



# **PLANNING AGENDA**

**Tuesday, 19 November 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](mailto:democraticservices@northampton.gov.uk) or 01604 837722



# PLANNING COMMITTEE

## AGENDA

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

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**  
(Copy herewith)
- 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**  
(Copy of addendum herewith)
  - (A) N/2017/1369 - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR UP TO 525 DWELLINGS, OPEN SPACE, CHILDREN'S PLAY AREAS AND ASSOCIATED INFRASTRUCTURE (CROSS BOUNDARY PLANNING APPLICATION). LAND NORTH OF NEWPORT PAGNELL ROAD**
  - (B) N/2019/0546 - CONVERSION OF EXISTING DWELLING TO 6NO APARTMENTS, CONSTRUCTION OF ATTACHED NEW APARTMENT BUILDING CONTAINING 4NO APARTMENTS, CONSTRUCTION OF 4NO THREE BEDROOM DWELLINGS, WIDENING OF EXISTING VEHICULAR ACCESS TO KETTERING ROAD, FORMATION OF NEW VEHICULAR ACCESS TO MOUNTFIELD ROAD, PROVISION OF CAR PARKING AND ASSOCIATED WORKS INCLUDING DEMOLITION OF EXISTING OUTBUILDING. HIGHFIELD HOUSE, 383 KETTERING ROAD**

- (C) N/2019/1028 - CHANGE OF USE FROM 3NO SELF-CONTAINED FLATS (USE CLASS C3) TO 3NO SEPARATE HOUSES IN MULTIPLE OCCUPATION UNITS (USE CLASS C4) (G/F 3-BED 5 OCCUPANTS; 1/F 4-BED 6 OCCUPANTS AND 2/F 3-BED 5 OCCUPANTS), TOGETHER WITH ANCILLARY CHANGES TO EXISTING WINDOWS AT LOWER GROUND LEVEL, NEW WINDOWS TO THE EXISTING ROOF SLOPE AND ANCILLARY BIN AND BICYCLE STORES 10 THE CRESCENT
- (D) N/2019/1095 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION WITH REAR DORMER. 73 DERBY ROAD
- (E) N/2019/1140 - CONSTRUCTION OF 1NO SEMI DETACHED TWO STOREY DWELLING. 5 LACEBY WALK
- (F) N/2019/1165 - CHANGE OF USE FROM DWELLING HOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 15 BURNS STREET
- (G) N/2019/1179 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 38 FLORENCE ROAD
- (H) N/2019/1210 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION (AMENDMENT TO PLANNING PERMISSION N/2019/0607). 51 ADNITT ROAD

#### 11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

- (A) N/2019/0980 - DEMOLITION OF 3NO EXISTING GARAGES AND CONSTRUCTION OF 2NO HOUSES. LOCK UP GARAGES, MARGARET STREET
- (B) N/2019/1037 - DEVELOPMENT OF 2NO RESIDENTIAL UNITS WITH ASSOCIATED PARKING. LAND AT SWANSEA CRESCENT
- (C) N/2019/1141 - VARIATION OF CONDITION 3 OF PLANNING PERMISSION N/2018/1513 (DEMOLITION OF DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS WITH ASSOCIATED PARKING) TO AMEND THE INTERNAL LAYOUT OF THE SECOND FLOOR. 48A TYES COURT

#### 12. ITEMS FOR CONSULTATION

- (A) N/2017/1414 AND N/2018/1048 - OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 525 DWELLINGS, OPEN SPACE, CHILDREN'S PLAY AREA AND ASSOCIATED INFRASTRUCTURE (APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT) AND AMENDMENT TO S/2017/2577/EIA - OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 525 DWELLINGS, OPEN SPACE, CHILDREN'S PLAY AREA AND ASSOCIATED INFRASTRUCTURE (APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT). LAND NORTH OF NEWPORT PAGNELL ROAD - CONSULTATION BY SOUTH NORTHANTS COUNCIL

**(B) N/2019/1309 - S73 PLANNING APPLICATION TO VARY CONDITIONS 4 (WASTE THROUGHPUT) AND 6 (HOURS OF OPERATION) OF PLANNING PERMISSION 18/00044/WASFUL. SITE 7C VEOLIA ES (UK) LIMITED, EDGAR MOBBS WAY - CONSULTATION BY NORTHAMPTONSHIRE COUNTY COUNCIL**

**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, 22 October 2019

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Bottwood, Cali, Golby, Haque, Kilbride, B  
Markham, M Markham, McCutcheon and Russell

**OFFICERS:** Rita Bovey (Development Manager), Nicky Scaife (Development  
Management Team Leader), Adam Smith (Principal Planning Officer),  
Vanessa Blane (Planning Solicitor), Ed Bostock (Democratic Services  
Officer)

#### 1. APOLOGIES

Apologies were received from the Head of Planning.

#### 2. MINUTES

The minutes of the meeting held on 3<sup>rd</sup> September 2019 and 24<sup>th</sup> September 2019  
were agreed and signed by the Chair.

#### 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/2019/0591**

Councillor Hallam  
Michel Kerrou

##### **N/2019/0321**

George Bodaly  
James Thorpe

##### **N/2019/1048**

James Thorpe

#### 4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor M Markham declared a disclosable and pecuniary interest in respect of  
items 11a and 11b as a board member of Northampton Partnership Homes (NPH)  
and advised that she would leave the room whilst the items were discussed.

Councillor Kilbride declared a disclosable and pecuniary interest in respect of items 11a and 11b as a board member of NPH and advised that he would leave the room whilst the items were discussed.

Councillor Bottwood declared a disclosable and pecuniary interest in respect of items 11a and 11b as a board member of NPH and advised that he would leave the room whilst the items were discussed.

Councillor Birch declared a personal interest in respect of item 10c as a County Councillor for Kingsthorpe South and advised of no predetermination.

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

The Chair explained that there was a need to arrange a special Planning Committee to consider a Northamptonshire Country Council consultation relating to the North West Relief Road. A provisional date of 14<sup>th</sup> November had been identified and it was anticipated that the meeting would last within the hour to allow for councillors sitting on the Overview and Scrutiny Working Group to attend both meetings.

**6. LIST OF CURRENT APPEALS AND INQUIRIES**

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Head of Planning. She reported that the Inspector had made decisions on 3 appeals.

An appeal relating to 161 Euston Road had been refused by officers on concentration grounds, however the Inspector concluded that 15.9% was not significantly in excess of the concentration limit. They further found no compelling evidence that a 4 bed HIMO would create significant noise and problems in the area. The appeal was allowed.

An application relating to 58 Moore Street was refused by officers due to the limited size of the kitchen based on 6 people occupying the property. The Inspector also agreed with this and dismissed the appeal.

In response to questions, the Committee heard that HIMO applications where concentration levels were around 17%, were dismissed by the Inspector as it would be contrary to the provisions of the HIMO Interim Policy.

Members discussed the report.

**RESOLVED:**

That the report be noted.

**7. OTHER REPORTS**

None.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

## **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

None.

## **10. ITEMS FOR DETERMINATION**

### **(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**

The Principal Planning Officer submitted a report to the Committee and explained that the property was a non-designated heritage asset in a Conservation Area. The proposed dwellings met national space standards, existing openings would generally be used and the front dormer would be removed as part of the development. An independent viability assessment had been carried out which concluded that the site would not achieve the standard 15-20% developer profit if affordable housing or s106 contributions were provided. It was noted that the development would contribute to the Council's 5 year housing land supply.

In response to questions, the Committee heard that Environmental Health had assessed the site and recommended Conditions 4 and 5 to address the potential for land contamination. There were no plans to gate off the entrance to the site. A condition relating to security measures which could include CCTV was also recommended in the Committee Report.

Members discussed the report.

### **RESOLVED:**

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

### **(B) N/2019/0591 - 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**

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the Addendum which included comments from Environmental Health and the Lead Local Flood Authority. Members were reminded that outline planning permission was granted earlier in 2019 by the Committee with all matters reserved except access, which would be from Devon Way and Goodwood Avenue. The Section 106 Legal Agreement for the outline permission had secured 35% affordable housing on site as well as financial contributions for education, healthcare and neighbouring open space. It was explained that the developer had submitted a duplicate reserved matters application and therefore the Committee Report includes a summary of the neighbour objections to the duplicate application. The proposal comprised a mix of 2 storey houses and maisonettes, with a total of 46 affordable units proposed. The properties would be outward facing and 2 parking spaces

would be provided per dwellinghouse. It was noted that the Local Highway Authority had not raised any objections to the application.

Councillor Hallam, on behalf of local residents, spoke against the application and commented that residents welcomed the removal of flats and the introduction of maisonettes but noted that surrounding properties was characterised by bungalows and that bungalows would help traffic as they are generally served by fewer cars than houses.

In response to questions, Councillor Hallam stated that there had been widespread support when the plans indicated that bungalows might be built on the site. He indicated that there was already an issue with people parking in the area and walking to the nearby industrial estate; more housing would compound the parking and traffic problems.

Michel Kerrou, a local resident, spoke against the application and commented that the plans were too ambitious and on too small a plot of land resulting in an overdevelopment of the site. The proposed development offered no community benefits. He suggested that hedgerows would make a better boundary than what was proposed and that the development would have an urban edge, with no buffer zones and result in a net loss of biodiversity. Also development would be parking dominated. Mr Kerrou noted that a very similar application was withdrawn in 2006 on grounds of overdevelopment and inadequate visitor parking.

The Principal Planning Officer confirmed that there were 51 visitor spaces proposed across the development and further confirmed that Condition 5 related to landscaping and would allow details of boundary planting to be secured.

Responding to questions, the Principal Planning Officer advised that construction works would be controlled by a condition pursuant to the outline planning permission but that concerns relating to construction vehicles and school drop off/pick up times would be raised with the developer. He confirmed that there was no specific policy requiring the provision of homes for the elderly on this site. He further confirmed that there were slight design differences between the private market and affordable properties but that they shared common design features. He advised Members that the indicative layout plans in the previous outline planning application were merely an indication of what could, not would, be built on the site. Also, it was highlighted that the back to back separation distances to the bungalows on Druids Way would generally be at least 21 metres, but that there were a couple of instances where existing properties benefitted from conservatory additions that this would reduce to some 19 metres.

Members discussed the report.

**RESOLVED:**

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

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

The Development Manager submitted a report to the Committee. Members were informed that the application pertained to the ground floor of the property only, which was currently vacant. A small kiosk was proposed to the front of the shop where ice cream would be sold. The basement would be used for storage.

Members discussed the report.

**RESOLVED:**

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

**(D) N/2019/1079 - 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**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional neighbour objections and comments from the Town Centre Conservation Advisory Committee. Members were informed that the property, currently vacant, would provide spacious en-suite accommodation for 6 occupants. Bin and cycle storage would also be provided. The concentration of HIMO properties in a 50m radius would be 0.6% if the application was approved.

In response to a question, it was explained that access to the cycle storage would be through the property.

Members discussed the report.

**RESOLVED:**

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

**(E) N/2019/1209 - 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**

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained representations made by the Local Highway Authority. The Committee were informed that the variation application sought to increase the size of the proposed extension by 0.8 metres in width.

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**

**(A) N/2019/0321 - DEMOLITION OF 11NO DOMESTIC GARAGES AND ERECTION OF 1NO NEW BUILD BUNGALOW. LOCK UP GARAGES, CONNAUGHT STREET**

Councillors M Markham, Bottwood and Kilbride left the meeting at this juncture.

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained the correct location plan. The Committee were informed that the application had been amended since its original submission; additional parking would be removed to allow for the retention of several trees. There were no objections from the Local Highway Authority or Environmental Health.

George Bodaly, a local resident and occupant of a garage proposed for demolition, spoke against the application and commented that he needed his garage to store a mobility scooter as well as bicycles, tricycles and undertake engineering projects; the replacement he had been offered was too far from his property. Without a garage, Mr Bodaly stated that he would be forced to park his scooter on the street where it would become a target for vandals.

Responding to a question, Mr Bodaly confirmed that he received notification of the proposed development a number of months ago via a letter and that the scooter is currently kept outside his property.

James Thorpe, Construction Manager for Northampton Partnership Homes (NPH), spoke in support of the application and commented that tenants of the 3 occupied garages had all been offered replacements and noted that the garages were meant for vehicles only. He stated that Mr Bodaly had refused to meet with NPH officers to assist in finding a solution.

In response to questions, Mr Thorpe confirmed that Mr Bodaly was not a tenant of NPH, however officers had made phone calls and offered to visit him; Mr Thorpe believed that NPH had done everything they could to accommodate him.

The Development Manager highlighted that the present arrangement is a private matter.

Members discussed the report.

**RESOLVED:**

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

**(B) N/2019/1048 - 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**

Councillor B Markham left the meeting at this juncture.

The Development Manager submitted a report to the Committee. Members were informed that work had commenced onsite, however level changes were more severe than anticipated. This application sought to address the circumstances and the proposed bungalow would sit 0.5M higher than the original submission.

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**

None.

The meeting concluded at 7:09 pm

Planning Service

Head of Planning: Peter Baguley



**List of Appeals and Determinations – 19<sup>th</sup> November 2019**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2018/1544</b> 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	<b>ALLOWED</b>
<b>N/2018/1599</b> 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	<b>AWAITED</b>
<b>N/2019/0157</b> 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	<b>AWAITED</b>
<b>N/2019/0369</b> 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	<b>AWAITED</b>
<b>N/2019/0447</b> 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	<b>AWAITED</b>
<b>N/2019/0667</b> 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	<b>AWAITED</b>
<b>N/2019/0903</b> APP/V2825/D/19/3240035	DEL	First floor rear extension at 210 Main Road, Duston	<b>AWAITED</b>

**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 19<sup>TH</sup> November 2019

### 10. ITEMS FOR DETERMINATION

#### Item 10a

N/2017/1369

Outline planning application with all matters reserved except access for up to 525 dwellings, open space, children's play areas and associated infrastructure (cross boundary planning application)

Land North of Newport Pagnell Road

**Great Houghton Parish Council** - comment in addition to those previously received are summarised as follows:

- Raise concern regarding impact on the village and its residents due to anticipated substantial increase in vehicles and traffic movements on road leading from the estate (The Green), through the village, and onto A428 Bedford Road.
- Concerned if permitted will result in a number of accidents, injuries and damage and considerable traffic congestion.
- Mitigation measures should be funded entirely by developers by way of a Section 106 Agreement.

**Officer comments:** Matters in respect of highway impacts and proposed mitigation are addressed in the report.

#### **Amended Conditions:**

9) Before any above ground works commence, full engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out prior to 1<sup>st</sup> occupation of any dwelling in accordance with the approved details as follows:

- Pedestrian Crossing (Plan Ref: 20168\_03\_08)
- Caswell Road/ Rhosili Road/ Pavillion Drive (Plan Ref: 20168\_08\_020\_03C)
- Wooldale Road/ Caroline Chisholm School Access (Plan Ref: 20168\_08\_020\_03C)
- Wooldale Road/ Quinton Road (Plan ref: 20168\_08\_020\_11B)
- Wooldale Road/ Berry Lane roundabout (Plan ref: 20168\_08\_12)

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

11) A detailed scheme and timetable for the pedestrianisation and removal of vehicle rights to The Green and provision of the estate road linking from Newport Pagnell Road to The Green as indicated on the Indicative Masterplan (CAM.0897\_01 Rev R) shall be submitted for approval in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details once the vehicle route through the development is complete and in any event prior to the occupation of the 301<sup>st</sup> dwelling.

Reason: In the interests of highway safety and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core

Strategy and the National Planning Policy Framework.

13) The development hereby permitted shall be carried out in accordance with the measures detailed within the submitted Travel Plan dated June 2018 (reference 20168/10-17/4444 Rev B by Consulting Development Engineers with the exception of the provision of electric vehicle charging points which shall be provided in accordance with the details approved under Condition 23.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

31) Prior to occupation of each phase within Northampton Borough a Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood risk assessment documents, reference 20168/06-17/3941 Rev A, dated September 2017, Prepared by Mewies Engineering Consultants Ltd, Flood Risk Assessment Addendum ref 20168/12-17/5596 dated December 2017 and Hampton Green, Northampton Flood Risk Assessment Addendum ref 20168/05-18/6045 prepared by MEC dated May 2018 reference number XYZ dated ABC prepared by PQR.

These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in the interests of flood prevention in accordance with Policy BN7 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.

In the event that the Council's Specialist Housing Supplementary Planning Document considered by Cabinet on 13 November 2019 is formally adopted prior to determination of the application, an additional condition will be required as follows:

33) As part of any reserved matters submission in respect of the site within Northampton Borough, a scheme that demonstrates the provision of 4% of all new market dwellings and 8% of affordable dwellings to be constructed to Part M4(3) of the Building Regulations, or their successor, to enable wheelchair accessibility shall be submitted for approval in writing by the Local Planning Authority.

Reason: To ensure the provision of a range of housing to meet different accommodation needs in accordance with the requirements of Policy H1 of the West Northamptonshire Joint Core Strategy and the Council's Specialist Housing Supplementary Planning Document (2019).

#### **Item 10b**

**Conversion of existing dwelling to 6no apartments, construction of attached new apartment building containing 4no apartments, construction of 4no three bedroom dwellings, widening of existing vehicular access to Kettering Road, formation of new vehicular access to Mountfield Road, provision of car parking and associated works including demolition of existing outbuilding  
Highfield House, 383 Kettering Road**

**Paragraph 7.4 line 4** – three visitor parking spaces are proposed instead of two.

**Paragraph 7.14 is amended** as follows “The other neighbour on Kettering Road, no. 389, would be faced with a largely blank elevation to the side of the extension to the building, **but including four small windows which would be obscure glazed**, thereby preventing overlooking of this

neighbouring garden. This neighbouring house has side facing windows and the door to the house is also on the side. These windows appear to be secondary or serving non-habitable rooms and the separation of 7m would prevent any undue overshadowing of the property or this door and windows.

**Additional Condition 15:** The ground and first floor windows to the north-east elevation of the new build flats hereby approved shall be fixed except at top vent level and shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

**Additional Condition 16:** 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 dwellinghouses Plots 1 to 4 hereby permitted.

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

**Item 10c**  
**N/2019/1028**

**Change of Use from 3no self-contained flats (Use Class C3) to 3no separate Houses in Multiple Occupation units (Use Class C4) (G/F 3-bed 5 occupants; 1/F 4-bed 6 occupants and 2/F 3-bed 5 occupants), together with ancillary changes to existing windows at lower ground level, new windows to the existing roof slope and ancillary bin and bicycle stores**  
**10 The Crescent**

**Letter from the planning agents** sent to Committee Members setting out more information on the proposal and including the following points:

- The property is a three storey town house converted into flats.
- The property had been vacant for a year before purchase.
- Although 16 bed spaces may sound like “overdevelopment” this is a large property which could be used for that many bed spaces without a change of use.
- Proposal includes large and spacious bedrooms, each with en-suite. Direct garden access for the ground floor, high ceilings, modernised kitchens.
- Changes exceed housing standards.
- Appreciate concerns over HIMOs but client has a good reputation in another part of the country.
- Have tried to demonstrate that the proposal would not lead to on street parking stress.
- Client would encourage tenants to use public transport rather than bringing their own car.
- Does not lead to overconcentration of HIMOs.

**Officer comments** – The points made are generally covered in the Committee report, with the exception of the character and reputation of the prospective landlord, which is not a material planning consideration as there could be a change of landlord at any time.

**Additional Condition 7:** Prior to first occupation of the ground floor unit, the enlarged lightwells to the front elevation shall be constructed as shown on the approved plans and in accordance with full details to be first submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

**Item 10d**  
**N/2019/1095**

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants, including single storey rear extension and loft conversion with rear dormer**  
**73 Derby Road**

The comments from the **Highway Authority in Paragraph 6.2** should be replaced as follows:

“The surrounding streets are already saturated, and the proposal would intensify the situation. Also, raised concerns about the bikes being carried through the shared living area.”

**Officer comments:** the recommendation is not affected by this change as the site is in a sustainable location and closed to local services. Notwithstanding the fact that no parking is provided, the application is still recommended for approval.

**Item 10e**  
**N/2019/1140**  
**Construction of 1no semi detached two storey dwelling**  
**5 Laceby Walk**

Application description amended to read “Construction of 1 no. terraced two storey dwelling”.

Additional letter of objection received commenting on following grounds:

- the proposal would increase water run off, potential for flooding and accumulation of rainfall in the vicinity of the site.
- the site contains undulating land with variation in ground levels. Could be problems for foundations and damage to property.
- the proposal may impact on the Lombardy tree at the front of the site under third party ownership.
- the objector contends that the site is in a conservation area being close to Kingfisher Lake.
- concerns on parking, access and construction issues are raised again.

**Officer comments:** The proposed dwelling lies in a low risk flood zone and drainage is covered by Part H of the Building Regulations. A site levels condition is recommended on the grant of planning permission. Installation of foundation of any approved dwelling would be checked and monitored through Building Regulations process. The tree in question is outside the application site and offers limited amenity value in the locality. The site is not within a conservation area.

**Environment Agency** – most of site apart from front garden is in low risk flood zone, no objections raised.

**Item 10f**  
**N/2019/1165**  
**Change of Use from Dwelling house (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants, including single storey rear extension**  
**15 Burns Street**

**Paragraph 6.2 line 3** should read “Also, raised concerns about the **bike** being carried through the kitchen”.

**Item 10g**  
**N/2019/1179**  
**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants**  
**38 Florence Road**

No update.

**Item 10h**  
**N/2019/1210**  
**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants, including single storey rear extension (Amendment to Planning Permission N/2019/0607)**  
**51 Adnitt Road**

No update.

## **11. NORTHAMPTON PARTNERSHIP HOMES**

**Item 11a**  
**N/2019/0980**  
**Demolition of 3no existing garages and construction of 2no houses**  
**Lock Up Garages, Margaret Street**

No update.

**Item 11b**  
**N/2019/1037**  
**Development of 2no residential units with associated parking**  
**Land at Swansea Crescent**

No update.

**Item 11c**  
**N/2019/1141**  
**Variation of Condition 3 of Planning Permission N/2018/1513 (Demolition of domestic garages and construction of 2no new dwellings with associated parking) to amend the internal layout of the second floor**  
**48A Tyes Court**

No update.

## **12. CONSULTATION**

**Item 12a**  
**N/2017/1414 and N/2018/1048**  
**Outline application for a residential development of up to 525 dwellings, open space, children's play area and associated infrastructure (application accompanied by an Environmental Statement)**  
**and**  
**Amendment to S/2017/2577/EIA - Outline application for a residential development of up to 525 dwellings, open space, children's play area and associated infrastructure (Application accompanied by an Environmental Statement)**  
**Land North of Newport Pagnell Road – Consultation by South Northants Council**

No update.

**Item 12b**  
**N/2019/1309**  
**S73 Planning Application to vary Conditions 4 (Waste Throughput) and 6 (Hours of Operation) of planning permission 18/00044/WASFUL**  
**Site 7C Veolia ES (UK) Limited, Edgar Mobbs Way**

No update.



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1369

**LOCATION:** Land to North of Newport Pagnell Road

**DESCRIPTION:** Outline planning application with all matters reserved except access for up to 525 dwellings, open space, children's play areas and associated infrastructure (cross boundary planning application)

**WARD:** Nene Valley Ward

**APPLICANT:** Martin Grant Homes Ltd & Harcourt Developments Ltd  
**AGENT:** Pegasus Group Ltd

**REFERRED BY:** Head of Planning  
**REASON:** Major Application requiring a S106

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1 RECOMMENDATION**

**1.1 APPROVAL IN PRINCIPLE** subject to the following:

1.1.1 The prior completion of a Section 106 agreement to secure the planning obligations as set out in the heads of terms listed in paragraph 7.60 of this report.

**1.2** The conditions as set out below and for the following reason:

The National Planning Policy Framework supports sustainable housing development and economic growth. The site is allocated for development as part of a larger Sustainable Urban Extension under Policy N6 of the West Northamptonshire Joint Core Strategy. The proposed development of the overall site, including the land within South Northamptonshire, for up to up to 525 dwellings forms a significant and vital component of the Borough Council's 5 year housing land supply. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental, visual and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal is in accordance with the requirements of the National Planning Policy Framework, Policies N6, SA, S1, S2, S3, S4, S5, S7, S9, S11, C1, C2, RC2, H1, H2, H4, BN1, BN2, BN5, BN7, BN9, INF1, and INF2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

- 1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.
- 1.4 Furthermore, due to the nature and complexity of the planning conditions, and to ensure that they align with conditions imposed by South Northamptonshire District Council, it is recommended that delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to amend and add to the conditions as appropriate.

## **2 THE PROPOSAL**

- 2.1 The application is in outline with all matters reserved except for access for up to 525 dwellings, open space, children's play areas and associated infrastructure.
- 2.2 The application site is a cross-boundary site divided into two parcels, the northern parcel of land being situated within Northampton Borough, and the southern parcel within South Northamptonshire, with the parcels divided by a minor single track road known as 'The Green' which sits within the boundary of South Northamptonshire. Whilst the application is in outline it is estimated that the development would provide approximately 115 dwellings within the northern parcel and 410 dwellings within the southern parcel.
- 2.3 The principal means of vehicular access to the site will be via a new roundabout from Newport Pagnell Road. The Green, a minor road that divides the site and extends from Newport Pagnell Road towards Great Houghton, is proposed to be downgraded at its western end to a footway/cycleway only. The proposed new estate road would extend from the new roundabout on Newport Pagnell Road joining The Green at its eastern end within the application site, where it would remain open to vehicles and continue on its current alignment towards Great Houghton.
- 2.4 The proposal includes areas of open space incorporating areas of drainage attenuation and green links throughout the site, with a large area of open space proposed in the northern parcel adjacent to Brackmills Wood with potential to incorporate a Local Area of Play and informal kick-about area, and a larger, more formal play area and playing pitch proposed in the southern parcel.
- 2.5 For clarification, as the application site falls within the control of two Local Planning Authorities, a planning application has been submitted to both Authorities for determination. The Borough has therefore worked closely with officers at South Northamptonshire both during the pre-application and planning application stage in considering the development proposals. Whilst the details submitted to both Authorities are for the site in its entirety, the relevant Authorities can only determine the part of the application that falls within their boundary. As such, the Borough are required to determine the part of the application that sits within the northern parcel of land to the north of The Green only. Notwithstanding this, for the purpose of providing a comprehensive understanding of the proposed development, this report will describe and review the development in its entirety.
- 2.6 The application is supported by an indicative Masterplan, parameter plans setting out proposed Land Use, and Access and Movement, a Planning Statement, Design and Access Statement, and a number of technical supporting documents contained within an Environmental Statement including a Transport Assessment, Air Quality Assessment, Ecology report, Arboricultural and Contamination reports, Flood Risk Assessment and a Statement of Community Involvement.

## **3 SITE DESCRIPTION**

- 3.1 The application site is located to the south east of Northampton Town Centre, east of Hardingstone and south of Brackmills industrial estate, and comprises 26.4 hectares of land divided into two

parcels by The Green, a minor single track road. The northern section of the site is 8.3 hectares in size comprising an area of arable land with woodland to the north, subject to a Woodland Tree Preservation Order, and sits within Northampton Borough. The southern section is 18.1 hectares comprising an area of former landfill, now semi improved grassland and broadleaved plantation, and sits within South Northamptonshire.

