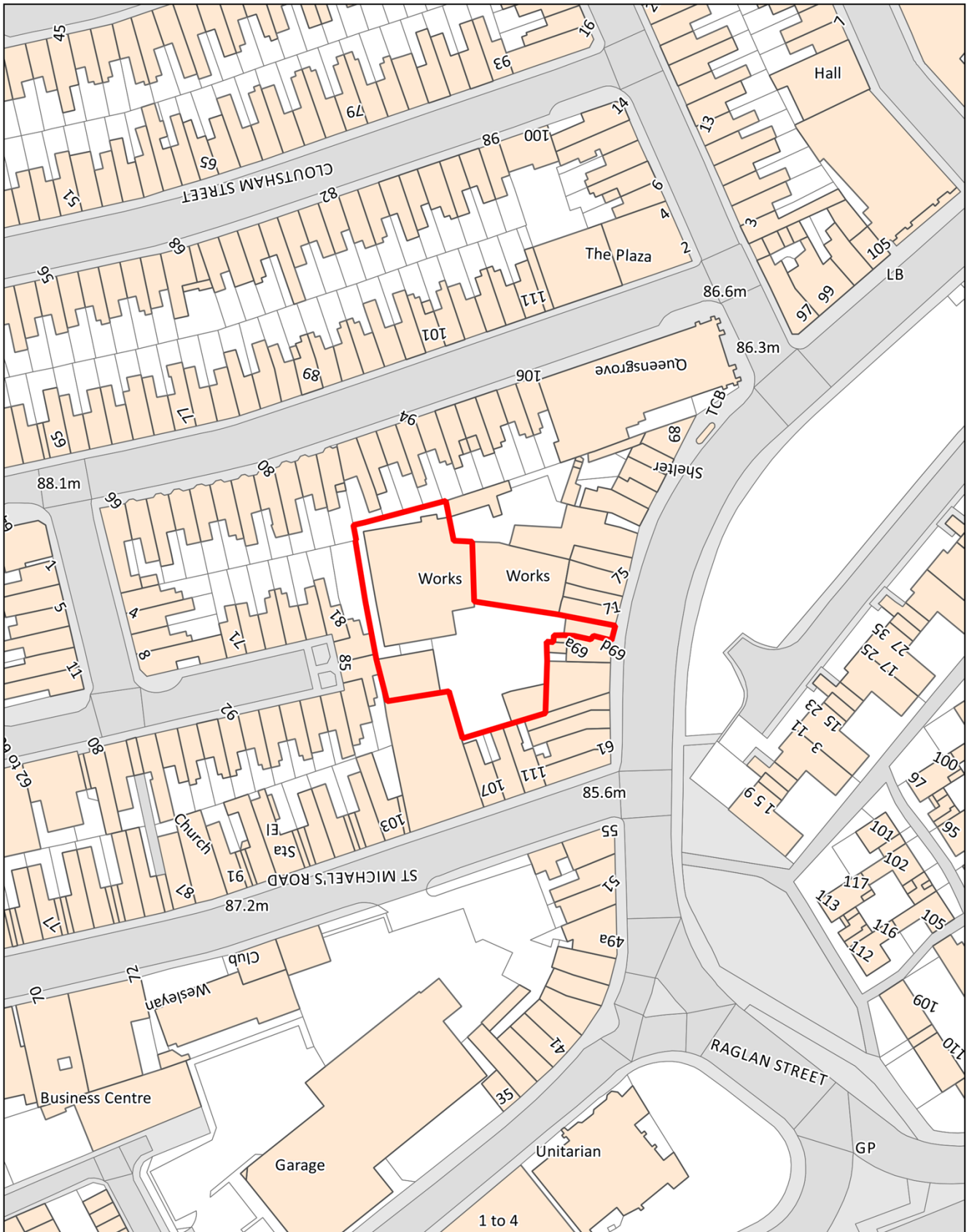
10.1 N/2018/1238.

11 LEGAL IMPLICATIONS

11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **69B Kettering Road**

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Date: 10-10-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 22nd October 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0591

LOCATION: Former Parklands Middle School, Devon Way

DESCRIPTION: Reserved Matters Application pursuant to Outline Planning Permission N/2018/0904 (Outline application with all matters reserved except access for up to 132no dwellings) for the development of 132no dwellings, public open space and associated development

WARD: Parklands Ward

APPLICANT: Redrow Homes
AGENT: N/A

REFERRED BY: Councillor M Hallam
REASON: Scheme not in keeping with the area

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed appearance, scale, layout, and landscaping arrangements are considered acceptable and would provide a good standard of development, whilst having no unacceptable adverse impact upon the occupiers of neighbouring properties or highway safety. The proposed development would therefore comply with the requirements of the National Planning Policy Framework; Policies S1, S3, S10, C2, RC2, H1, H2, BN1, BN2, BN3 BN7a, BN7, BN9, INF1 and INF2 of the West Northamptonshire Joint Core Strategy; and Policies E20, L2 and E7 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks reserved matters approval for 132 dwellings, public open space and associated works.

2.2 The matters for consideration under this application comprise appearance, layout, scale and landscaping. The principle of the development and the details of the vehicular access

arrangements to the site from Devon Way and Goodwood Avenue were approved under the outline permission N/2018/0904 and are therefore not under consideration as part of this application.

2.3 The development would be laid out to extend Goodwood Avenue to the north, with the new road from Devon Way connecting into the extension to the road at Goodwood Avenue. The new houses to the southern side of the road from Devon Way would back onto the existing bungalows on Druids Way. Culs-de-sac extending off these two new roads would form perimeter block layouts with the new houses overlooking the surrounding parkland and new public open space. The new public open spaces within the development would include the retention of trees and a new surface water drainage feature to the south west corner of the site (to the rear of properties on Stowe Walk) and the retention of the coppice to the north east of the site, which would be enclosed by a loosely crescent shaped arrangement of houses.

2.4 The proposed mix of dwellings would comprise as follows:

Open Market Housing

32 x 3 beds (two storey houses)

54 x 4 beds two storey houses)

Affordable housing (35% to accord with the Section 106 Legal Agreement)

12 x 1 beds (maisonettes)

19 x 2 beds (two storey houses)

15 x 3 beds (two storey houses)

2.5 All the houses would be served by at least two hard surfaced parking spaces comprising a mix of tandem and parallel parking spaces, with the 4 bed properties also benefiting from parking within garages. The 1 bed maisonettes would each be served by one parking space. There would also be some 51 visitor parking bays distributed across the development.

2.6 The application has been amended since its submission to address design, crime prevention, residential amenity and highway concerns. The revised scheme proposes the same number of units, however the mix of units has changed with, for example, less 4 bed properties and the three storey flats have also been replaced by maisonettes such that the proposal does not include any three storey buildings. In addition, other changes include a redistribution of the affordable units across the site, increased space to the boundaries of the site, additional street trees, and alterations to parking such as an increase in visitor parking bays, the breaking up of long runs of parking bays and the introduction of side windows to properties to provide surveillance of parked vehicles. A neighbour and consultee re-consultation exercise has taken place on the revised details.

3 SITE DESCRIPTION

3.1 The application site comprises the former site of Parklands Middle School. Historically the school buildings and playgrounds were located to the east of the site enclosed by fencing and the school playing fields were located to the west, with a woodland coppice/spinney located to the north of the site. However, the main school buildings were demolished in 2011 following the vacation of the site by Northampton School for Girls in 2008, and presently only hardstanding and foundations remain together with a small number of amenity trees remaining on the eastern part of the site. The coppice to the north of the site remains and the playing fields are presently overgrown with its northern and western boundaries enclosed by a low earth mound, vegetation and sections of chain link fencing as well as recently erected herras fencing. There are also numerous notices displayed around the boundaries of the site identifying that the land is private, although it appears that there is still some informal use of the site by walkers / dog walkers.

3.2 The application site is located to the north of the Parklands residential area and is accessed off Devon Way. It is bounded to the southern side by residential gardens serving bungalows on Devon Way, Druids Way and Stoke Walk. The site is neighboured by open space to the north,

east and west. Parklands Park is located to the east of the site and includes a community centre, playing pitches and children's play facilities accessed off Devon Way. Moulton Park industrial estate is located some 25 metres to the north of the site, beyond a strip of park land that includes a shared pedestrian/cycle way.

4 PLANNING HISTORY

- 4.1 WN/2006/0154: Proposed residential development (184 dwellings) including means of application – outline. Withdrawn.
- 4.2 N/2018/0904: Outline application with all matters reserved except access for up to 132no dwellings. Permitted.
- 4.3 N/2019/0923: Application for Approval of Reserved Matters comprising: Layout, Scale, Appearance and Landscape in respect of development approved under Outline Planning Permission N/2018/0904 for the development of 132no dwellings, public open space and associated development. Pending consideration at time of drafting report. (Officer Note: This application is a duplicate of the current application as originally submitted)

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and Northampton Local Plan (1997) saved policies.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.
Section 5 - Housing Supply
Section 8 - Promoting healthy and safe communities.
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Paragraph 148 - Planning system should support the transition to a low carbon future.
Paragraph 163 - Ensuring development does not increase flood risk
Paragraph 165 - Incorporating sustainable drainage systems in major developments
Section 12 - Achieving well designed places
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 - The Distribution of Development
Policy S3 - Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles
Policy C2 - New Developments
Policy RC2 - Community Needs
Policy H1 - Housing Density and Mix and Type of Dwellings
Policy H2 - Affordable Housing
Policy BN1 - Green Infrastructure Connections
Policy BN2 - Biodiversity
Policy BN3 - Woodland Enhancement and Creation
Policy BN7a - Water Supply, Quality and Wastewater Infrastructure
Policy BN7 - Flood Risk
Policy BN9 - Planning for Pollution Control
Policy INF1 - Approach to Infrastructure Delivery
Policy INF2 - Contributions to Infrastructure Requirements

5.4 **Northampton Local Plan 1997 (Saved Policies)**

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

Policy L2 – Leisure Proposals
Policy E7 – Skyline Development
Policy E20 – New Development (design)

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Planning Obligations Strategy SPD 2013
Biodiversity SPD for Northamptonshire (adopted September 2017)
Affordable Housing Interim Statement 2013

6 **CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Anglian Water** – No comments received.

