



PLANNING AGENDA

Tuesday, 7 July 2020

This meeting will be held remotely via Zoom:
<https://www.youtube.com/user/northamptonbcTV>
At 5:00 pm

Members of the Committee

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

Councillors: Alan Bottwood, Mary Markham, Matthew Golby, Anna King, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Muna Cali, Naz Choudary, Arthur McCutcheon and Brian Markham.

Chief Executive

George Candler

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



PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 14th April, 12th May, 19th May, 9th June, 7th July, 28th July, 1st September, 29th September, 27th October, 24th November, 22nd December 2020, and 21st January, 16th February and 16th March 2021.

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?

PLEASE BE AWARE THAT THIS MEETING WILL BE TAKING PLACE REMOTELY – SEE BELOW FOR DETAILS OF PUBLIC SPEAKER REGISTRATION/HOW TO VIEW THE MEETING

- 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

- Once registered to speak, an invitation will be sent to join the Zoom video conferencing webinar for this meeting.

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.

*****Remote Meeting Access for Participants*****

- Members of the public should register to speak by email (democraticservices@northampton.gov.uk) or telephone (01604 837722) by 12pm on the day of the meeting.
- An invitation will be sent to Members and registered Public Speakers for the meeting via Zoom Conferencing Webinar.

*****Remote Public Access*****

- The meeting will be available to view here: <https://www.youtube.com/user/northamptonbctv>

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held

This meeting will be held remotely via Zoom:
<https://www.youtube.com/user/northamptonbcTV>

on Tuesday, 7 July 2020

at 5:00 pm.

AGENDA

- 1. APOLOGIES**
- 2. MINUTES**
(Copy to follow)
- 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**
 - (A) N/2019/0840 - THE CONSTRUCTION OF NEW ROADS (NORTHAMPTON NORTH WEST RELIEF ROAD) ON LAND SOUTH OF THE A5199 NORTHAMPTON ROAD BETWEEN THE BRAMPTON HEATH GOLF CENTRE AND THE RIVER NENE, INCLUDING TWO NEW ROUNDABOUTS AND LINKS BRIDGING OVER THE RIVER NENE TO BRAMPTON LAND AND OVER THE NORTHAMPTON LOOP OF THE WEST COAST MAINLINE TO CONNECT WITH THE DALLINGTON GRANGE DEVELOPMENT. LAND OFF A5199, NORTHAMPTON ROAD**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
- 10. ITEMS FOR DETERMINATION**
 - (A) N/2020/0128 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 8 OCCUPANTS. 51 ST MATTHEWS PARADE**
 - (B) N/2020/0133 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 8 OCCUPANTS. 53 ST MATTHEWS PARADE**

- (C) N/2020/0399 - DEMOLITION OF EXISTING BUNGALOW AT 486 KETTERING ROAD AND REDEVELOPMENT OF SITE TO PROVIDE NEW CARE HOME (CLASS C2) ARRANGED OVER PART TWO AND PART THREE STOREYS TOGETHER WITH ASSOCIATED CAR PARKING, LANDSCAPING AND AMENITY SPACE AND NEW ACCESS FROM KETTERING ROAD. 486 - 492 KETTERING ROAD**
- (D) N/2020/0509 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 5 OCCUPANTS (USE CLASS C4). 50 MANFIELD ROAD**
- (E) N/2020/0514 - PROPOSED REMOVAL OF HORSE CHESTNUT TREE (UNDER TREE PRESERVATION ORDER 069). 1A BILLING ROAD**

11. ITEMS FOR CONSULTATION

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

- (A) N/2020/0244 - INSTALLATION OF BRICK BUILT BIN ENCLOSURES ADJACENT TO 1-23 STONEHURST. 1 STONEYHURST**
- (B) N/2020/0541 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2019/0387 (DEMOLITION OF 18NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 2NO NEW BUILD UNITS) TO AMEND UNITS POSITION. LOCK UP GARAGES, CARDIGAN CLOSE**

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.”

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.

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Planning Service

Director of Planning and Sustainability: Peter Baguley



List of Appeals and Determinations – 7th July 2020

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2019/0486 APP/V2825/W/19/3241756	DEL	Loft conversion and extension of residential building to create 4no additional rooms and a kitchen to existing House in Multiple Occupation (Sui Generis) at 5-11 Horseshoe Street	DISMISSED
N/2019/0749 APP/V2825/W/20/3244897	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 5 St Michaels Mount	DISMISSED
N/2019/0803 APP/V2825/W/20/3249179	DEL	Demolition of existing property and erection of 13no new flats and associated 15no car parking spaces at 104 Semilong Road	AWAITED
N/2019/0884 APP/V2825/W/20/3246371	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 49 Lutterworth Road	AWAITED
N/2019/0959 APP/V2825/W/20/3244727	DEL	Change of Use from Offices/Warehouse (Use Class B1/B8) to Church (Use Class D2) (Amendment to planning application N/2018/0055) to include additional on site parking and turning area on land under client ownership at 3A Kingsfield Way	AWAITED
N/2019/1165 APP/V2825/W/20/3246171	PC	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 at 15 Burns Street	AWAITED
N/2019/1175 APP/V2825/W/19/3242722	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 8 occupants at 8 Bostock Avenue	DISMISSED
N/2019/1193 APP/V2825/W/20/3247668	DEL	Change of Use from Car Repair Shop (Use Class B2) to Martial Arts Studio (Use Class D2) at 69 Bunting Road	AWAITED
N/2019/1286 APP/V2825/W/20/3245912	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective) at 41 Alfred Street	AWAITED
N/2019/1329 APP/V2825/Z/20/3246034	DEL	Installation of illuminated D-Poster and ancillary vertical meadow at Aladdin Balti Hut, 96 Bridge Street	AWAITED
N/2019/1390 APP/V2825/W/20/3245648	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants including single storey rear extension and new rear door and window at 9 Allen Road	AWAITED
N/2019/1416 APP/V2825/D/20/3246374	DEL	Loft conversion with reduced dormer and new roof to rear (Part Retrospective) at 58 Whitworth Road	AWAITED
N/2019/1425 APP/V2825/D/20/3246616	DEL	Single storey rear extension, loft conversion with dormers and detached garage- part retrospective at 25 Beechwood Road	AWAITED
N/2019/1511 APP/V2825/W/20/3250888	DEL	Conversion of a terrace property into 2no flats at 24 Clare Street	AWAITED
N/2019/1524 APP/V2825/W/20/3248396	DEL	Erection of detached single storey dwelling at 47 Beech Avenue	AWAITED
N/2019/1550 APP/V2825/W/20/3247195	DEL	Extensions and alterations to create 6no apartments at 33 Harlestone Road	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

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

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

Local Government (Access to Information) Act 1985

Author and Contact Officer:

Background Papers

The Appeal Papers for the appeals listed

Mrs Rita Bovey, Development Manager
Telephone 01604 837237
Planning Service
The Guildhall, St Giles Square,
Northampton, NN1 1DE



PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0840

LOCATION: Land off A5199, Northampton Road, Northampton

DESCRIPTION: The construction of new roads (Northampton North West Relief Road) on land South of the A5199 Northampton Road between the Brampton Heath Golf Centre and the River Nene, including two new roundabouts and links bridging over the River Nene to Brampton Land and over the Northampton loop of the West Coast mainline to connect with the Dallington Grange development

WARD: Kings Heath Ward & Kingsthorpe Ward

APPLICANT: Northamptonshire County Council
AGENT: N/A

REFERRED BY: Director of Planning and Sustainability
REASON: County Council Application of Strategic Importance

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 NO OBJECTION IN PRINCIPLE subject to the following:

- 1) Northamptonshire County Council seeking an appropriate level of mitigation with due regard to comments received from relevant consultees and conditioning any planning permission accordingly in respect of impacts arising from the development on the local highway network, air quality, flood risk and drainage, biodiversity, noise, and impacts on amenity, particularly during the course of construction; and
- 2) Northamptonshire County Council give due consideration to the impacts of the proposed development on the Safeguarded Former Transport Route identified in Policy C3 of the West Northamptonshire Joint Core Strategy and Policy 30 of the emerging Northampton Local Plan Part 2, and to ensure that the development does not delay or compromise the allocation and delivery of the Northampton North Orbital Road.

2 THE PROPOSAL

- 2.1 This is a re-consultation from Northamptonshire County Council (NCC) following the receipt of amended details in respect of a full planning application submitted by NCC for the construction of a new relief road, known as the North West Relief Road (NWRR).
- 2.2 The proposed NWRR will measure approximately 1.9 km in length and be situated to the north west of Northampton. The application site extends across the administrative boundaries of both Daventry District Council (DDC) and Northampton Borough Council (NBC), the greater extent of the site being situated within DDC.
- 2.3 To the north, the road will connect into a new roundabout, the Sandy Lane Roundabout, located on the A5199 Northampton Road, and then connect to another new roundabout, the Brampton Lane Roundabout (part of the A5199 Welford Road). The road will extend southwards crossing over the railway line via a proposed new bridge connecting to a new roundabout, the Dallington Grange Roundabout, east of Grange Farm proposed as part of the Dallington Grange Sustainable Urban Extension.
- 2.4 The Northern Section of the NWRR, the subject of this application, is to be delivered by NCC. The remainder of the road to the south beyond the Dallington Grange Roundabout is to be delivered as part of the Dallington Grange SUE development, granted approval in principle by Committee on 31st October 2018 for up to 3,000 houses and associated infrastructure, subject to the completion of a Section 106 Agreement. This southern section of the NWRR would link to the existing section of road provided by the Harlestone Manor housing development to the south, located in the administrative boundary of Daventry, which links to the New Sandy Lane roundabout.
- 2.5 The development proposed under this application will comprise the following components:
- A main carriageway comprising a single two-lane carriageway on a raised embankment with landscape earthworks and planting on both sides connecting Dallington Grange Roundabout to Sandy Lane Roundabout. The proposed road is designed as a single carriageway designed to enable it to be upgraded to dual carriageway in the future if required.
 - A railway bridge over the Milton Keynes to Rugby railway line.
 - A shared cycleway/footway along the entire length of the western edge of the carriageway.
 - Proposed Sandy Lane Roundabout to replace the existing junction arrangements that connect Sandy Lane and the A5199 Northampton Road. Amended from previous submission to accommodate greater highway capacity.
 - Proposed Brampton Lane Roundabout to replace existing junction arrangements that connect Brampton Lane with the A5199 Northampton Road/ A5199 Welford Road. Amended from previous submission to accommodate greater highway capacity.
 - Closure of a short section of the A5199 Northampton Road, approximately 250m in length, to motorised vehicles starting at Sandy Lane/ A5199 Northampton Road junction to the Brampton Mill Equestrian Centre side road access. This will connect to the footway and cycleway provisions for both Sandy Lane Roundabout and Brampton Lane Roundabout to provide access for pedestrians, cyclists and horse riders only.
 - Highway balancing ponds and flood compensation storage areas.
 - Raised earth embankment to reduce width of the floodplain downstream of River Nene and Brampton Brook confluence to restrict flows during a flood event.
 - Drainage channel diversion away from Flood Mitigation Embankment.
 - Alterations to Public Rights of Way comprising Permanent Closure of Public Footpath CC6; Permanent Diversion of Public Footpath HW44; Permanent Diversion of Bridleway HW6; and Permanent diversion of National Cycle Route 6 approximately 15m west of its existing alignment to accommodate Brampton Lane Roundabout and provide safe access for users.
- 2.6 The amended scheme alters the red outline of the application site for part of the site situated within the administrative boundary of Daventry District Council. The extent of the application site and site layout within Northampton Borough remains as previously submitted.

- 2.7 The proposed amendments to the scheme are a result of on-going consultation and design development, further ground condition survey works and updated information on traffic flow since the original 2019 submission. The revised application is supported by an addendum to the Environmental Statement and updated Transport Assessment and technical supporting documents.
- 2.8 The main differences between the scheme as originally submitted in 2019 and the amended scheme are as follows:
- Flood Management – replacement of Flood Storage Areas A, B & C with single Flood Storage Area A of same footprint.
 - Flood Management Infrastructure – inclusion of diverted drainage channel to support mitigation of downstream flood risk and flood mitigation bund.
 - Relocation of highway balancing pond to south of Causeway.
 - Inclusion of Accommodation Access points to provide access to landowners with access to land parcels severed by the main carriageway and causeway but which are to be continued to be used for agricultural purposes.
 - Inclusion of Maintenance Access to allow general maintenance of design features such as bridges and balancing ponds.
 - Amendments to the design and adjustment to the location of the proposed Sandy Lane and Brampton Lane Roundabouts to accommodate greater highway capacity:
- 2.9 The submitted Transport Assessment sets out the aims of the NWRR:
- The NWRR between the A428 Harlestone Road and the A5199 Welford Road is necessary to enable and unlock the future development of 6,600 houses and more than 3,000 jobs in Northampton;
 - Required to help relieve the pressure that already exists on the local highway network in northern Northampton and nearby villages which currently suffer from high volumes of traffic and associated disturbance;
 - Aims to improve the quality of life for existing residents and commuters and enhance the character of existing nearby villages by redirecting traffic and reducing local congestion;
 - The road will form part of long-term strategy to deliver route from the A4500 near Junction 16 of the M1 and the A43 north of Northampton creating an orbital route option around Northampton.

3 SITE DESCRIPTION

- 3.1 The application red line site comprises approximately 56.7 hectares of land situated to the north west of Northampton, approximately 1.2km south-east of Church Brampton and immediately east of Brampton Heath Golf Centre and Harlestone Nature Reserved situated within Daventry.
- 3.2 The site is broadly defined by the A5199 Welford Road and Sandy Lane to the north, the Brampton Heath Golf Centre to the west, the River Nene to the east, and the Rugby to Milton Keynes railway line to the south, with a shorter section of road and proposed drainage features extending into the fields to the south of the railway line.
- 3.3 The majority of the site is situated within the administrative boundary of Daventry District Council, with the southern end situated within Northampton Borough.
- 3.4 National Cycle Route 6 is situated to the east of the site, crossing the application site at the Brampton Lane/ Welford Road junction. Public right of way CC6 runs diagonally across the north-eastern corner of the site, between Welford Road and Sandy Lane.
- 3.5 The nearest existing residential properties are located at Grange Farm, approximately 200m west of the scheme, at its southern end, within Northampton Borough, and Boughton Crossing House, close to the existing junction between Brampton Lane and Welford Road. The Windhover public

house/restaurant, with the Brampton View Care Home situated immediately to the north, lies adjacent to the site to the north of Brampton Lane.

- 3.6 The land is currently predominantly agricultural fields intersected by small areas of woodland, hedgerows and drainage fields that feed into the Brampton Arm of the River Nene. The site is generally level throughout with a rise within the site from approximately 65m above ordinance datum (AOD) to 80m (AOD) in the section crossing the railway line and, being situated at the lowest gradient of a valley, has upwards gradients from the site from both the east and west.
- 3.7 The majority of the site is situated within Flood Zone 3. There are no statutory environmental designations within or adjacent to the site. Harlestone Firs Local Wildlife Site is situated some distance to the south west beyond Grange Farm. There are no specific heritage assets within the site, but there is potential for buried archaeological sites in and around the site dating from the Neolithic period through to the Iron Age.