- 3.2 The application site forms part of an area of land allocated for development under Policy N6 of the West Northamptonshire Joint Core Strategy as the Northampton South of Brackmills Sustainable Urban Extension (SUE) for the provision of in the region of 1,300 dwellings and associated infrastructure. The majority of the allocated SUE site is situated to the west of the application site extending towards Hardingstone, and is in the ownership of Homes England. This land is subject to an existing outline approval for development of up to 1,000 dwellings, a local centre, primary school, public house and community facility, and a reserved matters approval for the first Phase of development granted in August 2019. The area of land which is the subject of this current application is under separate ownership and forms the remainder of the land allocated under Policy N6.
- 3.3 The northern boundary of the northern parcel of land is surrounded on three sides by Brackmills Wood, which is in the ownership of the Borough Council. Beyond this, to the north, is Brackmills industrial estate. A hedgerow defines the eastern boundary beyond which is agricultural land. Beyond the hedgerow on the western boundary is currently agricultural land, which forms the remainder of the SUE allocation and is subject to the existing outline consent.
- 3.4 The Green, a minor single carriageway road, which provides access from Newport Pagnell Road to the village of Great Houghton, divides the northern and southern parcels of land and forms the district boundary between the Borough and South Northamptonshire along its northern side. The southern parcel of land comprises an area of open fields intersected by hedgerow running east/west through the centre of the site. Newport Pagnell Road forms the southern boundary of the site beyond which is recently approved residential development within South Northamptonshire currently under construction.
- 3.5 The site is not subject to any landscape or wildlife designations. The nearest heritage assets are located some considerable distance to the west in Hardingstone, with Great Houghton and Little Houghton Conservation Areas some distance further to the north east.
- 3.6 The application site is situated in Flood Zone 1 with the land generally undulating throughout, rising to the north eastern corner. Land within the southern part of the site falls generally from east to west, and from south east to north west within the northern part with a more pronounced slope in the northern section. Along The Green the land generally rises to the north west.

## **4 PLANNING HISTORY**

- 4.1 There is no relevant planning history.

## **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  
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

### **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 N6 – Northampton South of Brackmills Sustainable Urban Extension  
Policy SA - Presumption in Favour of Sustainable Development  
Policy S1 - The Distribution of Development  
Policy S3 - Scale and Distribution of Housing Development  
Policy S4 - Northampton Related Development Area  
Policy S7 - Provision of Jobs  
Policy S10 - Sustainable Development Principles  
Policy S11 - Low Carbon and Renewable Energy  
Policy C2 - New Developments  
Policy RC2 - Community Needs  
Policy H1 - Housing Density and Mix and Type of Dwellings  
Policy H2 - Affordable Housing  
Policy H4 - Sustainable Housing  
Policy BN1 – Green Infrastructure Connections  
Policy BN2 – Biodiversity  
Policy BN5 – The Historic Environment and Landscape  
Policy BN7 - Flood Risk  
Policy BN9 - 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:

E20 - New Development (design)

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)  
Biodiversity SPD for Northamptonshire (adopted September 2017)  
Planning Obligations SPD (2013)

## 5.6 Other Material Considerations

Northampton Green infrastructure Plan (2016)  
Open Space, Sport and Recreation Needs Assessment and Audit (2009)  
Infrastructure Delivery Plan Update (2017)

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **NBC Public Protection** – accept the findings of the updated noise addendum and advise measures to be conditioned accordingly; request the provision of EV charging points throughout the site at 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking); request S106 contribution towards air quality mitigation measures; and a condition in respect of contamination mitigation.

6.2 **NBC Housing Strategy** – following negotiations in respect of viability, the Housing Strategy Officer has accepted a tenure mix of 50% affordable rent and 50% shared ownership.

6.3 **NCC Highways** – no objection in principle subject to securing the following requirements:

A S106 Agreement to secure financial contributions towards the following:

- Junction improvements Tesco/Mereway gyratory
- Junction improvements Queen Eleanor gyratory
- Public Transport contribution

and conditions to secure the following off-site highway mitigation measures:

- Pedestrian Crossing (Plan Ref: 20168\_03\_08)
- Caswell Road/ Rhosili Road/ Pavillion Drive (Plan Ref: 20168\_08\_020\_03C)
- Wooldale Road / Caroline Chisholm School Access (Plan Ref: 20168\_08\_020\_10)
- Wooldale Road / Quinton Road (Plan ref: 20168\_08\_020\_11B)
- Wooldale Road / Berry Lane roundabout (Plan ref: 20168\_08\_020\_12)

In addition, request conditions to ensure the completion of the roundabout access on Newport Pagnell Road and relocation of speed limits prior to commencement of wider site clearance, earth moving, infrastructure installation and dwelling construction development, and the provision of 2 bus stops, puffin crossing, and the gateway feature prior to first occupation. Request link to the west of the site to the Hardingstone SUE, removal of vehicle rights to Green Lane to pedestrianize and ensure this is in place once vehicle route through the development is complete and prior to occupation of 301<sup>st</sup> dwelling, provision of 1 pair of sheltered bus stops through main estate route, Travel Plan, Construction Management Plan, and condition for measures for management of residential streets in the event they are not proposed for adoption as public highway.

6.4 **Highways England** – no objection, request contribution towards NGMS (CIL).

6.5 **NCC Lead Local Flood Authority** – no objection subject to conditions to secure detailed surface water drainage scheme, implementation of approved scheme and verification, and approval of scheme for maintenance and upkeep of the approved surface water drainage scheme.

6.6 **Environment Agency** – no objection, subject to condition in respect of contamination, and in respect of surface water infiltration into area of former landfill.

6.7 **Anglian Water** – no objection, subject to conditions in respect of a foul water strategy and surface water management strategy.

6.8 **Natural England** – following further receipt of further details in relation to package of improvements set out on drawing 'Brackmills Country Park Ecological Mitigation and Enhancement

Works', request confirmation that works will be completed by developer with maintenance by NBC supported by a commuted sum, agreement of detailed specification of works.

- 6.9 **NCC Ecology** – No objection subject to conditions to agree with the LPA a protocol to deal with Japanese Knotweed on the site, a Construction and Environmental Management Plan, a Landscape and Ecological Management Plan, lighting scheme, provision of bird and bat boxes, and an ecological design strategy.
- 6.10 **Northants Badger Trust** – no objection. Noted that no actual setts on site, but parts of site are used for foraging. The Group would wish to secure some foraging value on the site and protection of badgers during construction process. New landscape should be required to improve biodiversity in the locality, and request protection of mammals during construction.
- 6.11 **Northamptonshire Police** – request condition for development to meet the requirements of a Secured by Design Silver accreditation for the built form. Use of central LEAP to accommodate play opportunities for all age groups which is surrounded by roads is welcomed. Linear pieces of green space on both west and east boundaries should be overlooked by development, and need management agreement for open space to ensure sightlines not impeded from development onto Green Lane and the 'trim trail' and other footpath routes. Green space should have a defined purpose. Site seems to be overly permeable and comment has previously been made about Green Lane being used as a convenient 'escape route' and means of evading detection by criminals. Number of available routes should not lead to dilution of use and lower the footfall as routes can then appear unsafe for users. Use of rear parking courts should be avoided. Houses should be designed back to back to offer security with parking on plot to front or side.
- 6.12 **NCC Development Management** – request S106 contributions towards early years and primary education provision, libraries, and a condition for the provision of fire hydrants. Secondary education contributions to be provided by CIL.
- 6.13 **NHS England** – request financial contribution towards healthcare provision for the development.
- 6.14 **NCC Archaeology** – no objection, subject to condition to secure implementation of programme of archaeological work.
- 6.15 **Sport England** – advise outdoor sports facilities are not covered by CIL, and the applicant refers to significant provision to be provided at Brackmills SUE site. The requirement should be checked against the emerging playing pitch strategy to ensure needs generated from the development can be met. In addition, the County Football Association have advised of discussions with Wootton Parish Council in respect of potential S106 money in the area to upgrade existing local facilities in the area, and commented 'the size of development along the adjacent Morris Homes site suggests a significant enough increase in population to require some level of mitigation'.
- 6.16 **Construction Futures** – request the provision of 725 training and employment weeks and a financial contribution towards this provision.
- 6.17 **Brackmills BID** – comment that it is essential that development comes with a commitment to invest in infrastructure and the local environment. Would not support any development that could have a negative impact on both the highway network within the estate, in particular the A45 trunk road. Wish to ensure nil detriment to the operations of current businesses, and that there is no negative impact on business park's sustainable economic growth. Brackmills industrial estate experiences hundreds of daily HGV movements from companies using A45 and M1, current issue with reports of HGV drivers driving illegally towards Hardingstone along weight restricted Landimore Road. Further concern is additional vehicle movements through estate from construction traffic.
- 6.18 **Great Houghton Parish Council** – object. Concerns are summarised as follows:
- Transport Assessment makes no reference to impact on 'The Green' and no reference to upgrade of the existing 'The Green' road from the minor junction.

- Concern existing infrastructure is not adequate to take increased traffic movements – existing road is single track and extremely difficult for vehicles passing.
- Issue with pedestrian safety on 'The Green', no footpaths
- No assessment of air quality impacts within surrounding areas.
- No assessment of safety linked to potential additional traffic movement through Great Houghton.
- Gravely concerned with adverse impact on village and residents due to anticipated substantial increase in vehicles and traffic movement.
- Concerned regarding exit from site onto The Green and request it be omitted.
- Seek improvements including traffic calming installations along length of The Green and the High Street, improvement and upgrading of junction with A428 Bedford Road, introduction of 7.5 tonne weight restriction along these roads between the Bedford Road and the Newport Pagnell Road, introduction of 40mph speed limit along A428 between little Houghton junction and the Brackmills roundabout, further development of the National Cycleway (6) to link from the site, through the village and Bedford Road destinations.

6.19 **Hardingstone Parish Council** – object. Proposed 525 houses are on top of 1,000 on neighbouring site approved as part of SUE, which would add additional pressure to traffic network in area, which already struggles at peak times. Will add to pressure of already proposed developments in the area on education and healthcare. Overdevelopment of area, and not necessary. If approve, Parish Council would wish to be consulted on S106 contribution negotiations.

6.20 66 representations have been received. Comments are summarised as follows:

- Increased traffic in already congested area - impact on Newport Pagnell Road, Queen Eleanor Interchange, A428 Bedford Road, The Green.
- Increase in vehicles running through Great Houghton to access and egress development, and impact on High Street where there are various pinch points, danger to pedestrians and cyclists.
- Increased impact on junction with Newport Pagnell Road and Waitrose/Garden Centre and difficulty of exiting onto Newport Pagnell Road.
- Proposals do not adequately mitigate for the growth traffic on Newport Pagnell Road, and have inconsistent traffic predictions, developers should be required to give same undertaking to improvement works to Queen Eleanor Interchange before 1<sup>st</sup> occupation.
- A number of significant accidents have been ignored within the Transport Assessment.
- The Green/High Street in Great Houghton is badly maintained and full of potholes, and is narrow in places with no footpath on one side and dangerous for cyclists and pedestrians. Road cannot accommodate any more traffic.
- No assessment of the traffic impact on Great Houghton and safety linked to potential additional traffic movements through the village.
- No information regarding an upgrade of The Green.
- Travel Plan ignores fact of planning permission for several thousand houses in the locality.
- No assessment of the effect of the A428/High Street junction – the right hand turn is always difficult.
- Cumulative impact of future developments not considered.
- Should by 7.5 tonne weight restriction between Bedford Road and Newport Pagnell Road, introduce 40mph speed limit along the A428 between the Little Houghton Junction and Brackmills roundabout.
- Whole stretch of road between Hampton Green and A428 Bedford Road will become rat run increasing risk of accidents.
- Access onto Newport Pagnell Road should be made adequate.
- The development road linking to The Green should be closed to allow for a true footpath & cycle route protecting traffic movement through Great Houghton.
- Requires further development of National Cycleway (6) link from site through village to Bedford Road.

- Impact on and lack of local infrastructure, schools, doctors surgeries, pubs, shops to serve development – existing facilities are all pushed to capacity.
- Wootton has been the subject of flash flooding recently which will be made worse by development.
- Increased noise and pollution.
- Out of scale with surroundings.
- Appears 750 homes which the Council have already agreed to be built in Hardingstone will have a through link in to the new development.
- St George’s Fields development already impacts on the village in terms of traffic.
- In addition to proposed development, further excessive building is proposed within and adjoining Great Houghton, indicated by site consultations.
- Great Houghton is a Conservation Area – real danger of the essential character of the village being lost.
- Developers need to consider older citizens who require bungalows, or retirement villages

## **7 APPRAISAL**

### **Principle**

- 7.1 The NPPF advises that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework places considerable importance on the need to have an up-to-date development plan and, that where the development plan is out of date, Local Planning Authorities are advised to grant planning permission unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Paragraph 8 of the NPPF seeks to ensure the planning system maintains the provision of a sufficient number and range of homes to meet the needs of present and future generations.
- 7.2 Paragraph 11 of the NPPF advises that relevant policies for housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year housing land supply which is currently the case for the Borough. Therefore, in accordance with the presumption in favour of sustainable development, as outlined in Paragraph 11, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.3 The site forms part of a larger site allocated for development under Policy N6 of the adopted JCS for development as a Sustainable Urban Extension (SUE) for in the region of 1,300 dwellings and associated infrastructure. Therefore, it is considered that the site’s identification as a SUE should be given significant weight.
- 7.4 In this context, it is considered that the development of the site is broadly compliant with policy. Whilst it is recognised that the provision of up to 525 dwellings as proposed under this application is in addition to the existing 1,000 dwellings already approved on the remaining part of the Policy N6 site allocation which would result in a potential 1,525 dwellings in excess of the 1,300 originally anticipated by the policy, the Council cannot currently demonstrate a five year housing supply. As such, and subject to appropriate mitigation of any impacts arising from the development considered in more detail in the remainder of this report, it is not considered that this should weigh against the proposal. The development would make a significant contribution towards the Council’s housing requirements, with the provision of housing for the entire site, including that within South Northamptonshire, contributing towards the Borough’s housing need. In addition, the dwellings proposed within the Borough boundary would make a positive contribution to the Borough in terms of generating income through the New Homes Bonus and Council Tax.
- 7.5 As such, and subject to the considerations below, the proposal accords in principle with the overriding aims of the NPPF for the provision of housing and the Council’s obligations to ensure a 5 year housing land supply as required by the Government.

## **Community Consultation**

- 7.6 The application is supported by a Statement of Community Involvement which sets out the programme of community consultation undertaken in respect of the development proposals which included a five week programme of pre-application community consultation between January and February 2017. The consultation comprised briefings and targeted communications with stakeholders; scheme postcards distributed to over 5,600 homes and businesses in the area; advertisements in local papers; exhibition events in neighbouring communities; a consultation website with online feedback form; project leaflet; posters displayed in prominent community facilities and notice boards; and a dedicated telephone helpline and email. The consultation zone included the Parishes of Hardingstone, Hackleton, Wootton, Little Houghton, Great Houghton and Quinton.
- 7.7 in addition to the above, as part of the planning application process, site notices were posted at the application site and the application was advertised in the local paper in accordance with statutory planning requirements.

## **Design and Layout**

- 7.8 The NPPF advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people, creating safe, inclusive and accessible places that promote health and well-being, with a high standard of amenity, and providing opportunities to promote walking, cycling and public transport. Policy S10 of the JCS seeks to achieve high standards of design and promotes the use of sustainable development principles in relation to access to facilities, alternative transport methods, waste generation and building methods.
- 7.9 The application is submitted in outline with access for approval, and therefore the detailed design of the proposal in terms of layout, appearance, scale and landscaping would be a matter for consideration at reserved matters stage.
- 7.10 The proposal is accompanied by a Design and Access Statement and an Indicative Masterplan which broadly sets out the intended developed areas of the site and areas of greenspace and landscaping, incorporating proposed informal and formal play areas, and drainage areas. The eastern boundary of the site is proposed as a green edge to include a corridor of open space and linear woodland to provide a sensitive edge to the adjacent open countryside. Further woodland planting and an area of open space incorporating a play area is proposed in the northern parcel of land adjacent to Brackmills Wood. Within the southern parcel, a centralised Local Equipped Area for Play is proposed with an adjacent more formal kick about area. The specific details of these areas of formal and informal greenspace would form part of a detailed reserved matters application.
- 7.11 The primary vehicular access to the site would be from new roundabout on Newport Pagnell Road with a primary road running through the site connecting to The Green at its eastern end and extending into the northern parcel of land crossing The Green. The western stretch of The Green is proposed to be downgraded to become a pedestrian/ cycle green link and allow for further pedestrian and cycle linkages into the adjacent Homes England site to the north of The Green. Additional pedestrian/ cycle links are proposed from the northern parcel of land into Brackmills Wood and the industrial estate beyond. Provision for a vehicular link into the adjacent Homes England site to the west from the northern parcel of land is also proposed. The specific design details of these links would be agreed as part of any reserved matters application.
- 7.12 A section of hedgerow is proposed to be removed along the southern boundary of the site with Newport Pagnell Road directly opposite recent development to the south. Beyond this, the length of hedgerow to the east is proposed to be retained to allow a sense of transition from the countryside to the urban area when travelling in a westerly direction along Newport Pagnell Road. Sections of hedgerow along 'The Green' are also proposed to be removed to allow views from new

properties towards 'The Green' and the Homes England development beyond, and would allow for surveillance of this route.

- 7.13 The submitted Land Use Parameter Plan indicates building heights throughout the development of 2-2.5 storeys. The proposal seeks to provide higher density development towards the existing urban areas and lower densities towards the rural edges providing an average overall density throughout the site of 35 dwellings per hectare in accordance with the requirements of Policy H1 of the West Northamptonshire Joint Core Strategy. A condition is recommended to ensure that Secure by Design standards are achieved through the site. Full details of the precise layout, appearance and building heights, and housing mix would be considered at reserved matters stage.

### **Landscape and Visual Impact**

- 7.14 The NPPF seeks to ensure that planning protects and enhances our natural, built and historic environment contributing to conserving and enhancing the natural environment. These aims are reflected in Policies S10 and BN5 of the JCS which seek to protect the character and structure of the landscape from adverse visual impacts.
- 7.15 The overall site comprises 26.4 hectares of undulating predominantly arable land. The application site is not subject to any specific local or national landscape designation. The nearest conservation area is to the west in Hardingstone, situated beyond the adjacent land consented Homes England site, with Great Houghton and Little Houghton Conservation Areas some distance further to the north east.
- 7.16 The principle of development of the site has already been accepted through the allocation of the site for a Sustainable Urban Extension under the JCS, and the strategic visual and landscape impacts were considered as part of that process.
- 7.17 In respect of the northern parcel of land, the site is screened from the north by Brackmills Wood and Country Park. The development would be visible from the fields and the public footpath to the west but would in time be obscured by the proposed development permitted under the outline consent on the Homes England land. The development would be visible from the east and the south along The Green, but would in part be obscured by the existing vegetation along the eastern boundary and any additional planting approved as part of a landscaping scheme.
- 7.18 In respect of the southern parcel of land, views of the development would be more prominent along parts of Newport Pagnell Road where the existing hedgerow is proposed to be removed. Existing and proposed planting, the details of which would be considered at reserved matters stage, would assist in partially obscuring views from the east of the site. Again, from the west, views would be seen in the context of proposed development on the adjacent land. Overall, the built form would be seen in the context of proposed residential development to the west and existing and proposed development to the south of Newport Pagnell Road.
- 7.19 It is inevitable that the landscape character would change significantly with the development of the site. However, these impacts need to be weighed against the requirement for growth. The provision of sufficient and appropriate green infrastructure throughout the site and sensitive design of layout and building heights at reserved matters stage would assist in mitigating some of the impact on the existing landscape.

### **Open Space**

- 7.20 The submitted open space plan indicates the location and extent of provision of open space within the application site comprising of a total of 4.9 hectares within the northern parcel and 5.06 hectares within the southern parcel. Provision within the northern parcel would comprise areas of natural and semi-natural open space including the retained area of woodland to the north of the site and additional woodland planting to the immediate south of this. A Local Area for Play and informal kick-about area are proposed on an adjacent area of open space, and a Sustainable Urban Drainage basin. Provision within the southern parcel, within South Northamptonshire, would

include a centralised area of green space to include a Local Equipped Area for Play and adjacent seven-a-side pitch with a larger SUDs basin in the south western corner adjacent to The Green. Green links around the edges of the site are proposed to provide a circular walking/dog walking route, with a 'trim trail' proposed along the western boundary of the southern parcel.

- 7.21 Given that this is an outline planning application, whilst the broad locations of open space are indicated in the Illustrative Masterplan, the precise locations and details of these areas is yet to be fully defined. However, in order to provide certainty of an appropriate level of provision throughout the site, the Section 106 Agreement will include a minimum level of open space provision and typologies that is to be included within the part of the site within the Borough including, where necessary, appropriate play equipment. The Section 106 Agreement will also provide for a mechanism to be agreed that would ensure that these spaces are appropriately maintained throughout the life of the development.
- 7.22 A S106 contribution will be secured for the provision of or enhancement of off-site outdoor sports facilities. The precise details of the location of the facilities will be agreed as part of the S106 negotiations to ensure the provision mitigates the impacts of the development proposed.

### **Ecology and Green Infrastructure**

- 7.23 Section 15 of the NPPF seeks to ensure that planning decisions contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If significant harm to biodiversity resulting from development cannot be avoided, or adequately mitigated, planning permission should be refused. Policy BN2 of the JCS seeks to ensure development maintains and enhances existing designations or delivers a net gain in biodiversity, with appropriate weight attached to the status of any sites affected.
- 7.24 The proposed development would result in the loss of approximately 11.5 hectares of semi-improved grassland. The majority of hedgerows on site would be retained with the exception of a loss of parts along the southern boundary along Newport Pagnell Road, some internal hedgerows within the site and along The Green to allow connections and links throughout the site, and approximately a 50m section of hedgerow within the southern parcel to allow for built development. The majority of trees within the site would also be retained with the exception of the removal of a low number within the southern parcel. The protected trees within the northern parcel would be retained.
- 7.25 There are no statutory nature conservation designations within or immediately adjacent to the application site, however, the grassland and arable nature of the site and presence of Brackmills Wood to the north of the site, and woodland, scrub and hedgerows within the site provide opportunities and habitats for a number of species. The presence of trees on both the northern and southern parcels of land have the potential for bat roosting opportunities, however, submitted surveys indicate that presently non are being used for bat roosting, although at least six species of bat use the overall site for foraging. No badger sets are present on site, although a large sett is located to the west of the site, and the submitted survey indicates the site is used for foraging. The submitted surveys indicated that there is no evidence of other protected species within the site at the time of the survey.
- 7.26 The site is within approximately 2km of the Upper Nene Valley Gravel Pits Special Protection Area (SPA), which is a European Site and also notified as a Site of Special Scientific Interest (SSSI), designated for its population of overwintering birds, including bittern and golden plover and migratory populations of gadwall. There is potential for birds from this SPA to forage within the surrounding habitats, including the application site. Whilst surveys did not record the presence of such birds within the site, they indicated a presence on adjacent fields. The proposed development of the application site therefore has the potential to impact on a loss of supporting habitat. Furthermore, the increase in population arising from the proposed development has the potential to increase visitor numbers to the SPA to its detriment.



- 7.27 In respect of proposed mitigation, the Illustrative Masterplan indicates a landscape buffer along the eastern boundary to assist in screening wintering birds from recreational activities during winter months. An area of semi-improved grassland is proposed to the north of the site comprising native woodland planting and areas of wildflower grassland and green links are proposed throughout the site, including provision along the proposed pedestrian/ cycle link of The Green. In addition, enhanced pedestrian links are proposed from the site to Brackmills Wood to further encourage recreational use of this adjacent woodland and ease potential increased pressure on the SPA. The scheme also includes enhancements to an area of land within Brackmills Wood adjoining the site comprising thinning and coppicing of existing trees, the provision of a new wildlife pond, new wildflower grassland and markers for woodland walks.
- 7.28 The precise details of landscaping would be agreed as part of any reserved matters approval. Conditions are proposed to agree the protocol for dealing with the presence of Japanese Knotweed identified on the southern parcel of the site (a matter for South Northamptonshire), and to secure a Landscape and Ecological Management Plan and Ecological Design Strategy to ensure the ecological measures referred to in the outline submission, including the proposed enhancements to Brackmills Wood, are further developed and delivered, including a maintenance sum to ensure the ongoing maintenance of the Brackmills Wood enhancements to be secured by a S106 Agreement. A condition is also proposed for a Construction and Environmental Management Plan to ensure appropriate mitigation during construction, and conditions to agree details of a lighting scheme and the provision of bird and bat boxes.
- 7.29 Subject to the measures outlined in paragraph 7.28 above, it is considered that the development of the site as proposed would not lead to any unacceptable impacts on biodiversity and would be in accordance with the aims and objectives of national and local policy.

### **Highways**

- 7.30 The application is in outline with access for consideration.
- 7.31 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. Policy N9A of the JCS requires the SUE to mitigate the impacts of the proposed development on the highway network and provide an integrated transport network focused on sustainable transport modes.
- 7.32 The main vehicular access to the site would be from Newport Pagnell Road via a four-arm roundabout replacing the existing T-junction and right turn lane into the Morris Homes development to the south of Newport Pagnell Road within South Northamptonshire. 'The Green' at its western end will be closed off from Newport Pagnell Road to provide a pedestrian/ cycle link, with the road re-routed through the application site and re-joining the existing alignment of The Green to the north east as the new road crosses into the northern parcel of land. The new spine road running north east through the development from Newport Pagnell Road will form a priority junction with The Green, (The Green will be the minor arm of this junction). The spine road, which will comprise a 3m footway/cycleway along the northern side of the carriageway and 2m footway on the southern side, will extend into the northern parcel of land with a full vehicular link into the adjacent Homes England site.
- 7.33 The application is accompanied by a Transport Assessment (TA) in accordance with the requirements of the NPPF. An updated TA was submitted in June 2018 in response to issues raised in consultation responses. The TA carried out an assessment of the impact of the development on the local highway network at a number of junctions considering committed and proposed development flows up to the year 2031.
- 7.34 In respect of concerns regarding potential traffic impacts on The Green and toward Great Houghton, the updated TA advises July 2018 advises that in respect of the distribution of traffic "approximately 13 two way vehicle flows during the worst peak period would utilise The Green to the east of the site, travelling towards Great Houghton, when seeking to access the A428 Bedford

Road. Such a low number of two way vehicle flows, would not be considered to be severe impact upon the village, with one vehicle trip generated approximately every 5 minutes during the peak periods.”

- 7.35 The TA proposes a number of improvements to the existing carriageway in order to facilitate the provision of the new access roundabout on Newport Pagnell Road, including:
- Relocation of existing 40mph speed limit on Newport Pagnell Road in line with the newly aligned carriageway with a new gateway feature.
  - Existing bus stops on northern and southern sides of Newport Pagnell Road will be moved and realigned with new bus stop markings provided.
  - Extension of footways, provision of dropped kerbs and safe refuge areas for pedestrians/ cyclists
  - Provision of new puffin crossing on Newport Pagnell Road (Western Arm) away from immediate roundabout junction.
- 7.36 In addition, the following off-site highway mitigation measures are proposed and would be secured by condition by the relevant planning authority:
- Provision of signalised Pedestrian Crossing on Newport Pagnell Road/ east of entrance to Waitrose;
  - Junction improvements:
    - Caswell Road/ Rhosili Road/ Pavillion Drive;
    - Wooldale Road / Caroline Chisholm School Access;
    - Wooldale Road / Quinton Road; and
    - Wooldale Road / Berry Lane roundabout.
- 7.37 In addition to the above, developer contributions would be secured by a S106 Legal Agreement towards mitigation schemes proposed on the Queen Eleanor and Tesco/Mereway gyratories, and towards the provision of public transport to mitigate the impacts of the development proposed.
- 7.38 In respect of public transport provision, it is intended that a new bus service would be provided for the site, potentially through the diversion of an existing service through the site. This is subject to ongoing discussions with the service provider. Appropriate s106 contributions will be secured in this regard to ensure delivery, with a condition requiring the provision of a pair of bus stops along the main spine road through the development. The submitted TA advises that discussions between the applicant and Stagecoach have indicated that a bus service for the site can be implemented independently from the adjacent Homes England SUE scheme if necessary.
- 7.39 Given that this is an outline planning application, subsequent applications would need to be submitted to the Council for Reserved Matters consent. This would, in addition to finalising the layout of the development, and design of buildings, include the precise details of car parking provision. This would enable an appropriate provision to be considered and secured in order to prevent any significant adverse impact on the surrounding highway system, and to prevent the displacement of vehicles onto surrounding developments, which would not be desirable.
- 7.40 The application is supported by a Framework Travel Plan which outlines measures to be implemented as part of the development to promote sustainable transport measures. Measures proposed include Welcome Packs for new residents providing information on safe pedestrian routes to local facilities, bus timetable and route information, and details of car share websites; and improved pedestrian/ cycle routes and connectivity through the site and to the surrounding area. The implementation of these measures would be secured by condition.
- 7.41 A Construction Environment Management Plan will be required by condition in order to agree the route of construction traffic, site compounds and construction matters are appropriately mitigated to ensure there is no unacceptable adverse impact on the surrounding road network and amenity.
- 7.42 Subject to appropriate conditions and S106 obligations to secure the proposed mitigation measures as outlined above, the Highway Authority raise no objection to the proposed

development. The mitigation measures proposed are considered sufficient to mitigate the highway impacts of the development such that it would not lead to a severe cumulative residual impact on the highway network in accordance with the requirements of the NPPF and, therefore, the development is considered acceptable in this regard.