6.2 **Arboricultural Officer** – No adverse comment upon the current iteration of the layout on purely arboricultural grounds: the various control measures specified in the Arboricultural Report to protect the retained trees must be implemented in a timely fashion and properly maintained throughout the duration of the development to seek to prevent harm to those assets.

6.3 **Environment Agency** – No objections

6.4 **Environmental Protection** – The submitted noise mitigation strategy includes a package of measures including glazing specifications, passive acoustic ventilations and fencing proposals to provide a suitable internal and external amenity to the new residents. The layout of the development has however been revised but this would not alter the acceptability of the development on acoustic grounds.

6.5 **Highway Authority (NCC)** – The Local Highway Authority have no objections regarding this application.

6.6 **Housing Strategy (NBC)** – The revised affordable housing proposal, which includes the replacement of flats with maisonettes, is much better than the original scheme.

6.7 **Lead Local Flood Authority (NCC)** – Insufficient information submitted in support of the application (Officer Note: The applicant has submitted revised/additional information which was

being considered by the LLFA at the time of drafting the Committee report and a further update on this matter will be provided in the Committee Addendum).

- 6.8 **Northamptonshire Police Crime Prevention Design Advisor** – Pleased that the plots surrounding green space have been amended to include hedging or walls to provide defensible space and a distinction between public and private space. The use of hedging to define front boundaries is also welcomed. There should be overlooking of car parking to the side of properties.
- 6.9 **Councillor M Hallam** – Called in the application due to concerns that the proposal is substantially different to what was included in the County Council's consultation held with local residents and that the removal of bungalows means that the scheme is not in keeping with the surrounding area.
- 6.10 A total of 49 third party objections were received to the application as originally submitted. These objections include the following points:
- Proposal is not in the spirit of the NCC consultation exercise or the indicative plans for the outline planning permission; the indicative details showed bungalows, sheltered housing and more green space with no flats or three storey buildings.
 - Flats and three storey buildings are not in keeping with the area.
 - Houses are also not in keeping with the area which predominantly comprises bungalows; dwellings should consist of bungalows to maintain the appearance of the estate.
 - Front garden sizes do not reflect the character of the locality.
 - Properties are too close to the fringes of the park presenting an urban edge to Bradlaugh Fields.
 - Development does not reflect the density of the area and would be cramped with too many large properties squeezed in; there should be less and smaller dwellings on the site to create an open feel next to the park.
 - Property sizes result in an overdevelopment of the site.
 - There is not enough green spaces to reflect the character of the area; there should be a green area between Druids Way and the new properties to soften the impact of the development.
 - Flats are poorly sited at the entrance to the development and would overlook and dominate the play area and community centre.
 - The development only includes a small number of affordable units and these are all crammed together.
 - Mature trees on the boundaries of properties with Druids Way would be felled; these should be safeguarded by a Tree Preservation Order.
 - The flats and houses would overlook neighbouring bungalows on Druids Way and Devon Way
 - Concerned alleyways adjacent to existing properties would give rise to neighbour impacts and antisocial behaviour.
 - Development would generate noise and air pollution.
 - The proposal would exacerbate traffic and parking issues in Parklands with more vehicle movements than anticipated under the outline planning permission.
 - The outline permission should have required additional parking at the community centre.
 - Concerned regarding construction traffic
 - Junctions improvements required under the outline permission should be undertaken up front.
 - Insufficient parking proposed; two parking spaces per property would be insufficient and there is also not enough visitor parking.
 - The proposed parking arrangement would also limit on street parking.
 - Parking would dominate and detract from the streetscene.
 - On plot parking would be poorly surveyed from properties that they would serve.
 - The proposal would result in the loss of a beautiful park and a space used for recreational activities such as dog walking.
 - Concerned regarding wildlife impact with loss of trees/greenspace, houses too close to woodland/park and no proposals to protect bats and other wildlife.
 - Local infrastructure including schools, doctors and drainage system will not be able to cope with extra houses.
 - Adverse impact on property values.

- 6.11 In addition, 32 objections have been received to planning application N/2019/0923 which proposes the same development as the original plans submitted pursuant to the current application. The objections to this duplicate application essentially repeat the points raised to the current application, although the following additional matters are raised:
- The proposed materials would be alien to the palette used in Parklands.
 - Single trees between parking spaces do not comprise green corridors.
 - Development has a poor balance between dwellings, amenity, private space and parking indicating that the built footprint is too large of the site.
 - Poor quality public realm with insufficient landscaping and continuous blocks of car parking.
 - The development only have limited usable open space.
 - Houses would overshadow and result in loss of light to neighbouring properties.
 - Differences in land levels in the area would exacerbate the neighbour impacts of the proposal.
 - The extensive use of shared drives would result in a tortuous road layout.
 - Balancing pond represents a danger to children.
 - There was no consultation exercise with the local community on the application.
 - Concerned that this duplicate application has caused confusion to local residents.
- 6.12 In response to the re-consultation exercise on the revised plans for the current application a further 21 letters of objection have been received. These letters essentially repeat concerns previously raised, and as detailed above, but also include the following additional points:
- The revised scheme is loosely based on the original layout and many of the fundamental concerns remain such as overdevelopment of the site, loss of public open amenity space, loss of privacy from overlooking, limited open space, and intrusive urban edge with Bradlaugh Fields.
 - Development remains of a different scale, density, height, character and materials to the local character.
 - Development has a bias towards 4 bed houses instead of much needed bungalows and sheltered housing.
 - Concerned at the height of the railings to the boundaries of the site; a hedgerow would be more appropriate.
 - No green space or wildlife improvements.
 - The new raised tables with runs of parking would appear parking dominated.
 - Shared drives would prevent public access to the spinney/coppice.
 - Traffic issues not addressed.
 - Parking shortfall on site remains and additional parking should be provided at community centre.
 - Japanese knotweed concerns.
 - Lack of consultation regarding revised scheme.

7 APPRAISAL

Principle of Development

- 7.1 As this is a reserved matters application, the principle of developing this site for residential purposes for 132 dwellings has already been established. In addition, the access arrangements for the site from Devon Way and Greenwood Avenue formed part of the outline planning permission. As a consequence, the highway impacts of and access arrangements for the development have also already been assessed and considered acceptable, subject to conditions and mitigation being secured through the Section 106 Legal Agreement. Therefore, the matters for consideration within the application relate to those that were reserved by the outline planning permission; these being the appearance, landscaping, layout and scale of the proposed development.

Design

- 7.2 The scheme has been laid out to form perimeter blocks of houses such that the development is generally outward facing and would provide good surveillance of the road networks and areas of open/green space including the retained coppice and neighbouring parkland. Furthermore, the

units on the corners of the blocks have been designed to have windows to the front and side of the properties to break up elevations and provide surveillance of the public realm.

- 7.3 The site occupies an elevated part of the Borough wherein consideration needs to be given the sensitivity of the skyline, however the proposed buildings would all be two storey in scale and thus would not give rise to an adverse impact on the skyline of the Moulton Park area.
- 7.4 A large number of the neighbour objections to the application raise concerns that the development does not include bungalows to reflect the prevailing character of surrounding roads. However, there is some variety in dwelling types and designs in the locality, with Stowe Walk which backs onto the south west corner of the site containing two storey dwellings and a number of properties in the locality also include first floor accommodation within the roof space served by dormer windows. As such, it is considered that objections could not be sustained to the two storey scale of the proposed development.
- 7.5 As detailed above, the locality of the site has a mixture of dwelling types and designs including a variety of elevational treatments. The proposed development seeks to create its own distinct identity, with dwellings having a traditional/heritage design incorporating bay windows, projections with render and tile hanging, and attractive window details with two alternate brick and tile finishes throughout the development. Furthermore, the scheme would have tree lined streets to reinforce its sense of character and help to transition the site into its parkland setting. The open space within the development would also create strong features of the development, with the new dwellings fronting onto the drainage feature at the entrance of the site off Greenwood Avenue and forming a crescent feature enclosing the retained coppice. Also, the mature trees to the western boundary of the site would be retained and the development would have estate railings enclosing the site.
- 7.6 The original plans accompanying the application would have resulted in a layout dominated by parked cars, however the scheme has been amended to include a better mix of tandem and frontage parking with additional areas of landscaping including street trees also introduced to break up parking areas. In addition, where longer runs of parking have been retained raised tables and/or areas of block paving have been introduced to turn these areas into features of the development.
- 7.7 Overall, it is considered that the design of the development is acceptable and that it would not have an adverse impact on the character and appearance of the surrounding area.

Housing mix and affordable housing

- 7.8 The 132 new dwellings would comprise 86 open/private market houses and 46 affordable housing units, which equates to an affordable housing percentage of 35% to accord with the Section 106 Legal Agreement.
- 7.9 The affordable housing units would be a mix of 1 bed maisonettes, and 2 and 3 bed houses with the bulk of the affordable units comprising houses (i.e. 34 of the 46 affordable units would be houses). The affordable housing units would have designs which would integrate with the open market housing and would be distributed in clusters of properties across the site. The provision and tenure of these affordable units would be controlled through the Section 106 Legal Agreement.
- 7.10 The 86 open market dwellings would comprise a mix of 3-4 bed units, with just over a third of the units comprising 3 bed family houses.
- 7.11 Overall, it is considered that the scheme would provide a reasonable mix of housing types, sizes and tenures and it is noted that Housing Strategy raises no objections to the proposal.