4 PLANNING HISTORY

- 4.1 There are no previous applications specific to the application site itself, although the southern section of the site overlaps the boundary of the proposed Dallington Grange SUE in respect of the location of three proposed borrow pits and a small section of proposed road that would link to the Dallington Grange Roundabout. There have, however, been a number of applications for significant residential development in the vicinity of the site as part of sites allocated for Sustainable Urban Extensions within the Northampton Related Development Area either consented, under construction or under consideration.

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.

National Policies

- 5.2 **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:

Chapter 2 – Achieving sustainable development
Chapter 5 – Delivering a sufficient supply of homes
Chapter 6 – Building a strong, competitive economy
Chapter 9 – Promoting sustainable transport
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 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 S3 - Scale and Distribution of Housing Development
Policy S4 - Northampton Related Development Area
Policy S5 - Sustainable Urban Extensions
Policy S7 - Provision of Jobs
Policy S10 - Sustainable Development Principles
Policy BN2 - Biodiversity
Policy BN5 - The Historic Environment and Landscape
Policy BN7 - Flood Risk
Policy BN9 - Planning for Pollution Control
Policy N1 - The Regeneration of Northampton
Policy N4 - Northampton West Sustainable Urban Extension
Policy N7 - Northampton Kings Heath Sustainable Urban Extension
Policy N8 - Northampton North of Whitehills Sustainable Urban Extension
Policy N12 - Northampton's Transport Network Improvements

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:

T5 – Permission for development of land north west of Kings Heath and a securing provision or appropriate contribution towards the highway improvements and infrastructure required.

6 **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 NCC have consulted the relevant statutory consultees directly on the amended details including the County Highway Authority, NBC Environmental Health and the relevant drainage bodies. These consultees will respond directly to NCC Planning the responses of whom will be considered as part of their assessment of the development proposals.

7 **APPRAISAL**

Background/Strategic Considerations

- 7.1 The initial consultation from NCC was considered by NBC Planning Committee on 5th December 2019. The Committee resolved the following:

NO OBJECTION IN PRINCIPLE subject to the following:

1. Northamptonshire County Council seeking an appropriate level of mitigation with due regard to comments received from relevant consultees and conditioning any planning permission accordingly in respect of impacts arising from the development on the local highway network, air quality, flood risk and drainage, biodiversity, noise, and impacts on amenity, particularly during the course of construction; and
 2. Northamptonshire County Council give due consideration to the impacts of the proposed development on the Safeguarded Former Transport Route identified in Policy C3 of the West Northamptonshire Joint Core Strategy and Policy 30 of the emerging Northampton Local Plan Part 2, and to ensure that the development does not delay or compromise the allocation and delivery of the Northampton North Orbital Road.
- 7.2 The background to the evolution of a scheme for the North West Relief Road and the strategic considerations were set out in the officer's report to Committee on 5th December 2019, a copy of which is appended to this report for information.
- 7.3 This report is intended to provide an update to the previous report outlining the proposed amendments to the scheme and any impacts arising and should be read in conjunction with the previous report.

Highways

- 7.4 The NPPF at paragraph 109 advises that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.5 The amended details include the submission of a revised Transport Assessment based on updated transport modelling details provided by the Northamptonshire Strategic Transport Model (NTSM). Since the submission of the planning application in June 2019 a number of components of the NTSM have been updated as follows:
- A change in the scale of development for some of the committed developments captured in the NSTM;
 - Finalised designs for road junctions for proposed Dallington Grange development;
 - Updated traffic flow information based on traffic survey data gathered during surveys in May 2019.
- 7.6 The revised Transport Assessment advises the following:

“The proposed scheme will provide additional infrastructure capacity to support movements generated by forecast development and growth in the region. The key locations and corridors which showed a reduced 2031 traffic volume as a result of the NWRR included:

- Harlestone Road West of the New Sandy Lane Roundabout;
- A508 Kingsthorpe Road / Harborough Road;
- A45 Nene Valley Way and A5076 Mere Way;
- Brampton Lane (between Lower Harlestone and Pitsford);
- Harlestone Road (through the Bramptons); and
- Eastern Avenue.

Additionally, analysis of the wider benefits of the NWRR include:

- A reduction in traffic flows on a number of significant links and junctions in Northampton when compared to the Do Minimum case;
- A very strong business case with a high Benefit/Cost Ratio (BCR) which demonstrates that the savings, predominantly to travel time, outweigh the cost of delivering the scheme by 7 times, a very high return for a transport scheme;
- Additional capacity on the transport network to support housing growth targets; and
- Additional resilience to the Northampton highway network when disruption arises from time to time, such as planned roadworks, accidents or other foreseen and unforeseen events.”

- 7.7 The revised scheme retains the off-site mitigation measures as previously proposed, with some minor amendments, comprising:
- Mitigation Scheme 1: Traffic calming improvements in the villages of Moulton and Boughton; Following discussion with Northamptonshire Highways’ Road Safety Team and Highways Engineering team, it is proposed that Mitigation Scheme 1 will consist of the introduction of a priority give-way pinch-point feature on Vyse Road between Harborough Road and Howard Lane; and the enhancement of an existing priority give-way pinch-point feature near Boughton primary School. It is considered that these features will make the villages less attractive as a through route for vehicles seeking to travel to and from the proposed NWRR.
 - Mitigation Scheme 2: Capacity mitigation improvements at the A508 Harborough Road/ Brampton Lane / Vyse Road Existing Roundabout; At the A508 Harborough Road/ Brampton Lane/ Vyse Road Roundabout, this scheme consists of flare and entry width improvements to the Brampton Lane arm (increase from 4.5m to 60.2m on flare length to allow for dedicated right-hand lane into Far Barrows and 5.8m to 8m

on entry width to allow for dedicated left/ straight ahead and right turn lanes) and on the Vyse Road arm (short left-turn flare by widening the entry width from 5.2 to 9m and increasing approach road width on entry arm from 2.8m to 4m). The level of improvement proposed is the maximum which can be realistically achieved within highway land.

- Mitigation Scheme 3: Capacity mitigation improvements at the A428 Harlestone Road/ New Sandy Lane / York Road Roundabout;
At the A428 Harlestone Road/ New Sandy Lane/ York Road Roundabout, this scheme consists of flare improvements on Harlestone Road South (left-side flare lengthened from 16m to 50m), entry width on New Sandy Lane increased from 7.2 to 8m and flare length increased from 17m to 30m, with all exist arms marked as two lane exits and lining amendments to the circulatory carriageway of the roundabout.
- Mitigation Scheme 4: To help accommodate potential traffic flow diversions associated with Mitigation Scheme 1, capacity improvements at the A508 Harborough Road/ A5076 Holly Lodge Drive Signalised Junction.
At the A508 Harborough Road/ A5076 Holly Lodge Drive Signalised Junction, this scheme consists of lengthened left turn lanes on the Holly Lodge Drive (from 40m to 90m) and A508 Harborough Road North (from 70m to 120m) on the approaches to the junction.

7.8 The Highway Authority in considering these mitigation measures previously advised that on the basis of the above proposed mitigation, and the wider benefits of the scheme elsewhere on the Highway network, the impact of the proposed scheme cannot be considered to be 'severe' in the context of the National Planning Policy Framework.

7.9 The revised scheme includes proposed amendments to the design of the new access junctions/ roundabouts at the northern end of the NWRR including alterations to entry and exit lanes to the roundabouts to allow for increased highway capacity.

- Sandy Lane Roundabout - will comprise a four-armed roundabout replacing the existing junction at Sandy Lane with the A5199 Northampton Road and will be on an embankment up to 5m above surrounding ground levels.

Amendments comprise a realignment to all four arms proposed for the roundabout, with the northern arm connecting into the A5199 Northampton Road moving approximately 40m east and adjustments to the layout of the roundabout and embankments and road verges to accommodate the above changes.

- Brampton Lane Roundabout - will comprise a four-armed roundabout located approximately 10m south-west of the Windover Public House to replace the existing junction arrangements that connect Brampton Lane with the A5199 Northampton Road/ A5199 Welford Road and will be on an embankment up to 2m above surrounding ground levels.

Amendments comprise a realignment to proposed southern and western arms of the roundabout and adjustments to footway/ cycleway provisions on the western, northern and eastern arms of the roundabout and to embankments and road verges to accommodate the above changes.

7.10 The Transport Assessment identifies a number of junctions as being adversely affected by the proposed scheme but not proposed for immediate mitigation in order to avoid short-term improvement schemes "which may have limited longevity due to various unknown variables which can make any such schemes abortive".

7.11 The junctions identified as being adversely affected are:

- A508 Harborough Road/ Pitsford High Street priority junction
- A508 Harborough Road/ Brampton Lane priority junction

- Roman Road/ New Sandy Lane/ Berrywood Road/ Sandy Lane proposed roundabout

7.12 The Transport Assessment advises that these junctions are influenced by factors including the phasing of committed development traffic, committed schemes or additional infrastructure, which could influence how traffic is distributed over time and therefore suggests a Monitor and Management Strategy to assess the performance of the relevant junctions once the NWRP is operational with annual traffic counts to understand the impact of reassigned traffic prior to delivering any mitigation scheme. The Transport Assessment includes suggested mitigation schemes for these junctions for consideration.

7.13 The Transport Assessment concludes that the proposed scheme will provide an overall net benefit to the highway network and that any negative overall localised impacts caused as a result of the scheme can be satisfactorily mitigated.

7.14 The revised Transport Assessment is being reviewed by Northamptonshire Highways Development Control Team the comments of whom will be directed to NCC Planning for consideration. In respect of policy requirements, it is considered that the County Council should ensure the mitigation measures proposed are sufficient to ensure that the impacts arising from the proposed development do not lead to a severe impact on the surrounding road network.

Landscape and Visual Impact

7.15 The existing landscape comprises predominantly arable fields intersected by hedgerows and trees. The proposed scheme will inevitably change this existing landscape through the introduction of a major road, roundabouts, a bridge over the railway, the associated lighting and embankments, new planting and proposed flood risk mitigation features. The proposed road when viewed from within the Borough to the south will be viewed in the context of the proposed Dallington Grange development.

7.16 The landscape and visual impacts were considered in the previous report to Committee attached to this agenda and describe the physical characteristics of the road and associated features, including the railway bridge, in more detail.

7.17 In respect of the amendments proposed under the revised scheme as outlined in this report the most prominent physical change will be the proposed raised earth embankment measuring approximately 280m in length, up to 2m above existing ground level, and up to 20m in width which will tie into the raised ground associated with the railway embankment and the proposed alterations to the flood storage area to the north of the railway. These proposed alterations are situated within Daventry District however, in the context of the surrounding varied levels, the railway line, the proposed Dallington Grange development and the overall context of landscape changes proposed to enable the delivery of the NWRP, it is not considered these additional landscape features would lead to any significant increased visual impact.

7.18 An appropriate landscaping scheme will assist to some degree in mitigating the impacts of the development on the character of the surrounding landscape and provide some ecological mitigation. However, the introduction of the road and associated features will have an inevitable visual impact which must be balanced with the strategic objectives of housing growth and the requirement for associated infrastructure.

Ecology

7.19 The application site is not subject to any statutory environmental designations. The application is supported by a number of ecological reports and a detailed Arboricultural Report. The nature of the landscape within the application site which includes the River Nene has the potential to support a variety of habitats and species. The submitted reports identify the presence of a number of species on site including bats, badgers, water shrew, otters, reptiles, barn owl, smooth newts, and common frogs and toads.

- 7.20 Control of the impacts on biodiversity arising during the construction stage would be controlled by the agreement of an appropriate Construction and Environmental Management Plan by condition.
- 7.21 The amendments to the location of balancing ponds, proposed bund and proposed alterations to the Sandy Lane Roundabout and Brampton Lane Roundabout will result in an increase in habitat loss to that previously proposed. The revised Environmental Statement considers that the magnitude of impacts on any key receptors has however not changed from that previously proposed.
- 7.22 Responses from statutory consultees in respect of biodiversity and ecological matters would be directed to NCC as the determining Planning Authority for consideration to ensure the appropriate level of survey work and ecological mitigation is carried out and ensure the proposed development does not result in an unacceptable adverse impact on biodiversity.

Surface Water Drainage

- 7.23 The site lies predominantly within Flood Zone 3 within the River Nene flood plain. The construction of the road will result in an impermeable area resulting in an increase in the rate and volume of surface water runoff and a loss of part of the floodplain. Therefore, in accordance with the requirements of the NPPF, the scheme should provide an appropriate level of mitigation to ensure that the development itself is appropriately flood resistant, that there is an appropriate level of compensation to off-set the loss of floodplain, and that the development does not lead to increased flood risk elsewhere.
- 7.24 The scheme is classed as 'Essential Infrastructure' which means that it is acceptable for it to be situated with Flood Zone 3a and 3b.
- 7.25 The design of the proposed flood mitigation measures has been amended following further investigation of ground conditions. The submitted details advise that higher ground water levels in the southern part of the site mean that any flood storage areas immediately adjacent north of the railway line will need shallower slopes, and a larger buffer will be required between the flood storage replacement areas and the railway to prevent changes in groundwater levels impacting the railway embankment. The flood storage areas north of the railway line have been redesigned to maximise the available volume in combination with the provision of a flood mitigation bund. The amended scheme now includes a raised earth embankment measuring approximately 280m in length, up to 2m above existing ground level, and up to 20m in width which will tie into the raised ground associated with the railway embankment with the intention of bisecting the floodplain downstream of the River Nene and Brampton Brook confluence and upstream of the railway overbridge with the purpose of reducing the width of the floodplain and flows downstream. In association with the embankment, a new drainage channel diversion, approximately 165m in length, is proposed to support the mitigation of downstream flood risk. Alterations to the number and location of the flood storage replacement areas are also proposed.
- 7.26 The relevant drainage bodies have been consulted by the NCC the responses of whom will be sent direct to them for consideration.

Air Quality, Noise and Lighting

- 7.27 Policy BN9 of the JCS seeks to ensure that new development likely to cause pollution or result in exposure to sources of pollution will need to demonstrate an appropriate level of mitigation by maintaining or improving air quality, particularly in poor air quality areas, in accordance with national air quality standards and best practice and, in respect of noise and lighting, reducing or minimising any adverse impacts.
- 7.28 The Environmental Statement has been updated to account for the environmental impact of the revised traffic flows on air quality and noise. The submitted details advise that committed

developments expected to influence local traffic flows have been accounted for in the growth factors applied to baseline traffic flows.

- 7.29 Impacts in respect of air quality and noise are likely to arise during the construction phase as a result of dust and particulate matter generated during construction, and from general construction and associated vehicle movements. Measures to control these impacts can be approved through the agreement and implementation of an appropriate Construction and Environmental Management Plan by condition. Impacts during the operational phase are likely to arise from vehicle emissions associated with the new road.
- 7.30 NBC Environmental Health has been consulted directly by NCC the response of whom will be sent direct to them for consideration.