### **Flood Risk and Drainage Matters**

- 7.43 The NPPF seeks to ensure that in determining development proposals flood risk is not increased elsewhere and that development does not contribute to or is put at risk from unacceptable levels of water pollution. Policy BN7 of the JCS states that all new development should demonstrate that there is no increased risk of flooding to existing properties and should seek to improve existing flood risk management. Surface water management incorporating sustainable drainage techniques should be accompanied by a long term management plan and protect and enhance water quality. The design standard for new development within the Upper Nene catchment is for the 0.5% probability (1 in 200 chance of occurring in any year) event plus climate change.
- 7.44 The application site is situated in Flood Zone 1, having a low risk of flooding. The site is not subject to any existing land drainage features or watercourses within its boundaries. The closest public and surface water sewers are located on Newport Pagnell Road and Lady Hollows Drive to the south west of the site, and Gowerton Road to the north. The site is a greenfield site and therefore it is necessary to demonstrate that development of the site does not increase the risk of flooding, and has either a nil detriment on surface water flooding or seeks to improve existing flood risk management.
- 7.45 The application is supported by a Flood Risk Assessment (FRA) and subsequent addendums. The submitted FRA advises that infiltration into the underlying bedrock is not viable for the site. The north catchment area will be served by a single basin located towards the northern boundary. The southern catchment area will be served by a number of surface water sewer networks which drain in a 6.5 metre swale adjacent to The Green draining into an attenuation basin with a pumping station arrangement. Both systems will outfall into an existing land drainage system to the north west of the site which runs north downhill towards Gowerton Road. In respect of foul drainage, this would drain via a network of gravity sewers to the south out falling to an Anglian Water manhole on Lady Hollow Drive. Anglian Water has confirmed there is existing capacity within the Great Billing catchment area.
- 7.46 Subject to conditions to agree a detailed surface water drainage scheme, and appropriate verification and management of the approved scheme, and a detailed foul water drainage strategy, the relevant drainage authorities have no objection to the development as proposed.
- 7.47 As such, it is considered that subject to approval of appropriate details by condition, the development would not give rise to any increased flood risk within the area and would not put existing or proposed occupiers at risk in accordance with the requirements of both national and local policy.

### **Air Quality, Noise and Contamination**

- 7.48 The NPPF seeks to ensure that development is appropriate for its location in respect of pollution and contamination and impacts of noise arising from development are minimised. Policies S10 and BN9 of the JCS seek to ensure new development minimises pollution from noise, air and run off.
- 7.49 Impacts on existing air quality are likely to arise from the proposed development as a result of traffic and dust during the construction phase, and traffic during the operational phase. Conditions are proposed requiring the submission and approval of a Construction Environment Management Plan (CEMP), and to secure the provision of EV charging points throughout the development, and the promotion of sustainable transport measures through a Travel Plan. In addition, a financial contribution would be secured through a S106 for additional air quality mitigation measures in accordance with the damage cost calculation as set out in the submitted Air Quality Assessment.

Matters relating to the energy efficiency of buildings are addressed under the Building Regulations. As all new properties have to comply with these, the proposal complies with Policy S10 of the JCS.

- 7.50 Noise sources from the proposed development are likely to predominantly occur during the construction phase, with road noise and more non-specific sources of noise during the operational stage. A condition is therefore recommended to agree a Construction Environmental Management Plan (CEMP) which would cover, but not be limited to, the routing of construction traffic and strategies to control noise and dust, the hours of construction and delivery to the site to ensure impacts on amenity are appropriately mitigated during construction. A condition is also recommended for the development to be carried out in accordance with mitigation measures identified in the submitted Noise Report in respect of noise impacts during the operational phase, predominantly arising from traffic noise.
- 7.51 In respect of contamination, the application is supported by a Phase 1 Environmental Risk Assessment which identifies that the potential sources of contamination on site are from the previous uses including agriculture, landfill, former buildings, backfilled ponds and on and off-site sources of ground gas. Conditions are recommended to ensure appropriate mitigation and remediation of the site.

### **Community Considerations**

- 7.52 Section 8 of the NPPF seeks to ensure new development promotes healthy and safe communities that provide opportunities for social interaction, enable and support healthy lifestyles, plan positively for the provision and use of shared spaces, community facilities including shops and other local services, and ensure that a sufficient choice of school places is available.
- 7.53 The site forms part of the wider SUE allocation under Policy N6 of the JCS which requires the provision of a primary school, and local and community facilities. Provision for these facilities is proposed under the existing outline consent for the adjacent part of the SUE site which includes a requirement for the provision of a primary school, local centre subject to marketing and a community facility. In respect of the development proposed under this application, an appropriate level of developer contributions would be sought in respect of early years and primary education and healthcare to mitigate the impacts of the development proposed and would be secured by a Section 106 Legal Agreement. Secondary education forms part of both the Borough Council's and South Northamptonshire Council's CIL requirements and would be considered by the respective Council's alongside other infrastructure requirements.

### **Affordable Housing, S106 and Community Infrastructure Levy (CIL)**

- 7.54 Paragraph 54 of the NPPF advises that Local Planning Authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The Heads of Terms as listed below form the basis for the formulation of planning obligations in order to mitigate the unacceptable impact of the development. It is considered that the impact of the development in terms of affordable housing, educational requirements, highway improvements, public transport provision and healthcare are all capable of being sufficiently mitigated.
- 7.55 Paragraph 56 advises the planning obligations must only be sought where they meet the following tests:
- a) Necessary to make the development acceptable in planning terms;
  - b) Directly related to the development; and
  - c) Fairly and reasonably related in scale and kind to the development.
- 7.56 Paragraph 57 of 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 underpinning is up-to-date.

- 7.57 Paragraph 64 of the NPPF advises that at least 10% of the homes in major housing developments should be available for affordable home ownership. Policy H2 of the JCS requires 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.
- 7.58 The application is supported by a Viability Report which has been subject to independent assessment on behalf of the Council and on behalf of South Northamptonshire District Council (SNC). The independent assessment concludes that it is reasonable to expect a developer to achieve a profit and, given the size and complexity of the scheme, it is considered current market expectation would be for a profit equating to circa 20% of market gross domestic value (GDV). The assessment has been subject to considerable discussion and amendments during the course of the application. The conclusions of these discussions with both Authorities are that the scheme could achieve a reasonable profit level and provide 13% affordable housing on the basis of a tenure mix of 50% affordable rent and 50% shared ownership and provide the required S106 and CIL contributions.
- 7.59 In respect of affordable housing provision on the site, the affordable rent provision would contribute to meeting the Borough's affordable housing need. The amount and distribution of affordable housing provision throughout the development would be controlled through the S106.

7.60 **Section 106 Heads of Terms**

- Affordable Housing 13%
- Highways mitigation
- Public Transport
- Travel Plan Monitoring
- Early Years Education
- Primary Education
- Healthcare
- Air Quality Mitigation
- Construction Futures
- Off-site sports provision
- Brackmills Wood enhancements – maintenance
- Open Space Maintenance
- Monitoring fee

All the above S106 requirements are subject to compliance with Regulation 122 and 123 of The Community Infrastructure Levy Regulations 2010)

- 7.61 In respect of the development proposed within the Borough, requirements in respect of fire and libraries are not required by planning policy.
- 7.62 The development will be subject to CIL payments which are non-negotiable. The contributions will be considered against the requirements of the relevant Local Planning Authorities infrastructure requirements. In respect of the Borough at the present time this includes the following infrastructure: the North West Relief Road, secondary education, the Northampton Growth Management Strategy (M1/A45 junction improvements) and indoor sports provision.
- 7.63 It is disappointing to both officers and the applicant that the site is only able to achieve the reduced level of affordable housing. However, these viability issues must be weighed against the provision of much needed housing to meet the Borough's housing need and the associated New Homes Bonus.

**Other Matters**

- 7.64 Northampton Local Plan part 2 Proposed Submission Draft was published for public consultation between 1 May and 14 June 2019. Policy 36 'The Green, Great Houghton LAA1098) seeks to allocate an area of land to the immediate north east of the application site for housing development of up to 800 dwellings. Responses received in respect of the public consultation are currently being considered by the Council. Whilst the allocation of this adjacent site is a material consideration in respect of this application, it is considered that it carries limited weight.

## **8 CONCLUSION**

- 8.1 The NPPF supports sustainable housing development and economic growth. The development of the overall site for up to 525 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement.
- 8.2 The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental, visual and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the NPPF and the West Northamptonshire Joint Core Strategy and, subject to the recommended conditions and planning obligations contained within the associated 106 agreement, development of the site as proposed is considered acceptable.

## **9 CONDITIONS**

- 1) Approval of the details of the appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

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

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

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

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

- 4) The development and all reserved matters applications shall pursuant to this permission not materially depart from the following plans and parameters:

- Site Location Plan (CAM.0897)\_03 Rev J)
- Indicative Masterplan (CAM.897\_01 Rev R)
- Access and Movement Parameter Plan (CAM.0897\_18 Rev D)
- Land Use Parameter Plan (CAM.0897\_19 Rev E)
- Open Space Plan (CAM.897\_14H-1)
- Pedestrian Crossing (Plan Ref: 20168\_03\_08)
- Proposed Improvements/ Downgrading The Green (Plan Ref: 20168\_03\_04)
- Caswell Road/ Rhosili Road/ Pavillion Drive (Plan Ref: 20168\_08\_020\_03C)
- Wooldale Road/ Caroline Chisholm School Access (Plan Ref: 20168\_08\_020\_03C)
- Wooldale Road/ Quinton Road (Plan ref: 20168\_08\_020\_11B)
- Wooldale Road/ Berry Lane roundabout (Plan ref: 20168\_08\_12)

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies N7 and S10 of the West Northamptonshire Joint Core Strategy.

- 5) The number of dwellings constructed within the part of the site within Northampton Borough shall not exceed 115.

Reason: To secure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

- 6) As part of each reserved matters application in respect of the site within Northampton Borough, details of existing and proposed ground levels and finished floor levels of the development in relation to adjoining land levels shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies N7 and S10 of the West Northamptonshire Joint Core Strategy.

- 7) As part of each reserved matters application in respect of the site within Northampton Borough, a scheme shall be submitted for approval in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development. The approved details shall be implemented concurrently with the reserved matters development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

- 8) As part of each reserved matters application for each phase of development in respect of the site within Northampton Borough, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients, within that phase shall be submitted to the Local Planning Authority. No development in that phase shall take place until the details have been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 9) Before any above ground works commence, full engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details as follows:

- Pedestrian Crossing (Plan Ref: 20168\_03\_08)
- Caswell Road/ Rhosili Road/ Pavillion Drive (Plan Ref: 20168\_08\_020\_03C)
- Wooldale Road/ Caroline Chisholm School Access (Plan Ref: 20168\_08\_020\_03C)
- Wooldale Road/ Quinton Road (Plan ref: 20168\_08\_020\_11B)
- Wooldale Road/ Berry Lane roundabout (Plan ref: 20168\_08\_12)

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 10) Prior to commencement on site, full engineering and construction details of the approved Newport Pagnell Road access and roundabout and associated works as shown on drawing no. 20168\_03\_02 Rev B shall be submitted to and approved in writing by the Local Planning Authority. The works, including the relocation of the speed limit as shown on the approved plan, shall be carried out in accordance with the approved details prior to commencement of any wider site clearance, earth moving, or infrastructure installation not associated with the access provision and

prior to the construction of any dwelling. The bus stops and puffin crossing as detailed on the approved plan shall be provided prior to first occupation of any dwelling hereby permitted.

Reason: To ensure the appropriate mitigation of highway impacts and in the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

- 11) A detailed scheme and timetable for the pedestrianisation and removal of vehicle rights to The Green and provision of the estate road linking from Newport Pagnell Road to The Green as indicated on the Indicative Masterplan (CAM.0897\_01 Rev R) shall be submitted for approval in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details prior to the occupation of the 301<sup>st</sup> dwelling.

Reason: In the interests of highway safety and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 12) Details for the provision of one pair of bus stops (with shelters and associated infrastructure) on the main route through the estate as shown indicatively on the Indicative Masterplan shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with the approved details prior to the occupation of any of the dwellings hereby permitted.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 13) The development hereby permitted shall be carried out in accordance with the measures detailed within the submitted Travel Plan dated June 2018 (reference 20168/10-17/4444 Rev B by Consulting Development Engineers

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 14) Prior to the commencement of the development hereby permitted a Construction Environment Management Plan in respect of the site within Northampton Borough shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- A routing agreement for construction traffic.
- Traffic management and signage during construction;
- The safe means of access/egress of construction/delivery traffic to the site including sufficient set back of gates to allow the largest vehicle to stop clear of the highway;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- Enclosure of phase or sub-phase development sites;
- Details of hours of operation and delivery times (deliveries must not be carried out during peak hours on the local network) and;
- The control of noise and dust during the development process;
- A scheme for the protection of areas and species of ecological interest and for the mitigation of any possible harm to such areas or species therein as identified within the submitted Environmental Statements.



Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

- 15) No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

- 16) As part of the relevant reserved matters application for parcel of land to the north of The Green as shown on the Indicative Masterplan (CCM.0897\_01 Rev R), details shall be submitted which make provision for a vehicular link to the adjacent development site to the west.

Reason: To ensure a satisfactory standard of development and In the interests of sustainable development in accordance with Policy S10 of the West Northamptonshire Joint and the aims and objectives of the National Planning Policy Framework.

- 17) In the event that any of the streets associated within the residential development of the site in respect of the site within Northampton Borough are not being proposed for adoption as public highway, the following information shall be submitted for approval in writing by the Local Planning Authority:

- a) Details of a site management company and associated management and maintenance authority to be agreed in writing with the Local Planning Authority prior to the commencement of development;
- b) Details to demonstrate that the streets will be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
- c) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs (not a radii junction).
- d) Prior to first occupation of any dwelling a legal undertaking shall be provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and, that the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).

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

- 18) Concurrently with the reserved matters submission for each phase in respect of the site within Northampton Borough, a Landscape and Ecological Management Plan (LEMP) shall be submitted for approval in writing by the Local Planning Authority.

The content of the LEMP include the provisions made for the Ecological Enhancements to Brackmills Wood and shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s)

responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

- 19) No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation for development impacts on ecological interests within the site as identified within the submitted Phase 1 Habitat Survey has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

- 20) Prior to the submission of each reserved matters application in respect of the site within Northampton Borough, details of the need and scope for updating any protected species surveys shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The supplementary surveys shall be of an appropriate type for the habitats and/or species present and survey methods shall follow national good practice guidelines, and shall be used to inform the preparation of ecological measures and mitigation within the Landscape and Ecological Management Plan. The development shall be carried out in accordance with any approved mitigation measures contained therein.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 21) No development shall take place in each phase of development in respect of the site within Northampton Borough until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in relation to Design, Demolition and Construction – Recommendations", including details of timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase of development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

- 22) No equipment, machinery or materials shall be brought onto the site in respect of the site within Northampton Borough for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to Design, Demolition and Construction – Recommendations', have been submitted for approval in writing by, the Local Planning Authority for that phase of the development. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

- 23) Concurrently with the reserved matters submission for each phase in respect of the site within Northampton Borough, a Low Emissions Strategy, based on the mitigation measures detailed in the Air Quality addendum dated May 2018 by M-EC Ref No 20168/05-18/6044 shall be submitted for that phase for approval in writing by the Local Planning Authority. The strategy should be based on the include an assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, rapid charging points, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

The Low Emissions Strategy shall contain target for emission reductions and timescale, with pollution savings quantified. The strategy shall be implemented in accordance with the strategy as approved.

Reason: In the interests of improving air quality and reducing greenhouse gases in accordance with the requirements of Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 24) Prior to the commencement of the development hereby permitted in respect of the site within Northampton Borough, site investigations for contaminants shall be carried out in accordance with the Supplementary Ground Investigation Report (Ref. No. 20168/12-16/4581 REV B) prepared by Mewies Engineering Consultants submitted Phase 1 Detailed Desk Top Study (Reference EB1887/RB/6108) 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. 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.

- 25) In the event that contamination is found at any time when carrying out the approved development in respect of the site within Northampton Borough 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.

- 26) The development shall be carried out in accordance with the mitigation measures identified in Section 7 of the submitted Noise Assessment by M-EC dated October 2017.

Reason: To ensure a satisfactory standard of development and in the interests of residential amenity in accordance with the requirements of Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

- 27) No development shall take place in respect of the site within Northampton Borough until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with NPPF paragraph 141.

- 28) No development of any phase in respect of the site within Northampton Borough shall commence until the full details of the surface water drainage scheme for that phase have been submitted to and approved in writing by the Local Planning Authority. The details shall be in accordance with the agreed strategy/ approved details. The details for each phase of the scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
- b) Cross sections of all control chambers (including site specific levels mAOD)
- c) Details of proposed surface water pumping station, in accordance with CIRIA C753.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy BN7 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.

- 29) The implementation and phasing of works in respect of the site within Northampton Borough shall be such that all necessary surface water run-off attenuation and mitigation measures for each development phase in respect of the site within Northampton Borough shall be fully constructed, commissioned and operational prior to the creation of new impermeable areas within the development phase, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding, both on and off site, in accordance with Policy BN7 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.

- 30) No development of any phase in respect of the site within Northampton Borough shall take place until a scheme for the maintenance and upkeep of the surface water drainage system proposed for that development phase on the site has been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: To ensure the future maintenance of drainage systems associated with the development in accordance with Policy BN7 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.

- 31) Prior to occupation of each phase within Northampton Borough a Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood risk assessment document reference number XYZ dated ABC prepared by PQR. These shall include:
- a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos
  - c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
  - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in the interests of flood prevention in accordance with Policy BN7 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.

- 32) No development shall commence in respect of the site within Northampton Borough until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of Policies BN7 and BN9 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

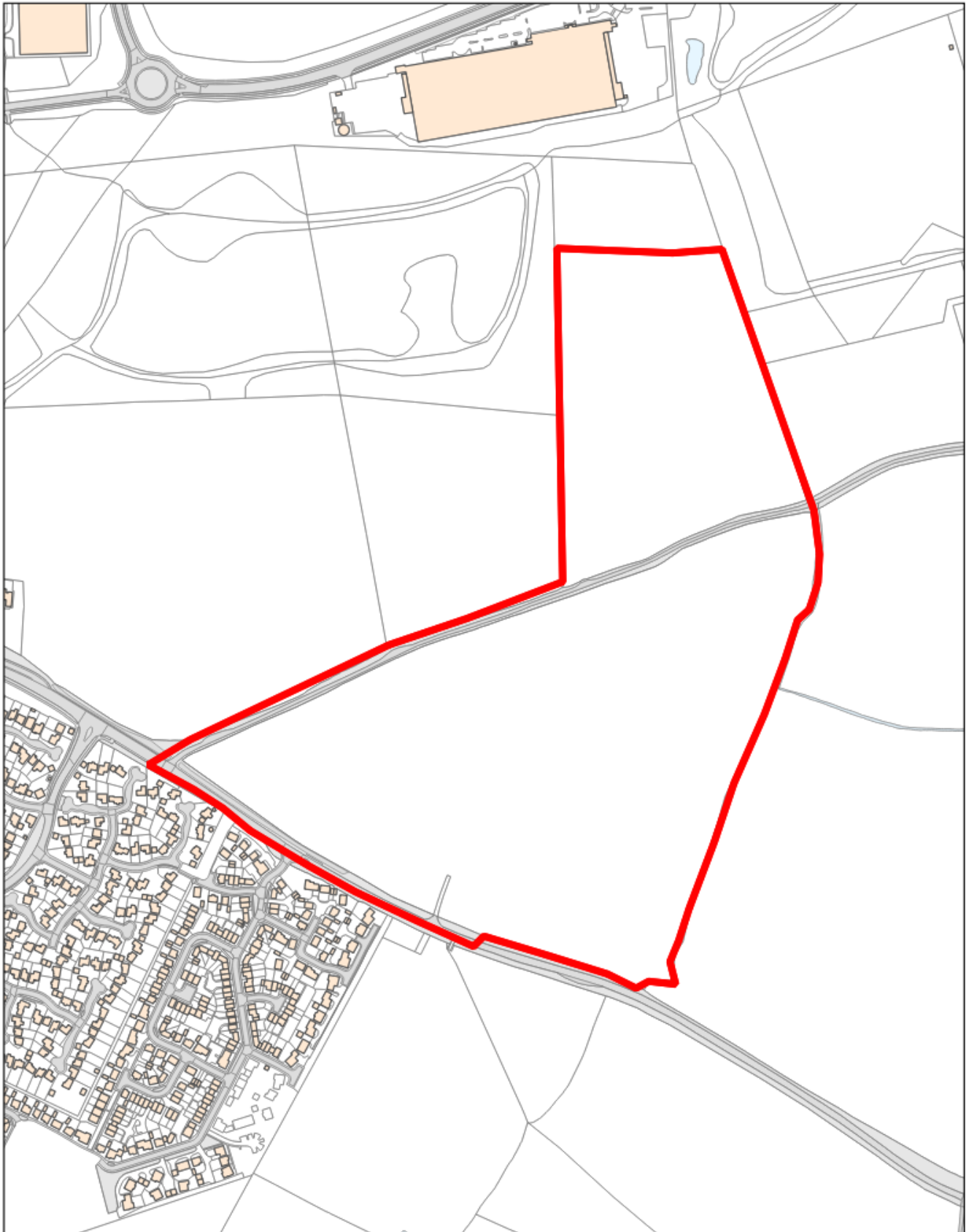
- 10.1 N/2017/1369

## **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.



Title: **Land North of Newport Pagnell Road**

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Date: 08-11-2019

Scale: 1:5,000

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0546

**LOCATION:** Highfield House, 383 Kettering Road

**DESCRIPTION:** Conversion of existing dwelling to 6no apartments, construction of attached new apartment building containing 4no apartments, construction of 4no three bedroom dwellings, widening of existing vehicular access to Kettering Road, formation of new vehicular access to Mountfield Road, provision of car parking and associated works including demolition of existing outbuilding

**WARD:** Parklands Ward

**APPLICANT:** Snedker and Smith Developments  
**AGENT:** Woods Hardwick Planning Ltd

**REFERRED BY:** Councillor M Hallam  
**REASON:** Overdevelopment, access and highways issues

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1 RECOMMENDATION**

**1.1 APPROVAL** for the following reason:

The development of the site for residential use will make a positive contribution towards the Council's 5 year housing land supply. The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's 5 year housing land supply. The proposed development would therefore comply with the National Planning Policy Framework and Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**2 THE PROPOSAL**

**2.1** The proposal is for the conversion of an existing three storey dwelling into six apartments and the construction of a new linked two storey block containing four further apartments. This new block

would replace an existing large garage. A further four three bedroom two storey dwellings would be constructed to the rear of the site.

### **3 SITE DESCRIPTION**

- 3.1 The site comprises the existing three storey house, detached garage and large garden. The building is historic but is not listed, neither is the site within or close to a conservation area.

### **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 Northampton Local Plan (1997) saved policies.

#### **5.2 National Policies**

- 5.3 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.

#### **5.4 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

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

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

Policy H6 – Residential development in primarily residential areas  
Policy E20 – New Development (design)

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

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Planning Obligations SPD (2013)



## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water** – There is capacity for dealing with waste water and used water. The surface water assessment submitted is unacceptable. Details of a suitable strategy will need to be submitted to Anglian Water for the discharge of a planning condition.
- 6.2 **Police Crime Prevention Design Adviser** – Security measures will need to be secured by a suitable condition.
- 6.3 **Local Highway Authority** – Following concerns raised confirm that the latest iteration of the proposal is acceptable. A condition should require compliance with the latest plan.
- 6.4 **NCC Development Management** – A contribution will be required towards the cost of Primary Education, a contribution to Early Years Provision may also be required. Secondary Education Contributions will be covered by the Community Infrastructure Levy. Contributions to library provision are requested as is a condition requiring fire hydrant provision.
- 6.5 **Arboricultural Officer** - No adverse comment upon the proposal provided that the control measures specified on the tree protection plan from RGS dated October 2019 are implemented in a timely fashion and properly maintained throughout the duration of the development to seek to prevent harm to the retained trees. The tree protection plan would be improved if dimensions were shown. An amendment showing those offsets will be required if the development were to proceed but can be secured by condition.
- 6.6 **Environmental Health** – Conditions will be required for unexpected contamination, a waste storage strategy for the flats, a construction management plan including hours of operation, charging points for electric vehicles and low emission boilers and acoustic separation for all dwellings. Comments on the revised plans also request a full noise impact survey.
- 6.7 **Councillor M Hallam** – Calls in the application to Committee - concerned about the over-development of this site and in particular the new proposed access onto Mountfield Road and the traffic and parking issues that this would create. Also increasing level of traffic on Kettering Road.
- 6.8 Representations received from the occupiers of 20 neighbouring and nearby properties, making the following points in summary –
- Would increase car parking demand, which would lead to parking in Mountfield Road.
  - Will be overlooked, privacy will be lost.
  - Will cause extra traffic problems
  - Increased air and noise pollution
  - Possible damage during construction
  - Mountfield Road is only suitable for existing traffic levels
  - Will block light to garden
  - Out of character for the area
  - Entrance will cross a regularly used footpath
  - Sewers may not be able to accommodate additional demand
  - Would set a precedent for similar developments
  - Contrary to restrictive covenants
  - Trees on the site have already been lost, more may follow
  - There is wildlife on the site which should be protected.
  - Site would be overcrowded.

## 7 APPRAISAL

### Principle of Residential Development

- 7.1 The site is located within a Primarily Residential Area as defined in the Northampton Local Plan and therefore the principle of a residential use is considered appropriate and acceptable in this location.
- 7.2 In addition, 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 towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

### **Highways and Access**

- 7.3 The site would be accessed from two separate accesses. The existing access from Kettering Road would serve the converted house and the new extension to this, providing 10 flats in total, whilst a new access would be provided from Mountfield Road to serve the proposed four houses.
- 7.4 On-site parking would be provided for the flats at a ratio of one space per bedroom, including two disabled spaces. Cycle parking would also be provided at one space per bedroom, which would be useable despite being in the basement area. For the houses two spaces per house would be provided, together with two visitor spaces. This complies with the adopted Northamptonshire Parking Standards.
- 7.5 Following amendments to the original layout the Local Highway Authority have confirmed that the access and parking arrangements are acceptable.
- 7.6 In respect of the concerns raised by neighbouring occupiers, whilst the development may introduce some additional traffic along Mountfield Road, the impact of this on neighbouring properties would be limited whilst the fact that the Local Highway Authority have not raised objections means that a refusal on highway grounds could not be sustained on the issue of capacity of the road.
- 7.7 Reference is also made to the crossover crossing a well used footpath. It is usual for footpaths to be crossed in this way and visibility splays would be provided to ensure pedestrian safety.

### **Design and Layout**

- 7.8 The existing house is a historic feature of the area but is not listed or otherwise protected. The site is not in a Conservation Area. The house would be retained and would be converted in a sensitive manner with little external changes. The extension to the house would be in a matching style and of a subordinate appearance and overall it is considered that the appearance of the site from Kettering Road would be acceptable and would not affect the street scene, whilst having the benefit of retaining this notable historic building.
- 7.9 The four houses proposed to the rear of the site would be two pairs of semi-detached two storey dwellings. These would face onto Mountfield Road and would thereby form part of the streetscene of that road. The immediate neighbouring properties to the site are bungalows, however the street is mixed in character and it is not considered that two storey houses would in themselves be incongruous in the area. The design of the dwellings as proposed is described by the applicant's agent as reflecting inter-war development and is considered to be appropriate to the locality.
- 7.10 The details of materials to be used as well as boundary treatment and landscaping would be required by conditions. A further condition would ensure compliance with the tree protection plan, as agreed by the Arboricultural Officer, to protect the remaining trees on the site.
- 7.11 Concern was raised in a neighbour letter that the proposal would appear overcrowded on the site. As discussed above it is considered that the proposal is well positioned and optimises the potential of the site. It is not considered that the proposal would appear overcrowded.