Residential Amenity – Neighbouring Properties

- 7.12 In respect of the residential amenity of neighbouring properties, the proposed houses to the southern side of the new road off Devon Way would back onto the rear gardens of bungalows at Nos. 10-54 (evens only) Druids Way and the side boundary of the bungalow at No. 5 Devon Way. The new houses have been designed to generally have a minimum of 21 metres back to back separation distances to the bungalows on Druids Way. Although Nos. 44 and 50 Druids Way have been subject to conservatory extensions such that these two properties would have a separation distance of some 19 metres from their conservatories to the new houses. However, the new houses would have at least 10 rear gardens and it is considered that they would not appear unduly prominent or give rise to unacceptable overlooking or overshadowing to these neighbours. The new properties backing onto the side boundary of No. 5 Devon Way would also have garden depths of at least 10 metres. As such and given that the dwelling at No. 5 is set in from its side boundary and its plot tapers out in width to the rear boundary, it is considered that the proposal would not have an objectionable impact on the amenities of occupiers of this neighbouring property. However, it is recommended that a condition is imposed to preventing extensions and the addition of dormers to the new dwellings backing onto the existing bungalows to safeguard the amenity of these neighbouring properties.
- 7.13 The properties served off Stowe Walk would be neighboured by an area of open space including a surface water drainage features such that the development would not have an adverse impact on the residential amenity of these existing properties.
- 7.14 It is noted that concerns have been received from local residents regarding construction traffic; however, the outline permission includes a Construction Environmental Management Plan condition which should minimise the impacts of construction activity on neighbouring residents.
- 7.15 Taking into account of the above, it is considered that the application would not have an objectionable impact with regards to the amenities of neighbouring properties.

Residential Amenity– Future Occupiers

- 7.16 It is also necessary to consider the amenities of future occupiers of the development and, as detailed above, it is considered that the new dwellings would have an acceptable relationship with existing neighbouring residential properties.
- 7.17 In addition, the development has a perimeter block layout and, generally, the properties would have roads providing buffers to areas of open/green space within the development. In some instances, there is a need to secure defensive planting, railings or other enclosures to boundaries of properties to provide areas of defensible space and this matter can be addressed by conditions relating to landscaping and boundary treatments.
- 7.18 All habitable rooms across the development would be served by windows providing good levels of outlook and daylighting. There is some variety in separation distances between the new properties and rear garden sizes across the development but, following amendments, these relationships have been improved in order that most houses have rear gardens of at least 10 metres in depths. However, given that the development would be relatively compact in form, with several properties benefiting from small gardens that often contain or adjoin rear sited garages, it is recommended that the permitted development rights for rear extensions and dormer windows are removed for all properties across the application scheme to ensure the amenities of future occupiers are safeguarded and to avoid an overdevelopment of the site.
- 7.19 A noise report has accompanied the application to assess the impact of the nearby employment uses and playing fields on future occupiers of the development. This report indicates that an acceptable noise environment can be secured for future occupiers subject to a number of properties having specific boundary treatments, glazing and alternative forms of ventilation. The scheme has however been amended since the noise report was undertaken, but Environmental Health have advised that the altered layout would not change the principles established under the original report and this matter can be addressed by condition.

- 7.20 Overall, subject to conditions, it is considered that the development would provide a reasonable standard of amenity for future occupiers.

Parking and Highway Safety

- 7.21 The access arrangements for the development from Devon Way and Goodwood Avenue and the wider highway impacts of the proposal have already been assessed and considered acceptable under the outline planning permission, subject to conditions and mitigation being secured through the Section 106 Legal Agreement.
- 7.22 The road layout for the new residential development would comprise two spine roads extending off Devon Way and Goodwood Avenue, with the road off Devon Way connecting up to the extension off Goodwood Avenue. A number of culs-de-sac extend off the spine roads and these terminate in private drives serving a maximum of 5 properties. The scheme has been amended to ensure adequate visibility splays and separation between junctions within the site and the County Highway Engineer has assessed the revised road layout and raises no objections.
- 7.23 The layout plan includes an indicative pedestrian/cycle connection to the north of the site between the development and the existing shared pedestrian/existing cycleway in the interests of promoting sustainable travel and this matter is controlled by Condition 9 on the outline planning permission. In respect of sustainable travel, it is also noteworthy that Conditions 21 and 22 on the outline planning permission also secure electric vehicle charging points and a travel plan for the new development.
- 7.24 Turning to parking, all the new houses would be served by at least two allocated parking spaces, with the four bed properties also benefitting from garage parking. The one bed maisonettes would be served by one parking space per unit. In addition, there would be 51 visitor parking distributed throughout the development in designated bays, with some informal on street parking also available. The layout of the parking across the site has been amended to seek to ensure that the development is not overly dominated by frontage parking and that spaces are convenient to the properties to which they would serve, with windows and doors also added to the side of properties that would benefit from tandem parking to provide surveillance of vehicles. In addition, the revised plans also show most properties benefitting from sheds to facilitate cycle storage and encourage garages to be used for parking purposes. The parking provision has been found to be acceptable by the Highway Authority and it is recommended that conditions are imposed to secure the provision and retention of the proposed parking spaces, restrict the conversion of garages and secure further details of cycle parking.
- 7.25 In light of the above, it is considered that the proposal is acceptable on parking and highway safety grounds.

Other considerations

- 7.26 The application site does not fall within Flood Zones 2 and 3. However, as the proposal comprises a major development and to comply with the conditions on the outline planning permission, it has been accompanied by a drainage strategy and also includes drainage features to the south west of the site to ensure that the development does not increase flood risk. The Environment Agency have raised no objections to the application and, whilst the Lead Local Flood Authority (LLFA) are seeking further information, the LLFA do not object to the principle of the proposal and a further update on surface water drainage will be provided in the Addendum to the Planning Committee.
- 7.27 In respect of ecology, the outline application was accompanied by an ecological appraisal and was found to be acceptable subject to the retention of the coppice and conditions to require pre-commencement surveys for bats and badgers, a Construction Environmental Management Plan (CEMP) to secure reasonable avoidance measures during construction for reptiles and birds, a Landscape and Ecological Management Plan to ensure biodiversity enhancements and the remediation of Japanese knotweed that has been found on the site. The current application includes the retention of the coppice and also green space including mature trees to the south

west of the site such that it accords with the outline planning permission. Furthermore, the layout shows street trees and landscaping helping to create green corridors through the site. However, only limited landscaping details accompany the revised layout for the current application and it is recommended that a condition is imposed to secure further details of landscaping incorporating biodiversity enhancements.

- 7.28 In terms of trees, the coppice/spinney within the site and the mature trees to the south west of the site would also be retained. It is noted that concerns have been regarding the loss of trees along the southern boundary of the site with neighbouring properties, however the Arboricultural Officer has advised that these trees do not meet the threshold required for Tree Preservation Orders.
- 7.29 Finally, it is noted that local residents have raised various matters that essentially relate to the principle of the development such as loss of the open/green space, traffic, infrastructure, etc. However, as detailed above, the principle of the development has been established under the outline planning permission and cannot be considered as part of the current reserved matters application.

8 CONCLUSION

- 8.1 The proposed development, as amended, would be in accordance with the outline planning permission and the details of layout, appearance, scale and landscaping, as part of a balanced assessment and having regard to the presumption in favour of sustainable development, are of an acceptable standard. As such, and subject to conditions, the proposal would not give rise to an adverse impact on the character of the area, the amenities of surrounding properties, or highway safety and would provide a reasonable standard of amenity for future occupiers of the residential development. As such it is recommended that the reserved matters application is approved subject to the conditions detailed below.

9 CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

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

- 2) Prior to the commencement of construction works on site, full 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 amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

- 3) All trees shown to be retained in the submitted Tree Report (reference 7568.01.001 Version 1.0) shall be protected for the duration of the construction of the development in accordance with the tree protection measures contained within the submitted Tree Report (reference 7568.01.001 Version 1.0).

Reason: In the interests of the character and appearance of the locality in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

- 4) Notwithstanding the submitted details and prior to the construction of the dwellings hereby approved above ground floor slab level, a schedule together with 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 amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

5) Notwithstanding the submitted details, prior to the construction of the dwellings hereby approved above ground floor slab level, a detailed scheme of hard and soft landscaping for the residential development and associated open space hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained, a tree planting method statement including details of tree pits, and a timetable including a phasing plan as appropriate for the implementation of the proposed landscaping. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the approved details and shall be maintained thereafter for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity, biodiversity and to secure a satisfactory standard of development in accordance with Policies H1 and BN2 of the West Northamptonshire Joint Core Strategy.

6) The enclosures to the external boundaries of the site and the open space within the site shall be provided in accordance with the details shown on drawing number 1813-22-02-003D prior to the occupation of the dwellings hereby permitted and retained thereafter. The individual plot boundaries shall be provided in accordance with the details shown on drawing number 1813-22-02-003D prior to the occupation the dwelling to which the enclosures would serve and retained thereafter.

Reason: In the interests of the appearance of the locality, residential amenity and crime prevention in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

7) The glazing and ventilation acoustic design measures to achieve an acceptable noise levels for each plot shall be implemented in accordance with the details in the submitted noise report (reference 6366432/R3v2) prior to the occupation of the dwelling to which they would serve and the measures should be retained thereafter.

Reason: To secure an acceptable level of residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

8) The parking spaces shown on the approved plans shall be constructed prior to the first occupation of the dwellings hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the Northamptonshire Parking Standards and the guidance in the National Planning Policy Framework.

9) Notwithstanding the submitted details, prior to the occupation of the dwellings hereby permitted, full details of facilities for the secure and covered parking of bicycles to serve these units shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage for each dwelling shall be provided in accordance with the approved details prior to the occupation of that dwelling.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10) Prior to the construction of the new substation hereby permitted, full details of the substation shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details.

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

11) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no garage accommodation hereby approved shall be used as habitable accommodation.

Reason: To ensure the retention of adequate parking facilities in accordance with the guidance in the National Planning Policy Framework.

12) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or any means of enclosure or similar structures other than approved pursuant to Condition 6 above shall be erected or constructed in front of the main wall of any dwelling or of any other principal building of the estate nor in front of the line of any flank wall of any dwelling where the flank boundary of the curtilage abuts a highway.