Other Considerations - Northampton to Market Harborough Railway Line

- 7.31 Members may be aware that the Proposed Submission Local Plan mentions as an opportunity the possibility of providing new transport links from the north to Northampton and more widely to the Oxford-Cambridge Corridor along the alignment of the former Northampton to Market Harborough railway line. The recent issues consultation for the West Northamptonshire Strategic Plan also asked whether the potential to deliver a re-opened line on that route should be considered for that plan.
- 7.32 Outside the Borough, in Daventry District, the proposed NWRR has a roundabout that crosses the alignment of the former railway where it meets the A5199 close to the Windhover public house/restaurant (proposed Brampton Lane Roundabout). As the re-opening of the railway has not gone beyond the stage of being an aspiration, there is no funding for it and there is no formal agreed support for it, it is considered that whilst the Council could draw the applicant's attention to this matter, it cannot be a material consideration in the routing of the new road. Any subsequent scheme to re-open the railway would have to factor in the presence of the Relief Road.

Other Considerations – Northampton Northern Orbital Road

- 7.33 Similarly, it is recognised that there are long held aspirations to support the NNOR and the benefits it could deliver. However, despite public consultation, the delivery of the NNOR has not gone beyond the stage of being an aspiration, has no support in adopted policy and no agreed funding. Therefore, whilst it is recognised that the NNOR might in the future make significant improvements and facilitate further sustainable housing and employment growth, it is not considered that an objection to the current NWRR proposal, and the immediate growth it would support, could be sustained on the grounds of those grounds.

8 CONCLUSION

- 8.1 The requirement for the NWRR as necessary infrastructure to support the delivery of housing and employment growth within the Borough is clearly recognised and supported within the policies of the West Northamptonshire Joint Core Strategy. The NWRR also forms in integral part of a longer-term strategy proposed by the County Council for the delivery of the Northampton Northern Orbital Route (NNOR) intended to alleviate existing highway capacity issues and provide additional highway capacity to accommodate growth proposals for the north and west of Northampton.
- 8.2 The delivery of Phase 2 of the NWRR is an important piece of infrastructure in relation to the delivery of the Dallington Grange SUE to ensure an appropriate level of mitigation in respect of highway impacts and provide a northern access point for the site. The site, along with other sites on the northern and western boundaries of Northampton within the Northampton Related Development Area, is a key strategic housing site and forms a vital component in the delivery of housing for the Borough.
- 8.3 It is recognised that the delivery of Phase 2 of the NWRR road in itself requires an appropriate level of mitigation to ensure the highway impacts on the surrounding road network arising from the

proposed development are not severe. In addition, appropriate levels of mitigation in respect of air quality must be sought to ensure the development as a minimum maintains existing air quality levels or seeks where possible to improve air quality.

- 8.4 Subject to appropriate mitigation in respect of impacts on the highway, air quality, flood risk and ecology, the associated visual and environmental impacts of the proposed scheme need to be balanced with the wider strategic benefits of the scheme to provide the necessary infrastructure for the provision of a longer-term, wider strategic route to enable the sustainable housing and employment growth required within the Borough and the Development Plan area. It is considered that these strategic benefits weigh heavily in favour of the proposal.

9 BACKGROUND PAPERS

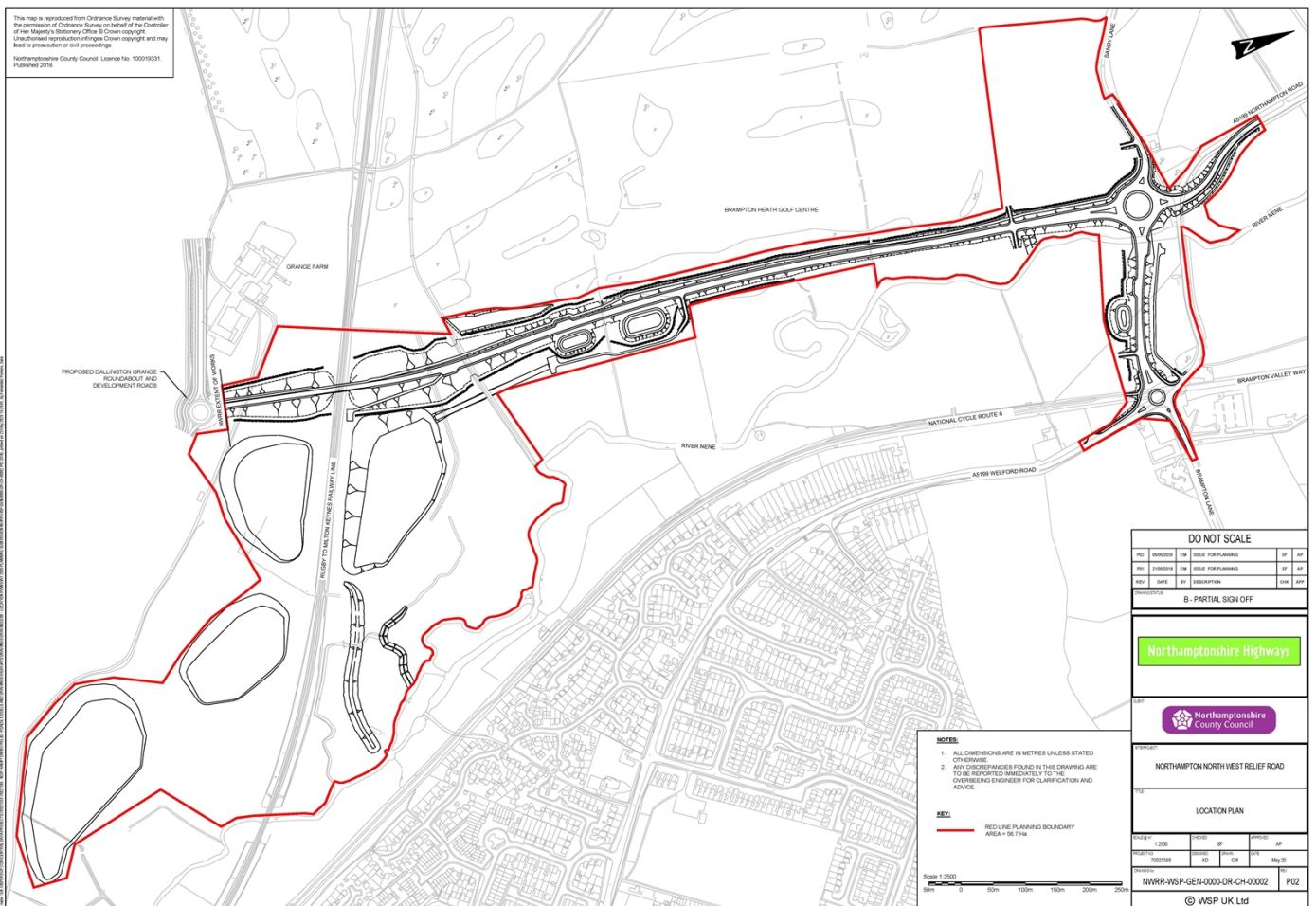
- 9.1 N/2019/0840 (NBC reference) & 19/00045/CCDFUL (NCC reference).

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.



PLANNING COMMITTEE:	5th December 2019
DEPARTMENT:	Planning Service
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2019/0840
LOCATION:	Land off A5199, Northampton Road, Northampton
DESCRIPTION:	The construction of new roads (Northampton North West Relief Road) on land South of the A5199 Northampton Road between the Brampton Health Golf Centre and the River Nene, including two new roundabouts and links bridging over the River Nene to Brampton Land and over the Northampton loop of the West Coast mainline to connect with the Dallington Grange development.
WARD:	Kings Heath Ward & Kingsthorpe Ward
APPLICANT:	Northamptonshire County Council
AGENT:	WSP, Tewkesbury
REFERRED BY:	Head of Planning
REASON:	County Council Application of Strategic Importance
DEPARTURE:	No

CONSULTATION BY NORTHAMPTONSHIRE COUNTY COUNCIL

8 RECOMMENDATION

8.1 NO OBJECTION IN PRINCIPLE subject to the following:

Northamptonshire County Council seeking an appropriate level of mitigation with due regard to comments received from relevant consultees and conditioning any planning permission accordingly in respect of impacts arising from the development on the local highway network, air quality, flood risk and drainage, biodiversity, noise, and impacts on amenity, particularly during the course of construction; and

- 1.2 Northamptonshire County Council give due consideration to the impacts of the proposed development on the Safeguarded Former Transport Route identified in Policy C3 of the West Northamptonshire Joint Core Strategy and Policy 30 of the emerging Northampton Local Plan Part 2, and to ensure that the development does not delay or compromise the allocation and delivery of the Northampton North Orbital Road.

9 THE PROPOSAL

- 9.1 The application is a consultation from Northamptonshire County Council (NCC) in respect of a full planning application submitted by NCC for the construction of a new relief road, known as the North West Relief Road (NWRR) measuring approximately 1.6 km in length and situated to the north west of Northampton. The proposed road is designed as a single carriageway designed to enable it to be upgraded to dual carriageway in the future if required.
- 9.2 To the north, the new road will connect into a new roundabout at the Sandy Lane junction with the A5199 Northampton Road before connecting into a further new roundabout to the east at the Brampton Lane junction with the A5199 Welford Road. From the Sandy Lane junction roundabout, the relief road will extend southwards over the Rugby to Milton Keynes railway line connecting into the Dallington Grange Roundabout, a new roundabout east of Grange Farm proposed as part of the Kings Heath Sustainable Urban Extension (SUE) development (Dallington Grange) which includes a link to the A428 New Sandy Lane.
- 9.3 The proposed scheme includes the following elements:
- A single two-lane carriageway (plus 3m wide shared cycle/footway to the west side of the road) connecting the Dallington Grange Roundabout to the A5199 at Sandy Lane;
 - Railway overbridge over the Rugby to Milton Keynes railway line;
 - River crossing over the River Nene;
 - A new roundabout at the Sandy Lane junction with the A5199 Northampton Road including Public Right of Way (PRoW) crossing provisions; (Toucan and pedestrian crossing – north side of roundabout and shared use uncontrolled crossing western arm (Sandy Lane));
 - Single two-lane carriageway (plus street lighting) connecting the new Sandy Lane Roundabout and Brampton Lane;
 - A new roundabout at the existing Brampton Lane, A5199 Welford Road and Northampton Road Junction, including PRoW crossing provisions to include the diverted Public Footpath CC6 and National Cycle Route 6 (both to be permanently diverted);
 - Modifications to the existing A5199 Northampton Road from Sandy Lane to Brampton Lane to provide a traffic free route for non-motorised users;
 - Flood and drainage provisions;
 - Landscaping and ecological mitigation areas.
- 2.4 The NWRR carriageway will be on an embankment with landscaped earthworks and planting on both sides and will include street lighting between the Sandy Lane Roundabout and the Brampton Lane Roundabout and on the approaches to the roundabouts. The Sandy Lane Roundabout will include footway/ cycleway provisions on the western and northern arms to ensure connectivity to existing pedestrian/cycle routes. The Brampton Lane Roundabout will include footway/ cycleway provisions on western, northern and eastern arms and approaches. A short section of the A5199 Northampton Road, approximately 250m in length, will be permanently closed for motorised use, running from Sandy Lane/ A5199 Northampton Road junction to Brampton Mill Equestrian Centre side road access. National Cycle Route 6 is proposed to be permanently diverted to accommodate the Brampton Lane Roundabout. The cycle route would be diverted approximately 15m west of its existing alignment to ensure users can safely cross the proposed roundabout.
- 2.5 The Northern Section of the NWRR, the subject of this application, is to be delivered by NCC. The remainder of the road to the south beyond the Dallington Grange Roundabout is to be delivered as part of the Dallington Grange SUE development, granted approval in principle by Committee on 31st October 2018 for up to 3,000 houses and associated infrastructure, subject to the completion of a Section 106 Agreement. This southern section of the NWRR would link to the existing section of road provided by the Harlestone Manor housing development to the south, located in the administrative boundary of Daventry, linking to New Sandy Lane roundabout.
- 2.6 The planning application is accompanied by a Planning Statement, Design and Access Statement, Statement of Community Involvement, and an Environmental Statement which includes a transport assessment, flood risk assessment, and reports relating to ecology, noise, air quality, heritage, landscape, visual effects, and construction management.

2.7 The submitted Transport Assessment sets out the aims of the NWRR:

- The NWRR between the A428 Harlestone Road and the A5199 Welford Road is necessary to enable and unlock the future development of 6,600 houses and more than 3,000 jobs in Northampton;
- Required to help relieve the pressure that already exists on the local highway network in northern Northampton and nearby villages which currently suffer from high volumes of traffic and associated disturbance;
- Aims to improve the quality of life for existing residents and commuters and enhance the character of existing nearby villages by redirecting traffic and reducing local congestion;
- Road will form part of long-term strategy to deliver route from the A4500 near Junction 16 of the M1 and the A43 north of Northampton creating an orbital route option around Northampton.

3 SITE DESCRIPTION

3.4 The application red line site comprises approximately 43.9 hectares of land situated to the north west of Northampton, approximately 1.2km south-east of Church Brampton and immediately east of Brampton Heath Golf Centre and Harlestone Nature Reserved situated within Daventry.

3.5 The site is broadly defined by the A5199 Welford Road and Sandy Lane to the north, the Brampton Heath Golf Centre to the west, the River Nene to the east, and the Rugby to Milton Keynes railway line to the south, with a shorter section of road and proposed drainage features extending into the fields to the south of the railway line.

3.6 The majority of the site is situated within the administrative boundary of Daventry District Council, with the southern end situated within Northampton Borough.

3.4 National Cycle Route 6 is situated to the east of the site, crossing the application site at the Brampton Lane/ Welford Road junction. Public right of way CC6 runs diagonally across the north-eastern corner of the site, between Welford Road and Sandy Lane.

3.5 The nearest existing residential properties are located at Grange Farm, approximately 200m west of the scheme, at its southern end, within Northampton Borough, and Boughton Crossing House, close to the existing junction between Brampton Lane and Welford Road. The Windhover public house/restaurant, with the Brampton View Care Home situated immediately to the north, lies adjacent to the site to the north of Brampton Lane.

3.6 The land is currently predominantly agricultural fields intersected by small areas of woodland, hedgerows and drainage fields that feed into the Brampton Arm of the River Nene. The site is generally level throughout with a rise within the site from approximately 65m above ordinance datum (AOD) to 80m (AOD) in the section crossing the railway line and, being situated at the lowest gradient of a valley, has upwards gradients from the site from both the east and west.

3.7 The majority of the site is situated within Flood Zone 3. There are no statutory environmental designations within or adjacent to the site. Harlestone Firs Local Wildlife Site is situated some distance to the south west beyond Grange Farm. There are no specific heritage assets within the site, but there is potential for buried archaeological sites in and around the site dating from the Neolithic period through to the Iron Age.

4 PLANNING HISTORY

4.1 There are no previous applications specific to the application site itself, although the southern section of the site overlaps the boundary of the proposed Dallington Grange SUE in respect of the location of three proposed borrow pits and a small section of proposed road that would link to the Dallington Grange Roundabout. There have, however, been a number of applications for

significant residential development in the vicinity of the site as part of sites allocated for Sustainable Urban Extensions within the Northampton Related Development Area either consented or under consideration.

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.