## **Impact on Surrounding Residents and the Local Area**

- 7.12 The site is surrounded by existing residential development, comprising two storey detached and semi-detached houses on Kettering Road, bungalows on Mountfield Road and two storey houses on Highlands Avenue.
- 7.13 In respect of the neighbouring properties on Kettering Road, the conversion of the existing house would result in some of the windows being used for living rooms rather than what is assumed to have been bedrooms. Some of these windows would face towards the garden area of 381 Kettering Road, a two storey house. However, given that these are existing windows and the rooms in the existing house could be used for any purpose, it is not considered that this would lead to any significant additional impact.
- 7.14 The other neighbour on Kettering Road, no. 389, would be faced with a largely blank elevation to the side of the extension to the building, thereby preventing overlooking of this neighbouring garden. This neighbouring house has side facing windows and the door to the house is also on the side. These windows appear to be secondary or serving non-habitable rooms and the separation of 7m would prevent any undue overshadowing of the property or this door and windows.
- 7.15 The rear facing windows of the flats would not overlook the garden of this neighbour, due to its limited size, but would look towards garages to the rear of this.
- 7.16 The proposed houses, fronting onto Mountfield Road, would be adjacent to the neighbouring bungalow at 45 Mountfield Road. The houses on plots 2, 3 and 4 would be set back 16m from the south-eastern edge of the site fronting Mountfield Road, but Plot 1 would be closer at 12m. This would mean this house will project 5m beyond the rear of 45 Mountfield Road. This would still be a significant projection, however in this case the impact would be reduced due to the fact that the nearest part of this neighbouring bungalow to the site is the garage, meaning there would be no undue loss of light to the nearest window to the nearest habitable room at number 45, which is 6m from the boundary. The impact on the garden area is considered acceptable as this would only affect a relatively small proportion of the garden.
- 7.17 The other adjoining neighbour is at 36 Mountfield Road. The proposed dwellings would face towards the blank side elevation of this neighbouring property but due to the absence of any side windows and a separation of 18m from the boundary with the rear garden would not result in any significant overlooking of the house or garden area.
- 7.18 To the rear of the site are houses on Highlands Avenue. These are separated from the site by a rear access road, and have gardens of at least 20m length. The nearest part of these neighbouring gardens is at least 20m from the rear of the proposed dwellings, giving at least 40m separation to the houses, and thereby preventing any adverse impact.

### **Amenities of future residents**

- 7.19 The occupiers of the flats would be provided with sufficient internal space within each flat which complies with the Nationally Described Space Standards for flats, subject to occupancy of the two bed flats by up to three persons. The flats would also be provided with a communal garden area to the rear which would provide a good level of amenity space, whilst the houses would have an appropriate internal layout and would each be provided with good sized rear gardens.
- 7.20 The separation between the rear of the proposed flats served off Kettering Road and the gardens of the proposed houses served off Mountfield Road of 14m is considered sufficient to ensure that there is no unacceptable overlooking between the proposed flats and houses.
- 7.21 Bin storage would be provided for the flats and a condition requiring full details of this is proposed.

### **Other matters**

- 7.22 Comments from Environmental Health request conditions for dealing with unexpected contamination and for a construction Environmental Management Plan, which are recommended to be included. The comments also request noise insulation for the flats and this is also recommended, although a full noise survey is not felt to be proportionate. Electric vehicle charging points and low emission boilers are also requested, however there is no policy basis for such requirements and as such it would not be reasonable to request these.
- 7.23 A neighbour letter raised concern that the proposal would result in increased air and noise pollution. Environmental Health were consulted on the proposal and raised no objection with regards to these matters.
- 7.24 In respect of other consultees comments, Anglian Water have expressed concern over the surface water assessment but have indicated that this can be addressed by a suitably worded condition, which is proposed. In line with comments from the Police Crime Prevention Design Adviser, full details of security measures would also be required by condition.
- 7.25 The Council's Arboricultural Officer advises that the proposal is acceptable subject to the submitted tree protection plan being complied with.
- 7.26 Other matters raised in representations from neighbouring occupiers not covered above relate to restrictive covenants, sewer capacity and the possibility of damage being caused to neighbouring properties during construction, neither of which are material planning considerations.

### **Section 106 Contributions**

- 7.27 The County Council has requested a financial payment towards the provision of primary school education within the vicinity. However, the Borough Council's adopted Planning Obligations Strategy Supplementary Planning Document (2013) does not require contributions in respect of residential developments of under 15 units and therefore a request for this requirement is not supported by policy and cannot be requested.
- 7.28 Comments from the County Council also request financial contributions for fire and rescue, libraries and broadband. There is no policy basis for such payments and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122. Such contributions are not therefore proposed to be requested.

## **8 CONCLUSION**

- 8.1 The development of the site for residential use will make a positive contribution towards the Council's 5 year housing land supply. The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's 5 year housing land supply.

## **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: 2556/1B, 2556/2A, 2556/3, 2556/4, 2556/5B, 2556/6A, 2556/7A, 2556/10F.

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

- (3) Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- (4) No development other than demolition and site clearance shall take place until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include provision for the future maintenance of all aspects of the drainage scheme. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site. In accordance with the National Planning Policy Framework.

- (5) Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Enclosure of the development site;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- Tree protection;
- Routing agreement for construction traffic; and
- The hours in which deliveries and construction works would take place.

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

- (6) In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- (8) All works shall be carried out in accordance with the RGS Tree Survey Report dated October 2019, subject to an amended Tree protection plan which shall be updated to show dimensions of root protection areas which shall be submitted to and approved in writing by the Local Planning Authority, prior to any works being carried out in such areas.

Reason: Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

- (10) 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: n the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan

- (11) Full details of security measures to be included within the development shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby permitted. The approved measures shall be incorporated into the development and shall be available and functional before the occupation of any of the flats or houses hereby approved.

Reason: Reason: In the interest of the security of future occupiers of the development and the prevention of crime, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- (12) 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 first occupation of the dwellings 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.

- (13) Prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

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

- (14) Provision for the secure and covered parking of bicycles for the flats shall be provided as shown on the approved plans prior to the development being first brought into use and retained thereafter.

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

## **10 BACKGROUND PAPERS**

10.1 N/2019/0546

**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.



Title: **Highfield House, 383 Kettering Road**

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Date: 02-10-2019

Scale: 1:1,250

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**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1028

**LOCATION:** 10 The Crescent

**DESCRIPTION:** Change of Use from 3no self-contained flats (Use Class C3) to 3no separate Houses in Multiple Occupation units (Use Class C4) (G/F 3-bed 5 occupants; 1/F 4-bed 6 occupants and 2/F 3-bed 5 occupants), together with ancillary changes to existing windows at lower ground level, new windows to the existing roof slope and ancillary bin and bicycle stores

**WARD:** Phippsville Ward

**APPLICANT:** 10 The Crescent Ltd  
**AGENT:** DRK Planning Ltd

**REFERRED BY:** Councillor D Stone  
**REASON:** Waste, parking and other local issues

**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 without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10, H1 and H5 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

### 2 THE PROPOSAL

2.1 The proposal is for a change of use of three existing two bedroom flats to three separate Houses in Multiple Occupation (HIMOs) two for five persons and one for six persons. External alterations are limited and relate to enlarged lightwells to the front and a new door to the side elevation, at the rear. Rooflights are also proposed to the rear of the main roofslope, together with a small area of solar panels.

- 2.2 No on-site parking is proposed.
- 2.3 The proposal has been amended during the course of the application to remove a bedroom from the basement room and to alter the use of this room to a living room.

### **3 SITE DESCRIPTION**

- 3.1 The site comprises a three storey former terraced house which has been converted to three flats. This is located within a row of similar properties, several of which have also been converted to flats, and within a street where there is variation in house types including also detached and semi-detached houses. There is a garden to the rear of the application premises with rear access into a garage. This garage, however, is not proposed to be used for parking. The premises are a historic property retaining original features but is not listed and is not in a conservation area.
- 3.2 The ground and first floor flats as existing each have two double bedrooms, a bathroom, kitchen, and separate living room whereas the second floor flat has two double bedrooms, a bathroom and a combined kitchen / living room.

### **4 PLANNING HISTORY**

- 4.1 49/0502 - The Conversion Of 2 Flats Into 3 Flats – Refused 01/11/1949
- 4.2 49/0542 - The Conversion Of Two Flats Into Three Flats – Approved 29/11/1949

### **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:

Paragraph 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

#### **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 H1 - Housing Density & Mix & Type of Dwellings

Policy H5 - Managing the Existing Housing Stock  
Policy S10 - Sustainable Development Principles

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

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

Policy E20 – Design  
Policy H30 – Multi-occupation with a single dwelling

#### 5.5 **Supplementary Planning Documents**

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

#### 5.6 **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 provision of adequate parking whilst promoting sustainable travel movements;
- Ensure provision of adequate storage for refuse and materials for recycling.

### 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Private Sector Housing – *Comments on the original scheme*** - Providing the property meets all the HMO amenities & facilities criteria for NBC then this property could be licensed for 22 persons and 11 households.
- 6.2 **Local Highway Authority (LHA)** – No objection to the approval of the application. The access to the cycle parking area is considered acceptable, the parking beat survey shows capacity for 5 to 6 cars. The difference in car parking requirements between the existing and proposed developments is four spaces. Based on this, the LHA consider there is sufficient car parking for the proposed development.
- 6.3 **Councillor D Stone** – Calls in this application on the grounds that the HiMO would generate a huge amount of waste, parking need and other local pressures.

### 7 **APPRAISAL**

#### **Principle of the development**

- 7.1 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**

- 7.2 Records indicate that there are 4 existing HMOs within a 50m radius of the application site. Including the application premises, which creates three additional HMO properties, the concentration would be 12.96% if the change of use of each of the three separate flats to a separate HMO was carried out.
- 7.3 This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HMOs.

#### **Size of the property and facilities for future occupiers**

- 7.4 All bedrooms, the living room, kitchen and shower rooms are of sufficient size, when judged against the standards in the HMO interim policy.
- 7.5 Comments from Private Sector Housing indicate that the proposal is suitable for the number of residents, subject to room sizes and facilities being appropriate. It can be confirmed that these standards are met and therefore it is considered that the proposal would provide adequate amenity to serve the future occupiers.

#### **Flood Risk**

- 7.6 In respect of flood risk, the site is located outside the areas at risk of flooding.

#### **Highways / Parking**

- 7.7 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 In this case the site is within 400m of the nearest bus stops on Abington Grove, and is also within a short walking distance of the local shopping centre on Kingsley Park Parade. This criterion of the IPPS is therefore met and parking would not be required.
- 7.9 A further relevant consideration is the Northamptonshire Parking Standards which state that HMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a requirement for 10 parking spaces, which is an increase of 4 compared to the requirements of 6 spaces for the current 3, 2 bedroom flats. A parking beat survey was produced which shows that there would be parking available in the locality which would meet this potential increased demand.
- 7.10 Furthermore, in practical terms it can be noted that the current use as three 2 bedroom flats could potentially result in 3 to 4 car driving adults being resident in each flat, meaning there would be no increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 4 proposed residents would own cars.
- 7.11 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. Comments from the Local Highway Authority recognise the sustainable location of the premises and confirm no objection to the proposals.
- 7.12 In accordance with the IPPS, the provision of secure cycle storage is required. Precise details of this have not been included with the application and therefore a condition requiring such details is proposed.

#### **Refuse Storage**

- 7.13 The submitted plans indicate a refuse storage container within the front garden area. Precise details are not included and therefore a condition requiring this is recommended.

## **Amenity**

- 7.14 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues, would be reasonable or sustainable at appeal.

## **8 CONCLUSION**

- 8.1 The proposed change of use of the 3 existing flats to 3 separate HIMOs accommodating 5, 6 and 5 persons would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the IPPS, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal complies with the IPPS in relation to parking considerations, NCC Highways do not object to the scheme and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

## **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: TCS.SP.P, TCS.GA.P A, TCS.GA.P2 A, TCS.ELE.2

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

3. The development hereby permitted shall be occupied by a maximum of 5 residents in Unit 1 (ground floor and basement), 6 residents in Unit 2 (first floor) and 5 residents in Unit 3 (second and third floor), at any one time.

Reason: In the interests of the amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

4. Full details of facilities for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the building for the use hereby approved within this decision notice. The approved bin storage shall be provided on site in full accordance with the approved details prior to the premises being first brought into use as a house in multiple occupation and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

5. Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the building for the use hereby approved within this decision notice. The approved bicycle parking shall be provided in accordance with the approved details and fully implemented prior to the premises being first brought into use as a house in multiple occupation and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

6. The basement shall be used as a secondary living space for Unit 1 only and shall not be used as a bedroom at any time.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

## **10 BACKGROUND PAPERS**

- 10.1 Application File N/2019/1028.

## **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: **10 The Crescent**

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Date: 08-11-2019

Scale: 1:850

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1095

**LOCATION:** 73 Derby Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants, including single storey rear extension and loft conversion with rear dormer

**WARD:** Abington Ward

**APPLICANT:** Mr O Lenko  
**AGENT:** Design Board-Architectural Services

**REFERRED BY:** Councillor Z Smith  
**REASON:** Concern about refuse and number of residents

**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, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding the existing lack of off road parking, the site is in a sustainable location close to Kettering Road and is closed to bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposed rear extension and rear dormer would be considered acceptable for its impact on the character of the area and neighbouring amenity. The proposal thereby complies with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan and the Council's Houses in Multiple Occupation Interim Planning Policy Statement.

### 2 THE PROPOSAL

2.1 Permission is sought to convert a dwelling house into a House in Multiple Occupation for 6 persons (Use Class C4) including a rear extension and a rear dormer. This is a revised planning application following approval for a 5 person HIMO under planning permission N/2019/0677, granted in July 2019 under delegated powers.



- 2.2 The current application seeks permission for a rear dormer, which would result in an additional bedroom in the attic space and erection of a single storey rear extension to create an additional bathroom on the ground floor. The proposed rear extension and dormer have been proposed in matching materials.
- 2.3 All proposed bedrooms are in excess of 9 sqm internal floor area and 3 bedrooms would have en-suite bathrooms, with the 3 other bedrooms sharing 2 bathrooms.

### **3 SITE DESCRIPTION**

- 3.1 The application site consists of a 3 bedroom, mid-terraced house located in a predominantly residential area, with the majority of properties being used as domestic dwellings. There is a general reliance upon on-street provision of car parking spaces.
- 3.2 Derby Road is in close proximity to Kettering Road, which contains a number of commercial and leisure facilities and also a public transport route.
- 3.3 The application site lies in Flood Zone 1 and has no risk from flooding.

### **4 PLANNING HISTORY**

- 4.1 N/2019/0677 - Proposed change of use from a dwelling house (Use Class C3) to house in multiple occupation (Use Class C4) for 5 occupants. Approved under delegated powers.

### **5 PLANNING POLICY**

#### **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.

#### **National Policies**

- 5.1 **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:

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

- 5.2 **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, Mix and Type of Dwellings
- Policy H5 - Managing the existing Housing Stock
- Policy S10 - Sustainable Development Principles
- Policy BN7 - Flood Risk

### 5.3 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 policies are material to this application:

- E20 New development (design)
- H30 Houses in multiple occupation

### 5.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Residential Extensions and Alterations Design Guide SPD 2011

### 5.5 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 50metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

**6.1 Councillor Zoe Smith:** called in and object as number of occupants is excessive and consider that there are refuse problems in the area.

**6.2 Highway Authority (NCC)** – The LHA advised that due to terraced nature of the street no on street parking could be provided. The current parking provision is by permits but is an already saturated area. Also, raised concerns about the bikes being carried through the kitchen.

**6.3 Private Sector Housing (NBC)** – The proposed facilities and room sizes would meet the requirements. However, the proposed size of the kitchen diner is less than the licensed requirements.

**6.4 2 objections** have been received from local residents, the comments have been summarised as follow:

- Parking issues in the local area.
- Impact on community cohesion.
- Over concentration of the HIMO properties in the street.
- Fly-tipping.

## 7 APPRAISAL

**Principle of the development**

- 7.1 The application site has a planning permission for change of use to a house in multiple occupation for 5 occupants, so the principle of development has been established. 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.

### **Area concentration**

- 7.2 Since the application site already has a planning permission to be used as a HIMO, in this instance, the concentration is not material. However, the level of concentration remains unchanged from the previous planning permission. Council records evidence that there are 7 existing HIMOs within 50m radius of the application site. The use of this property as a HIMO would equate to 10.26% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

### **Size of property and facilities for future occupiers**

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes generally in accordance with the Council's IPPS. All bedrooms would be served by adequate outlook and light. A condition restricting the use of the property to a maximum of 6 people would ensure over-development does not occur.
- 7.4 Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 6 occupants HIMO. However, they have raised some concerns about the size of 14 sqm kitchen/diner room, which does not comply with licensing size of 18 sqm kitchen/diner for 6 occupants. However, this room meets the size outlined in IPPS for kitchen with 6 occupants of 10 sqm. It is considered that the room sizes would comply with the requirements of IPPS. However, an advisory note is to be attached advising that the property may not meet licensing requirements and advice should be sought in this regard. All bedrooms would be served by adequate outlook and light. The application property has a basement, so a condition has been recommended to use it only as a storage area.
- 7.3 Details have been submitted for cycle storage to the rear of the property that can be used for the storage of bins and cycles, the details are deemed acceptable and have been conditioned to be implemented prior to first occupation of the approved use and be retained thereafter
- 7.4 The proposed single storey extension would provide a shower room and a condition has been recommended to build the extension prior to the occupation of the property as a HIMO with 6 occupants to ensure adequate facility is provided.
- 7.5 Similarly, the proposed loft conversion including the rear dormer would provide the 6<sup>th</sup> Bedroom. A condition has been recommended to build the extension prior to the occupation of the property as a HIMO with 6 occupants to ensure overdevelopment does not occur.

### **Flood Risk**

- 7.5 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

### **Highways/Parking**

- 7.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

- 7.7 It is considered that the application site is in a sustainable location within 250m of bus stops on Kettering Road and within walking distance of local facilities on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be implemented prior to occupation of the property as HIMO.
- 7.8 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 6 parking spaces, which is an increase of 4 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.9 In this case, the Highway Authority have objected about the proposal will add to the existing capacity of the street.
- 7.10 Notwithstanding this, regard must be paid to recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.11 It should also be noted that in the most recent appeal decision the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the NPPF, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.12 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld at appeal.

#### **Refuse storage**

- 7.13 Details have been submitted for refuse storage, which are deemed acceptable. A condition has been recommended to retain the arrangement and provision.

#### **Amenity**

- 7.14 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

#### **Design and appearance and impact on the character**

- 7.15 Given that the proposed extension and the rear dormer would be screened from main road behind the existing house, there would have no effect on the street scene. While the flat roof design is not ideal, it would nonetheless reduce the bulk. It is considered that the proposed extension and dormer would be acceptable in terms of materials, size and appearance, any approval would be subject to matching materials to ensure a satisfactory appearance.

## **Residential amenity**

- 7.16** Neighbouring property, No.71 has similar single storey rear extension. It is considered that owing to the siting and scale the proposed single storey rear extension would be minimal impact on this property. Neighbouring property, No.75 have habitable windows on the side elevation overlooking the application site. Owing to the siting of the proposed extension towards the rear end of the building, it would have minimal impact on the residential amenity of this property in terms of overbearing or loss of light.
- 7.17** The proposed dormer could be erected under the provisions of the permitted development rights and would not require planning permission. It is therefore considered that whilst there would be some overlooking resulting from the proposed windows on the dormer, owing to the fact it can be erected without requiring planning permission, the proposal is not considered detrimental to warrant the refusal of the current application.
- 7.6 It is considered that the proposed single storey rear extension and the rear dormer would not result in undue impact on the residential amenity of the neighbouring properties and would comply with the advice contained in NPPF, Policy S10 of the JCS and saved policy E20 of the Northampton Local Plan.

## **8. CONCLUSION**

- 8.1 The applications site already has extant planning permission for a change of use for 5 occupants HIMO. The current application has been revised with additional bedroom in loft space including a new rear dormer and an additional bathroom on the ground floor.
- 8.2 It is considered that the proposed development would not lead to significant adverse impacts on neighbouring amenity or parking provision and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.3 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement.
- 8.4 The proposed development is recommended for approval subject to the following 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 plan: A786-H2a.
- Reason: For the avoidance of doubt and to accord with the terms of the planning application.
- 3 The development hereby permitted shall be occupied by a maximum of six residents at any one time.
- Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.
- 4 Facilities for the refuse and recycling storage as shown on drawing no. A786-H2a shall be implemented prior to the use hereby permitted commencing and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 5 Notwithstanding the details submitted for the storage of bicycles, further details shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework

- 6 The basement shall only be used as storage and not be converted to a bedroom or habitable room at any time throughout the life time of development

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

- 7 The proposed single storey extension to provide the bathroom and rear dormer to provide to provide 6<sup>th</sup> Bedroom hereby permitted shall be built before the premises are first occupied as a 6 people house in multiple occupation and should be retained thereafter.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 8 The external walls of the extension and the rear dormer 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 S10 of the West N Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

## **9 BACKGROUND PAPERS**

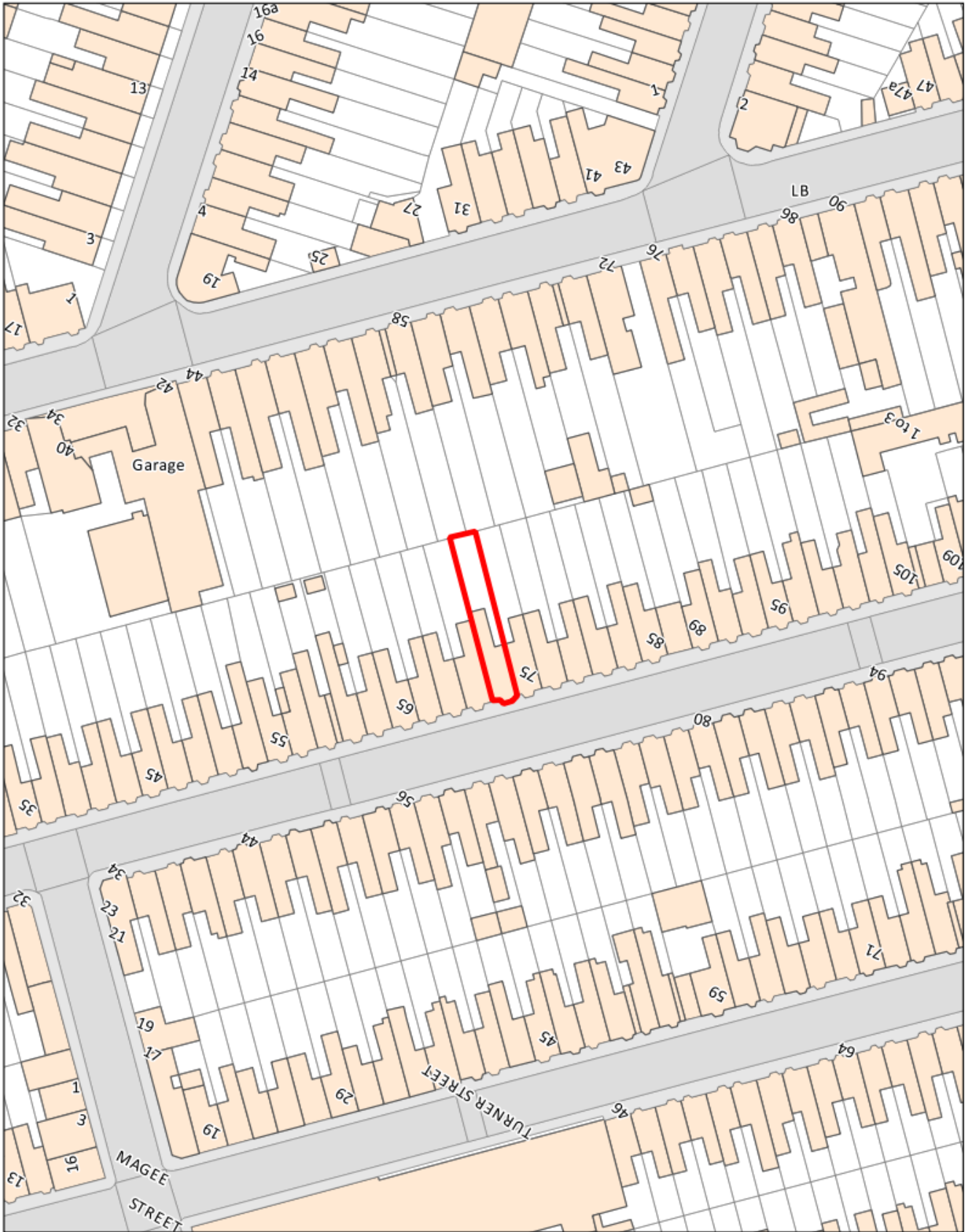
- 9.1 N/2019/1095 and N/2019/0677.

## **10 LEGAL IMPLICATIONS**

- 10.1 The development is not 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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **73 Derby Road**

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Date: 11-11-2019

Scale: 1:850

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1140

**LOCATION:** 5 Laceby Walk

**DESCRIPTION:** Construction of 1no terraced two storey dwelling

**WARD:** Talavera Ward

**APPLICANT:** Mr C Waite  
**AGENT:** Zielinski Baker & Partners

**REFERRED BY:** Councillor D Meredith  
**REASON:** Parking and access concerns

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

- 1.1 The principle of residential development on the site for a single new dwelling is considered acceptable in an established residential area and would contribute towards the Council's five year housing land supply. The proposed siting, scale and design is considered acceptable and would not have undue impact upon the character and appearance of the surrounding area, neighbouring amenity, trees, security and parking/highway safety. The development is therefore compliant with the aims and objectives of the National Planning Policy Framework, Policies S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan
- ### 2 THE PROPOSAL
- 2.1 Permission is sought for the erection of a two-bedroom two storey terraced infill dwelling. The proposed dwelling would be attached to the existing house at no. 5 Laceby Walk, leaving a gap with the dwelling next door at no. 6 Laceby Walk of approximately 1.8 metres between side walls. The two storey element of the new dwelling would be set forward of the front elevation of no. 6 Laceby Walk by approximately 2.7 metres.
  - 2.2 The dwelling would have a ground floor kitchen, lounge, dining room and WC and two bedrooms above with a shared bathroom. The proposed dwelling would also have a rear garden measuring approximately 7.5 metres deep with pedestrian access taken from the rear garden to the parking



court at the rear of the site. The existing property would have pedestrian access through the existing garage at the rear of the site.

### **3 SITE DESCRIPTION**

- 3.1 The site is located along a residential street comprising primarily two storey terraced dwellings generally with front gardens and dwelling houses set back from the pavement. There is car parking to the rear in a garage court and the existing property has its own garage at the rear of the site that forms part of a garage court with 15 single garages. Behind this, parking is provided on street. The site is not in a conservation area or near any listed buildings.

### **4 PLANNING HISTORY**

- 4.1 N/2015/0040 Permission granted for additional use of dwelling for boarding for 3 dogs.

### **5 PLANNING POLICY**

#### **Statutory Duty**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material 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:
- 6.2 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.