Reason: To ensure that the character of this residential development is maintained in the interests of visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof enlargements/dormer windows shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site and safeguard residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

10.1 N/2018/0904, N/2019/0591 and N/2019/0923.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Parklands Middle School, Devon Way**

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Date: 10-10-2019

Scale: 1:3,000

Drawn by: -----



PLANNING COMMITTEE: 22nd October 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1041

LOCATION: 8 Newnham Road

DESCRIPTION: Change of Use from Betting Shop (Sui Generis) to Hairdresser/Beauty Salon, incorporating small ice cream kiosk (Sui Generis)

WARD: St Davids Ward

APPLICANT: Mr Hassan Malik
AGENT: N/A

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed change of use is considered acceptable and would not have an undue detrimental impact on parking, highway safety and the residential amenity of nearby occupiers in compliant with the aims and objectives of the National Planning Policy Framework, Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 Permission is sought for a change of use from Betting Shop (Sui Generis) to Hairdresser/Beauty Salon, incorporating a small ice cream kiosk (Sui Generis). There are no external works proposed.

3 SITE DESCRIPTION

3.1 The site consists of a former betting shop located along a parade of five commercial units that includes a convenience store, a supermarket and a hot food takeaway. There is a separate flat above the application site.

3.2 Parking is provided along the street on an unrestricted basis. The site is located in an established residential area and the site comprises Council owned land. The site is opposite to a derelict public house and is not in a conservation area or near any listed buildings.

4 PLANNING HISTORY

4.1 N/1999/0722 Permission granted for change of use from hairdressers to a book makers.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

6 National Policies

6.1 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

- Paragraph 108 Safe access for all
- Paragraph 127 Residential amenity

6.2 West Northamptonshire Joint Core Strategy (2014)

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

S10 Sustainable Development Principles
BN9 Pollution Control

6.3 Northampton Local Plan 1997 (Saved Policies)

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

E20 Design of new development

6.4 Supplementary Planning Documents

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

7 CONSULTATIONS/ REPRESENTATIONS

7.1 **Northamptonshire Highways** - no comments to make.

7.2 **NBC Environmental Health** - no comment to make subject conditions on hours of operation.

8 APPRAISAL

Main issues

- 8.1 The main issues to consider are the principle of change of use, parking, highway safety and the impact on the residential amenity of other occupiers.

Principle of conversion

- 8.2 Although the site is located within an established residential location, the application site forms one of a parade of five commercial units. The proposal is considered acceptable in principle subject to having a satisfactory impact on highway safety and residential amenity. The proposal would also bring a vacant unit back into active use.

Parking and Highway safety

- 8.3 Paragraph 108 of the National Planning Policy Framework requires consideration of access on any planning application which is also reflected in the Northamptonshire Parking Standards 2016.
- 8.4 In this instance, car parking is available to the front of the parade along the layby which is provided on an unrestricted basis to customers and visitors. In view of the lawful use of the premises, it is unlikely that the proposal would generate significantly greater traffic movements. The Local Highway Authority raise no objections in terms of parking and highway safety.

Impact on amenity of other occupiers

- 8.5 The site is located within an established residential area. Given the proposed hours of use would be restricted to day time hours only, it is unlikely that a use of this nature would generate significant noise and disturbance as compared to the lawful use as a betting shop. Opening hours can be controlled by condition (Condition 3 below). NBC Environmental Health raise no objections. The proposal therefore complies with Policy BN9 of the Joint Core Strategy.
- 8.6 Although no details have been submitted in relation to refuse storage, there is space to the rear of the unit to accommodate such provision. A planning condition is recommended to seek such details prior to the use commences.

Security and Crime Prevention

- 8.7 The site would be well overlooked by nearby residential uses throughout the day. There is no evidence to suggest that the proposal would increase anti-social activity in the vicinity of the site.

9. CONCLUSION

- 9.1 The proposal is considered acceptable and would bring a vacant unit back into active use. In terms of the proposed use, it is unlikely that there would be a significant effect on parking, highway safety and residential amenity. The proposal is in line with Development Plan Policy and the NPPF.

10 CONDITIONS

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plans and floor plans/ site plan.

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

3) The premises shall remain open to customers between the hours of 9.30am and 7pm Mondays to Wednesdays, 9.30am to 7.30pm Thursday to Saturdays and 11am to 5pm on Sundays only and at no other times.

Reason: In the interests of the protection of residential amenities in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

4) Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the uses hereby permitted and thereafter retained.

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

11 BACKGROUND PAPERS

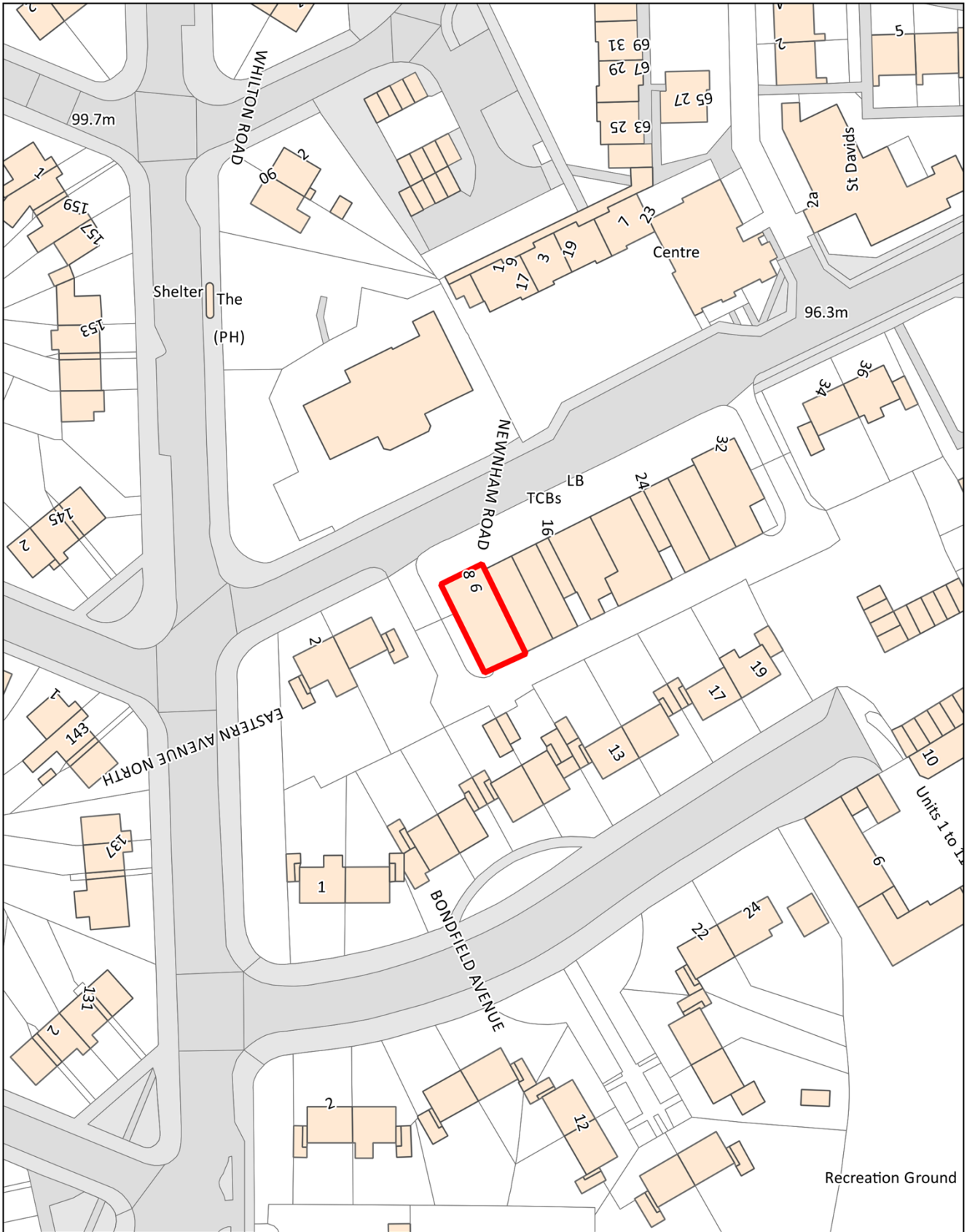
11.1 N/2019/1041.

12 LEGAL IMPLICATIONS

12.1 The development is not CIL liable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

13.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **8 Newnham Road**

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Date: 10-10-2019

Scale: 1:850

Drawn by: -----



PLANNING COMMITTEE: 22nd October 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1079

LOCATION: 11 - 13 Gold Street

DESCRIPTION: Change of Use of Ground Floor Retail Unit (Use Class A1) to House in Multiple Occupation (Use Class C4) for 6 occupants and alteration to windows (resubmission of N/2019/0778)

WARD: Castle Ward

APPLICANT: Mr Abdul Riaz
AGENT: Mr Adel Attia-Guindi

REFERRED BY: Councillor D Stone
REASON: Overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development is considered acceptable as it would not result in an over concentration of similar uses within the vicinity of the site and would provide adequate facilities for future occupants. The site is in a sustainable location close to bus services and local amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal is in the Town Centre Conservation Area and would bring an attractive historic frontage back into use. The proposal thereby complies with Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policy 16 of the Central Area Action Plan, Policy H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for the change of use from retail (Use Class A1) into a House in Multiple Occupation (HIMO) (Use Class C4) for 6 occupants, including alteration to the existing windows. The application site forms part of a large storage area attached to an existing shop unit as The Eye Clinic.

3 SITE DESCRIPTION

- 3.1 The application site is sited south of Gold Street and adjacent to Kingswell Street and Woolmonger Street. It comprises a largely unused storage area relating to an existing opticians store which fronts Gold Street. However, the shop would be retained and access to the proposed HIMO would be taken from Kingswell Street. At first floor above the site is the Travel Lodge and it is located within a commercial area of the town centre, close to shops, facilities and other residential flats and apartments.