National Policies

5.2 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:

Chapter 2 – Achieving sustainable development
Chapter 5 – Delivering a sufficient supply of homes
Chapter 6 – Building a strong, competitive economy
Chapter 9 – Promoting sustainable transport
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 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 S3 - Scale and Distribution of Housing Development
Policy S4 - Northampton Related Development Area
Policy S5 - Sustainable Urban Extensions
Policy S7 - Provision of Jobs
Policy S10 - Sustainable Development Principles
Policy BN2 - Biodiversity
Policy BN5 - The Historic Environment and Landscape
Policy BN7 - Flood Risk
Policy BN9 - Planning for Pollution Control
Policy N1 – The Regeneration of Northampton
Policy N4 – Northampton West Sustainable Urban Extension
Policy N7 – Northampton Kings Heath Sustainable Urban Extension
Policy N8 – Northampton North of Whitehills Sustainable Urban Extension
Policy N12 - Northampton's Transport Network Improvements

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:

T5 – Permission for development of land north west of Kings Heath and a securing provision or appropriate contribution towards the highway improvements and infrastructure required.

6 CONSULTATIONS/ REPRESENTATIONS

6.1 NBC Public Protection – comments received are summarised as follows:

- Raise concern regarding the extent of information provided in respect of air quality in order to fully determine the impact of development in terms of air quality on receptors within Air Quality Management Area (AQMA) 4 (Harborough Road) from the operational phase of the road scheme.
- Advise modelling should take account of potential for future dualling so modelling is representative of a conservative worst case scenario.
- Raise concern regarding the traffic flow data and how real term concentrations at receptors with relevant exposures within the AQMA could be greater as a direct result of the highway scheme. Suggest consideration should be given to further modelling assessing what junction/ signalling improvements can be undertaken to bring about significant improvements to ambient NO2 levels.
- The applicant has not used the most current version of the Department for Environment, Food and Rural Affairs (DEFRA) Emission Factor Tool Kit, Version 9 released in May 2019. The applicant should be required, as a minimum, to remodel the air quality impact from the operational phase.
- Traffic data should be upscaled to 2026 so air quality impact can be modelled as a future year with and without the Dallington SUE.
- The NWRR is deemed as an interim measure to increase capacity on the local road network and to unlock the Dallington Grange SUE. Northamptonshire County Council need to take all necessary measures to ensure delivery of the Northampton Orbital Scheme in the fastest possible time to deal with the cumulative effects of all committed surrounding development.
- The construction phase impact assessment is considered acceptable. Request condition for Construction and Environmental Management Plan (CEMP) which should also incorporate measures compliance with any noise reduction/ management points.
- A condition is requested stipulating the hours of construction (with the exception of overnight possession works over the West Coast Mainline). Suggest Monday to Friday 07.30 to 18:00 hours, Saturdays 08:30 to 13:00 hours and no works on Sundays, Bank Holidays or Public Holidays.
- Noise modelling has identified a number of receptors within the Borough's area that will be directly affected by the operational phase of the scheme in both the long and short term, notably Grange Farm and a property west of Welford Road. Would encourage NCC, as the determining authority, to require the applicant to install an environmental noise barrier where properties have been identified as being directly affected by road traffic generated by the proposed scheme.

6.2 NCC Highways - comments submitted to NCC Planning Services from NCC Highways in respect of the application are summarised as follows:

Background

- The LHA strongly supports the principle of the Northampton North West Relief Road, the scheme having been identified as a commitment in the Northampton Town Transport Strategy

(January 2013) which forms part of the Northamptonshire Transportation Plan (our Local Transport Plan) and identified as a priority for development by the County Council's Cabinet on 12 January 2016.

- In respect of the overarching North West Relief Road proposals, significant elements have already been secured as part of other development proposals, notably Dallington Grange, which will deliver the section of the North West Relief Road from the A428 Harlestone Road to a new roundabout just south of the West Coast mainline railway.

Introduction

- In respect of this Application for this section of the Northampton North West Relief Road, following extensive review of the submitted Transport Assessment (TA) and comments made by the LHA and local residents/groups, an Addendum Transport Assessment (ATA) has been produced as well as an additional Technical Note. This further information seeks to address the concerns raised by the LHA and various other interested parties.
- The ATA has revised the traffic flow assumptions at a number of junctions and there are updated designs for the new roundabout junctions to reduce the extent of potential delays and queuing identified in the original submitted TA. The new roundabout designs proposed as part of the scheme are now shown to operate within absolute capacity following the alterations to the design and the updated flows.
- The only meaningful queue remaining is the Vyse Road approach to A508 Harborough Road Roundabout in the future year of 2031. This extra traffic and growth is a result of the developments, not the North West Relief Road (NWRR), and the Northamptonshire Strategic Transport Model (NSTM) shows a slight reduction in traffic approaching from Vyse Road as traffic re-routes.
- The NSTM is an industry standard computerised model that distributes traffic across a network based on local conditions, constraints, such as junctions or links and assists in identifying how new developments and road schemes affect how traffic moves around a highway network both in the current year based on traffic counts etc, but also in the future year taking into account future development growth and associated infrastructure.
- The capacity of a junction is considered in terms of a ratio of the flow of traffic expected to use a junction and the physical capability of a junction and associated geometry to accommodate such traffic. A junction is said to be at absolute capacity with a "Ratio of Flow to Capacity", or 'RFC' of 1. For new junctions the theoretical capacity of a junction is 0.85 RFC, which is normally required to be adhered to.
- Whilst the capacity of the scheme roundabouts is identified to operate with Ratio of Flow to Capacity results of between 0.85 and 1.0 in the 2031 future year scenarios, in this instance this is considered acceptable on the basis that the modelling has been undertaken using 'demand flows' from the NSTM rather than 'actual flows'. Actual flows, which would be a more realistic basis for the assessment, would be up to 7% lower at these junctions, and would therefore present improved operational results if adopted for the individual capacity modelling.
- In addition, the NSTM flows assume that the full build out of Dallington Grange is complete in the 2031 modelling scenarios. This is highly unlikely to be the case in reality, and as such the inclusion of that presumption provides for an additional level of robustness to the assessment.

Wider Benefits of the Scheme

- The implementation of the NWRR would result in strategic re-routing of traffic around Northampton. As a result of this, there would be a reduction in traffic flows in the future year scenarios on a number of key links and junctions around Northampton.

- The largest traffic flow reductions predicted are on the Harlestone Road, with other reductions identified on Mill Lane and the A508 south of the Cock Hotel junction, providing relief to this section of the Kingsthorpe corridor.
- Whilst there would be increases in traffic flow local to the scheme, particularly on Brampton Lane for example, the strategy for dealing with this (as outlined by the LHA in previous correspondence) is to encourage traffic on to the principal road network, such as the A5076 and away from the villages (such as Boughton and Moulton). The off-site mitigation is therefore being promoted with this aim in mind.
- The future implementation of the 'Northampton Northern Orbital Route' would provide relief from traffic for the villages of Boughton and Moulton. The implementation of the NWRR however, is required to provide a continuation of the wider orbital road network (either already constructed, or planned) for the West and South West of Northampton, such as the 'Sandy Lane Improvement North', the 'Sandy Lane Relief Road', and the 'Cross Valley Link Road'.

Highway Design

- The proposed road is of single carriageway standard, but designed to enable it to be upgraded to dual carriageway in the future.
- One point that was raised by the LHA previously was that a suitable turning head will need to be provided (in the Causeway link where the physical barrier is proposed) to enable a vehicle to drive back to the roundabout in a forward gear. A suitable turning head will be provided as part of the detailed design.
- The LHA confirm that the proposed structures associated with this scheme are both of the status 'Agreed in Principle' (AIP).
- A 'Walking, Cycling and Horse Riding Assessment' has been submitted in support of this Application, which has identified the relevant facilities in the vicinity affected by the scheme, including Public Rights of Way (PRoW). This assessment has identified a number of 'opportunities' to accommodate and where possible enhance affected routes. It is not clear however, on the main scheme plans, whether these opportunities have been incorporated in to the scheme.
- Clearly existing PRoW Routes should be retained until alternative / diversion routes are available with the associated Orders to support such changes. Temporary diversions or closures in the interests of public safety during construction may be required but should be kept to a minimum but are also subject to appropriate Orders.
- Whilst some crossing facilities of the roundabouts are proposed, these do not necessarily tie in exactly with the existing PRoW routes. Localised diversion and extinguishment for the sections that will cross the new all-purpose highway will be required. It would appear that a Traffic Regulation Order (TRO) is required to restrict vehicular rights on a section of Northampton Road, (Prohibition of Motor Vehicles) in order to facilitate the extinguishing of a section of PRoW CC6 which effectively gets diverted onto the Brampton Valley Way, across the new roundabout and then along the section of Northampton Road. The success of the TRO would be necessary prior to the section of PROW CC6 being permanently closed.
- Details such as this can be secured, should you feel that necessary with the imposition of an appropriate condition(s). Clearly there are also statutory processes associated with Public Rights of Way, (PRoW) Diversions, Closures, (permanent or temporary for construction purposes) etc. See Section 6 below for further advice on this element.

- The general layout of the scheme with associated junctions and structures is therefore acceptable in principle to the LHA, subject to the comments above being satisfactorily addressed, detailed design, Road Safety Audit (a RSA Stage 1 has been undertaken), and technical approval.

Off-site Mitigation Works

- As noted above the provision of the NWRR will affect traffic movements around Northampton and as such there are impacts on junctions that required assessment and following that assessment mitigation has been identified.
- The ATA has provided further detail on the off-site mitigation measures (drawings provided at Appendix D) proposed in connection with the scheme, including the results of capacity assessments. The proposed mitigation measures, are listed below:
- Mitigation Scheme 1: Traffic calming improvements in the villages of Moulton and Boughton;
Following discussion with Northamptonshire Highways' Road Safety Team and Highways Engineering team, it is proposed that Mitigation Scheme 1 will consist of the introduction of a priority give-way pinch-point feature on Vyse Road and the enhancement of an existing priority give-way pinch-point feature near Boughton primary School. It is considered that these features will make the villages less attractive as a through route for vehicles seeking to travel to and from the proposed NWRR.
- Mitigation Scheme 2: Capacity mitigation improvements at the A508 Harborough Road / Brampton Lane / Vyse Road Existing Roundabout;
At the A508 Harborough Road / Brampton Lane / Vyse Road Roundabout, this scheme consists of flare and entry width improvements to the Brampton Lane and Vyse Road arms. The level of improvement proposed is the maximum which can be realistically achieved within highway land.
- Mitigation Scheme 3: Capacity mitigation improvements at the A428 Harlestone Road / New Sandy Lane / York Road Roundabout;
At the A428 Harlestone Road / New Sandy Lane / York Road Roundabout, this scheme consists of flare improvements on Harlestone Road south together with lining amendments to the circulatory and exits.
- Mitigation Scheme 4: To help accommodate potential traffic flow diversions associated with Mitigation Scheme 1, capacity improvements at the A508 Harborough Road / A5076 Holly Lodge Drive Signalised Junction.
At the A508 Harborough Road / A5076 Holly Lodge Drive Signalised Junction, this scheme consists of lengthened left turn lanes on the Holly Lodge Drive and A508 Harborough Road North approaches to the junction.
- On the basis of the above proposed mitigation, and the wider benefits of the scheme elsewhere on the Highway network, the impact of the proposed scheme cannot be considered to be 'severe' in the context of the National Planning Policy Framework.
- A number of Public Rights of Way will be affected by the scheme, and the layout and the layout design needs to accommodate these with appropriate diversions in place prior to existing routes being affected. Temporary closures and diversions may be necessary for construction purposes in the interests of public safety. There will also need to be suitably worded planning conditions to ensure that PRoW matters are suitably protected and where possible maintained during the construction period. The applicant should be made fully aware of responsibilities in respect of Public Rights of Way.
- Request conditions in respect of details of any works affecting public right of way, construction management plan.

- No objection subject to suitably worded conditions being imposed as indicated above.

7 APPRAISAL

Background/ Strategic Considerations

- 7.1 The history of a proposed relief road connecting the A428 Harlestone Road and A5199 Welford Road dates back to consultation in the 1980s, followed by a preferred route being agreed as part of the Northampton Local Plan (2012). The need for the scheme was re-established in the West Northamptonshire Joint Core Strategy (JCS) 2014 due to the designation of additional growth sites within the Northampton Related Development Area. The road is intended to provide better connectivity east to west and west to east of north Northampton, and to support the development of housing growth proposed to the west and north of Northampton identified in the JCS, in particular Northampton West SUE (Policy N4), in the region of 2,500 dwellings; Northampton Kings Heath SUE (Dallington Grange) (Policy N7), in the region of 3,000 dwellings; and North of Whitehills SUE (Buckton Fields) (Policy N8), in the region of 1,000 dwellings. The relevant policies for these SUE's recognise the associated need for the NWRR in respect of assisting in mitigating the highway impacts arising from these developments and contain a requirement for a financial contribution towards the road (previously referred to as the North West Bypass). The provision of the North West Relief Road, both Phase 1 (A428 to Grange Farm) and Phase 2 (Grange Farm to A5199) is also identified in T2 and T3 of the Infrastructure Schedule of the JCS.
- 7.2 In respect of Dallington Grange, an outline application (including access) was granted 'approval in principle' by Committee on 31st October 2018 subject to the completion of a Section 106 legal agreement. The development includes the provision of up to 3,000 houses, a secondary school, two primary schools, a local centre and 7.2ha of employment land, and Phase 1 of the NWRR (the southern section) within the site. Phase 2 of the NWRR is recognised as a necessary piece of infrastructure in relation to the delivery of this important strategic housing site both in terms of providing the necessary mitigation in terms of associated highway impacts and in also providing a northern access point to the site. The committee report for the Dallington Grange SUE set out the Borough's commitment along with the County Council to the delivery of Phase 2 of the NWRR (the northern section) through contributing up to £4.2m of Section 106 receipts, and through CIL contributions arising from development of the site. The S106 for the Dallington Grange SUE is currently being negotiated but includes a requirement for the delivery of Phase 1 of the NWRR by September 2021.
- 7.3 The NWRR also forms part of a longer-term strategy to deliver a route from the A4500 near Junction 16 of the M1 and the A43 north of Northampton creating an orbital route around Northampton, the Northampton Northern Orbital Route (NNOR). Whilst a preferred option for the NNOR is yet to be agreed, the intention is that the NNOR would provide a link from the NWRR Phase 2 and the A5199 between Kingsthorpe and Chapel Brampton with the A43 north of Moulton and linking to Moulton Park Industrial Estate. The County Council advise that completion of this ring road will reduce the amount of traffic passing through northern parts of Northampton and a number of surrounding villages, and assist in providing additional highway capacity to accommodate growth proposals for the north and west of Northampton. It is recognised that the NWRR in itself, whilst providing additional capacity and alleviating traffic in some areas, it will result in some increased traffic impacts in other areas, the details of which are discussed later in this report. However, this needs to be balanced with the wider strategic aims for the road network.
- 7.4 The principle of the provision of NWRR as proposed is considered in accordance with the aims and objectives of the NPPF to provide sustainable development that supports housing and economic growth ensuring the provision of the necessary infrastructure, although this needs to be balanced with ensuring appropriate mitigation of any environmental impacts, and with Policies S1, S4 and S5 of the JCS, which seek to ensure the delivery of a sufficient supply of sustainable housing growth within the Development Plan area identified within the JCS.