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

- 6.3 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:
- 6.4 S1 Distribution of development  
S3 Scale and distribution of housing  
S10 Sustainable Development Principles  
H1 Housing Design, density and mix  
BN3 Trees  
BN9 Pollution Control

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

- 6.5 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

### **Supplementary Planning Documents**

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

## **7 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NBC Tree Officer** consideration needs to be given to the Silver Birch tree to front of the site and recommend that a tree protection condition is secured on the grant of planning approval.
- 7.2 **NBC Environmental Health** No objections subject to consideration of electric charging points, low emission boilers and controls on construction hours.
- 7.3 **Northamptonshire Highways** There are already too many users of the private driveway, to add more would only exacerbate the situation and intensify risks to safety, and further erode the amenity of the local residents. Likewise, parking on the public highway should not result due to overspill parking occurring through development, which this proposal would result in.
- 7.4 **NCC Ecology** no objection to make in terms of effect on bio-diversity.
- 7.5 **Neighbour representations** received from 8 addresses on the following grounds:
- Parking and highway concerns
  - Concerns on storage of materials
  - Noise during construction
  - Access concerns
  - Over-development
  - Impact on wildlife
  - Pollution
  - Would be detrimental to the area
  - Impact on traffic in area
  - Impact on privacy and amenity
  - Security concerns
  - Concerns relating to construction process
- 7.6 **Councillor D Meredith** Call in the application due to parking and access concerns and the proposal would have a detrimental impact on the area.

## **8 APPRAISAL**

### **Main issues**

- 8.1 The main issues for consideration are the principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity, and highway conditions/ parking, trees and security.

### **Principle of residential development**

- 8.2 The application site is located in an established residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton. However, 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 one dwelling would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits to the local area.

### **Design and impact on the appearance and character of the area**

- 8.3 Saved Policy E20 of the Northampton Local Plan and Policies S10 and H1 of the Joint Core Strategy place 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.
- 8.4 The proposed design and general appearance are in keeping with other dwellings in the area, in terms of roof forms, proportions and height. In addition, the proposal would very much respect the prevailing pattern of development on this part of Laceby Walk, with the building line being staggered along the row of terraces. Any approval would also be subject to a materials condition to ensure that appropriate external appearance could be achieved. Due to the degree of site coverage, it is not considered that the proposal would be over-intensive. Even though the proposed rear garden would be a little smaller than that of the adjacent properties at 7.5metres long, the size is not considered out of keeping with the surrounding locality and would provide meaningful amenity for the future occupants.

### **Impact on amenity of neighbouring occupiers**

- 8.5 The site is adjoined by two storey terraced dwellings on either side at nos. 5 and 6 Laceby Walk. Beyond the front garden is a public footpath serving the front of the row of existing properties, Kingfisher Lake and at the immediate rear is a garage court with residential properties behind on Marchwood Close.
- 8.6 The main neighbour impact would be on the existing windows belonging to nos. 5 and 6 Laceby Walk. In terms of no. 5, the rear wall of the new house would project 2.5m beyond the rear wall of the existing house. Although the proposal would be on the south and result in some overshadowing, the relationship is such that the impact would not be so overly significant that would justify refusal of planning permission. In terms of privacy, there would be no new side windows proposed. There would be additional overlooking to the rear garden, however, this relationship is not uncommon for terraced properties. A condition is recommended to remove permitted development rights for additional windows.
- 8.7 In terms of the effect on no. 6 Laceby Walk, the proposed dwelling would be set 2.7 metres forward of the front elevation of this property, however a gap of 1.8m would remain between the two properties. There would be some impact in terms of outlook, however, given the degree of separation, it is not considered that the impact would be sufficiently adverse to warrant a refusal of the application. The development would also be on the north of this neighbour and therefore given the orientation of the sun, loss of sunlight would be very limited as a result. In terms of privacy, there would be no first floor side windows proposed. There would be glimpsed views of the rear garden from proposed first floor rear windows but it is not considered that the overlooking is unacceptable in this instance.
- 8.8 Given front separation, there would be no adverse impact on any properties opposite the application site due to the presence of a lake. Beyond the rear garage court are the back of residential properties on Marchwood Close, however, due to much lower ground level and back to back separation of approximately 27 metres, it is considered that the degree of overlooking and loss of residential amenity would be acceptable in this instance.

### **Amenity of future occupiers**

- 8.9 Saved Policy E20 of the Northampton Local Plan and H1 of the Joint Core Strategy all seek to secure a sufficient standard of residential amenity for future occupiers. All habitable rooms would be served by adequate light and outlook and the private amenity space would be reasonable length and appropriate for a two bedroom dwelling house. Matters relating to the energy efficiency

of buildings are addressed under the Building Regulations. Any new property will have to comply with these, the proposal complies with Policy S10 of the Joint Core Strategy.

### **Parking and Highways**

- 8.10 The existing property owns one of the garages in the parking court at the rear of the site and there is additional parking available on street beyond this, although it is acknowledged that parking can be difficult at peak times with local residents often competing for spaces. Assessing the proposal against Local Parking standards, a two bedroom dwelling should have a minimum of two off-road spaces. However, in this instance, this cannot be accommodated within the boundary of the application site.
- 8.11 As a result, lack of on-site parking provision needs to be assessed against relevant planning policy and whether this would have an impact on highway safety. The NPPF outlines that planning applications should not be refused on transport grounds unless there is a severe impact on highway safety. In this instance, the Local Highway Authority comment that they have concerns due to intensification of an existing parking area and advise that overspill should not result onto the public highway where it would impact on amenity of residents. It is not considered that a refusal of planning permission could be justified on highway safety terms and it is unlikely that a refusal could be sustained on appeal.

### **Impact on Trees**

- 8.12 There is a mature Silver Birch tree on the front of no. 6 Laceby Walk which requires consideration during the course of development. However, as the tree is outside the application site, planning condition cannot be imposed for its protection. An informative is therefore suggested to advise the applicant to make sure that the tree in question would not be damaged by the construction work.

### **Security and Crime Prevention**

- 8.13 Consideration needs to be given to security measures including boundary treatment and secure fenestration in accordance with the Northamptonshire "Planning Out Crime" and guidance and Policy S10 of the Joint Core Strategy. These can be secured by condition.

### **Other issues**

- 8.14 Controls on construction work would be secured under other legislation outside the remit of Planning. The NCC Ecology Officer raises no objections in terms of the effect of local bio-diversity.
- 8.15 In terms of electric charging points, as no on-site parking is to be provided, no charging point would be required in this instance.

## **8 CONCLUSION**

- 9.1 To conclude, the site is in an existing residential area within the built up area of Northampton and the principle of development is acceptable and would contribute to the 5 year land supply. In this instance, the proposal would comply with the development plan and national policy and subject to conditions, no harm has been identified that would significantly outweigh benefits. The proposal is therefore considered acceptable.

## **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: 23025/1 and 23025/2.

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

3) Notwithstanding the submitted plans, details of all proposed external facing materials including windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surrounding in accordance with Policy E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

4) Prior to the occupation of development, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development 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 H1 of the West Northamptonshire Joint Core Strategy.

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 dwelling hereby permitted.

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

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 additional windows including dormers and roof windows shall be installed in any elevation to the dwelling hereby permitted.

Reason: In the interests of privacy in accordance with Policy E20 of the Northampton Local Plan.

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

Reason: In the interests of residential and visual amenity in accordance with Policy S10 of of the West Northamptonshire Joint Core Strategy and E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

## **10 BACKGROUND PAPERS**

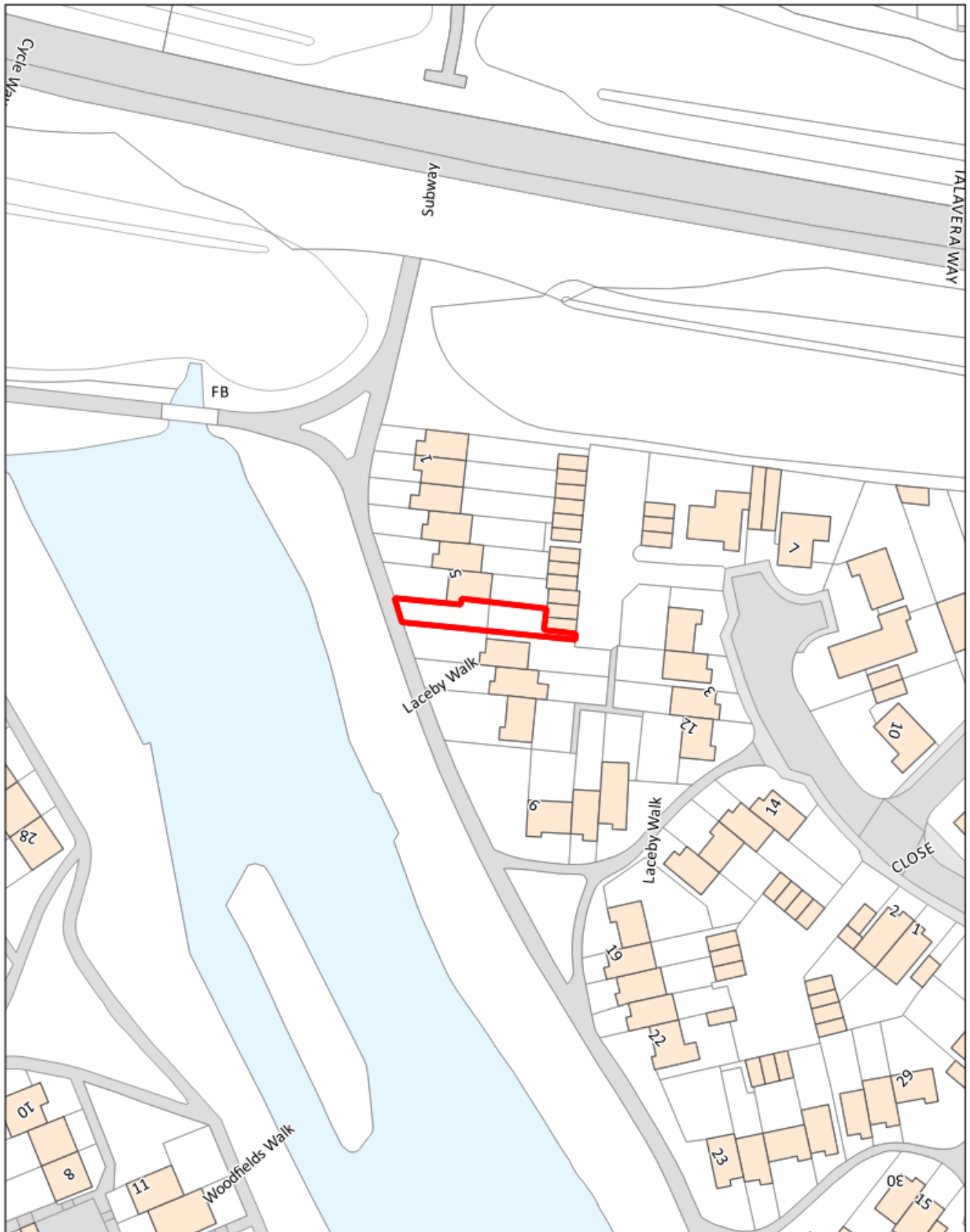
10.1 N/2019/1140.

## **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.



Title: **5 Laceby Walk**

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Date: 08-11-2019

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**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1165

**LOCATION:** 15 Burns Street

**DESCRIPTION:** Change of Use from Dwelling house (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants, including single storey rear extension

**WARD:** Castle Ward

**APPLICANT:** NV Pro Limited  
**AGENT:** Architectural Solutions

**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 for the change of use and single storey rear extension is acceptable. It is considered that the proposal would not result in an over concentration of the similar properties within the vicinity of the site. The proposal would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; saved policies E20, E26 and H30 of the Northampton Local Plan; and the Council's Houses in Multiple Occupation Interim Planning Policy Statement.

### 2. THE PROPOSAL

2.1 Permission is sought for a change of use from a dwelling house to a House in Multiple Occupation (Use Class C4) for 4 occupants, including a single storey rear extension, which would be 3.3m deep and 2.6m wide and will have a flat roof.

2.2 Parking would be on-street.

2.3 The site lies within an Article 4 Direction area, which removes permitted development rights for changes of use from a dwelling to a HIMO.

### **3. SITE DESCRIPTION**

3.1. The application site comprises a two storey, mid-terraced, 3 bedroom property on Burns Street located in a residential area with similar terraced properties on the street. The property has a kitchen, lounge, dining and a WC on the ground floor, 3 bedrooms and a bathroom on the first floor and a basement room.

3.2. The site is in close proximity to Kettering Road, which includes retails and commercial units. The site is also within close proximity to the bus routes on Kettering Road. The application site is located within the designated Boot and Shoe Quarter Conservation Area.

3.3. The application site lies in Flood Zone 1, which means very low risk of flooding.

### **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), 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 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

Paragraph 193 - Great weight to be given to the heritage asset's conservation.

#### **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 BN5 - Designated heritage assets  
Policy H1 - Housing Density & Mix & Type of Dwellings  
Policy H5 - Managing the Existing Housing Stock  
Policy S10 - Sustainable Development Principles

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

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

Policy E20 - New development  
Policy E26 - Development in Conservation area  
Policy H30 - Multi occupation with a single dwelling

#### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Boot and Shoe Quarter Conservation Area Appraisal and Management Plan

#### 5.6 **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 50 metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

### 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1. **Councillor D Stone** - raises objection on the basis that application property will result in overdevelopment and loss of a family home. Calls in the application for consideration by the Planning Committee.
- 6.2. **Highway Authority (NCC)** – The LHA advised that due to terraced nature of the street no on street parking could be provided. The current parking provision is permit is an already saturated area. Also, raised concerns about the car being carried through the kitchen.
- 6.3. **Private Sector Housing (NBC)** – The proposed facilities and room sizes would meet the requirements.
- 6.4. **Conservation Officer (NBC)** – No objection. No alterations to the front elevation are indicated and the appearance of the street scene within the Conservation Area will not be affected. The rear extension will not be prominent and will not harm the Conservation Area.

- 6.5. **1 objection** has been received from local residents. The comments have been summarised as follows:
- Parking issues in the local area particularly in evenings and weekends.
  - Impact on community cohesion.
  - Over concentration of the HIMO properties in the street.
  - Fly-tipping.

## 7. APPRAISAL

### Principle of the development

- 7.1. 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.

### Area concentration

- 7.2. Council records evidence that there are 13 existing HIMOs within 50m radius of the application site on Burns Street, Gray Street and Colwyn Road. The use of this property as a HIMO would equate to 13.2% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

### Size of property and facilities for future occupiers

- 7.3. Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. Private Sector Housing have confirmed that the proposals would meet the requirements for the proposal. All bedrooms would be served by adequate outlook and light. The application property has a basement, so a condition has been recommended to use it only as a storage area.
- 7.4. Details have been submitted for cycle storage to the rear of the property that can be used for the storage of bins and cycles, the details are deemed acceptable and have been conditioned to be implemented prior to first occupation of the approved use and be retained thereafter
- 7.5. The proposed single storey extension would provide a shower room and a condition has been recommended to build the extension prior to the occupation of the property as a HIMO with 4 occupants to ensure adequate facility is provided.

### Flood Risk

- 7.6. The application site is located in Flood Zone 1 and with very low risk of flooding.

### Highways/Parking

- 7.7. The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

- 7.8 It is considered that the application site is in a sustainable location within 380m of bus stops on Kettering Road and within walking distance of local facilities on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be implemented prior to occupation of the property as HIMO.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.10 In this case, the Highway Authority have raised concerns about the proposal will add to the existing capacity of the street, notwithstanding this is a permit area.
- 7.11 However, regard must be paid to recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.12 It should also be noted that in the most recent appeal decision the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the NPPF, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.13 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld at appeal.

#### **Refuse storage**

- 7.14 There is sufficient space to the rear of the property for bin storage, details have been submitted with the details, a condition has been recommended to implement it and retain thereafter.

#### **Amenity**

- 7.15 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

#### **Conservation Area**

- 7.16 The property falls within the designated Boot and Shoe Quarter Conservation Area. The proposed development for a change of use would not include any alterations on the front

elevation. The Conservation Officer had not raised objection and stated that the proposal would have a neutral impact on the character of the Conservation Area and is considered acceptable.

### **Rear extension**

- 7.17 The proposed single storey rear extension would be screened behind the main dwelling and therefore would have a minimal impact on the character of the area. The proposed single storey rear extension would replace the existing 1m deep single storey element and would project 2.2m from the existing rear elevation.
- 7.18 Neighbouring property No.17 has a door and does not have any habitable window adjoining to the proposed extension. It is considered that owing to the siting and scale there would be minimal impact on this property. Neighbouring property No.13 have habitable windows on the side elevation overlooking the application site. Owing to the siting of the proposed extension towards the rear end of the building, it would have minimal impact on the residential amenity of this property in terms of overbearing or loss of light. Moreover, the proposed extension could be erected under the provision of the permitted development rights and would not require planning permission.
- 7.19 It is considered that the proposed single storey rear extension would not result in undue impact on the residential amenity of the neighbouring properties to the sides and would comply with the saved policy E20 of the Northampton Local Plan, Policy S10 of the JCS and advice contained in NPPF.

## **8. CONCLUSION**

- 8.1 The proposed development for a single storey rear extension and change of use from dwelling house to a House in multiple occupation would not lead to significant adverse impacts on neighbouring amenity or parking provision and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement.
- 8.3 The proposed development is recommended for approval subject to the following 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 plan: 19/K101/3, 19/K101/2.

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

3. The development hereby permitted shall be occupied by a maximum of four residents at any one time.

Reason: In the interests of amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

4. Facilities for the refuse and recycling storage as shown on drawing no. 19/K101/2 shall be implemented prior to the use hereby permitted commencing and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Facilities for the cycle storage as shown on drawing no. 19/K101/2 shall be implemented prior to the use hereby permitted commencing and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

6. The basement room shall be used as storage room only and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. The external walls of the extension shall be constructed with materials of the same type, texture and colour as the external walls 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.

8. The proposed single storey extension to provide the shower room hereby permitted shall be built before the premises are first occupied as a 4 people house in multiple occupation and should be retained thereafter.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

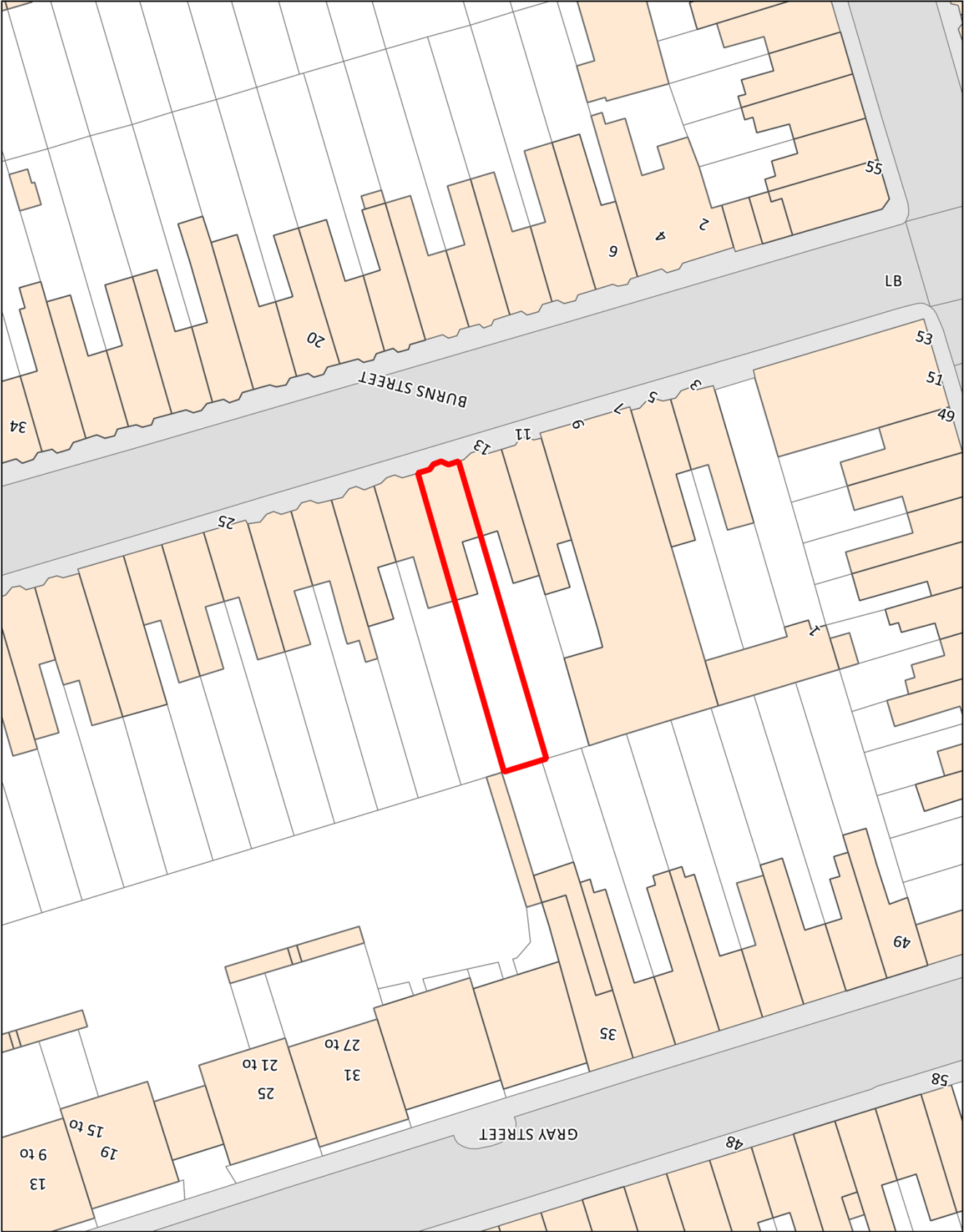
- 10.1 N/2019/1165.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is CIL not chargeable.

## **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: **15 Burns Street**

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Date: 02-10-2019

Scale: 1:500

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1179

**LOCATION:** 38 Florence Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

**WARD:** Abington Ward

**APPLICANT:** Mr S Halili  
**AGENT:** Architectural Solutions

**REFERRED BY:** Councillor Z Smith  
**REASON:** Parking and refuse concerns

**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 without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10, H1 and H5 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The proposal is for a change of use of an existing 2 bedroom dwelling to a 4 person House in Multiple Occupation (HIMO). External alterations relate to door and window to the rear.

2.2 No on-site parking is proposed.

**3 SITE DESCRIPTION**

3.1 The site comprises a terraced house within a street of similar properties. There is a garden to the rear with rear access but parking is on-street.

- 3.2 The existing dwelling has a lounge, dining room, kitchen and breakfast room on the ground floor; two bedrooms and a bathroom on the 1<sup>st</sup> floor.

#### **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 Northampton Local Plan (1997) saved policies.

##### **5.2 National Policies**

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

Paragraph 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

##### **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 H1 - Housing Density & Mix & Type of Dwellings  
Policy H5 - Managing the Existing Housing Stock  
Policy S10 - Sustainable Development Principles

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

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

Policy E20 – Design  
Policy H30 – Multi-occupation with a single dwelling

##### **5.5 Supplementary Planning Documents**

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

##### **5.6 Other Material Considerations**



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 provision of adequate parking whilst promoting sustainable travel movements;
- Ensure provision of adequate storage for refuse and materials for recycling.

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposed HIMO would meet the requirements for a 4 occupants HIMO.
- 6.2 **Local Highway Authority (LHA)** – This development proposal, if finally consented, may add to the pressure on the on street parking that already takes place in the surrounding area. It is noted that the site is within walking distance to local facilities and services and bus stops and therefore the LHA is willing to accept a relaxation to the parking requirement. Parking for 4 cycles is shown on the submitted plan and access is available from the rear so that bicycles do not need to be taken through the dwelling. The LHA is therefore satisfied with the cycle parking provision.
- 6.3 **Environmental Health** - No objections to the proposal. No conditions to add to any decision document.
- 6.4 **Councillor Zoe Smith** – Calls in this application into the Planning Committee on the grounds that it will exacerbate existing parking and refuse problems in this area.

## **7 APPRAISAL**

### **Principle of the development**

- 7.1 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**

- 7.2 Records indicate that there are 5 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 6.66%. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

### **Size of the property and facilities for future occupiers**

- 7.4 All bedrooms, the living room, kitchen and shower rooms are of sufficient size, when judged against the standards in the HIMO interim policy.
- 7.5 Comments from Private Sector Housing indicate that the proposals meet their requirements. It is considered that the proposal would provide adequate amenity to serve the future occupiers.

### **Flood Risk**

7.7 In respect of flood risk, the site is located outside the areas at risk of flooding.

### **Highways / Parking**

7.8 The IPPS sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

7.9 In this case the site is within 400m of the nearest bus stops on Wellingborough Road, and is also within a short walking distance of the local shopping centre on this road. This criterion of the IPPS is therefore met and parking would not be required.

7.10 A further relevant consideration is the Northamptonshire Parking Standards which state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a requirement for 4 parking spaces, which is an increase of 2 compared to the requirements of 2 spaces for the current 2 bedroom dwellinghouse use.

7.11 However, in practical terms it can be noted that the current use as a 2 bedroom dwelling could potentially result in 4 car driving adults being resident, meaning there would be no increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 4 proposed residents would own cars.

7.12 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. Comments from the Local Highway Authority recognise the sustainable location of the premises and confirm agreement to the provision of cycle storage.

7.13 In accordance with the IPPS, the provision of secure cycle storage is required. Precise details of this have not been included with the application and therefore a condition requiring such details is proposed. The LHA did not raise objection to the proposal and acknowledged that the site is in a sustainable location and near to local facilities.

### **Refuse Storage**

7.14 The submitted plans indicate a refuse storage container within the rear garden area however precise details are not included and therefore a condition requiring this is recommended.

### **Amenity**

7.15 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

## **8 CONCLUSION**

8.1 The proposed change of use to a 4 person HIMO would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the IPPS, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

## **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 plan: 19/H261/2.

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

3. The development hereby permitted shall be occupied by a maximum of 4 residents at any one time.

Reason: In the interests of the amenity of the proposed occupiers and the surrounding area in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

4. Provision for the storage of refuse and materials for recycling shall be made as shown on the approved plans prior to the first occupation of the premises as a house in multiple occupation and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

5. Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the premises being first brought into use as a house in multiple occupation and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

6. The basement shall be used for storage only and shall not be used as a bedroom or habitable room at any time.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

## **10 BACKGROUND PAPERS**

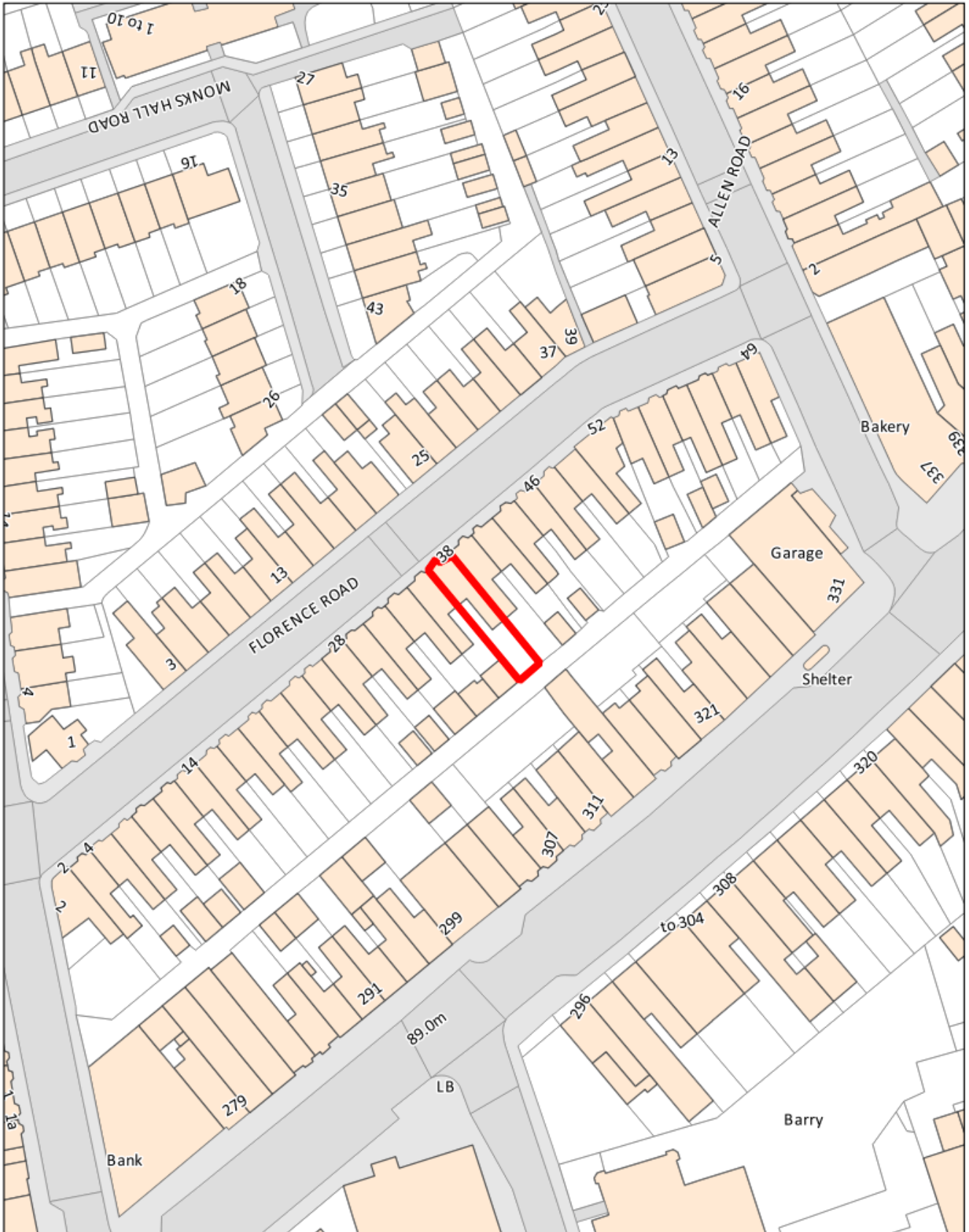
- 10.1 Application File N/2019/1179.