4 PLANNING HISTORY

- 4.1 N/2019/0778 Application for a change of use to HIMO for 7 persons (Sui Generis) was refused in August 2019 due to insufficient information relating to noise and amenity from the adjacent service yard.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and emerging Neighbourhood Development Plans where relevant.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

6 National Policies

- 6.1 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 16 - Conserving and enhancing the historic environment

6.2 West Northamptonshire Joint Core Strategy (2014)

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

Policy H1 – Housing Density and Mix and Type of Housing

Policy H5 – Managing Existing Housing Stock

Policy S10 – Sustainable Development Principles

Policy BN5 – Conservation Areas

6.3 Northampton Central Area Action Plan 2013

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

Policy 16 – Central Area Living

6.4 **Northampton Local Plan 1997 (Saved Policies)**

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

Policy E20 – New Development (Design)

Policy E26 – Conservation Areas

Policy H30 – Multi-Occupation

6.5 **Other Material Considerations**

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material change or adverse impact on the character of the area; or more than 15% of HIMOS within a 50m radius;
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- To secure the provision of adequate parking whilst prompting sustainable travel movements;
- Ensure provision of adequate storage for refuse and materials for recycling.

7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

7.1 **Public Protection** – no objections to the proposed change subject to conditions

7.2 **Private Sector Housing** – the property would be suitable for the licensing of six units as a HIMO.

7.3 **NBC Conservation** – no objection in principle to the proposed use, which will bring a vacant part of the locally listed building into use. Removal of the boarding to the window openings will improve the street scene. Given the size and prominence of the window openings on Kingswell Street, details of the proposed fenestration are required; timber or metal windows should be used.

7.4 **Local Highway Authority** – no observations to make.

7.5 **Councillor D Stone** – calls in the application to Committee on the grounds that it would constitute overdevelopment in an area earmarked as a gateway for the town centre.

8 **APPRAISAL**

Principle of the development

8.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Concentration of HIMO uses in the area and character of the area

- 8.2 Records indicate that there would be one existing HIMO within a 50m radius of the application site, giving a concentration of 0.6% and therefore the proposal would not result in an over-concentration of such uses.
- 8.3 Given the low level of existing concentration of such uses in the area, it must be concluded that the proposal would not adversely affect the character of the area.
- 8.4 The proposed development will involve the reopening of the windows and one door which front onto Kingswell Street. This would also provide passive surveillance onto Kingswell Street.

Heritage

- 8.5 During a site visit it was apparent that there were existing metal window frames to the existing windows. The proposal would bring the building back into use, including display of these large and attractive window frames.
- 8.6 The site is located within the town centre conservation area and therefore NBC Conservation require details of the proposed fenestration for all new windows. It is proposed that a condition be attached to the decision requiring the submission of window fenestration details to the Local Planning Authority, with either metal or timber frames, prior to the commencement of development.

Facilities

- 8.7 All bedrooms, all of which have en-suite bathrooms, and the kitchen area of the proposal is of sufficient size to serve the number of occupants and Private Sector Housing has no objection to the proposal.
- 8.8 The layout is considered to provide a good standard of living accommodation to occupants. Bedrooms are large and each have their own bathroom, the kitchen area is above the required size for a 6person HIMO and secure cycle storage is also provided within the building.
- 8.9 The proposal would therefore meet the standards as set out in the IPPS and in accordance with Private Sector Housing requirements.
- 8.10 A refuse storage area is shown on the submitted block plan close to Woolmonger Street next to an existing bin store. It is considered that the facility would adequately serve the proposed use. However, a planning condition is recommended to ensure timely provision of such facility.

Amenity

- 8.11 A noise assessment has been undertaken to assess the impacts of existing noise from the service yard at the rear of the property, and the town centre location. Environmental Protection have reviewed the submitted information and have no objections to the proposed change of use application subject to planning conditions.

Transport

- 8.12 The proposed development includes a large internal storage area which would provide enough space for at least 6 bicycles in line with NCC Parking Standards. The proposed development is located within the town centre, close to local facilities and the main bus and train stations. No objection has been raised by the Highway Authority. It is concluded that cycle storage and the sustainable location is adequate for a HIMO of this size. It is not considered that the proposal would have unacceptable impact on highway safety.

9 CONCLUSION

- 9.1 To conclude, the site is in an existing area of the town centre with a mix of uses including both retail and residential. It is located within the urban area of Northampton and the principle of residential development on the site is therefore acceptable under the development plan. The

10 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: GOLD-EP3 and Block Site Plan.

3. The development shall be undertaken in accordance with the acoustic assessments undertaken by Randtech Consulting, dated 26th March 2019, Ref MDR/J3905a and dated 8th August 2019, MDR/J3905b.

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

4. Before the development hereby permitted commences, details of an appropriate ventilation scheme shall be submitted to and approved in writing by the Local Planning Authority meeting the acoustic requirements set out within the Randtech report. The approved details shall be implemented prior to the development coming into use and shall be retained thereafter.

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

5. Before the development hereby permitted commences, full window fenestration details, including materials and cross-sections, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development coming into use and shall be retained thereafter.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan and BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

6. Prior to first occupation, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority for approval. The scheme agreed shall be implemented prior to the development coming into use and shall be retained thereafter

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

Informative:

Works audible at the site boundary will not exceed the following times unless with the written permission of the LPA or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub-contractors.

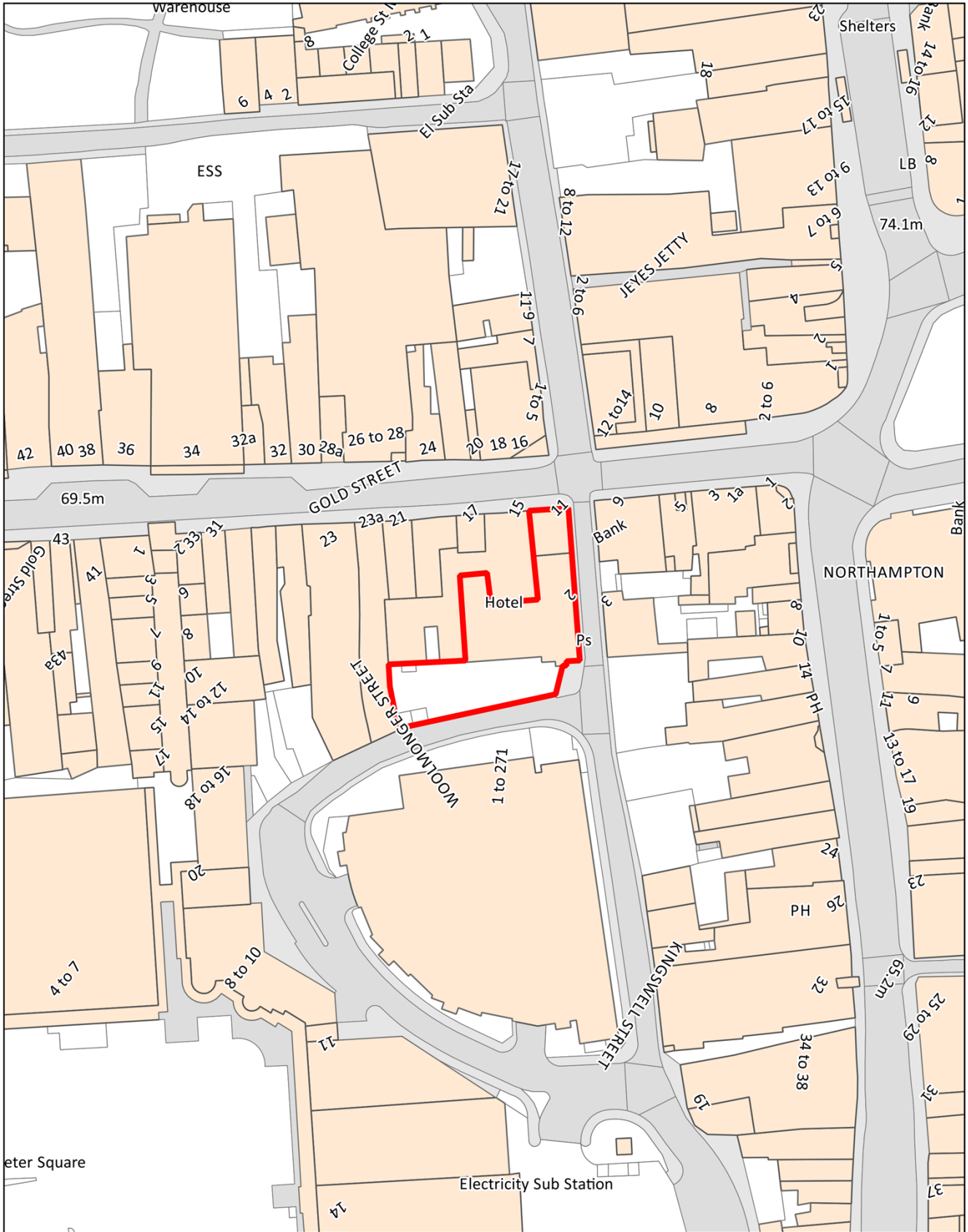
Please note that the premises will require licensing and room sizes and facilities will need to meet licensing requirements.

11 LEGAL IMPLICATIONS

11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **11 - 13 Gold Street**

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Date: 02-10-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 22nd October 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1209

LOCATION: Blackthorn Community Centre, Longmead Court

DESCRIPTION: Variation of Condition 2 of Planning Permission N/2018/0466 (Single storey extension to Community Centre) to increase the size of the extension

WARD: Talavera Ward

APPLICANT: Blackthorn Good Neighbours
AGENT: Mr Phil Bates

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The siting and design of the proposed development are considered acceptable and would not have any undue detrimental impact on the appearance and character of the host building, wider area, amenity of neighbouring properties and highway safety/parking and complies with aims and objectives of the National Planning Policy Framework, Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy, E20 of the Northampton Local Plan, Policies DES1 and C01 of the Growing Together Neighbourhood Plan.