Community Consultation

- 7.5 The submitted Statement of Community Involvement (SCI) advises that following feasibility and option exercises, public consultation was carried out in 2017 which included a number of public consultation events in local village halls/community centres communicated via NCC's website, with direct notification to the Parish Council's along the route, previous consultation responders and registered land owners along the route. Questionnaires were available on line and at exhibitions. The SCI advises that "Based on the response of the questionnaire 64% of respondents out of a total of 878 supported the need for the NWRR", however, feedback also raised concerns about delivering the NWRR in advance of the North Northampton Orbital Route (NNOR) and not providing infrastructure which has capacity for future growth, and also concerns regarding environmental impacts from the road and associated developments.
- 7.6 The design of the Proposed Scheme was further progressed, and a further round of consultation carried out in 2019, comprising two public exhibitions, leaflet distribution to over 7,000 residents and businesses in the area around the NWRR corridor, project webpage, press releases, formal invitations to councillors, parish councils and Council officers and on social media. Consultation was also carried out with a number of statutory and non-statutory consultees including the Environment Agency, Network Rail, Natural England and the Borough Council to inform the EIA.

Highways

- 7.7 The NPPF at paragraph 109 advises that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.8 The application is supported by a Transport Assessment (TA) which advises that the NWRR will be the primary access route into the Dallington Grange development, is proposed to support the additional traffic generated from this development and to ease the existing and forecasted increasing traffic in Northampton Town, providing an alternative route option for vehicles travelling through Northampton and the surrounding villages.
- 7.9 The TA assessed the impacts of the proposed NWRR in respect of traffic re-routing as a result of the new road, altering existing journey patterns to use the new road once open, and to assess the impact that the re-routed and newly generated traffic from the Dallington Grange and other approved development would have on the surrounding existing road network. Work was undertaken to model the NWRR in the Northamptonshire Strategic Transport Model (NSTM) to understand how traffic would likely reroute and alter existing journey patterns to use the NWRR and understand the impacts of this traffic on the surrounding highway network.
- 7.10 The TA identified, that whilst the NWRR would add additional capacity to the local highway network and contribute towards alleviating existing pressures and impacts arising from proposed growth, the following locations could experience significant traffic impacts due to the NWRR being built:
- Significant congestion and delay at Harborough Road/ Brampton Lane/ Vyse Road Existing Roundabout, particularly on Vyse Road and Brampton Lane arms of the junction;
 - Significant congestion and delay at A428 Harlestone Road/ New Sandy Lane/ York Roundabout;
 - Increased volume of traffic routing through the villages of Moulton and Boughton.
- 7.11 In response to the impacts highlighted above, the TA recommends the following mitigation measures:
- Traffic Calming in Boughton and Moulton
 - Capacity improvements at A508 Harborough Road / Brampton Lane / Vyse Road Roundabout;
 - Capacity improvements at A428 Harlestone Road / New Sandy Lane / York Road (NWRR) Roundabout.

- 7.12 A Transport Assessment Addendum (TAA), has been submitted in order to address concerns raised regarding future traffic modelling, the forecast level of future operational performance, the associated forecast vehicle queuing and delay on the two new roundabouts proposed as part of this scheme, and further development of proposed mitigation measures.
- 7.13 The TAA also acknowledges concerns raised by Whitehills & Spring Park Residents' Association (WASPRA) who commissioned their own independent Traffic Volume/Capacity (V/C) Study – Vyse Road/ A508 Brampton Lane Roundabout (July 2019) which expressed concerns regarding how representative traffic flows from the NSTM used in the submitted TA are likely to be representative of future traffic conditions in reality. The report focused on the Brampton Lane approach to the A508 Harborough Road/ Brampton Lane/ Vyse Road existing roundabout and how traffic flows collected on behalf of WASPRA on this approach were higher than those extracted from the NSTM.
- 7.14 The submitted TAA acknowledges that whilst the NSTM is validated entirely in line with the required standards set out in the WebTAG guidance against a broad basket of observed traffic and journey time data, at local level there are individual locations where there are significant differences between modelled and observed data, the above junction being one of these locations. As such WSP, the traffic consultants on behalf of the County Council, applied localised adjustment factors at the specific localities where it was indicated there were major differences between the NSTM traffic flow data and the May 2019 traffic surveys undertaken at the junctions assessed in detail in the TA.
- 7.15 Following these further assessments, proposed mitigation measures have been amended as follows:
- Amendment to designs of Northampton Road/ Welford Road/ Brampton Lane Roundabout and A5199 Northampton Road/ Sandy Lane / NWRR Roundabout to provide additional operational capacity to reduce the extent of queuing – comprising entry and exit widening to allow two lanes to be used for the dominant movements at each junction.
- 7.16 Proposed off-site mitigation measures as now detailed in the TAA comprise of:
- Traffic calming in Boughton and Moulton
 - Capacity improvements at A508 Harborough Road/ Brampton Lane/ Vyse Roundabout – increased flare length from 8.4m to 78.2m at entry arm to Brampton Lane to allow for dedicated right-hand lane into Far Barrows; and short left-turn flare added to Vyse Road approach;
 - Capacity improvements at A428 Harlestone Road/ New Sandy Lane/ York Road (NWRR) Roundabout – left-side flare lane increase on Harlestone Road South lengthened to c.50m; all existing arms marked as two lane exits; and lane markings provided on circulatory carriageway of roundabout.
 - A508 Harborough Road/ A5076 Holly Lodge Drive Signalised Junction (existing) – lengthening of left turn lanes on Holly Lodge Drive and A508 Harborough Road North
- 7.17 The TAA concludes the following:
- The scheme will reduce traffic flows on a number of significant links and junctions in Northampton when compared to the Do Minimum case;
 - The scheme has a very strong business case with a high Benefit/ Cost Ratio (BCR) which demonstrates that the savings, predominantly to travel time, outweigh the cost of delivering by 7 times, a very high return for a transport scheme;
 - The scheme provides additional capacity on the transport network to support housing growth targets; and
 - The scheme will provide additional resilience to the Northampton highway network when disruption arises from time to time, such as planning roadworks, accidents or other foreseen and unforeseen events.
 - Concludes, on balance the transport impact of the proposed NWRR scheme are not severe, and therefore complies with requirements of the NPPF.

- 7.18 The TAA is being reviewed by Northamptonshire Highways Development Control Team, however, it is understood that the principle of the above proposed mitigation measures has been agreed. Any additional comments submitted by Northamptonshire Highways Development Control Team prior to committee will be reported accordingly. In respect of policy requirements, it is considered that the County Council should ensure the mitigation measures proposed are sufficient to ensure that the impacts arising from the proposed development do not lead to a severe impact on the surrounding road network.

Landscape and Visual Impact

- 7.19 The existing landscape comprises predominantly arable fields intersected by hedgerows and trees. The proposed scheme will inevitably change this existing landscape through the introduction of a road, roundabouts and a bridge over the railway, and the associated lighting and embankments. The proposed road when viewed from within the Borough to the south will be viewed in the context of the proposed Dallington Grange development.

- 7.20 The submitted Design and Access Statement provides further details on the proposed design and associated structures and landscaping:

The main section of the proposed scheme runs along the edge of the valley floor. The entire 1570m length of single lane carriageway from the Sandy Lane Roundabout to the north to the Dallington Grange Roundabout in the south will be on an embankment up to 12m in height (at its highest point) above existing ground levels, with landscape earthworks on either side. This section of carriageway includes the proposed railway approximately 200m north of the Dallington Grange Roundabout which would be approximately 75m in length and approximately 10m high above existing ground levels with landscaped earthworks on either side of the embankment. The structure is proposed as a precast, integral bridge, 12.5m wide, with 1.8m high parapets with solid panels and 1:3 embankment slopes with retaining wall structures. No street lighting is proposed on this section other than on approaches to roundabouts.

- 7.21 The section of single lane carriageway from the Sandy Lane Roundabout to the Brampton Lane Roundabout measuring approximately 320m in length would include street lighting on either side for its entire length and be on a raised embankment up to 4m in height (at its highest point) above existing ground levels with landscaped earthworks on either side of the embankment. This section would also include a bridge over the River Nene spanning approximately 30m and approximately 10m high above existing ground levels, with landscaped earthworks on either side of the embankment. The proposed structure is a precast integral bridge, with 1.8m high parapets and 1:3 embankment slopes with retaining wall structures and a series of arch segments clad proposed to be clad with brickwork.

- 7.22 The Design and Access Statement advises that woodland planting is proposed on the embankments to the railway bridge, and on the wider parts of the embankments on the main section of road, with hedgerow and hedgerow trees planted where embankments are too narrow for woodland establishment to assist in filtering views of the road and associated traffic.

- 7.23 An appropriate landscaping scheme will assist to some degree in mitigating the impacts of the development on the character of the surrounding landscape and provide some ecological mitigation. However, the introduction of the road and associated features will have an inevitable visual impact which must be balanced with the strategic objectives of housing growth and the requirement for associated infrastructure.

Ecology

- 7.24 The application site is not subject to any statutory environmental designations. The application is supported by a number of ecological reports and a detailed Arboricultural Report. The nature of the landscape within the application site which includes the River Nene has the potential to support a variety of habitats and species. The submitted reports identify the presence of a number of

species on site including bats, badgers, water shrew, otters, reptiles, barn owl, smooth newts, and common frogs and toads.

- 7.25 Control of the impacts on biodiversity arising during the construction stage would be controlled by the agreement of an appropriate Construction and Environmental Management Plan by condition.
- 7.26 Responses from statutory consultees in respect of biodiversity and ecological matters would be directed to the County Council as the determining Planning Authority for consideration to ensure the appropriate level of survey work and ecological mitigation is carried out and ensure the proposed development does not result in an unacceptable adverse impact on biodiversity.

Surface Water Drainage Flood Risk

- 7.27 The site lies predominantly within Flood Zone 3 within the River Nene flood plain. The construction of the road will result in an impermeable area resulting in an increase in the rate and volume of surface water runoff and a loss of the floodplain. Therefore, in accordance with the requirements of the NPPF, the scheme should provide an appropriate level of mitigation to ensure that the development itself is appropriately flood resistant, that there is an appropriate level of compensation to off-set the loss of floodplain, and that the development does not lead to increased flood risk elsewhere.
- 7.28 The scheme is classed as 'Essential Infrastructure' which means that it is acceptable for it to be situated with Flood Zone 3a and 3b.
- 7.29 The application is supported by a Flood Risk Assessment which advises that the proposed scheme includes three highway balancing ponds to temporarily store water during and after storm events and control the discharge into existing watercourse via drainage channels, one located to the north of the Sandy Lane Roundabout/ Brampton Lane Roundabout carriageway, and two to the east of the new carriageway between Sandy Lane Roundabout and the Dallington Grange Roundabout. In addition, four flood storage replacement areas are proposed to replace part of the flood plain lost as a result of the proposed scheme located either side of the main north/south carriageway situated north of the railway line. The balancing ponds and replacement flood storage areas, are also intended to provide opportunities to create new areas for biodiversity.
- 7.30 The relevant drainage bodies have been consulted by the County Council the responses of whom will be sent direct to them for consideration.

Air Quality, Noise and Lighting

- 7.31 Policy BN9 of the JCS seeks to ensure that new development likely to cause pollution or result in exposure to sources of pollution will need to demonstrate an appropriate level of mitigation by maintaining or improving air quality, particularly in poor air quality areas, in accordance with national air quality standards and best practice and, in respect of noise and lighting, reducing or minimising any adverse impacts.
- 7.32 Impacts in respect of air quality and noise are likely to arise during the construction phase as a result of dust and particulate matter generated during construction, and from general construction and associated vehicle movements. Measures to control these impacts can be approved through the agreement and implementation of an appropriate Construction and Environmental Management Plan by condition.
- 7.33 In respect of air quality impacts during the operational phase, the proposed scheme has the potential to change the total flow, distribution and characteristics of traffic movements on the affected road links, resulting in changes to air pollution arising from emissions by road vehicles. This redistribution of traffic arising from the construction of the NWRR is anticipated to result in less traffic in some areas, but with a potential increase in vehicle-related emissions and noise in other areas, predominantly those at either end of the road.

- 7.34 The application is supported by a Local Air Quality Assessment completed to predict the potential impact of these changes on ambient pollutant concentrations at identified sensitive receptors within proximity to affected road. Air quality conditions were described for base year (2018) and Assessment Years (2021 and 2031) with assessment years considered on Do-Minimum (without proposed scheme) and Do-Something (with proposed scheme) scenarios. Changes in local traffic related pollution levels predicted at the receptor locations were assessed by comparing the predicted concentrations of NO₂, PM₁₀ & PM_{2.5} with current air quality Objectives and considering the change (improvement or worsening).
- 7.35 The submitted details have been assessed by NBC Public Protection, the comments of whom are summarised at paragraph 6.1 above. The applicant is in the process of seeking to address these concerns and any further response received will be reported to Committee.
- 7.36 In respect of noise impacts, the submitted noise modelling is accepted and it is recommended that NCC should seek the provision of an environmental noise barrier where properties have been identified as being directly affected by road traffic generated by the proposed scheme.
- 7.37 Lighting along the NWRR is predominantly proposed on the carriageway from the Sandy Lane Roundabout to the Brampton Lane Roundabout with limited lighting proposed on the approaches to the roundabouts only on the section from the Dallington Grange Roundabout to the Sandy Lane Roundabout. As such, it is not considered the proposal would lead to any adverse impacts to the area of the site within the Borough in this respect.

Other Considerations - Northampton to Market Harborough Railway Line

- 7.38 Members may be aware that the Proposed Submission Local Plan mentions as an opportunity the possibility of providing new transport links from the north to Northampton and more widely to the Oxford-Cambridge Corridor along the alignment of the former Northampton to Market Harborough railway line. The recent issues consultation for the West Northamptonshire Strategic Plan also asked whether the potential to deliver a re-opened line on that route should be considered for that plan.
- 7.39 Outside the Borough, in Daventry District, the proposed NWRR has a roundabout that crosses the alignment of the former railway where it meets the A5199 close to the Windhover public house/restaurant (proposed Brampton Lane Roundabout). As the re-opening of the railway has not gone beyond the stage of being an aspiration, there is no funding for it and there is no formal agreed support for it, it is considered that whilst the Council could draw the applicant's attention to this matter, it cannot be a material consideration in the routing of the new road. Any subsequent scheme to re-open the railway would have to factor in the presence of the Relief Road.

Other Considerations – Northampton Northern Orbital Road

- 7.40 Similarly, it is recognised that there are long held aspirations to support the NNOR and the benefits it could deliver. However, despite public consultation, the delivery of the NNOR has not gone beyond the stage of being an aspiration, has no support in adopted policy and no agreed funding. Therefore, whilst it is recognised that the NNOR might in the future make significant improvements and facilitate further sustainable housing and employment growth, it is not considered that an objection to the current NWRR proposal, and the immediate growth it would support, could be sustained on the grounds of those grounds.