## **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: **38 Florence Road**

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Date: 08-11-2019

Scale: 1:800

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1210

**LOCATION:** 51 Adnitt Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants, including single storey rear extension (Amendment to Planning Permission N/2019/0607)

**WARD:** Abington Ward

**APPLICANT:** Century Assets  
**AGENT:** Architectural Solutions

**REFERRED BY:** Councillor Z Smith  
**REASON:** Number of occupants and refuse concerns

**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, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding the existing lack of off road parking, the site is in a sustainable location close to Wellingborough Road and is closed to bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The design of the rear extension and resultant neighbour impact is also considered acceptable. The proposal thereby complies with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan and the Council's Houses in Multiple Occupation Interim Planning Policy Statement.

### 2 THE PROPOSAL

2.1 Permission is sought to convert a vacant family dwelling into a House in Multiple Occupation for 6 persons (Use Class C4). This is a revised planning application following approval for a 5 person HIMO under planning permission N/2019/0607 granted in July 2019 by the Planning Committee.

- 2.2 The current application includes an additional bedroom at ground floor level, removing the lounge from the previously approved scheme. The proposal includes three ground floor bedrooms and a kitchen with three bedrooms above. The proposal also includes a flat roof single storey rear extension to provide an additional bedroom 5.8m deep with the same size and design as the previous application.
- 2.3 All proposed bedrooms are in excess of 10 square metres internal floor area and 4 include en-suite bathrooms, with the 2 other bedrooms sharing 1 bathroom.

### **3 SITE DESCRIPTION**

- 3.1 The site consists of a terraced property located along a residential street of similar uses. There is private amenity space to the rear enclosed on three sides some 15 metres long. The property has a basement used as a storage room. The site is located in Flood Zone 1 (low risk) and is not in a conservation area. Parking is provided on street.

### **4 PLANNING HISTORY**

- 4.1 N/2019/0607 Permission for change of use from dwelling (Use Class C3) to house in multiple occupation for 5 occupants (Use Class C4). Including single storey rear extension

### **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 72 - ensure a variety of homes meet needs of different groups.

Paragraph 127 - seeks to create safe and healthy places with a high standard of amenity for existing and future occupiers

#### **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:

H1 - Housing Density, Mix and Type of Dwellings  
H5 - Managing the existing Housing Stock  
S10 - Sustainable Development Principles  
BN7 - Flood Risk

#### **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 policies are material to this application:

E20 New development (design)  
H30 Houses in multiple occupation

#### 6.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Residential Extensions and Alterations Design Guide SPD 2011

#### 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 50metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling

### 7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NBC Private Sector Housing:** the premises will require licensing under Mandatory License Scheme. Room sizes are adequate for single persons at minimum of 6.51 square metres internally. Where there is no living room, rooms need to exceed 10 square metres each for single persons. Comment on kitchen facilities and fire safety measures.
- 7.2 **NBC Public Protection:** no objection to make.
- 7.3 **Northamptonshire Highways:** The Local Planning Authority must satisfy themselves that the likely increase in number of vehicles would not have an adverse impact on amenity of existing residents on Adnitt Road.
- 7.4 **Councillor Zoe Smith:** called in and object as number of occupants is excessive and consider that there are refuse problems in the area.

### 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 Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

#### **Area concentration**

- 8.2 Council records evidence that there are 8 other HIMOs (out of 101 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 8.9 % concentration (9 out of 101) and would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered

therefore that there would still be a reasonable mixture of house types within the area. The level of concentration remains unchanged from the previous planning permission.

### **Size of property and facilities for future occupiers**

- 8.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes generally in accordance with the Council's IPPS. All bedrooms would be served by adequate outlook and light via existing window openings.
- 8.4 Private Sector Housing has advised that they will be satisfied with the proposed accommodation is suitable for 6 residents. All the proposed bedrooms are significantly larger than the minimum standard set down in the IPPS and therefore a satisfactory level of residential amenity would result. In addition, the proposed kitchen window would be partly obscure glazed to avoid potential impact on privacy for the occupier for Bedroom 6.

### **Flood Risk**

- 8.5 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

### **Highways/Parking**

- 8.6 The Interim Planning Policy Statement for HMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.7 The application property is located within easy walking distance to facilities in Wellingborough Road and within 90 metres of a bus stop on Stimpson Avenue and close to Wellingborough Road and is considered to be in a very sustainable location. It is worth noting that on a typical day there are approximately 4 bus services an hour serving the site with the town centre. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring full details to be submitted for approval for secure cycle storage.
- 8.8 A further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that HMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 6 parking spaces, which is an increase of 4 as compared to the existing use, as the parking requirement for a 3-bed dwelling is 2 spaces. The Local Highway Authority comment that the LPA must satisfy themselves that that the impact of parking on amenity is acceptable.
- 8.9 Regard must be paid to recent appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars. It is not considered that a refusal ground on the lack of car parking would be sustainable on appeal.

### **Refuse storage**

- 8.10 There is sufficient space to the rear of the property for bin storage as indicated on the submitted plans. A condition is to be recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size and design.



## **Amenity**

- 8.10 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling.

## **Design and impact on appearance and character of host building and wider area**

- 8.11 Given that the proposed extension, which would project 5.8m to the rear, would be screened from Adnitt Road behind the existing house, there would be no effect on the street scene. While the flat roof design is not ideal, it would nonetheless reduce the bulk and would be acceptable in terms of materials, size and appearance, any approval would be subject to matching materials to ensure a satisfactory appearance.

## **Impact on adjoining occupiers from single storey rear extension**

- 8.12 The main impact from the proposed rear extension would be on the rear of the two adjoining occupiers at nos. 49 and 53 Adnitt Roads. In terms of no. 49, even though the extension would project 4.4metres beyond its rear elevation, the effect would appear to be on a non-habitable room (WC/utility) and therefore loss of residential amenity would be less of a concern.
- 8.13 In terms of no. 53 Adnitt Road, the proposed extension would have an impact on the ground floor rear windows and two side windows facing the site, the side windows serving an existing kitchen. However, the extension would be set off the boundary by 1.2 metres and the existing conservatory would be removed which currently extends along the boundary line. Given this and noting that there would be some loss of outlook, there is an existing boundary fence around 1.8m high which acts as a partial screen and the impact would not be considered to be overly significant. This same view was taken on the previous planning application.

## **9 CONCLUSION**

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk.
- 9.2 Compared to the permission for 5 occupiers, the proposal is slightly more intensive however the additional effect of one more person would not justify a refusal of planning permission. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

## **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: 18/K86/11A received on 30 October 2019 and 18/K86/12.

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

3 The maximum number of occupiers shall not exceed six at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

4 Prior to the occupation of the development, details of the provision for the storage of refuse and materials for recycling shall be 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 building hereby permitted and thereafter retained.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5 Prior to the occupation of the development, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. 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 adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework

6 The basement shall only be used as storage and not be converted to a bedroom or habitable room at any time throughout the life time of development

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

7 The property shall not be occupied as a six person house in multiple occupation until the rear extension hereby approved is complete in accordance with the approved plans.

Reason: in the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

8 The external walls of the extension shall be constructed with materials of the same type, texture and colour as the external walls 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 S10 of the West N Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

9 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 additional windows shall be installed in the side facing elevations of the proposed extension.

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

10 The proposed side facing en-suite window in the rear extension shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

11 The proposed replacement kitchen window indicated on the approved plan shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent to a height

of 1.7 metres above internal floor level and shall be implemented prior to the first occupation of Bedroom 6 and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining bedroom in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

## **9 BACKGROUND PAPERS**

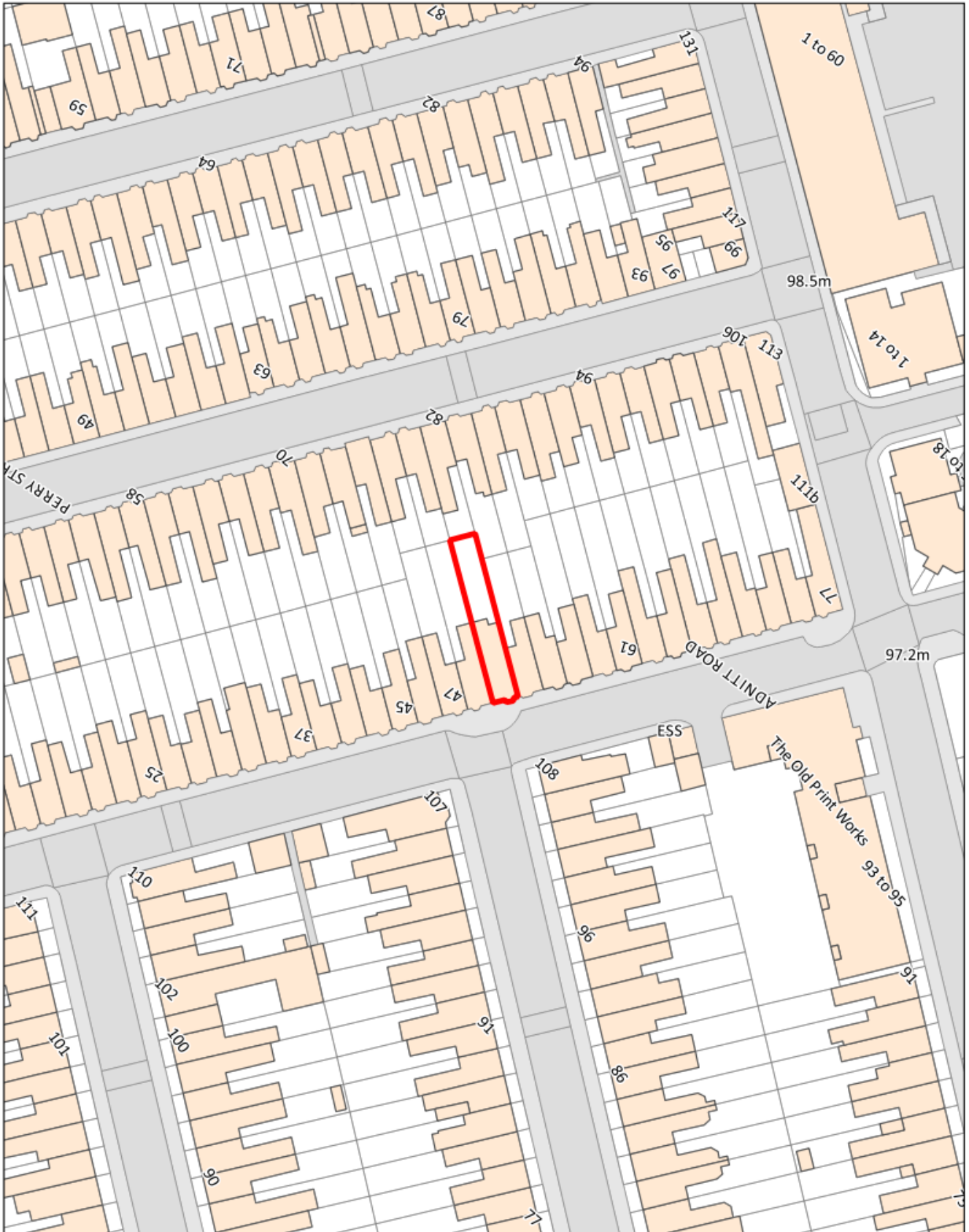
9.1 N/2019/1210 and N/2019/0607.

## **10 LEGAL IMPLICATIONS**

10.1 The development is not 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: **51 Adnitt Road**

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Date: 08-11-2019

Scale: 1:850

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0980

**LOCATION:** Lock Up Garages, Margaret Street

**DESCRIPTION:** Demolition of 3no existing garages and construction of 2no houses

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner

**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:
- 1.2 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 in respect of design and appearance, highway safety and impact upon residential amenity. As such, subject to conditions, it is considered to accord with the requirements of the National Planning Policy Framework, Policies SA, S1, S10, H1, BN2, BN7 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 three existing garages and their subsequent erection of two terraced, two-bedroom dwellings.
- 2.2 It is proposed that the two dwellings will have a pitched roof and a ridge height of 7.4 metres. The width of each dwelling will be 4.7 metres wide and they will be 12.2 metres deep. The dwelling on the corner (west side of the site) will have a chamfered corner at ground and first floor to take account of the boundary of the site.
- 2.3 Each dwelling will have a private garden to the rear (south).

### **3 SITE DESCRIPTION**

- 3.1 The application site comprises an area of hardstanding and three flat roof pre-fabricated garages that have a secure compound in front (on Margaret Street) formed by palisade fencing and a gate. The southern part of this compound is not within the red line of the site.
- 3.2 To the immediate east of the site is an existing terrace of dwellings, with no. 54 Charles Street abutting the boundary of the site. To the immediate north of the site is a footpath and then highway, with more terraced dwellings on the other side of Charles Street. To the west of the site is Margaret Street and a row of terraced dwelling. To the south of the site is a row of terraced dwellings that run north-south along Margaret Street.

### **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.

#### **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 sections are of particular relevance to this application:

Section 2 – Achieving sustainable development  
Section 4 – Decision-making  
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:

Policy SA – Presumption in Favour of Sustainable Development  
Policy S1 – The Distribution of Development  
Policy S10 – Sustainable Development Principles  
Policy H1 – Housing  
Policy RC2 – Community Needs  
Policy BN2 – Biodiversity  
Policy BN5 – The Historic Environment and Landscape  
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 are material to this application:

Policy E20 - New Development (Design)

#### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (2016)  
Planning out Crime in Northamptonshire SPG (2004)  
Boot and Shoe Quarter Conservation Area (2011)

### 6 **CONSULTATIONS/REPRESENTATIONS**

6.1 Comments received are summarised as follows:

6.2 **Public Protection (NBC)** – No objection subject to proposed conditions covering contaminated land, construction noise and EV charging points.

6.3 **Highway Authority (NCC)** – The LHA objects to the approval of this application on the grounds of insufficient parking provision. Each dwelling requires 2 parking spaces.

6.4 **Conservation Officer (NBC)** – The lock-up garages are on the site of former houses/corner shop that fronted Charles Street and are not of historic interest; the appearance of the site detracts from the character of this part of the Conservation Area. Have no objection to the proposed replacement houses, which will help to reinstate the former street scene and would suggest materials (bricks and roofing material) be agreed by condition.

### 7 **APPRAISAL**

#### **Principle of Development**

7.1 The application site is located in a designated residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal urban area of Northampton.

7.2 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 two dwellings 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.

7.3 The site lies within the Boot and Shoe Quarter Conservation Area. The Planning (Listed Buildings and Conservation Areas) Act 1990 requires, at Section 72, Local Planning Authorities, when determining applications for planning permission, to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In this case a Historic Environment Assessment has been submitted with the application to demonstrate that the proposal will preserve or enhance the character or appearance of the area, as discussed in further detail below.

#### **Heritage**

7.4 The character of the Boot and Shoe Quarter Conservation Area is derived from the urban landscape and Victorian era terraced dwellings interspersed with red brick boot and shoe factories. The character of the area has some very obvious features such as terracing, buildings set at the

back of the footpath, little if any off-street parking, repetition of architectural detailing and buildings which address corners, such as corner shops with entrances on the corner of both streets.

- 7.5 In this particular case, the applicants have sought to follow the existing character of the surrounding area by setting the two proposed dwellings in line with the existing terrace on Charles Street and by chamfering the corner of the plot on the left (west) side of the site. The proposed chamfer at ground and first floor replicates similar architectural detailing visible in the wider area, reinforcing the historic character of the area. The proposed fenestration and brick arches above the windows will further help the dwellings to appear appropriate within its historic context.
- 7.6 The Conservation Officer has been consulted on the proposal and confirms that the lock-up garages are on the site of former houses/corner shop that fronted onto Charles Street. They are not of historic interest. The appearance of the site detracts from the character of this part of the Conservation Area and thus there is no objection to the proposed replacement houses, which will help to reinstate the former street scene. The Conservation Officer has suggested that external materials be agreed by condition.
- 7.7 It is considered that providing the external materials are a good match with those visible with the Conservation Area then the proposal will enhance the character and appearance of this part of the Boot and Shoe Quarter Conservation Area, in accordance with Section 16 of the National Planning Policy Framework, Policy BN5 of the West Northamptonshire Joint Core Strategy and Policy E26 of the Northampton Local Plan.

### **Layout and Design**

- 7.8 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. The policies are in conformity with the NPPF, which advises that planning should always seek to secure high quality design.
- 7.9 As stated in the previous section of this report the external appearance of the two proposed dwellings seeks to follow the character of the surrounding Conservation Area. It is considered that the layout equally seeks to follow the character of the surrounding area. To the rear of each of the proposed terraced dwellings there will be a private rear yard of 5 metres, exactly the same as the existing neighbouring terraced dwellings to the east (no. 54 Charles Street to the east).
- 7.10 Whilst the proposed layout reflects the existing morphological character of the area, it prevents any on-plot provision of car parking. Car parking is dealt with in a subsequent section of this report, but it is considered that the requirement to preserve or enhance the character or appearance of the Conservation Area is greater than the need to provide on-plot car parking spaces in this instance. As such, greater weight is given to Policies E20 and E26 of the Northampton Local Plan in respect of design and layout than Northamptonshire County Council Parking Standards.
- 7.11 The proposed terraced dwellings will be located at the back of the existing footpath on Charles Street and to the side of the existing row of two storey terraced dwellings on Charles Street. They have been sited to reflect the front building lines and relationship with the street of adjacent properties.
- 7.12 It is considered that the scale of the proposed dwellings will relate positively to their surroundings, with a ridge height approximately 60cm higher than the existing dwellings to the east (54 Charles Street). The ridge height and roof pitch will reflect the prevailing character of the area and it is proposed to require details of the external materials by condition to ensure that the external walls have an appropriate character and appearance. As such, it is considered that the new dwellings would not appear unduly prominent or intrusive in the streetscene and will be constructed of suitable materials for this locality.
- 7.13 Overall, it is considered that the proposal would not have an adverse impact with regards to the character and appearance of the area.



## **Residential amenity**

- 7.14 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.
- 7.15 In terms of the impact of the proposal upon the occupants of neighbouring dwellings it is considered that the scale of the proposed dwellings, along with their position within the site, will ensure that there is no detrimental impact upon amenity in terms of overlooking, loss of light, overbearing impact or increased levels of pollution, such as noise and light.
- 7.16 The proposed dwellings will be to the west of 54 Charles Street. The dwelling on the boundary with no. 54 will abut the existing gable end wall of no. 54 Charles Street. No windows are proposed in the side elevations of either of the two proposed dwellings and therefore there will be no overlooking of existing properties as a result of the side elevations of the proposal.
- 7.17 The proposed rear elevations (south) will face directly onto 5 Margaret Street, which has a blank gable end elevation facing to the north. As a result, the proposed windows on the rear elevations of the new dwellings will not result in any loss of privacy for the occupants of no. 5 Margaret Street.
- 7.18 There will however be some overlooking of the bottom of the rear garden of no. 54 Charles Street from the proposed dwelling on the east side of the site. The overlooking will be from a bedroom window. However, this will be at such an oblique angle and for such a small section of the garden that it will not have a detrimental impact upon the privacy of the occupants of no. 54 and thus it is considered that the impact upon amenity is acceptable. Conditions removing permitted development rights are proposed to ensure that this continues to be the case after the proposed dwellings are occupied.
- 7.19 To the north and west of the proposed dwellings there are existing footpaths and roads which prevent any loss of privacy due to the separation distance, which measures 11 metres to the north and 12 metres to the west, which is the same distance as the existing properties on Charles Street which are opposite each other.
- 7.20 It is therefore considered that the proposed dwellings will not have a detrimental impact upon the amenity of existing and future neighbouring occupants and as such the proposal is considered to accord with policies E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy in respect of amenity.
- 7.21 It is also considered that the amenity of future occupants of the proposed dwellings will be acceptable. Internal room sizes are considered acceptable for two storey dwellings and both dwellings will have private rear yards with space for sheds and bin storage. The distance from the rear elevation of the proposed dwellings to the rear boundary fence is 5 metres, although there will be a further gap of 5 metres next to 5 Margaret Street, thus ensuring the yard provides adequate private amenity space without feeling oppressive or overlooked.
- 7.22 Overall, it is considered that the proposal would not give rise to an unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

## **Parking and highway safety**

- 7.23 As stated above the proposal will not have any on-site parking. Northamptonshire County Council's Parking Standards require 2 off-street parking spaces per 2 bedroom dwelling. An objection from the Local Highways Authority has been received on this basis. However, in this case, in order to provide any off-street parking spaces within the plot the layout and design of the proposal would be detrimentally affected, and it would not be possible to reflect the character and appearance of the Boot and Shoe Quarter Conservation Area.

- 7.24 The surrounding streets have on-street parking and this is the dominant character of the area. Occupants of the proposed dwellings will be able to park on street as all the existing residents currently do and there is a total of 10 metres of highway space to the north of the proposal and a further 10 metres to the east that could be parked in by the occupants of the proposed dwellings. It is not considered that a refusal of the proposal on lack of parking could therefore be justified. In addition, Paragraph 109 of the National Planning Policy Framework states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.25 The site is within a sustainable location near to the town centre. It is not considered in this case that the proposed development would have an unacceptable impact upon highway safety.

### **Other Considerations**

- 7.26 Environmental Health have suggested the inclusion of conditions relating to electric vehicle charging points, boilers, and construction hours. However, given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and it is therefore not considered to be reasonable to require by condition the type of boilers to be installed in the proposed dwellings. With respect to construction hours the proposal is only for a small-scale development and there are controls under Environmental Health and Highway legislation to address issues arising from such small construction sites, should they arise.

## **8 CONCLUSION**

- 8.1 The Council 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 respect, the site is located in a residential area and therefore the principle of residential development on the site is acceptable under the development plan, with the proposed development also contributing to the Council's five year housing land supply.
- 8.2 The submitted information demonstrates that whilst the site lies in the Boot and Shoe Quarter Conservation Area the proposed layout and design take into account the existing character and appearance of the area and will result in a development that enhances the character and appearance. Furthermore, subject to conditions, no other harm has been identified that would significantly and demonstrably outweigh the benefits of the proposed development. Therefore, it is recommended that planning permission is granted subject to the imposition of suitably worded 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: 30641 (P)03 Rev C, 30641 (P)04 Rev C and 30641 (P)05 Rev C.

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

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. Development works at the site shall cease and an investigation and risk assessment must be undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority,

together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been granted shall development works recommence.

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) Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to no. 54 Charles Street shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

5) Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies H1 and BN5 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 outbuildings shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

7) 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 additional windows shall be installed in any of the elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

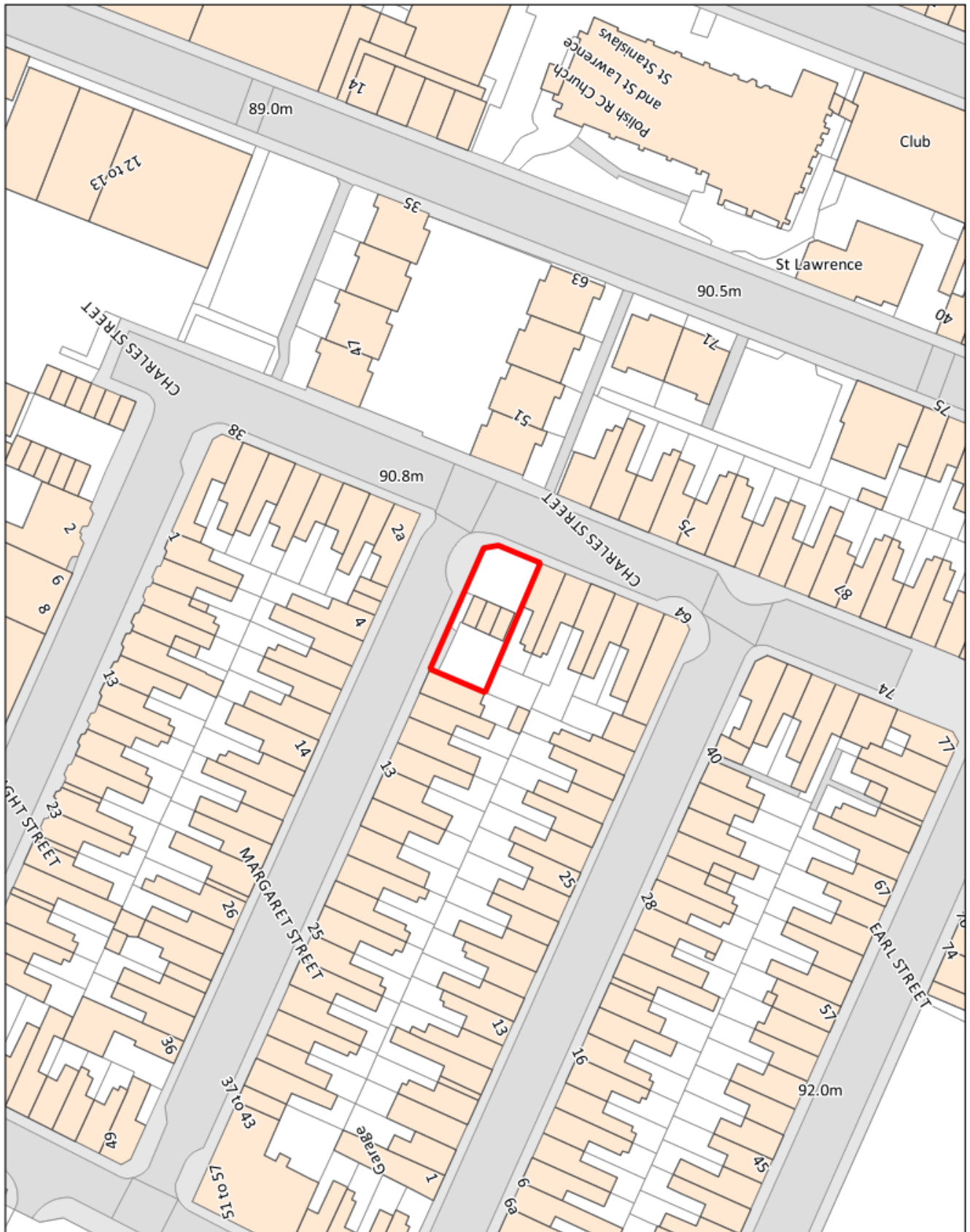
10.1 N/2019/0980.