2 THE PROPOSAL

2.1 This is an application submitted under S73 of the Town and Country Planning Act to vary the approved plans condition on planning permission N/2018/0466. The previous planning permission N/2018/0466, which was approved by the Planning Committee on 8th May 2018, for the erection of a single storey side extension to the existing community centre to provide a youth function room. The current application proposes to increase the footprint of the extension by 0.8m and the height by 0.5m. The design of the extension remains substantially the same.

3 SITE DESCRIPTION

- 3.1 The application site consists of a community centre located within an established residential area in Blackthorn. There are also a number of commercial uses in the vicinity of the site including a hot food takeaway, post office, convenience store and nursery.
- 3.2 The existing centre is mainly used from Mondays to Fridays, between 8am to 6pm. Other local groups and parties also use the centre in the evenings at the weekends.
- 3.3 The rear of the site is enclosed by a 1.8m high palisade security fence. There is a car park to the east of the site adjacent to the shops. The existing area to the rear of the site is used as a play area for the crèche.

4 PLANNING HISTORY

- 4.1 N/2018/0466 Permission granted for single storey extension to community centre on 8 May 2018.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

5.2 National Policies

National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following section is of particular relevance to this application:

- Paragraph 127 Design and residential amenity

5.3 West Northamptonshire Joint Core Strategy (2014)

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

S10 Sustainable Development Principles:
BN9 Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 New development (design)

5.5 Supplementary Planning Documents

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

5.6 Other Material Considerations

Growing Together Neighbourhood Plan

- 5.7 The Growing Together Neighbourhood Plan was made in April 2017, and now forms part of the development plan for Northampton. The following policies are relevant to the determination of this proposal:

DES1 High quality design
C01 Provision of community facilities

6 CONSULTATIONS/ REPRESENTATIONS

- 6.1 **NBC Environmental Health** - No objection to make subject to recommended noise control scheme and condition hours of use.

7 APPRAISAL

Design and appearance

- 7.1 In relation to the existing building, the proposed extension is considered to be of reasonably modest size providing an additional 94 square metres floor space, 12 square metres larger than the approved scheme. It would be visible from the public footpath to the rear, nearby residential properties to the southwest on Longmead Court and play park at the back. However, the proposed design and size of the extension is considered to be in keeping with the host building and would provide additional floor space for youth functions. In order to ensure a satisfactory external appearance, a matching materials condition is recommended. The revised proposal is only 0.8m larger than the previously approved scheme with limited additional impact.

Impact on amenity of neighbouring properties

- 7.2 The closest residential property at no. 32 Longmead Court is located to the southwest, some 12.5 metres away from the proposed extension. Due to the height, scale and separation involved, it is not considered that there would be any unacceptable impact on that property. There are also residential properties to the northwest which are over 40 metres away from the proposed development. As no external plant has been proposed, it is not necessary to control external noise by condition. As opening hours are currently unrestricted for the existing community centre, it would not be reasonable to control hours of operation for the proposed extension. The impact is not significantly greater than the previous scheme given the scale of the additional projection and height.

Parking and Highways

- 7.3 There is an existing car park serving the nearby hot food takeaway, shops, pharmacy and nursery. There are also parking spaces to the west of the centre beside the front service entrance. It is considered that the proposed extension, due to its size, would not generate unacceptable traffic in the local area.

Security

- 7.4 The proposed extension would be constructed in bricks with concrete tile roof. There are three proposed windows in the south elevation which can be afforded natural surveillance from the existing residential properties and the local play area. It is not considered that there will be any security concerns.

Community Benefits

- 7.5 If permitted, the extension would provide a much needed facility to serve the local community.

8 CONCLUSION

- 8.1 The proposal would assist in securing the future of a valuable community facility serving local needs without undue impact on nearby residential properties. The additional impact compared to the previous planning permission is considered limited.

9 CONDITIONS

- 1) The development hereby permitted shall be begun before the expiration of 9 May 2021.

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 18/022/022B.

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

- 3) The external walls and roof of the approved extension 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 in accordance with Policy E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

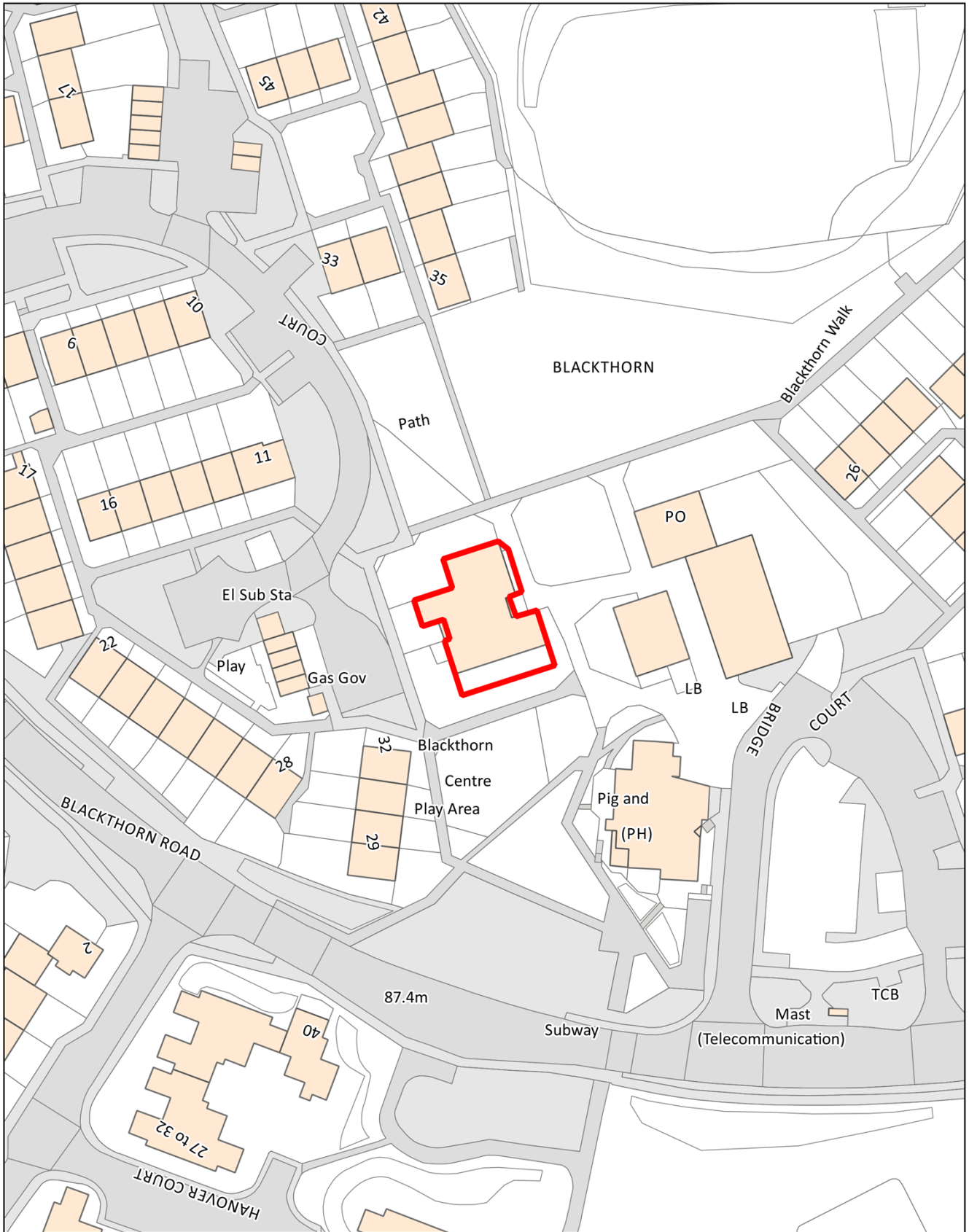
- 10.1 N/2019/1209.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Blackthorn CC, Longmead Court**

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Date: 10-10-2019

Scale: 1:850

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PLANNING COMMITTEE: 22nd October 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0321

LOCATION: Lock Up Garages, Connaught Street

DESCRIPTION: Demolition of 11no domestic garages and erection of 1no new build bungalow

WARD: Castle Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposal would contribute towards the Council's five year housing land supply and, as part of a balanced assessment, it is considered to be acceptable. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of 11 existing garages and the erection of 1 bungalow. The proposed bungalow would have a width of 9.2 metres, a depth of 9 metres and a height of 4.9 metres. The application site is located within the Boot and Shoe Quarter Conservation Area.

2.2 During the course of the application the proposal has been amended, with the dwelling being repositioned such that the existing trees can be retained on site.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court within a residential area. The site is located on the north-western side of Connaught Street at the junction with Charles Street.

4 PLANNING HISTORY

- 4.1 None.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and the Northampton Local Plan (1997) saved policies.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy BN9 - Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 - New Development (Design)

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Suggest conditions on contaminated land and noise mitigation.
- 6.2 **NBC Arboricultural Officer** – No objection. Request condition that the development is undertaken in accordance with the submitted tree report.
- 6.3 **NBC Conservation** – No objection to the revised plans which show that the highway trees on Connaught Street, which contribute to the appearance of the Conservation Area, are to be retained.
- 6.4 **Northamptonshire Police** – No objection.
- 6.5 **NCC Highways** – No observation or comments to make.
- 6.6 2 letters have been received objecting to the proposal. The concerns raised can be summarised as follows:
- Loss of parking facilities – area is already bad and the loss of garages and addition of a new dwelling is likely to add to the parking needs.
 - Believe it would be better to repair/renovate the existing garages to provide safe and secure parking.
 - Loss of garages discriminates against disabled users and replacement closer is needed.
 - Garage needed for the storage of electric bicycles, mobility scooters and as a recreation area, and the loss would mean items have to be parked on the road – with crime safety issues.
 - Proposed residential property will be surrounded by industrial buildings. This raises potential for friction between future occupants and existing business owners/tenants.
 - Site is industrial location with noise and chemical contamination.
 - Area is subject to drug crime and poor lighting and would be unsafe for future occupants.
 - Existing trees should be removed as cracks garages and are used to climb into site.
 - There are other sites that could be developed for housing (*Officer Note: This is not a material planning consideration in the assessment of this application*).
 - There is an existing large sewer under the application site – unsafe and expensive to build on (*Officer Note: This is not a material planning consideration in the assessment of this application*).
 - Corner floods annually (*Officer Note: The application site is not located within a flood zone*).