8 CONCLUSION

- 8.1 The requirement for the NWRR as necessary infrastructure to support the delivery of housing and employment growth within the Borough is clearly recognised and supported within the policies of the West Northamptonshire Joint Core Strategy. The NWRR also forms in integral part of a longer-term strategy proposed by the County Council for the delivery of the Northampton Northern Orbital Route (NNOR) intended to alleviate existing highway capacity issues and provide additional highway capacity to accommodate growth proposals for the north and west of Northampton.

- 8.2 The delivery of Phase 2 of the NWRR is an important piece of infrastructure in relation to the delivery of the Dallington Grange SUE to ensure an appropriate level of mitigation in respect of highway impacts and provide a northern access point for the site. The site, along with other sites on the northern and western boundaries of Northampton within the Northampton Related Development Area, is a key strategic housing site and forms a vital component in the delivery of housing for the Borough.
- 8.3 It is recognised that the delivery of Phase 2 of the NWRR road in itself requires an appropriate level of mitigation to ensure the highway impacts on the surrounding road network arising from the proposed development are not severe. In addition, appropriate levels of mitigation in respect of air quality must be sought to ensure the development as a minimum maintains existing air quality levels or seeks where possible to improve air quality.
- 8.4 Subject to appropriate mitigation in respect of highway, air quality, flood risk and ecology, the associated visual and environmental impacts of the proposed scheme need to be balanced with the wider strategic benefits of the scheme to provide the necessary infrastructure for the provision of a longer-term, wider strategic route to enable the sustainable housing and employment growth required within the Borough and the Development Plan area. It is considered that these strategic benefits weigh heavily in favour of the proposal.

9 BACKGROUND PAPERS

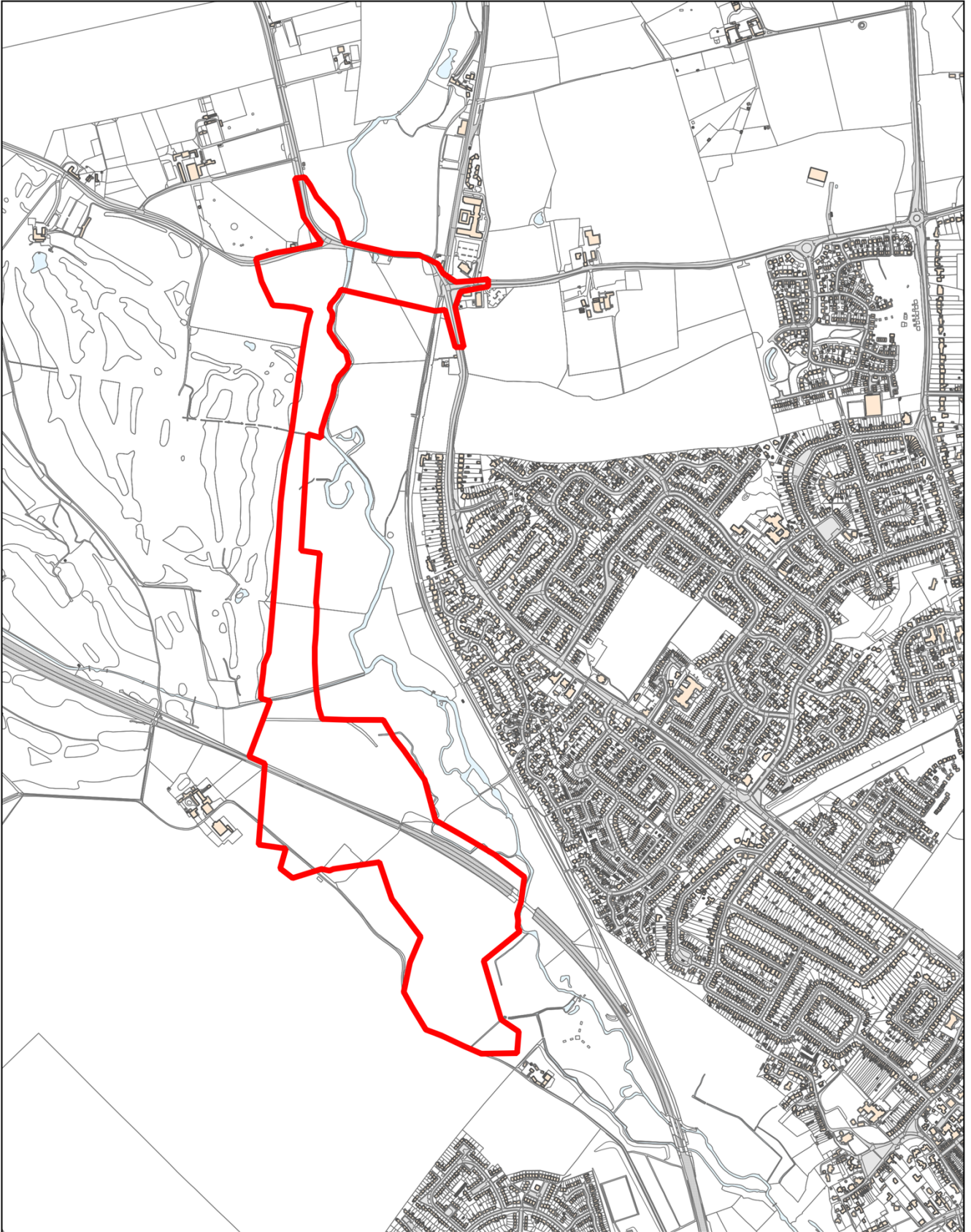
- 9.1 N/2019/0840 (NBC reference) & 19/00045/CCDFUL (NCC reference).

10 LEGAL IMPLICATIONS

- 10.1 The development is not CIL liable

11 SUMMARY AND LINKS TO CORPORATE PLAN

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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Addendum to Agenda Items Tuesday 7th July 2020

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

Item 8a

N/2019/0840

The construction of new roads (Northampton North West Relief Road) on land South of the A5199 Northampton Road between the Brampton Heath Golf Centre and the River Nene, including two new roundabouts and links bridging over the River Nene to Brampton Land and over the Northampton loop of the West Coast mainline to connect with the Dallington Grange development

Land off A5199, Northampton Road

Comments have been received from a 3rd party and are summarised as follows:

- Continual increase in volume of traffic using Harborough Road
- Deficiencies in system south of Holly Lodge junction result in south bound traffic towards the town centre backing up beyond the junction, sometimes up to and beyond the Pitsford turning during peak am time.
- As standalone project, without Northampton North Orbital Road (NNOR), the NWRR for a west-east journey will increase congestion on this section of Harborough Road and deterioration in air quality.
- NNOR unlikely to proceed through lack of funding to explore further route options.
- If NWRR proceeds as standalone project, need to improve flow of traffic on A508, a strategic access road for the town.
- Project heavily weighted to relieving traffic on Harlestone Road and Mill Lane which NCC classify as lower strategic importance than Harborough Road, this reasoning is flawed.
- Inconsistencies and contradictions in traffic assessment, fail to provide reassurance that traffic flow will not be detrimental.

Officer comment: These have been forwarded to the relevant Planning Officer at Northamptonshire County Council as the determining Local Planning Authority for the application for consideration along with any comments received from the Highway Authority.

Northamptonshire Badger Group - comments are summarised as follows:

- Concerned regarding closure of up to 7 badger setts, including large main sett, which will negatively impact on clans.
- Wider issue than proposed road, Buckton Fields, Dallington Grange and smaller developments already putting pressure on badgers in the area and their foraging space.
- Badgers being forced to forage elsewhere and being displaced.
- If road and Dallington Grange are built, space available to clans living there will not be large enough to sustain them and will increase conflicts between clans increasing contact with residential houses/gardens.
- Developments have not been considered as a bigger picture.

Officer comment: The comments have been forwarded to the relevant Planning Officer at Northamptonshire County Council as the determining Local Planning Authority for the application for consideration along with any comments received from the County Ecologist.

The planning permission for Dallington Grange will be subject to conditions in respect of the submission of a detailed Landscape and Ecological Management Plan and a requirement for updated protected species surveys to ensure appropriate ecological mitigation.

10. APPLICATIONS FOR DETERMINATION

Item 10a

N/2020/0128

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 8 occupants

51 St Matthews Parade

Comments have been received from the applicant and summarised as follows.:

The applicant has taken on board member's concerns which were raised with regards to the number of occupants proposed at the previous committee. The applicant has discussed with officers and reduced the number of occupants down from 10 to 8. The Applicant has worked with planning officers and listened to committee members in reaching this proposal.

Item 10b

N/2020/0133

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 8 occupants

53 St Matthews Parade

Comments have been received from the applicant and summarised as follows.:

The applicant has taken on board member's concerns which were raised with regards to the number of occupants proposed at the previous committee. The applicant has discussed with officers and reduced the number of occupants down from 10 to 8. The Applicant has worked with planning officers and listened to committee members in reaching this proposal.

Item 10c

N/2020/0399

Demolition of existing bungalow at 486 Kettering Road and redevelopment of site to provide new care home (Class C2) arranged over part two and part three storeys together with associated car parking, landscaping and amenity space and new access from Kettering Road

486 – 492 Kettering Road

An **additional 5 letters of objection** received. The letters reiterate the concerns summarised in paragraph 6.12 of the report and also raise the following additional concerns:

- In sufficient parking will result in visitors, staff and deliveries blocking access to neighbouring properties.
- Business use will result in activity for 24 hours a day such as vehicle movements to the detriment of the peace and amenity of neighbours.

Officer comment:

- The parking implications of the proposal are addressed in paragraphs 7.20-7.25 of the report and it is highlighted that the County Highway Authority raise no objections.
- The implications of the proposal on residential amenity are addressed 7.11 to 7.16 of the report and it is highlighted that Environmental Health raise no objections.

Item 10d

N/2020/0509

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation for 5 occupants (Use Class C4)

50 Manfield Road

No updates.

Item 10e

N/2020/0514

**Proposed removal of Horse Chestnut tree (under Tree Preservation Order 069)
1a Billing Road**

Councillor W Strachan (NCC) – trees such as this one helps neutralise poor air quality and gives aid to our wildlife conservation. The tree is over 200 years old and is of good quality and health. The general policy by national government is to plant more trees not destroy healthy good quality trees especially those already with preservation order on them.

An **additional 30 letters of objections** received in relation to the proposed removal of the tree. The reasons of objection are covered in paragraphs 8.2 of the report. One of the objectors stated that the tree canopy does not overhang the neighbouring premises and that the description in paragraphs 3.2 and 9.8 of the report are incorrect.

Officer Comment: the tree canopy does spread up to the boundary with neighbouring premises and does not overhang that property.

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

Item 12a

N/2020/0244

**Installation of brick built bin enclosures adjacent to 1-23 Stonehurst
1 Stoneyhurst**

No updates.

Item 12b

N/2020/0541

**Variation of Condition 2 of Planning Permission N/2019/0387 (Demolition of 18no domestic lock up garages and construction of 2no new build units) to amend units position
Lock Up Garages, Cardigan Close**

No updates.

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PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0128

LOCATION: 51 St Matthews Parade

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 8 occupants

WARD: Phippsville Ward

APPLICANT: MSA Properties Ltd
AGENT: Mr Lee Randall

REFERRED BY: Councillors A King and Russell
REASON: Overdevelopment and parking 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 principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 8 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to facilities on the Kingsley Park Parade. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

2.1 The application for a change of use from a dwellinghouse to a 10 occupant HIMO (Sui Generis) was considered by the Planning Committee on 19th May 2020. The Committee resolved to defer a decision on the application to enable further negotiation with the applicant to reduce the number of occupants for the proposal.

2.2 The application has subsequently been revised and the number of occupants has been reduced to 8. Further internal alterations have been proposed with no external changes to the property. The bedrooms will share bathroom and toilet facilities located on the ground floor, first floor and second

floor. One double bedroom will have an en-suite bathroom. The proposed kitchen and living room will be located on the ground floor. Parking will be on-street.

3 SITE DESCRIPTION

- 3.1 The site comprises a large mid-terraced property over three floors with an additional cellar in the basement. The property has a large front yard and attractive front façade facing St Matthews Parade and long rear garden with a garage which utilises the shared access onto Oakwood Road.

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:

Paragraph 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.

Section 12 – seeks to achieve 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 H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7 - Flood Risk

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 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling.

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Houses in Multiple Occupation Supplementary Planning Document 2019

Proposals for HMOs 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 10% of HMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

6.1 Comments received are summarised as follows:

6.2 **NCC Highways** – Due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, I would advise that the applicant undertakes an on-street car parking beat survey. No additional comments raised following revised plans for HMO for 8 occupants.

6.3 **Private Sector Housing** – the applicant should be advised that the premises will require licensing under the mandatory licensing scheme or a variation to the existing licence, as appropriate. The property is suitable for the proposed 8 people in 6 households. The kitchen appears to have double sinks and double cookers as seen on the floor plans. This is adequate. Fire protection measures will be required to meet the appropriate standards. Sanitary facilities are adequate.

The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for an 8-occupant HMO.

6.4 **Environmental Health** – no objections subject to recommended planning conditions being attached to any successful planning decision. Future occupiers may be subject to adverse noise annoyance from road traffic and early morning deliveries from commercial shops on the adjacent side of Kettering Road in close proximity to the development site. Prior to any development commencing a full noise survey and assessment by a competent noise consultant must be prepared and submitted. In addition, a condition requiring details for the storage and collection of waste and recycling should be attached. No additional comments raised following revised plans for HMO for 8-occupants.

6.5 **Councillors Anna King and Cathrine Russell** call in the application on grounds that it would comprise overdevelopment of the site; would detract from the residential nature of the street; and would add pressure on parking in the area.

6.6 **7 neighbour representations** objecting to the proposal have been received. **9 additional objections were received from 7 neighbours** after the consultation on revised floor plans for an 8-occupant HIMO. Some neighbour objections were forwarded on from the office of Michael Ellis MP. Comments are summarised as follows:

- Proposal will change the character of the row of properties and detract from established residential neighbourhood.
- The area becomes neglected with graffiti and crime.
- There are enough HIMOs in the area.
- Decrease in value of nearby properties.
- Already a lack of car parking in this area. Parking currently across driveways and on junctions. More pressure will be added.
- Traffic hazards and dangerous parking on Kettering Road will increase.
- Living near a bus stop does not mean less likely to own a car.
- The garage is currently in use as an illegal car workshop.
- The service road to the garage will be heavily used to get to a “rear car park”.
- Fly tipping and littering will increase and changes in refuse collection will make this worse.
- Generate noise.
- Destroying the demographics of the area.
- Planning rules enable conversion which further decreases desirability of the area.
- Unsuitable location for affordable housing and rentable spaces.
- Males only occupants have a different way of life to local families.
- A previous HIMO in this area housed prisoners and led to crime/police callouts.
- Transient population do not take pride in the area.
- Owner has already begun works/mixing concrete on site.
- Proposal is wholly for financial gain of applicant.
- Occupants would not manage in self-solation because of shared facilities and lack of space. Social distancing would not be possible.
- Negatively affect the outlook and amenity of nearby residences
- Provision should be shown for 2 sets of appliances in the kitchen.
- The area will not be as welcoming and therefore reduce custom to local businesses.
- Application for 20 bedsits was refused in 1979 as it was considered to be overdevelopment.
- A conversion to 2 or 3 flats would be a better quality refurbishment with less transient tenants.