## **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.



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

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Date: 08-11-2019

Scale: 1:800

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1037

**LOCATION:** Land at Swansea Crescent

**DESCRIPTION:** Development of 2no residential units with associated parking

**WARD:** Spencer Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner

**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:
- 1.2 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 in respect of design and appearance, highways safety and impact upon residential amenity. As such, subject to conditions, it is considered to accord with the requirements of the National Planning Policy Framework, Policies SA, S1, S10, H1, BN2, BN7 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 erection of two semi-detached, two-bedroom dwellings and the formation of four parking spaces at the front of the dwellings.
- 2.2 It is proposed that the two dwellings will have a pitched roof and a ridge height of 8.3 metres. The width of each dwelling will be 4.7 metres wide and they will be 9.5 metres deep.
- 2.3 Each dwelling will have a private garden to the rear (west).

**3 SITE DESCRIPTION**

- 3.1 The application site comprises a former garage (now demolished) area at the end of a residential cul-de-sac. To the north of the site is an existing terrace of dwellings, with no. 14 on the north boundary of the application site. To the east of the site is an existing turning head, to the south a palisade fence and 3 storey apartment block and to the west the rear gardens and outbuildings of the dwellings along Dallington Road. At the front of the site at present there is also palisade fencing to prevent unauthorised entry to the site.

#### **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.

##### **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 4 – Decision-making  
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 14 – Meeting the challenge of climate change, flooding and coastal change  
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 SA – Presumption in Favour of Sustainable Development  
Policy S1 – The Distribution of Development  
Policy S10 – Sustainable Development Principles  
Policy H1 – Housing  
Policy RC2 – Community Needs  
Policy BN2 – Biodiversity  
Policy BN7 – Flood Risk  
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

6.1 Comments received are summarised as follows:

6.2 **Public Protection (NBC)** – No objection subject to proposed conditions covering contaminated land and EV charging points.

6.3 **Highway Authority (NCC)** – No comments received.

6.4 **Northamptonshire Police Crime Prevention Design Advisor** – No objection. The proposed railings at the front of the dwellings provides defensible space, but they enable visibility over the parking vehicles. No further concerns.

6.5 **Arboricultural Officer (NBC)** – The submitted 'site-specific arboricultural method statement' is adequate for the purposes of this application.

6.6 **Environment Agency** – The proposed development will only meet the NPPF's requirements in relating to flood risk if a suggested condition is imposed. The condition requires the internal ground floor level to be at least at 65.72 metres above Ordnance Datum and for the dwellings to be two storey.

## 7 APPRAISAL

### Principle of Development

7.1 The application site is located in a designated residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal urban area of Northampton.

7.2 However, 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 two dwellings 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.

### Flood Risk

7.3 The eastern half of the site falls within Flood Zones 2 and 3. Paragraph 163 of the National Planning Policy Framework states that 'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment'.

7.4 To this end the applicant has submitted a Flood Risk Assessment with the application which has been assessed by the Environment Agency. The Environment Agency has confirmed that providing that a condition is attached to the planning permission requiring the mitigation proposed in the Flood Risk Assessment then the two proposed dwellings would be 'appropriate flood resistant and resilient' in accordance with Paragraph 163. The development should be constructed in accordance with the submitted plans and no part of the internal Finished Floor Levels should be lower than 65.72 metres Above Ordnance Datum (AOD). Submitted plans demonstrate that the

development will comply with this requirement, with the Finished Flood Levels being 65.88 metres Above Ordnance Datum (see Proposed Site Plan and Proposed Street Elevations).

- 7.5 The submitted Flood Risk Assessment also requires the two dwellings to be two storeys to ensure that no rooms vulnerable to flooding, such as bedrooms, are located on the ground floor. It is considered that with the imposition of a suitably worded condition requiring the development to be implemented in accordance with the submitted plans and Flood Risk Assessment the risk of flooding to the development and its occupants will be adequately mitigated in accordance with Paragraph 163 of the National Planning Policy Framework.

### **Layout and design**

- 7.6 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. The policies are in conformity with the NPPF, which advises that planning should always seek to secure high quality design.
- 7.7 The proposed semi-detached dwellings will be located to the side of a row of existing two storey dwellings and have been sited to reflect the front building lines and relationship with the street of adjacent properties, albeit having been set back from the existing building line by approximately 5 metres in order to provide sufficient parking (2 cars per dwelling) and adequate flood mitigation.
- 7.8 It is considered that the scale of the proposed dwellings will relate positively to their surroundings, with a ridge height approximately 20cm lower than the existing dwellings to the north (4 to 14 Swansea Crescent). The ridge height and roof pitch will reflect the prevailing character of the area and it is proposed to require details of the external materials by condition to ensure that the external walls have an appropriate character and appearance. As such, it is considered that the new dwellings would not appear unduly prominent or intrusive in the streetscene and will be constructed of suitable materials for this locality.
- 7.9 The new dwellings will not result in the loss of any trees on-site and the Borough's Arboricultural Officer has assessed the submitted Statement which proposes installation of Heras fencing during construction in order to protect the existing trees on the southern boundary of the site. A condition is proposed to ensure that these measures are installed prior to construction on site.
- 7.10 The proposal will provide a total of four new parking spaces for the development. Each dwelling will have two parking spaces clear of the highway in accordance with Northamptonshire County Council Highways' Parking Standards for two bedroom dwellings. The spaces will be in front of the existing dwellings, ensuring that the spaces are overlooked, but also ensuring that sufficient turning space at the end of Swansea Crescent remains for existing residents.
- 7.11 Overall, it is considered that the proposal would not have an adverse impact with regards to the character and appearance of the area.

### **Residential amenity**

- 7.12 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.
- 7.13 In terms of the impact of the proposal upon the occupants of neighbouring dwellings it is considered that the scale of the proposed dwellings, along with their position within the site, will ensure that there is no detrimental impact upon amenity in terms of overlooking, loss of light, overbearing impact or increased levels of pollution, such as noise and light.
- 7.14 The proposed dwellings will be to the south of nos. 12 and 14 Swansea Crescent and the proposed gable side elevation will only have 2 windows, both of which will be obscure glazed. As a result, there will be no increase in levels of overlooking for the properties to the north. In addition,



the side elevation of no. 14 Swansea Crescent is blank and therefore there will be no loss of light to the existing dwelling as a result.

- 7.15 To the east of the proposal there is a significant distance between the proposed front elevation of the dwellings and the front elevation of no. 13 Swansea Crescent of approximately 25 metres. To the south the dwellings are in line with the existing 3 storey block of flats which, save for an obscure glazed window on each floor, also have blank elevations. To the west of the proposed dwellings there is a considerable distance between rear elevations of over 35 metres.
- 7.16 Therefore, it is considered that the proposed dwellings would not have a detrimental impact upon the amenity of existing and future neighbouring occupants and as such the proposal is considered to accord with policies E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy in respect of amenity.
- 7.17 It is also considered that the amenity of future occupants of the proposed dwellings will be acceptable. Internal room sizes are considered acceptable for two storey dwellings and both dwellings will have private rear gardens, the shortest distance from rear boundary fence to rear elevation measuring 8 metres, increasing to a maximum of 12 metres, which is considered an appropriate size for two storey, two bedroom dwellings.
- 7.18 In order to protect the amenity of the occupants of the neighbouring dwellings to the north and south, it is proposed to remove permitted development rights for additional windows to be installed on side elevations. It is also proposed to remove permitted development rights for additions and extensions to prevent overdevelopment of the site in future.
- 7.19 Overall, it is considered that the proposal would not give rise to an unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

#### **Parking and highway safety**

- 7.20 As stated above the proposal will have two parking spaces clear of the highway for each dwelling. NCC Highways have been consulted on the proposal and have raised no objection. Given the provision of a total of 4 new parking spaces it is considered that the proposal would provide parking and highway safety benefits.

### **8 CONCLUSION**

- 8.1 The Council 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 respect, the site is located in a residential area and therefore the principle of residential development on the site is acceptable under the development plan, with the proposed development also contributing to the Council's five year housing land supply. The submitted information demonstrates that whilst the site lies in Flood Zones 2 and 3 the development can be suitably mitigated against the level of flood risk identified and mitigation can be achieved by condition. Furthermore, subject to conditions, no other harm has been identified that would significantly and demonstrably outweigh the benefits of the proposed development. Therefore, it is recommended that planning permission is granted subject to the imposition of suitably worded 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: 30565 (P) 03 Rev E, 30565 (P) 04 Rev B, 30565 (P) 05 Rev A and 30565 (P) 06 Rev G.

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

3) 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 the Local Planning Authority for approval.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

4) Any site investigation found to be required under Condition 3 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 the Local Planning Authority for approval.

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.

5) All remedial works found to be required under Condition 4 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.

6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 4 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, 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 in accordance with Condition 5.

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

7) Prior to the construction of the new dwellings hereby permitted, tree protection measures shall be installed in accordance with the recommendation in the submitted Arboricultural Report (reference 1789.8\_R.F03) and maintained for the duration of the construction of the new dwellings.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure trees are protected.

8) The development hereby approved shall be carried out fully in accordance with the submitted flood risk assessment (ref WIE14416-3-2-2-FRA dated September 2019) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 65.72 metres Above Ordnance Datum (AOD).  
The dwellings shall be two storeys only.

These mitigation measures shall be fully implemented prior to occupation and shall be retained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Section 14 of the National Planning Policy Framework.

9) Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

10) 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 H1 of the West Northamptonshire Joint Core Strategy.

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 additional windows shall be installed in the north or south (side) elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

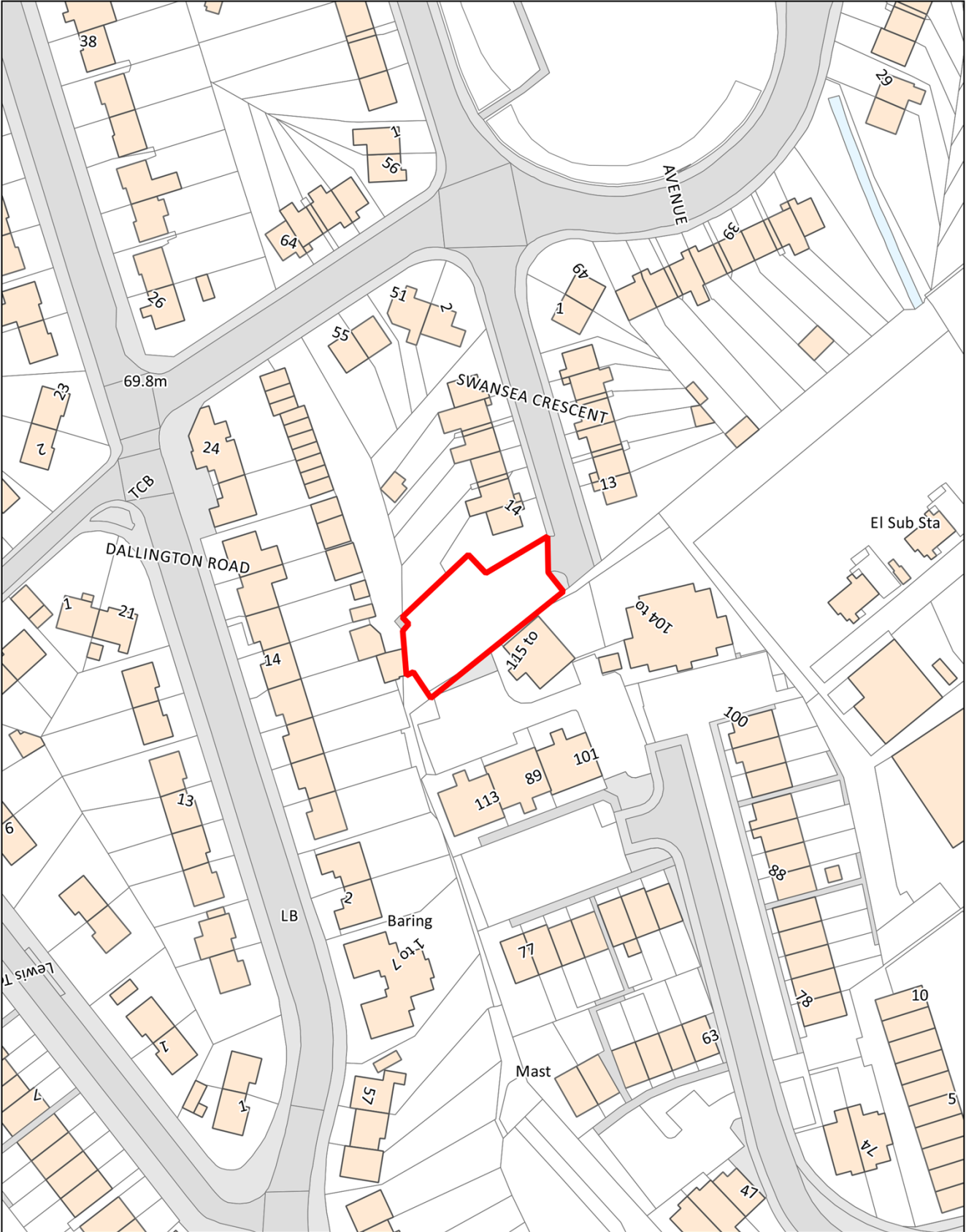
10.1 N/2019/1037.

## **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: **Land at Swansea Crescent**

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Date: 10-10-2019

Scale: 1:1,000

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1141

**LOCATION:** 48A Tyes Court

**DESCRIPTION:** Variation of Condition 3 of Planning Permission N/2018/1513 (Demolition of domestic garages and construction of 2no new dwellings with associated parking) to amend the internal layout of the second floor

**WARD:** Brookside Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner

**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 development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's housing land supply. The proposed development would therefore comply with Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan, Policies H1 and H2 of the Growing Together Neighbourhood Plan and the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The proposal is an application for variation of condition to amend the internal layout of two previously approved dwellings. These would be reconfigured to provide four rather than three bedrooms in each of the property, by reconfiguring the second floor.

2.2 4 car parking spaces would continue to be provided to serve the development.

### **3 SITE DESCRIPTION**

- 3.1 The site previously consisted of a small block of two garages, although these have been demolished and work has commenced on site. The surrounding area is comprised of three storey dwellings adjacent on either side. The wider context of the area is largely similar house types other than one block of two storey dwellings with a monopitch roof. The area is of a 1970s design ethos.

### **4 PLANNING HISTORY**

- 4.1 N/2018/1513 – Demolition of domestic garages and construction of 2no new dwellings with associated parking. Approved 23/01/19.

### **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, and the Growing Together Neighbourhood Plan.

#### **5.2 National Policies**

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

Section 2 – Achieving sustainable development  
Section 5 – Delivering a sufficient supply of homes  
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 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 policy is material to this application:

Policy E20 - New development

#### **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

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) 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:

Policy H1: Housing mix.

Policy H2: Small-scale housing development.

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** – No further comments over those made on the original application (these stated no objections subject to a condition requiring action in the event of unexpected contamination being found).
- 6.2 **Local Highway Authority** – The change to the internal layout on the second floor has created an additional bedroom in each dwelling; therefore the proposed parking provision is no longer adequate. Each dwelling will require 3 on plot spaces as detailed in the Northamptonshire Parking Standards.

## **7 APPRAISAL**

- 7.1 As an application for a minor material amendment, the issues to consider are whether there would be any change in the impact of the development on the street scene and character of the area, on the amenities of adjoining occupiers, or on highway safety and amenity, as a result on the proposed changes.
- 7.2 The plans show no significant changes to the external appearance of the dwellings, with the changes consisting of an internal reconfiguring of the second floor, to provide an additional bedroom within each house.
- 7.3 In terms of the street scene, as the appearance of the dwellings would be fundamentally unchanged, the impact would remain the same as with the previously approved scheme.
- 7.4 In respect of the impact on neighbouring occupants, the only change visible externally would be the change of one obscure glazed window in each of the dwellings to a clear glazed secondary window to a bedroom. This would allow for a slightly increased view into the neighbouring private garden, however this is usual within an urban environment and it is not considered that the occupiers of this neighbouring property (49 Tyes Court) would be unduly affected.
- 7.5 Regarding parking, the proposed development would continue to have 4 car parking spaces to the front. Under the previous approval, with three bedrooms per dwelling, this complied with the adopted parking standards. Under the amended plans each of the units would now have four bedrooms, and the adopted standards thereby require three spaces per property. There would, therefore, be a shortfall of parking for the proposed dwellings of two parking spaces and the Local Highway Authority have objected on this basis.
- 7.6 Whilst there would be a shortfall of two parking spaces for the proposed development, it is considered that this minor discrepancy would be unlikely to have a significant impact in terms of highway amenity or the amenities of residents of the area. This is due to the availability of parking courts within the area, such as that immediately opposite the site. It is also pertinent to note that the proposal relates to internal alterations only. If the houses had been built as approved, these internal changes to create one additional bedroom within each property could then have been carried out without the need for further permission. With the availability of parking courts within the

area, and with the proposal being internal alterations only which would not have required permission should the alteration have occurred once the building was complete, it is considered that the shortfall of parking would not amount to a reason for refusal.

## **8 CONCLUSION**

- 8.1 The proposed development as amended is acceptable in principle and would provide a good standard of accommodation for future occupants whilst having no adverse impact on the amenities of adjoining occupiers and no significant additional impact on highway amenity.

## **9 CONDITIONS**

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 30599 (P) 03, 30599(P) 06 A, 30597 (P) 04 B, 30597 (P) 05 Rev A.

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

- 2) The development shall be carried out in accordance with external facing materials as specified: Walls – Ibstock Sandalwood Buff Brick, Roof – Marley Eternit Rivendale Fibre Cement Artificial Slate, Blue Black.

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.

- 3) The parking spaces and manoeuvring area together as shown on approved plan 30599 (P) 03 shall be constructed prior to the first occupation of the buildings hereby approved and retained for the parking of vehicles 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.

- 4) In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Reason: To ensure that risks from land contamination to the future users of the development and neighbouring land are minimised, in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 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 additional windows shall be installed in the side elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 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 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.

- 7) All trees shown to be retained in the approved plans shall be protected for the duration of the development in accordance with the Macintyre Trees Tree survey and Arboricultural Impact Assessment Report dated October 2018. The integrity of the control measures should be monitored by a competent arboriculturist throughout the development to ensure compliance, and the reports submitted to the local planning authority for verification.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

- 8) The external boundaries of the site shall be constructed in accordance with the approved plan 30599 (P) 03 prior to the occupation of the buildings hereby permitted and retained in full accordance with the details 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.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

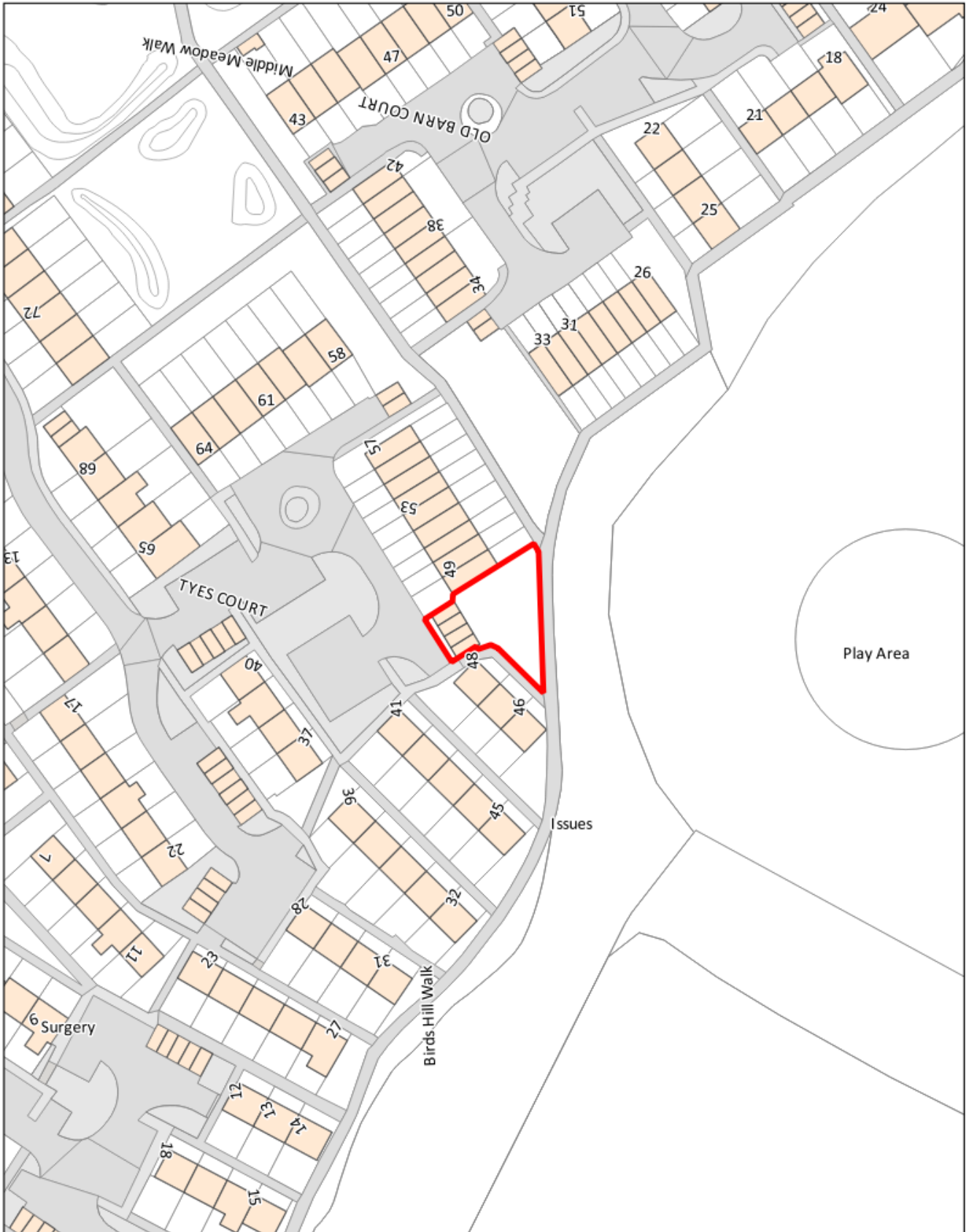
- 10.1 Application file N/2019/1141 and N/2018/1513.

## **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.



Title: **48A Tyes Court**

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Date: 08-11-2019

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**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1414 and N2018/1048

**LOCATION:** Land to North of Newport Pagnell Road

**DESCRIPTION:** Outline application for a residential development of up to 525 dwellings, open space, children's play area and associated infrastructure (application accompanied by an Environmental Statement)

**WARD:** Nene Valley Ward

**APPLICANT:** Martin Grant Homes Ltd & Harcourt Developments Ltd  
**AGENT:** Pegasus Group Ltd

**REFERRED BY:** Head of Planning  
**REASON:** Major Fringe Applications

**DEPARTURE:** No

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## CONSULTATION BY SOUTH NORTHAMPTONSHIRE COUNCIL:

### 1 RECOMMENDATION

- 1.1 That Northampton Borough has **NO OBJECTION IN PRINCIPLE** subject to conditions to secure appropriate mitigation in respect of highway, drainage, air quality, contamination, noise, ecology, and archaeology impacts arising from the development.
- 1.2 The completion of a Section 106 Legal Agreement in consultation with Northampton Borough Council to secure the provision of the following:
  - Affordable Housing 13%
  - Highways mitigation
  - Public Transport
  - Travel Plan Monitoring
  - Early Years Education
  - Primary Education
  - Healthcare
  - Off-site sports provision
  - Open Space Maintenance

### 2 THE PROPOSAL

- 2.1 This is a consultation from South Northamptonshire Council in respect of the outline planning application reported under Item 10a of this agenda for the development of Land to the North of Newport Pagnell Road for up to 525 dwellings, open space, children's play areas and associated infrastructure.
- 2.2 The application site is a cross boundary site, the northern parcel of land being situated within Northampton Borough and the southern parcel within South Northamptonshire, and therefore planning applications have been submitted to both Local Planning Authorities for determination of the parts of the development located within their respective boundaries. The consultations received from South Northamptonshire Council relate to the originally submitted details and subsequent amendments.
- 2.3 The application site is divided into two parcels by a minor single track road known as 'The Green' which sits entirely within the boundary of South Northamptonshire with Northampton Borough located to the north of this road. Whilst the application is in outline it is estimated that the development would provide approximately 115 dwellings within the northern parcel and 410 dwellings within the southern parcel.
- 2.4 The principal means of vehicular access to the site will be via a new roundabout from Newport Pagnell Road. The Green, a minor road that divides the site and extends from Newport Pagnell Road towards Great Houghton, is proposed to be downgraded at its western end to a footway/cycleway only. The proposed new estate road would extend from the new roundabout on Newport Pagnell Road joining The Green at its eastern end within the application site, where it would remain open to vehicles and continue on its current alignment towards Great Houghton.
- 2.5 The proposal includes areas of open space incorporating areas of drainage attenuation and green links throughout the site, with a large area of open space proposed in the northern parcel adjacent to Brackmills Wood with potential to incorporate a Local Area of Play and informal kick-about area, and a larger, more formal play area and playing pitch proposed in the southern parcel.
- 2.6 The application is supported by an indicative Masterplan, parameter plans setting out proposed Land Use, and Access and Movement, a Planning Statement, Design and Access Statement, and a number of technical supporting documents contained within an Environmental Statement including a Transport Assessment, Air Quality Assessment, Ecology report, Arboricultural and Contamination reports, Flood Risk Assessment and a Statement of Community Involvement.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located to the south east of Northampton Town Centre, east of Hardingstone and south of Brackmills industrial estate, and comprises 26.4 hectares of land divided into two parcels by The Green, a minor single track road. The northern section of the site is 8.3 hectares in size comprising an area of arable land with woodland to the north, subject to a woodland Tree Preservation Order, and sits within Northampton Borough. The southern section is 18.1 hectares comprising an area of former landfill, now semi improved grassland and broadleaved plantation, and sits within South Northamptonshire.
- 3.2 The application site forms part of an area of land allocated for development under Policy N6 of the West Northamptonshire Joint Core Strategy as the Northampton South of Brackmills Sustainable Urban Extension (SUE) for the provision of in the region of 1,300 dwellings and associated infrastructure. The majority of the allocated SUE site is situated to the west of the application site extending towards Hardingstone, and is in the ownership of Homes England. This land is subject to an existing outline approval for development of up to 1,000 dwellings, a local centre, primary school, public house and community facility, and a reserved matters approval for the first Phase of development granted in August 2019. The area of land which is the subject of this current application is under separate ownership and forms the remainder of the land allocated under Policy N6.

- 3.3 The northern boundary of the northern parcel of land is surrounded on three sides by Brackmills Wood, in the ownership of the Borough Council. Beyond this, to the north, is Brackmills industrial estate. A hedgerow defines the eastern boundary beyond which is agricultural land. Beyond the hedgerow on the western boundary is currently agricultural land, which forms the remainder of the SUE allocation and is subject to the existing outline consent.
- 3.4 The Green, a minor single carriageway road, which provides access from Newport Pagnell Road to the village of Great Houghton, divides the northern and southern parcels of land and forms the district boundary between the Borough and South Northamptonshire along its northern side. The southern parcel of land comprises an area of open fields intersected by hedgerow running east/west through the centre of the site. Newport Pagnell Road forms the southern boundary of the site beyond which is recently approved residential development within South Northamptonshire currently under construction.
- 3.5 The site is not subject to any landscape or wildlife designations. The nearest heritage assets are located some considerable distance to the west in Hardingstone, with Great Houghton and Little Houghton Conservation Areas some distance further to the north east.
- 3.7 The application site is situated in Flood Zone 1 with the land generally undulating throughout, rising to the north eastern corner. Land within the southern part of the site falls generally from east to west, and from south east to north west within the northern part with a more pronounced slope in the northern section. Along The Green the land generally rises to the north west.

## **4 PLANNING HISTORY**

- 4.1 There is no relevant planning history.