7 APPRAISAL

Principle of development

- 7.1 The application site is in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 It is also the case that the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Design and the impact upon the Conservation Area

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The application site

comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.

- 7.4 The application proposes one bungalow. The proposed bungalow would be positioned to face Connaught Street in line with the character of the area, with a side garden to the south-west. A 1.8 metre brick wall is proposed to the boundary of the bungalow and garden, which is in character with the surrounding area. During the course of the application, the proposal has been amended to re-position the dwelling to ensure that the existing trees can be retained on site. This is in direct response to concerns raised by the Council's Conservation Officer and Arboricultural Officer that the existing trees on site are of a positive contribution to the Conservation Area and should be retained.
- 7.5 With the proposed dwelling having been re-positioned to ensure the retention of the existing trees on site, with the bungalow facing Connaught Street, and with the use of a brick wall to enclose the garden, it is considered that the proposal would be acceptable in design terms.

Amenity

- 7.6 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.7 The proposed bungalow is not immediately bordered by any residential properties, and as such would not have an unacceptable impact upon neighbouring amenity.
- 7.8 The proposed dwelling provides good sized rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

Parking and highway safety

- 7.9 Concern was raised within neighbour letters that there is an existing parking problem in this area and the loss of garages would exacerbate this.
- 7.10 The Northamptonshire County Council Parking Standards seek 1 on plot parking space per dwelling for 1 bedroom properties. No parking is provided for the proposed bungalow. This is due to the retention of the existing trees on site being an important element of any redevelopment of this site. On balance, it is considered that the retention of the trees that contribute to the Conservation Area would outweigh the requirement for one parking space. The proposal provides 1 shed which could be used for bicycle storage.
- 7.11 The application site as existing provides 11 garages. It is understood that 3 of these garages are currently occupied and the tenants will be offered replacements within refurbished garages at Deal Court. It is the case, however, that the existing garages are not to a size that could be counted as providing existing parking spaces for the site. As such the existing parking provision on site would be assessed as being 0. With the proposed 1 bedroom bungalow not being provided with any parking, there is a shortfall of 1 parking space as a result of this development.
- 7.12 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection to the proposal. With the importance of retaining the existing trees on site, to the benefit of the character and appearance of the Conservation Area, and with no Highway objection, it is considered that the provision of no parking for this development is, on balance, acceptable.
- 7.13 Concern was raised within a neighbour letter as to the loss of the use of existing garages for the storage of items, including mobility scooters and bikes. Concern was raised that the use of these garages for this storage is essential in connection with a disability, and a replacement garage

would not be of any use unless nearer to home as, due to disability, the occupier would not be able to walk any further.

- 7.14 Whilst it is understood that it is useful to be able to use the garages for storage, garages are provided for the parking of vehicles and the loss of storage space would not outweigh the benefit of providing a new dwelling on this site. It is understood that NPH have been in discussions with the tenant in question to discuss options going forward.

Other considerations

- 7.15 Concern was raised in a neighbour letter as to the position of the dwelling surrounded by industrial units, with the resultant noise and contamination.
- 7.16 The Council's Environmental Health team were consulted on this application and raised no objection to the application subject to conditions to address ground contamination and noise mitigation should planning permission be forthcoming. It is considered reasonable to attach such conditions.
- 7.17 Concern was raised in a neighbour letter that the area is a high crime area. Northamptonshire Police were consulted on the application and raised no objection to the revised scheme.
- 7.18 A neighbour letter raised that the existing trees on site should be removed. The Council's Arboricultural Officer and Conservation Officer both raised during the course of the application the importance of retaining the trees on site and as such it is considered that these trees should be retained. The Council's Arboricultural Officer has advised that the impact upon the trees from the proposal is acceptable and the control measures identified within the submitted tree report must be implemented in a timely fashion and maintained throughout the duration of the development. A condition to this effect is proposed.

8 CONCLUSION

- 8.1 To conclude, the site is in an existing housing area within the urban area of Northampton and the principle of residential development on the site is therefore acceptable under the development plan. The Council also cannot presently demonstrate a five year housing land supply and it is therefore necessary to assess the proposal against the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and would contribute towards the Council's housing supply with associated social and economic benefits. Furthermore, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (P)01, (P)02, (P)03 Rev E, (P)04 Rev B, (P)05 Rev D, (P)06 Rev E.

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

3. Prior to the construction of the new dwelling hereby approved above ground floor slab level, details of all proposed external facing materials for the dwelling and the materials for the brick wall 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 in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

4. All planting, seeding or turfing shown on approved drawing numbers (P)03 Rev E and SCH-002 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

5. Prior to first occupation of the dwelling hereby approved, full details of the shed shall be submitted to and approved in writing by the Local Planning Authority. The approved shed shall be provided on site in full accordance with the submitted details prior to first occupation of the dwelling hereby approved.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof alteration/enlargement shall be erected to the dwelling hereby permitted.

Reason: In the interests of residential amenity and to prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

7. No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. 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 prior to the commencement of development.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. Any site investigation found to be required under Condition 7 shall be carried out and the results shall be used to produce a method statement for any remedial works and a phasing programme, which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. All remedial works found to be required under Condition 8 shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation reports shall be submitted to and approved in writing by the Local Planning Authority within 2 weeks of completion.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 8 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 8 and submitted to and approved in writing by the Local Planning Authority. Following a completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

11. Prior to the commencement of development, full details of a sound insulation and ventilation scheme to protect the development from external noise shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the dwelling hereby permitted and retained thereafter.

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

12. The development hereby approved shall be undertaken in full accordance with the findings of the 'Arboricultural Impact Assessment and Method Statement Report Rev 2' 18106.4_Fv2 by MacIntyre Trees, dated August 2019.

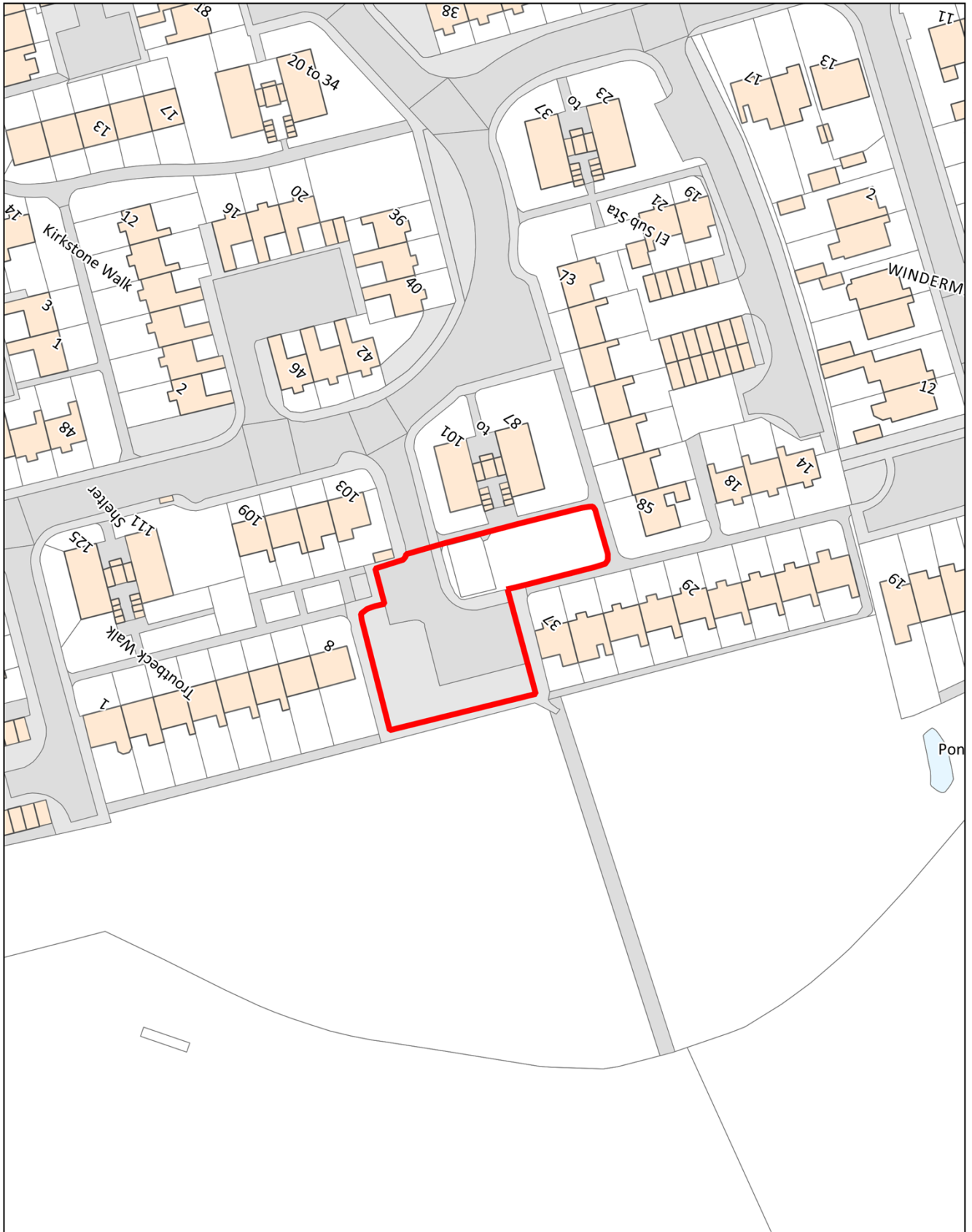
Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

10 LEGAL IMPLICATIONS

- 10.1 The development is CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **Lock up garages, Connaught Street**

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Date: 02-10-2019

Scale: 1:1,000

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PLANNING COMMITTEE: 22nd October 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1048

LOCATION: Land rear of 33 Southwood Hill

DESCRIPTION: Demolition of 8no domestic garages and construction of 2no new dwellings (resubmission of planning permission N/2018/1549) (part retrospective)

WARD: Delapre & Briar Ward

APPLICANT: Northampton Partnership Homes
AGENT: Miss Bonnie Carswell

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The new dwellings are considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. The development has an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The proposed development complies with the requirements of the National Planning Policy Framework, policies S1, S3, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and saved policies E20 and H6 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 Planning permission N/2018/1549 was granted by the Planning Committee on 19th March 2019 for the demolition of a garage block and the erection of a semi-detached pair of 1-bed bungalows. Four dedicated car parking spaces are proposed to serve the bungalows, with 12 other communal parking spaces along the northern boundary.