7 APPRAISAL

7.1 The principle of the conversion of the existing large dwellinghouse to a large 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 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act and other data held by the Council. Within

the 50m radius, there are currently no other HMOs (established or with planning approvals) on St Matthews Parade, Kingsley Park Terrace, The Drive and Oakwood Road.

- 7.4 Neighbour concerns have been raised about the existing HMOs. Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HMOs within a 50m radius of the application site. The inclusion of the proposed HMO would result in a concentration of 2%. If both this application and the application at 53 St Matthews Parade (N/2020/0133) were to be approved, the concentration within a 50m radius of this site would be 4%.
- 7.5 The proposed 2% concentration is within the threshold of 10% as described in the adopted SPD.

Size of property and facilities for future occupiers

- 7.6 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.
- 7.7 The property is considered to be of sufficient size, it provides a mix of bedroom sizes. Two double bedrooms are proposed for the larger rooms with outlook over the front of the property. These exceed the minimum bedrooms size of 10.22 sqm for two occupants. Four single bedrooms are also provided all of which exceed the minimum bedroom size requirement of 6.51 sqm. For an 8 occupant HMO set over 3 storeys and meeting the minimum size requirements, a 24 sqm combined kitchen/living/dining room is required. The ground floor provides a space of just over 24 sqm sufficient to accommodate this. The kitchen provides 2 sets of cooking equipment and 2 sinks in line with Private Sector housing requirements. Following amendments to the proposal, there is now also provision for a communal lounge within the ground floor room with a large window to the front elevation. This would provide another amenity space for occupants, separate from the kitchen/diner. This is in accordance with the Council's HMO Facilities and Amenities Guidance.
- 7.8 The property provides a toilet and sink on the ground floor; a large bathroom on the first floor; an en-suite shower room serving the double bedroom on the first floor; and a shower room serving two bedrooms on the second floor. This would meet the requirement as stated in Principle 2 of the HMO SPD 2019. There is also an additional cellar which would be used for storage only.
- 7.9 The kitchen/living/diner would be served by large glazed rear doors with additional side window, and a window to the side elevation. This provides good outlook and light into this main shared space for future occupants. Each bedroom is served by at least one window, each providing sufficient light and outlook to the front or to the rear elevations of the property. The main shared bathroom is spacious and well fitted, serving 3 bedrooms with an additional W.C. to the ground floor. The first-floor double bedroom is provided with an en-suite shower room, and the two bedrooms to the second-floor share one shower room between them. It is considered that this provides a good level of facilities for the number of occupants.
- 7.10 A condition restricting the use of the property to a maximum of 8 people could be imposed. 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 an 8-occupant HMO.
- 7.11 The property also has a basement which would not be suitable for habitation and a condition could be imposed requiring this to remain for storage purposes only.
- 7.12 There are no external alterations proposed to the property as part of this change of use application.

Flooding

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

Highways/Parking

- 7.14 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.15 No parking beat survey has been submitted with the application, although NCC Highways requested a survey; however, the applicant has submitted a short assessment of the existing parking and highways situation. In the assessment, the applicant has ascertained the property is located on Kettering Road, close to bus stops and the main route into the town centre. It is also located in close proximity to the local centre on Kingsley Park Terrace.
- 7.16 It is therefore noted that the location is sustainable and close to bus stops with regular bus routes and there are a variety of local facilities. It is clear that Kettering Road has existing pressure on parking and a number of objections have been received regarding the pressure on parking in the surrounding streets from use by both residents and businesses. There are 4 bus routes that pass through the bus stops and have services every hour between Kettering and Northampton Town Centre and another running between Blackthorn and the town centre. Buses also run to Moulton Park and Rectory Farm. In combination, buses run more frequently than every half an hour providing a regular service into the town centre. Whilst it is acknowledged that not all people who live close to bus stops will necessarily choose these as their main form of transport, the proposed location does mean the proposal is in accordance with the requirements of the HIMO SPD in respect of parking considerations. The SPD also requires that cycle storage is made available as another option for future occupants.
- 7.17 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the property for a sufficient amount of cycle storage (8 bicycles). Although these are not shown on the submitted floorplans, this can be secured via a condition. The cycle storage would be accessible within the rear garden and could be stored within the garage if necessary and taken out via the shared driveway. Further details including dimensions of the secure cycle storage for at least 8 bicycles can be secured via a condition to be agreed prior to occupation.
- 7.18 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 6 parking spaces, which is an increase of 3 compared to the existing use, as parking the requirement for a 5-bed dwelling is 3 spaces. It is also acknowledged that there is a garage to the rear of the property which may accommodate at least 1 car, however this would not be counted as formal parking provision based upon the current Parking Standards. In the absence of parking provision, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is still considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

Refuse storage

- 7.19 There is sufficient space to the rear and front of the property for the outdoor storage of waste prior to refuse collection days. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter. Comments raised the potential for increased waste or fly tipping issues. However, the formal bin storage can be secured via condition and therefore easy access to the front for collection day would ensure that there is suitable provision for future tenants to utilise.

- 7.20 It is noted that representations have raised the possibility of a 24-hour communication channel with the landlord or their representative. This would be for neighbours to utilise if problems arose with matters such as refuse storage. Whilst it is acknowledged that this would be beneficial from a property management point of view, this is not something which could be secured via planning condition as it is outside the scope of the planning process.

8 CONCLUSION

- 8.1 The use of the property as a 8-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and taking into account all material planning considerations, would not have an undue impact upon the amenity of adjoining occupiers.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, 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 Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.

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: 019-091-002 revB, 019-091-001, 019-091-003.

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 8 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. Prior to the occupation of development, details of facilities for the secure and covered parking of at least 8 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: 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. Prior to the occupation of development, details of facilities for refuse and recycling storage 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: 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. Prior to the occupation of the development hereby approved, a full noise survey and assessment by a competent noise consultant to protect the development from external noise shall be submitted to and approved in writing by the Local Planning Authority and the

approved details shall be implemented prior to the occupation of the development 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.

7. For the avoidance of doubt, the existing cellar shall not be used as a bedroom/s or any habitable room at any time throughout the lifetime of the development as a house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

Informative

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

10 BACKGROUND PAPERS

- 10.1 Application file N/2020/0128.

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: **51 St Matthews Parade**

Date: 23-04-2020

Scale: 1:1,000

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PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0133

LOCATION: 53 St Matthews Parade

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 8 occupants

WARD: Phippsville Ward

APPLICANT: MSA Properties Ltd
AGENT: LMR Designs

REFERRED BY: Councillors A King and C Russell
REASON: Overdevelopment and parking 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 principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 8 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to facilities on the Kingsley Park Parade. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

2.1 The application for a change of use from a dwellinghouse to a 10 occupant HIMO (Sui Generis) was considered by the Planning Committee on 19th May 2020. The Committee resolved to defer a decision on the application to enable further negotiation with the applicant to reduce the number of occupants for the proposal.

2.2 The application has subsequently been revised and the number of occupants has been reduced to 8. Further internal alterations have been proposed with no external changes to the property. Parking will be on-street.

3 SITE DESCRIPTION

- 3.1 The site comprises a large mid terraced dwelling with an attractive frontage, facing St Matthew's Parade. There are existing residential properties in the vicinity, with businesses opposite and some businesses neighbouring the property. The property has a long rear garden with rear garage which has vehicular access from a shared driveway to Oakwood Road. The property is set over three floors, with an additional cellar in the basement.

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:

Paragraph 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.

Section 12 – seeks to achieve 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 H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7 - Flood Risk

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 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling.

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Houses in Multiple Occupation Supplementary Planning Document 2019

Proposals for HIMO 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 10% of HIMO within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

6.1 Comments received are summarised as follows:

6.2 **NCC Highways** – Due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, Highways advise that the applicant undertakes an on-street car parking beat survey.

6.3 **Private Sector Housing** – The applicant should be advised that the premises will require licensing under the mandatory licensing scheme or a variation to the existing licence, as appropriate. The property is suitable for the 8 people in 6 households as requested. There are 6 rooms in the property. Hence, it is suitable for only 6 households. There are double sinks and double cookers which would be adequate for the number of persons requested. Sanitary amenities would be adequate for the number of persons requested. Fire protection, detection and alarm systems will be required to meet the appropriate standards.

6.4 **Environmental Health** – No objections subject to the recommended planning conditions being attached to any successful planning decision. Future occupiers may be subject to adverse noise annoyance from road traffic and early morning deliveries from commercial shops on the adjacent side of Kettering Road in close proximity to the development. Prior to any development commencing a full noise survey and assessment by a competent noise consultant must be prepared and submitted. A condition should be attached requiring details for the provision of storage and collection of refuse and recycling and this should be implemented prior to the development coming into use. No additional comments to make following revisions to the scheme for 8 occupants.

6.5 **Councillors Anna King and Cathrine Russell** call in the application on the grounds that it comprises overdevelopment which would detract from the residential nature of the street and add pressure to parking in the area.

6.6 **9 neighbour representations** received objecting to the originally submitted application and **8 additional objections** received from 7 neighbours following revisions to the scheme for 8 occupants. Some neighbour objections have been forwarded from the office of Michael Ellis MP. All representations are summarised as follows:

- Enough HIMOs in this area both legal/illegal.
- The development will change the character of this row of properties.
- The area has already become neglected, closure of local shops, crime increasing.
- Undesirable and intrusive overdevelopment of the property.
- The proposal would negatively affect the outlook and amenity for local residents.
- Application for 20 bedsits was refused in 1979 as it was considered to be overdevelopment.
- Will reduce the value of properties in this area.
- Not enough parking in the area and there is inadequate parking provided.
- A bus stop in the vicinity does not mean this is the preferred mode of transport for occupants.
- Increased vehicle movements in the shared service road.
- Tenants of the property currently operating a car workshop from the rear garage and exhibiting antisocial behaviour.
- Existing management of tenants is poor.
- Occupants of the neighbouring properties should be given a 24-hour channel of communication with landlord/management to raise problems. Can this be secured by a condition.
- Issues with refuse, littering and fly tipping.
- Increase noise and antisocial behaviour.
- Male only occupants of existing HIMOs have a different way of life to neighbouring families.
- Kingsley is overpopulated. Doctors/dentists in the area are already oversubscribed and there is a long wait for appointments. This will add strain on these services, additional people are not needed.
- Occupants tend to be transient.
- There may be a strain upon local schools.
- Occupants would not cope with self-isolation or social distancing.
- Provision of flats would provide a better-quality development and less transient tenants.
- Planning rules enable conversion of properties which further decrease the desirability of the area.

7 APPRAISAL

7.1 The principle of the conversion of the existing large dwellinghouse to a large 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 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act and other data held by the Council. Within the 50m radius, there are no established HMOs licensed or with planning permission on St Matthews Parade, Kingsley Terrace, Oakwood Road or The Drive.

- 7.4 The inclusion of the proposed HIMO would result in a concentration of 2%. If both this application and the application at 51 St Matthews Parade (N/2020/0128) were to be approved, the concentration within a 50m radius of this site would be 4%.
- 7.5 The proposed 2% concentration is within the threshold of 10% as described in the adopted SPD. This would ensure there would be a good mix of family homes, shared homes and other facilities retained within the local area.

Size of property and facilities for future occupiers

- 7.6 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.
- 7.7 The property is considered to be of sufficient size, it provides a mix of bedroom sizes. Two double bedrooms are proposed for the larger rooms with outlook to the front of the property and St Matthews Parade. These exceed the minimum bedrooms size of 10.22 sqm for two occupants set out within the HIMO SPD 2019. Four single bedrooms are also provided all of which exceed the minimum bedroom size requirement of 6.51 sqm for a bedroom for one occupant. For an 8 occupant HIMO set over 3 storeys and meeting the minimum size requirements, a 24 sqm combined kitchen/living/dining room is required. The ground floor provides a space of just over 24 sqm sufficient to accommodate this. The kitchen is large enough to accommodate two sinks and two sets of cooking appliances and this is considered sufficient by Private Sector Housing. This is also in accordance with the Council's HIMO Facilities and Amenities Guidance. The proposed development has also been amended following the previous Planning Committee discussions to provide an additional communal lounge within a larger circa 16 sqm room with a bay window the front elevation. This would provide a much improved quality living area in addition to the kitchen/diner.
- 7.8 The property provides a toilet and shower room on the ground floor, a large bathroom on the first floor and shower room on the second floor. This would meet the requirement as stated in Principle 2 of the HIMO SPD 2019. There is also an additional cellar which would be used for storage only.
- 7.9 The kitchen/living/diner would be served by large glazed rear doors with some additional side windows, and a window to the side elevation. This provides good outlook onto the garden and good natural light into this main shared space for future occupants. Each bedroom is served by at least one window, each providing sufficient light and outlook to the front or to the rear elevations of the property. The single ground floor bedroom has an additional shower and W.C. The main shared bathroom is spacious, serving 3 bedrooms on the first floor. The two bedrooms to the second-floor share one shower room between them. Every floor has a toilet provided within each bathroom.
- 7.10 A condition restricting the use of the property to a maximum of 8 people could be imposed. 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 an 8-occupant HIMO.
- 7.11 The property also has a basement cellar which would not be suitable for habitation and a condition could be imposed requiring this to remain for storage purposes only.
- 7.12 There are no external alterations proposed to the property as part of this change of use application. Elevations will remain as existing.

Flooding

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

Highways/Parking

- 7.14 The HIMO SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.15 No parking beat survey has been submitted with the application, although NCC Highways requested a survey; however, the applicant has submitted a short assessment of the existing parking and highways situation. In the assessment, the applicant has ascertained the property is located on Kettering Road, close to bus stops and the main route into the town centre. It is also located in close proximity to the local centre on Kingsley Park Terrace.
- 7.16 It is therefore noted that the location is sustainable and close to bus stops with regular bus routes and there are a variety of local facilities. It is clear that Kettering Road has existing pressure on parking and a number of objections have been received regarding the pressure on parking in the surrounding streets from use by both residents and businesses. The property is also within walking distance of local facilities at Kingsley Park Terrace. There are 4 bus routes that pass through the bus stops and have services every hour between Kettering and Northampton Town Centre, hourly between Blackthorn and the town centre and buses also run to Moulton Park and Rectory Farm. In combination, bus services stop locally more regularly than every 30 minutes providing services into town and therefore the proposed site location complies with requirements in the SPD. The proposal is therefore in accordance with the requirements of the HIMO SPD in respect of parking considerations.
- 7.17 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the house for a sufficient amount of cycle storage (8 bicycles). Although these are not shown on the submitted floorplans, this can be secured via a condition. The cycle storage would be accessible within the rear garden and could be stored within the garage if necessary and taken out via the shared driveway. Further details including dimensions of the secure cycle storage for at least 8 bicycles can be secured via a condition to be agreed prior to occupation.
- 7.18 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 6 parking spaces, which is an increase of 3 compared to the existing use, as parking the requirement for a 5-bed dwelling is 3 spaces. It is noted that there is a garage to the rear of the property which may accommodate at least 1 car, however this would not be counted as formal parking provision as garages are not included within the calculations. It is also not possible to ensure that future occupants park cars within the garage. In the absence of the parking, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is still considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

Refuse storage

- 7.19 There is sufficient space to the rear and front of the property for the outdoor storage of waste prior to refuse collection days. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter. Comments raised the potential for increased waste or fly tipping issues. However, the formal bin storage can be secured via condition and therefore easy access to the front for collection day would ensure that there is suitable provision for future tenants to utilise.