## **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  
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

### **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 N6 – Northampton South of Brackmills Sustainable Urban Extension  
Policy SA - Presumption in Favour of Sustainable Development  
Policy S1 - The Distribution of Development  
Policy S3 - Scale and Distribution of Housing Development  
Policy S4 - Northampton Related Development Area  
Policy S7 - Provision of Jobs  
Policy S10 - Sustainable Development Principles  
Policy S11 - Low Carbon and Renewable Energy  
Policy C2 - New Developments  
Policy RC2 - Community Needs  
Policy H1 - Housing Density and Mix and Type of Dwellings  
Policy H2 - Affordable Housing  
Policy H4 - Sustainable Housing  
Policy BN1 – Green Infrastructure Connections  
Policy BN2 – Biodiversity  
Policy BN5 – The Historic Environment and Landscape  
Policy BN7 - Flood Risk  
Policy BN9 - Pollution control  
Policy INF1 - Approach to Infrastructure Delivery  
Policy INF2 - Contributions to Infrastructure Requirements

#### 5.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)  
Biodiversity SPD for Northamptonshire (adopted September 2017)

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received in respect of planning application N/2017/1369 are relevant to this consultation and are summarised as follows:

- 6.1 **NBC Public Protection** – accept the findings of the updated noise addendum and advise measures to be conditioned accordingly; request the provision of EV charging points throughout the site at 1 charging point per unit (dwelling with dedicated parking) or 1 charging point per 10 spaces (unallocated parking); request S106 contribution of £100,000 towards air quality mitigation measures; and a condition in respect of contamination mitigation.
- 6.2 **NBC Housing Strategy** – following negotiations in respect of viability, the Housing Strategy Officer has accepted a tenure mix of 50% affordable rent and 50% shared ownership.
- 6.3 **NCC Highways** – no objection in principle subject to securing the following requirements:

A S106 Agreement to secure the following financial contributions:

- Tesco/Mereway gyratory - £313,897
- Queen Eleanor gyratory - £261,174
- Public Transport contribution of £525,000

and conditions to secure the following off-site highway mitigation measures:

- Pedestrian Crossing (Plan Ref: 20168\_03\_08)
- Caswell Road/ Rhosili Road/ Pavillion Drive (Plan Ref: 20168\_08\_020\_03C)

- Wooldale Road / Caroline Chisholm School Access (Plan Ref: 20168\_08\_020\_10)
- Wooldale Road / Quinton Road (Plan ref: 20168\_08\_020\_11B)
- Wooldale Road / Berry Lane roundabout (Plan ref: 20168\_08\_020\_12)

In addition, request conditions to ensure the completion of the roundabout access on Newport Pagnell Road and relocation of speed limits prior to commencement of wider site clearance, earth moving, infrastructure installation and dwelling construction development, and the provision of 2 bus stops, puffin crossing, and the gateway feature prior to first occupation. Request link to the west of the site to the Hardingstone SUE, removal of vehicle rights to Green Lane to pedestrianize and ensure this is in place once vehicle route through the development is complete and prior to occupation of 301<sup>st</sup> dwelling, provision of 1 pair of sheltered bus stops through main estate route, Travel Plan, Construction Management Plan, and condition for measures for management of residential streets in the event they are not proposed for adoption as public highway.

- 6.4 **Highways England** – no objection, request contribution towards NGMS (CIL).
- 6.5 **NCC Lead Local Flood Authority** – no objection subject to conditions to secure detailed surface water drainage scheme, implementation of approved scheme and verification, and approval of scheme for maintenance and upkeep of the approved surface water drainage scheme.
- 6.6 **Environment Agency** – no objection, subject to condition in respect of contamination, and in respect of surface water infiltration into area of former landfill.
- 6.7 **Anglian Water** – no objection, subject to conditions in respect of a foul water strategy and surface water management strategy.
- 6.8 **Natural England** – following further receipt of further details in relation to package of improvements set out on drawing 'Brackmills Country Park Ecological Mitigation and Enhancement Works', request confirmation that works will be completed by developer with maintenance by NBC supported by a commuted sum, agreement of detailed specification of works.
- 6.9 **NCC Ecology** – No objection subject to conditions to agree with the LPA a protocol to deal with Japanese Knotweed on the site, a Construction and Environmental Management Plan, a Landscape and Ecological Management Plan, lighting scheme, provision of bird and bat boxes, and an ecological design strategy.
- 6.10 **Northants Badger Trust** – no objection. Noted that no actual setts on site, but parts of site are used for foraging. The Group would wish to secure some foraging value on the site and protection of badgers during construction process. New landscape should be required to improve biodiversity in the locality, and request protection of mammals during construction.
- 6.11 **Northamptonshire Police** – request condition for development to meet the requirements of a Secured by Design Silver accreditation for the built form. Use of central LEAP to accommodate play opportunities for all age groups which is surrounded by roads is welcomed. Linear pieces of green space on both west and east boundaries should be overlooked by development, and need management agreement for open space to ensure sightlines not impeded from development onto Green Lane and the 'trim trail' and other footpath routes. Green space should have a defined purpose. Site seems to be overly permeable and comment has previously been made about Green Lane being used as a convenient 'escape route' and means of evading detection by criminals. Number of available routes should not lead to dilution of use and lower the footfall as routes can then appear unsafe for users. Use of rear parking courts should be avoided. Houses should be designed back to back to offer security with parking on plot to front or side.
- 6.12 **NCC Development Management** – request S106 contributions towards early years and primary education provision, libraries, and a condition for the provision of fire hydrants. Secondary education contributions to be provided by CIL.

- 6.13 **NHS England** – request financial contribution of £707.80 per dwelling towards healthcare provision for the development.
- 6.14 **NCC Archaeology** – no objection, subject to condition to secure implementation of programme of archaeological work.
- 6.15 **Sport England** – advise outdoor sports facilities are not covered by CIL, and the applicant refers to significant provision to be provided at Brackmills SUE site. The requirement should be checked against the emerging playing pitch strategy to ensure needs generated from the development can be met. In addition, the County Football Association have advised of discussions with Wootton Parish Council in respect of potential S106 money in the area to upgrade existing local facilities in the area, and commented ‘the size of development along the adjacent Morris Homes site suggests a significant enough increase in population to require some level of mitigation’.
- 6.16 **Construction Futures** – request the provision of 725 training and employment weeks and a financial contribution of £50,925 towards this provision.
- 6.17 **Brackmills BID** – comment that it is essential that development comes with a commitment to invest in infrastructure and the local environment. Would not support any development that could have a negative impact on both the highway network within the estate, in particular the A45 trunk road. Wish to ensure nil detriment to the operations of current businesses, and that there is no negative impact on business park’s sustainable economic growth. Brackmills industrial estate experiences hundreds of daily HGV movements from companies using A45 and M1, current issue with reports of HGV drivers driving illegally towards Hardingstone along weight restricted Landimore Road. Further concern is additional vehicle movements through estate from construction traffic.
- 6.18 **Great Houghton Parish Council** – object. Concerns are summarised as follows:
- Transport Assessment makes no reference to impact on ‘The Green’ and no reference to upgrade of the existing ‘The Green’ road from the minor junction.
  - Concern existing infrastructure is not adequate to take increased traffic movements – existing road is single track and extremely difficult for vehicles passing.
  - Issue with pedestrian safety on ‘The Green’, no footpaths
  - No assessment of air quality impacts within surrounding areas.
  - No assessment of safety linked to potential additional traffic movement through Great Houghton.
  - Gravely concerned with adverse impact on village and residents due to anticipated substantial increase in vehicles and traffic movement.
  - Concerned regarding exit from site onto The Green and request it be omitted.
  - Seek improvements including traffic calming installations along length of The Green and the High Street, improvement and upgrading of junction with A428 Bedford Road, introduction of 7.5 tonne weight restriction along these roads between the Bedford Road and the Newport Pagnell Road, introduction of 40mph speed limit along A428 between little Houghton junction and the Brackmills roundabout, further development of the National Cycleway (6) to link from the site, through the village and Bedford Road destinations.
- 6.19 **Hardingstone Parish Council** – object. Proposed 525 houses are on top of 1,000 on neighbouring site approved as part of SUE, which would add additional pressure to traffic network in area, which already struggles at peak times. Will add to pressure of already proposed developments in the area on education and healthcare. Overdevelopment of area, and not necessary. If approve, Parish Council would wish to be consulted on S106 contribution negotiations.
- 6.20 66 representations have been received. Comments are summarised as follows:
- Increased traffic in already congested area - impact on Newport Pagnell Road, Queen Eleanor Interchange, A428 Bedford Road, The Green.



- Increase in vehicles running through Great Houghton to access and egress development, and impact on High Street where there are various pinch points, danger to pedestrians and cyclists.
- Increased impact on junction with Newport Pagnell Road and Waitrose/Garden Centre and difficulty of exiting onto Newport Pagnell Road.
- Proposals do not adequately mitigate for the growth traffic on Newport Pagnell Road, and have inconsistent traffic predictions, developers should be required to give same undertaking to improvement works to Queen Eleanor Interchange before 1<sup>st</sup> occupation.
- A number of significant accidents have been ignored within the Transport Assessment.
- The Green/High Street in Great Houghton is badly maintained and full of potholes, and is narrow in places with no footpath on one side and dangerous for cyclists and pedestrians. Road cannot accommodate any more traffic.
- No assessment of the traffic impact on Great Houghton and safety linked to potential additional traffic movements through the village.
- No information regarding an upgrade of The Green.
- Travel Plan ignores fact of planning permission for several thousand houses in the locality.
- No assessment of the effect of the A428/High Street junction – the right hand turn is always difficult.
- Cumulative impact of future developments not considered.
- Should by 7.5 tonne weight restriction between Bedford Road and Newport Pagnell Road, introduce 40mph speed limit along the A428 between the Little Houghton Junction and Brackmills roundabout.
- Whole stretch of road between Hampton Green and A428 Bedford Road will become rat run increasing risk of accidents.
- Access onto Newport Pagnell Road should be made adequate.
- The development road linking to The Green should be closed to allow for a true footpath & cycle route protecting traffic movement through Great Houghton.
- Requires further development of National Cycleway (6) link from site through village to Bedford Road.
- Impact on and lack of local infrastructure, schools, doctors surgeries, pubs, shops to serve development – existing facilities are all pushed to capacity.
- Wootton has been the subject of flash flooding recently which will be made worse by development.
- Increased noise and pollution.
- Out of scale with surroundings.
- Appears 750 homes which the Council have already agreed to be built in Hardingstone will have a through link in to the new development.
- St George's Fields development already impacts on the village in terms of traffic.
- In addition to proposed development, further excessive building is proposed within and adjoining Great Houghton, indicated by site consultations.
- Great Houghton is a Conservation Area – real danger of the essential character of the village being lost.
- Developers need to consider older citizens who require bungalows, or retirement villages

## **7 APPRAISAL**

- 7.1 The impacts of the proposed development in its entirety and proposed mitigation measures are set out in the committee report for planning application N/2017/1369 under Item 10a of this agenda and Members are referred to the details therein which are relevant to the consideration of this consultation.

## **8 CONCLUSION**

- 8.1 The NPPF supports sustainable housing development and economic growth. The development of the overall site for up to 525 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement.

- 8.2 The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental, visual and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the NPPF and the West Northamptonshire Joint Core Strategy and, subject to appropriate conditions and/or planning obligations to secure appropriate mitigation in respect of highway, drainage, air quality, contamination, noise, ecology, and archaeology impacts and the provision of the necessary infrastructure, the development of the site as proposed is considered acceptable.

## **9 CONDITIONS**

- 9.1 N/a

## **10 BACKGROUND PAPERS**

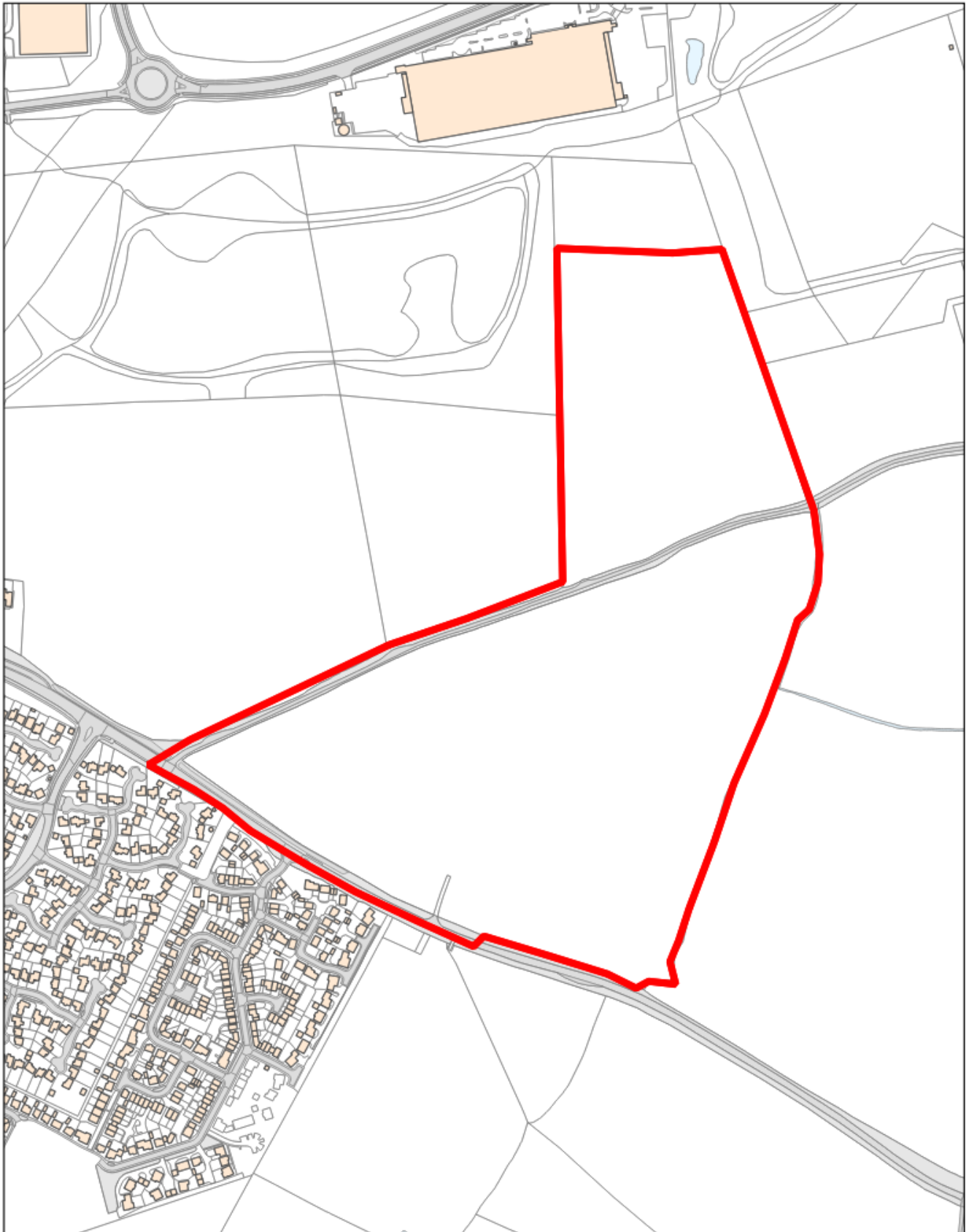
- 10.1 N/2017/1414 & N2018/1048

## **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 Strategies.



Title: **Land North of Newport Pagnell Road**

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Date: 08-11-2019

Scale: 1:5,000

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**PLANNING COMMITTEE:** 19<sup>th</sup> November 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1309

**LOCATION:** Site 7C Veolia ES (UK) Limited, Edgar Mobbs Way

**DESCRIPTION:** S73 Planning Application to vary Conditions 4 (Waste Throughput) and 6 (Hours of Operation) of planning permission 18/00044/WASFUL

**WARD:** St James Ward

**APPLICANT:** Veolia ES (UK) Ltd  
**AGENT:** N/a

**REFERRED BY:** Head of Planning  
**REASON:** The Applicant is a Council contractor

**DEPARTURE:** No

## CONSULTATION BY NORTHAMPTONSHIRE COUNTY COUNCIL:

### 1 RECOMMENDATION

- 1.1 That Northampton Borough Council has **NO OBJECTION IN PRINCIPLE** to the proposal subject to the following:
- 1.2 Appropriate mitigation in respect of the impact upon the highway and there being no objection from the Local Highway Authority.
- 1.3 The imposition of conditions in respect of a Noise Management Plan as follows:
  - 1) Prior to occupation of the development hereby permitted a Noise Management Plan shall be agreed with the Local Planning Authority that specifies the internal and external sources of noise on the site and the provisions to be made for its control. The approved scheme shall be implemented prior to occupation and retained thereafter.

Reason: In the interests of amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

- 2) Within 3 months of occupation of the development hereby permitted, a Verification Report shall be submitted for approval in writing to the Local Planning Authority demonstrating that the design criteria as detailed in the approved Noise Management Plan has been achieved.

Reason: In the interests of amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

## **2 THE PROPOSAL**

2.1 This is a consultation from Northamptonshire County Council (NCC) in relation to an existing planning permission for the erection of a waste transfer building (Use Classes B2 and B8) which was granted planning permission by Northamptonshire County Council on 15<sup>th</sup> February 2019 under reference 18/00044/WASFUL. The current application seeks to vary Conditions 4 and 6 of the above permission.

2.2 Condition 4 restricts the amount of imported waste to 45,000 tonnes per annum. The proposed variation seeks to increase the amount of imported waste to 65,000 tonnes per annum.

2.3 Condition 6 restricts the hours of operation of the site as follows:

‘All waste handling and recycling operations at the site shall be carried out between the following times (including the exceptions also referred to in this condition):

- 07:00 to 19:00 Monday to Fridays (except HGV departures from 04:00)
- 07.00 and 13:00 on Saturdays
- No activities on Sundays and Public and Bank Holidays

This application seeks to remove Condition 6 to allow for the facility to be able to operate 24 hours, 7 days per week.

2.4 This latest application does not seek to amend the design of the building, the scale of the building or any other physical aspects of the proposed development. It is only proposed to amend the wording of Condition 4 and remove Condition 6 which cover the way in which the facility operates.

## **3 SITE DESCRIPTION**

3.1 The application site comprises an area of 1.2 hectares of land situated on Edgar Mobbs Way. It is located within the Northampton Waterside Enterprise Zone, forming part of a site known as Site 7C. The approved waste facility and ancillary office building approved by Northamptonshire County Council under permission 18/00044/WASFUL is currently under construction.

3.2 The surrounding area comprises a mix of industrial, commercial and warehouse units. The land to the north of the site, the remaining part of Site 7C, has been subject to a recent development granted permission in 2016 for the erection of a general industrial/storage and distribution building and associated office.

## **4 PLANNING HISTORY**

4.1 19/00032/WASNMA – County Council application for a non-material amendment to the approved Waste Transfer Facility development. Approved 21/05/2019

4.2 18/00044/WASFUL – County Council application for the erection of a waste transfer building (Use Classes B2/B8), with associated two storey office/welfare building (Use Class B1), two weighbridges, vehicle fuel station, vehicle wash bay, sprinkler tanks and pump house, together with associated access from Edgar Mobbs Way, 44 car parking spaces, refuse vehicle parking, retaining wall structures and landscaping. Approved 15/02/2019.

4.3 N/2017/0887 – Reserved matters application pursuant to outline approval N/2016/0015, for the erection of three industrial buildings (Class B1, B2 and B8) with associated parking, landscaping and servicing. Approved in 10/10/17.

- 4.4 N/2016/0015 – Outline application with all matters reserved apart from access for removal, levelling and remodelling of earth mounds and development of the site for B1, B2 and B8 uses. Approved 22/08/16.

## **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, and the Minerals and Waste Local Plan.

### **5.2 National Policies**

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

Section 2 – Achieving sustainable development  
Section 8 – Promoting healthy and safe communities  
Section 9 – Promoting sustainable transport  
Section 12 – Achieving well-designed places  
Section 14 – Meeting the challenge of climate change, flooding and coastal change

### **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 E1- Existing employment areas  
Policy SA –Presumption in favour of sustainable development  
Policy S7 - Provision of Jobs  
Policy S8 - Distribution of Jobs  
Policy S10 - Sustainable Development Principles  
Policy S11 - Low Carbon and Renewable Energy  
Policy BN2 - Biodiversity  
Policy BN7- Flood Risk  
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:

E20 Design of New Development

### **5.5 Supplementary Planning Documents**

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

### **5.6 Other Material Considerations**

None

## **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 **Public Protection (NBC)** – has reviewed the BWB Noise Impact Assessment dated November 2018 in the context of the proposed changes and to introduce operations through a full 24-hour period. Advise that as this represents the most sensitive hours when residents are likely to be sleeping, there are some areas where further clarity is required with respect to conclusions of the BWB report. Suggest it may be appropriate to add a Noise Management Plan condition to identify noise management measures that will be used onsite through the hours of 11:00pm and 07:00am to any approval to secure clarity on the areas identified below:

- There is no reference in the report to vehicle reversing noise. It is assumed that this will not involve tonal reversing sirens as no account has been made of “tonality and intermittency” in the BS4142 assessment. Request further details within noise management plans confirming the reversing techniques to be used onsite to prevent noise nuisance but secure safe systems of work as vehicle reversing is not discussed in the report.
- Request further clarity on noise from fixed plant and equipment be introduced and whether it meets the noise limits set by the BWB report.
- The report has assessed the car wash as running 24 hours, but no details have been provided of the source data and modelling inputs. Request further details in the noise management plan of the noise levels modelled and the intended use of this outdoor equipment.
- It appears the modelling has been undertaken assuming a “door shut” scenario for the main waste transfer building. If this is the case is this practical and how will this be managed? Can the wheel loader be shut inside this building to secure the noise levels in the report?

With the above clarifications in mind, a practical way forward would be to secure this information, in the form of a detailed noise management plan for site with particular reference to the night-time periods. A total of four conditions are proposed to cover this information.

## **7 APPRAISAL**

### **Principle of development**

- 7.1 The principle of a Waste Transfer Site in this location is already established by a previous planning permission granted by Northamptonshire County Council in February 2019. This proposal seeks to amend the details of two conditions applied to that permission.
- 7.2 The use of the site as proposed remains in accordance with the extant permission, although seeks to amend the amount of waste allowed per year in tonnes. The principle continues to accord with relevant policies and continues to represent a sustainable form of development which will bring economic and environmental benefits to the locality.
- 7.3 The variation/removal of conditions as proposed relate to the manner in which the facility will operate. The material considerations affected by these proposals are therefore restricted to highway issues and noise.

### **Highway Issues**

- 7.4 The applicant’s submitted supporting statement identifies that when the proposals for the building were developed it was on the basis of 45,000 tonnes of commercial waste and 20,000 tonnes of municipal waste. The design of the building, in terms of internal storage and manoeuvring space

was on the basis of 65,000 tonnes overall and the vehicle movements were calculated on that basis.

- 7.5 It had been anticipated by the applicants that any restrictions placed on the proposal would be on vehicle movements, not on total tonnage. As such, the site has already been designed for the higher capacity of 65,000 tonnes and the updated Transport Statement by BWB concludes that there will be a total of up to 355 trips to and from the site per day, which remains significantly less than the 885 trips permitted on the previously approved industrial use for the site.
- 7.6 In addition, this latest application is subject to consultation with the Highway Authority, the comments of which will be directed to the relevant Planning Officer at the County Council for consideration. Subject to appropriate mitigation in respect of highway impacts to the satisfaction of the Highway Authority it is not considered that the proposal would lead to any unacceptable impacts on existing highway conditions.

## **Noise**

- 7.7 The proposal to remove Condition 6 of the planning permission to allow the site to operate 24 hours per day, seven days per week will result in the site being used at times when any noise generated would be at the quietest times of the day. Public Protection (NBC) have been consulted on the proposal and have suggested conditions that would secure a Noise Management Plan and ensure its implementation. The Noise Management Plan would have a particular focus upon the night-time period.
- 7.8 It is considered that the noise impact can be sufficiently addressed by condition and the proposed wording suggested by Public Protection (NBC) will be provided to the Planning Officer at Northamptonshire County Council for consideration with the application.

## **8 CONCLUSION**

- 8.1 The proposal to amend Condition 4 and remove Condition 6 of 18/00044/WASFUL is considered acceptable in principle and would continue to represent a sustainable form of development, particularly in respect of highways issues and noise. The applicant's own supporting information demonstrates that the site as previously approved has been designed to accommodate 65,000 tonnes of waste per annum and the altered wording of the condition proposed would not result in the facility being operated at a level that it is not designed for.
- 8.2 It is considered that allowing the site to operate 24/7 would have operational advantages which would, in turn, mitigate the impact of the facility at busier periods of the day. Subject to the conditions recommended at paragraph 1.3 of this report, it is not considered the proposed alterations to operational hours would lead to any unacceptable impact on surrounding amenity.

## **9 BACKGROUND PAPERS**

- 9.1 N/2019/1309

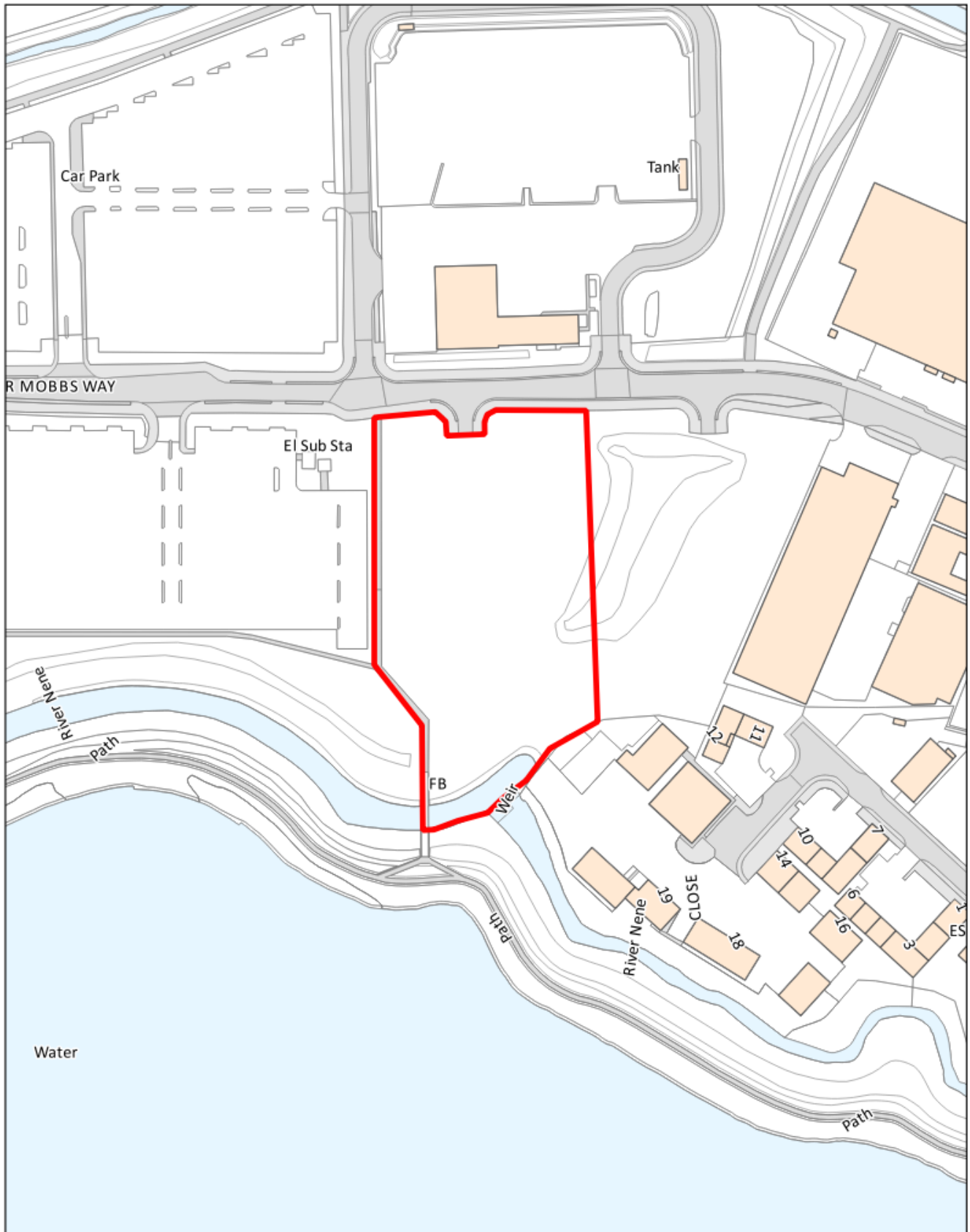
## **10 LEGAL IMPLICATIONS**

- 10.1 The development is not 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.





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