2.2 Development on site has commenced. Due to the difference in site levels, it is necessary to amend the approved scheme to allow one of the dwellings to be built on a higher ground level. The current application is a re-submission to reflect the above situation. The rest of the proposal remains substantively the same as the previous approval.

3 SITE DESCRIPTION

- 3.1 The application site originally consisted of a garage block and open area to the front. The application site is bordered with existing rear gardens of the residential properties around the site, separated by timber fencing and brick walls.
- 3.2 The local area is predominantly residential and has a mix of 1 and 2 storey properties and a 3 storey apartment block.

4 PLANNING HISTORY

- 4.1 **N/2018/1549** – Demolition of 8no domestic garages and construction of 2no new dwellings. **Approved by Planning Committee on 19th March 2019.**
- 4.2 **N/2019/0841** – Non Material Amendment to Planning Permission N/2018/1549 (Demolition of 8no domestic garages and construction of 2no new dwellings) to install step to ridge between the two proposed dwellings and retaining wall to front of property. **Withdrawn.**

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Section 2 - Achieving sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places.
Section 15 - Conserving and enhancing the natural environment

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 - The Distribution of Development
Policy S3 - The Scale and Distribution of Housing Development
Policy S10 - Sustainable Development Principles.
Policy H1 - Housing
Policy BN9 - Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy H6 - Residential development in primarily residential area

Policy E20 - New development

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 Highway Authority (NCC) – No objection and recommended condition for implementing the visibility splays.

6.2 Crime Prevention Design Officer – No objection.

7 APPRAISAL

7.1 The main issues for consideration are the changes submitted under the current application in relation to the already approved scheme.

Principle of residential development

7.2 As planning permission was previously granted on site for two dwellings, the principle of development has already been established. The development would contribute towards the Council's housing supply with associated social and economic benefits.

Layout and design

7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design.

7.4 The design of the bungalows is identical to the already approved scheme; however appearance of the bungalows is different in that one of the bungalows would be 0.5m higher than the other. It is considered that the development would reflect the scale and massing of neighbouring residential properties and would be an appropriate development in the streetscene.

7.5 The proposed rear gardens associated with these bungalows are relatively small, therefore, it is recommended that a condition to remove permitted development rights for future extensions to avoid overdevelopment of the site.

7.6 It is considered that the design and appearance of the new bungalows is in keeping with the character of the local area and would comply with the guidance outlined in NPPF, Policy H1 of JCS and saved policy E20 of the Northampton Local Plan.

Residential amenity

7.7 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 7.8 The bungalows would retain the same separation distance as the originally approved scheme. Whilst one of the bungalows is to be built at a higher ground level, owing to the separation between these bungalows and the neighbouring properties to the south by over 20m, it is not considered to have any additional impact than what was already approved under original scheme.
- 7.9 It is considered that the development would not result in any undue impact on the residential amenity of the neighbouring properties.

Amenity of future occupiers

- 7.10 All habitable rooms would be served by adequate light and outlook and private amenity spaces, providing an acceptable level of residential amenity.

Parking and highway safety

- 7.11 The proposal includes 4 parking spaces to serve the bungalows and 12 communal car parking spaces for the local residents. The development would also benefit from a generous manoeuvring area to serve the parking area.
- 7.12 It is considered that the revised scheme is acceptable and would not cause undue impact on the highway safety.

Other matters

- 7.13 The Police Crime Prevention Officer has not raised any concerns about the proposed changes submitted under the current scheme.

8 CONCLUSION

- 8.1 The current application is a re-submission of already approved scheme. The principle of development has already been established. It is considered that the development would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The development would contribute towards the 5-year housing supply.
- 8.2 The proposal would comply with the requirements of the National Planning Policy Framework, Policies S1, S3, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20 and H6 of the Northampton Local Plan and Policies H1 and H2 of the Growing Together Neighbourhood Plan.
- 8.3 Therefore, it is recommended that planning permission is granted subject to conditions below.

9 CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: (P) 03 RevB, (P) 06 RevB, (P) 04, (P) 05 RevB, (P) 02, (P) 01, SCH-001 and SCH-003.

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

- 2) The external materials shall be installed in accordance with the details as described on the Drawing number SCH001 and approved details as listed below:
- a. Bricks: Type EX3 (IBSTOCK Sandalwood)
 - b. Roof tiles: Type R1 (Artificial slate Roof tiles)
 - c. Rainwater goods: Type RW2 (Marley Plumbing in white)

- d. Windows: Type W1 (uPVC in white frame)
- e. Doors: Type D1 (uPVC door in white frame)

Reason: In the interests of visual amenity and to ensure that the development would harmonise with its surroundings in accordance with Policy E20 of the Northampton Local plan.

- 3) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 4) The external boundaries of the site shall be constructed in accordance with the approved plan prior to the occupation of the dwellings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

- 5) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the dwellings hereby permitted.

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

- 6) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

- 7) Full details of drainage relating to the proposed car park areas 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: To prevent drainage on to the highway in accordance with the aims of the National Planning Policy Framework.

- 8) The parking spaces and manoeuvring area as shown on approved plans shall be constructed prior to the occupation of the buildings hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the requirements of the National Planning Policy Framework.

10 BACKGROUND PAPERS

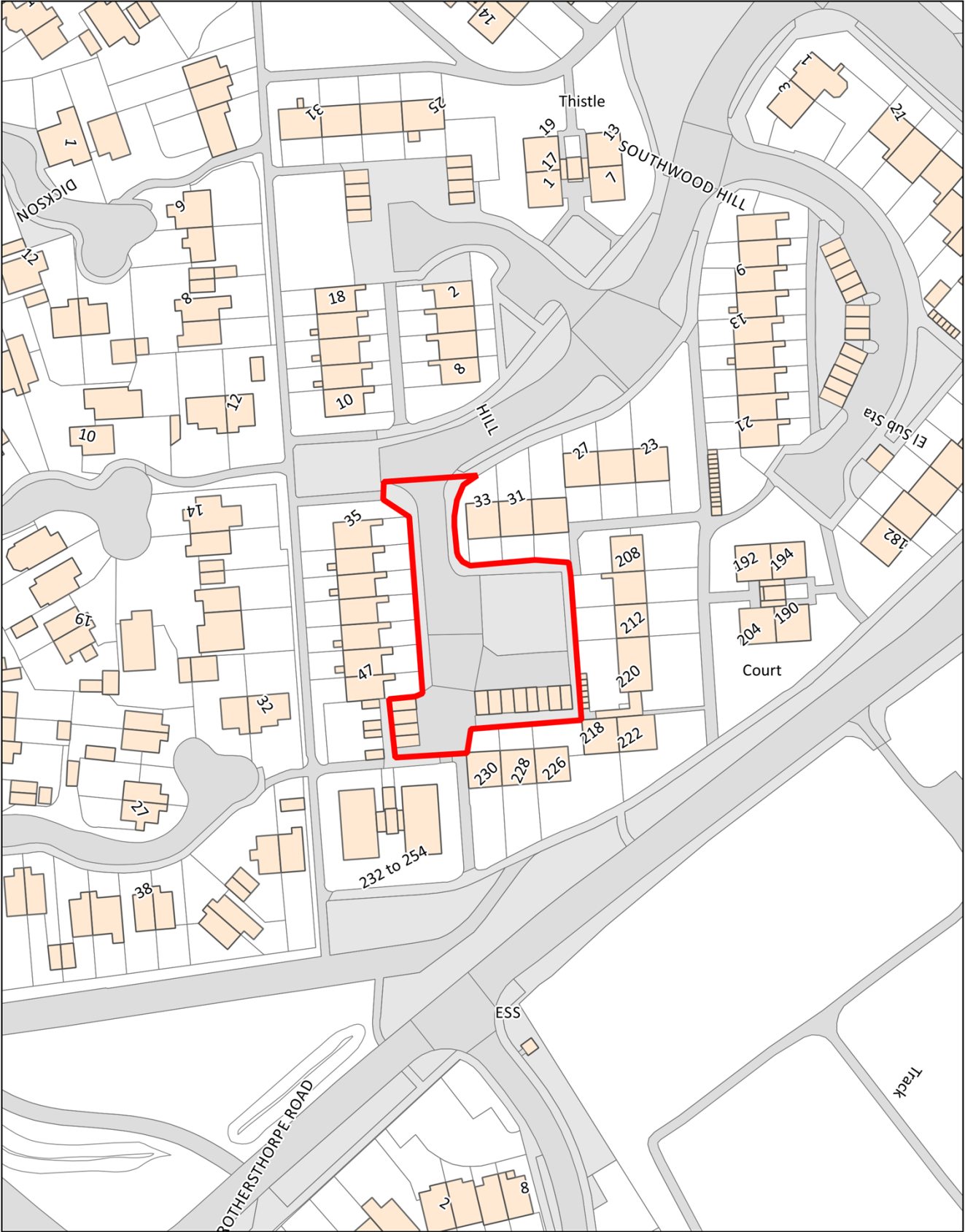
10.1 N/2018/1549 and N/2019/1048.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Frameworks and Strategies.



Title: **Land to rear of 33 Southwood Hill**

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