8 CONCLUSION

- 8.1 The use of the property as an 8-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and taking into account all material planning considerations, would not have an undue impact upon the amenity of adjoining occupiers.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, 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 Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.

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: 019-091-103, 019-091-101, 019-091-102 revB.

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 8 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. Prior to the occupation of development, details of facilities for the secure and covered parking of at least 8 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: 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. Prior to the occupation of the development hereby approved, details of facilities for refuse and recycling storage 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: 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. Prior to the occupation of the development hereby approved, a full noise survey and assessment by a competent noise consultant to protect the development from external noise shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the development 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.

7. For the avoidance of doubt, the existing cellar shall not be used as a bedroom/s or any habitable room at any time throughout the lifetime of the development as a house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy

Informative

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

10 BACKGROUND PAPERS

- 10.1 N/2020/0133.

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: **53 St Matthews Parade**

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Date: 23-04-2020

Scale: 1:1,000

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PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0399

LOCATION: 486 - 492 Kettering Road

DESCRIPTION: Demolition of existing bungalow at 486 Kettering Road and redevelopment of site to provide new care home (Class C2) arranged over part two and part three storeys together with associated car parking, landscaping and amenity space and new access from Kettering Road

WARD: Parklands Ward

APPLICANT: Seagrave (Northampton) Ltd
AGENT: QED Planning

REFERRED BY: Councillor M Hallam
REASON: Impact on adjacent properties

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, subject to conditions, would provide specialist accommodation for older people to help contribute to the different housing needs across the Borough and the Council's five year housing land supply. Furthermore, it would not have a detrimental impact upon the character and appearance of the surrounding area, neighbour amenity or highway safety. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S1, S7, S10, S11, C2, H1, H5, BN1, BN2, BN7, and BN9 of the West Northamptonshire Joint Core Strategy; and Policies E20 and H29 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of the existing bungalow at 486 Kettering Road and the redevelopment of the application site to provide a 56 bed care home for the frail elderly (Use Class C2) arranged over two and three storeys together with associated 19 car parking spaces, landscaping and amenity space, and altered vehicular access arrangements from the Kettering Road.

3 SITE DESCRIPTION

- 3.1 The application site is located to the eastern side of the Kettering Road within the Parklands Ward. It is in a residential area, but the site is close to local facilities on Coppice Drive and bus stops along the Kettering Road.
- 3.2 The application site contains two distinct parts: the former site of the Cedarwood care home to the north; and an existing bungalow at 486 Kettering Road to the south.
- 3.3 The Cedarwood care home comprised a sprawling property, with a mix of two storey and single storey elements incrementally added over time, as well as the foundations for a previously approved care home extension to the southern side and rear of the property. However, the care home has been vacant for some time and was recently demolished following the approval of a planning application to build ten dwellings on the care home site. The care home part of the site benefits from a coach drive with a low wall to the northern part of the frontage, including a number of trees covered by a Tree Preservation Orders. The southern part of the care home frontage also includes a section of close boarded fencing with an additional vehicular access.
- 3.4 The bungalow at 486 Kettering Road has a gabled roof form with a deep front garage projection running alongside the shared boundary with the former care home and extending close to the front boundary of the site. It has a close boarded fence set in front of mature trees to the front of its plot, with a vehicular access to southern part of its frontage.
- 3.5 The application site is neighboured by a tree lined footpath to the northern side that leads to Eastfield Park to the east, with the Cynthia Spencer Hospice beyond the footpath to the north. The Cynthia Spencer Hospice comprises an institutional property in a spacious treed setting with single storey elements adjacent to site.
- 3.6 There are bungalows to the rear (east of) the site on Squires Walk.
- 3.7 There is some variety in house types and designs along the stretch of the Kettering Road to the south of the site, with each property having an individual design. Properties to the west of the site, on the opposite side of the Kettering Road, comprise bungalows.

4 PLANNING HISTORY

- 4.1 The site has a long and complex history; however the following approvals are relevant to the current application:

N/2018/1188: 10 houses. Approved. Not implemented.

N/2017/0627: 14 x 2 bedroom apartments. Approved; not implemented.

N/2016/0141: First floor and ground floor extensions and alterations. Approved, with ground floor slab constructed prior to the demolition of the care home.

N/2015/0747: Erection of 2no detached dwellings, and entrance gates and piers. Approved, not implemented and lapsed.

N/2011/0508: Erection of two and a half storey extension to care home requiring the demolition of a dwelling house. Approved, not implemented and lapsed.

N/2008/0406: Demolition of existing dwelling and associated outbuildings and erection of a 3-storey building with link to nursing home at ground floor and extension to side of existing nursing home with office in roof space. Approved, not implemented and lapsed.

5 PLANNING POLICY

5.1 **Statutory Duty**

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

5.2 **National Policies**

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

Paragraphs 7-12 - Presumption in favour of sustainable development.
Section 5 - Delivering homes
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
Section 14 - Climate change, flooding and coastal change
Section 15 - 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:

S1 - The Distribution of Development
S7- Provision of Jobs
S10 - Sustainable Development Principles.
S11 - Low Carbon and Renewable Energy
C2 - New Developments
H1 - Housing
H5 - Existing Housing Stock
BN1 - Green Infrastructure
BN2 - Biodiversity
BN7 - Flood risk
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 - New Development (Design)
H29 - Residential Institutions

5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004
Northamptonshire County Parking Standards 2016
Biodiversity SPD 2017
Northampton Parking Standards 2019

6 CONSULTATIONS / REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water:** There is available capacity for the foul drainage / sewerage from this development. A planning condition should be imposed to address surface water drainage.
- 6.2 **Arboricultural Officer:** The tree survey is thorough, and the analysis is typically thoughtful and considered. The proposals to protect the rooting volumes of the trees on the Kettering Road will need more detail in due course. The canopies of the trees along the northern boundary, may present a constraint, but as their canopies will be high on the main stem so they ought not encroach upon the built form or interfere with construction. No objection in principle to the development of this site, or to the proposed scheme.
- 6.3 **Construction Futures:** A financial contribution should be provided for construction training.
- 6.4 **Environment Agency:** No comments.
- 6.5 **Environmental Protection:**
- The application has been accompanied by a site investigation report for contaminated land and it is recommended that conditions are imposed to secure a remediation scheme and address any unexpected contamination.
 - An Environmental Noise Assessment has been submitted and details glazing and ventilation mitigation measure which should be made the subject of conditions. The Assessment also includes a mitigation scheme for mechanical plant noise (e.g. kitchen intake and laundry fan) and this should also be covered by conditions.
 - The submitted CEMP is sufficient to address dust, noise and vibration and should be secured by condition.
 - Construction hours should be addressed by a condition.
 - Electric Vehicle Charging Points should be secured by condition.
 - A refuse storage condition should be imposed.
 - Kitchen ventilation and extraction conditions are required together with an associated informative.
 - External lighting should be conditioned.
- 6.6 **NCC Archaeology:** No comments.
- 6.7 **NCC Ecology:** The site currently offers little in the way of biodiversity interest, and therefore minimal mitigation would be required. Although the following measures should be addresses:
- The CEMP should be updated relating to the dismantling of rubble piles to safeguard amphibians or animals sheltering within.
 - Hedgehog holes should be installed in the boundary fence.
 - The Landscape and Ecological Management Plan is acceptable and should be secured by condition.
- 6.8 **NCC Highways:** The general layout and transport statement are accepted. Conditions should be imposed to require existing accesses are closed with footways reinstated prior to occupation and ensure the development is laid out in accordance with the approved details.
- 6.9 **NCC Lead Local Flood Authority:** Subject to conditions, the impacts of surface water drainage will have been adequately addressed at this stage.
- 6.10 **Northants Police Crime Prevention Design Advisor:**
- The site is secure to the rear ensuring a quality of residential amenity space for the quiet enjoyment of residents with suitably high boundary treatments to deter persons from climbing over the fence.
 - The bin store should be a brick built lockable structure.
 - As the site is secure the proposed cycle storage is acceptable.
 - All external doors and windows should be security rated.

- The car park should be lit with mast mounted white lighting.
 - Internal access controls should be introduced.
- 6.11 **Councillor M Hallam** called in the application on the grounds of overlooking of properties at the rear on Squires Walk.
- 6.12 **Ten neighbour objections** to the application have been received. These objection letters include the following points:
- A business property should not be introduced into this residential area; a home should not be replaced by a care facility.
 - The scale of the development is overpowering and would be out of context with, dwarf and detract from neighbouring residential properties.
 - The previously approved care homes on the site were only for 32 and 25 bed units and, whilst the site has been enlarged to include an additional bungalow, increasing it to 56 beds is excessive.
 - The proposal has four times the floor area of the original care home and would double the frontage of the existing care home.
 - It is misleading to suggest the proposed building is a mix of two and three storeys as there are three floors over the whole of the building and the ridge heights are the same.
 - The new building breaks the established building line along the Kettering Road and would also be closer to the rear boundary of the site than existing properties along the Kettering Road.
 - The number of rooms appears disproportionate for the size of the site and available parking.
 - Inadequate parking arrangements; although the development may have enough staff parking there are not enough spaces for visitors.
 - Concerned insufficient parking would result in parking on neighbouring streets causing hazards.
 - Parking arrangement is inadequate, with tight running circles and refuse vehicles and ambulances having to reverse long distances and potentially onto the Kettering Road creating a major hazard.
 - It is inaccurate to compare traffic generated from the former care home to the proposal.
 - The scheme will exacerbate existing traffic problems on the already congested Kettering Road to the detriment of highway safety and the amenity of neighbours.
 - The building is effectively three storeys in height and due to close proximity to boundaries would directly overlook and overshadow neighbouring properties.
 - Location of bin store will detract from neighbour amenity and attract vermin.
 - Odour concerns from the commercial kitchen.
 - Concerned future residents may be upset in the garden of the care home and the noise/activity would be detrimental to neighbour amenity.
 - Car park lighting would detract from neighbour amenity.
 - Care home would increase risk to neighbours of catching viruses and vulnerability to pandemics; there should be separation to neighbours.
 - The scheme does not include any group meeting areas for staff and residents making it an unpleasant dormitory development (Officer Note: The development includes at least one lounge and one dining room per floor as well as other facilities including a café, private dining room, cinema, spa bathrooms, salon and also staff areas such as a staff room and a managers office).
 - The development does not provide a bathroom for every room (Officer Note: All rooms are en suites).
 - Trees provide amenity to residents in the vicinity and a haven for wildlife, however several trees to the rear of the site will be removed.
 - There are conflicting details and discrepancies in the supporting submissions relating to accesses, parking, staffing numbers and tree removal.
 - Additional drawings should be provided to show relationships to neighbours (Officer Note: The applicant has been accompanied by all the drawings necessary to meet the Council's Local List Validation Requirements).
 - Concerned regarding neighbour notification procedure (Officer Note: All adjoining neighbours were sent notification letters; a site notice was displayed; and the application was also advertised in the local newspaper).
 - Proposal would devalue neighbouring properties (Officer Note: Property values are not a material planning consideration).

- 6.13 **Two neighbour representation in support** of the proposed development have also been received, which include the following points:
- The care home would be an asset for Northampton.
 - There are lots of bungalows in the locality of the site, the majority of which are occupied by older people, and the proposal provides an opportunity to remain in the area when the time comes.
 - The shared amenities would work well for residents.
 - Welcome the inclusion of en-suite bathrooms which would respect dignity and privacy.

7 APPRAISAL

Principle of development

- 7.1 The application proposes a residential use in a residential area and is therefore, by definition, compatible with neighbouring residential properties. Furthermore, the proposal would provide specialist accommodation for older people in the form of 24 hour care for the frail elderly, such as those with nursing and dementia care need, and therefore would help contribute to the different housing needs across the Borough in accordance with the requirements of Policy H1 of the Joint Core Strategy. As such, no objections are raised to the principle of the proposed development.
- 7.2 In addition, and notwithstanding the above, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the National Planning Policy Framework (NPPF), development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The redevelopment of the site for a 56 bed care home would make a positive contribution towards the Council's housing supply, with associated social and economic benefits. In addition, the proposal would provide other benefits such as meeting a need for accommodation for older people, generating permanent employment opportunities and the redevelopment of a vacant brownfield site. These benefits would weigh in favour of the proposal.

Design and layout

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.4 There are distinct character areas in the locality of the application site. Indeed, the properties to the south of the site comprise a run of detached houses of two storey scale and individual design, including a variety of different materials and roof forms, which also have deep front gardens and regular plot widths. The bungalow on the application site that is proposed to be demolished as part of the current application forms the last of this run of dwellings; it is smaller in height and benefits from a deep front projection that extends closer to the road than neighbouring properties.
- 7.5 The part of the site that previously contained the Cedarwood care home differed in character from the run of dwellings to the south of the site; occupying a larger plot which narrowed in width to the rear and comprised a two storey property with sprawling single storey projections. Furthermore, the care home benefited from a 2016 planning permission which was part implemented for extensions to fill the bulk of the width of the plot at two storey level with a large single storey rear extension. In addition, it is notable that planning permission was granted in 2017 for the construction of a part two storey, part three storey flatted development on part of the site. Also, an alternative permission to redevelop the care home with ten dwellings was permitted last year, which included 2.5 storey dwellings to the frontage of the site and two storey dwellings also located to the rear part of the site.
- 7.6 To the north of the site, there is a different character to the streetscene with large institutional buildings set well back from the Kettering Road and largely screened from the street. Although, the treed character of frontages to the eastern side of the Kettering Road helps to tie the southern and northern parts of the streetscene together.

- 7.7 The opposite side of the Kettering Road from the application site differs again in character, comprising predominantly semi-detached bungalows. The immediate neighbours to the rear of the site on Squires Walk also comprise bungalows.
- 7.8 The proposed care home would comprise a large building with an overall width and depth of some 60 metres and 37 metres respectively and a maximum height of 11.3 metres. However, the frontage of the building has been broken up into three blocks that would be connected via recessed glazed links. Furthermore, each block has a different height and set back from the Kettering Road and includes projections to provide additional articulation and a strong rhythm of windows to add interest and facilitate an active frontage. As such, it is considered that the development would have the appearance of three buildings in the streetscene and the mass of the new care home would be effectively broken up. In addition, the southern block would have the proportions of a large dwelling and thus would serve as a transition feature in the streetscene between the existing run of detached houses to the south of the site and the central 3 storey part of the care home and the northern 2.5 storey block that have a more institutional design. It is acknowledged that the northern block would step forward of the existing pattern of development, but it would still remain some 8 metres back from the frontage of the site and as the end building in this part of the streetscene it would not appear out of place. Furthermore, the front corners of the new care home would be set in 4.6 metres and 8 metres from the southern and northern side boundaries respectively with the rear of the care home set in 10 metres from the rear boundary such that it would not appear unduly cramped within its plot. It is also acknowledged that the northern block includes some unusual roof form elements, such as a dormer feature to the side to contain a lift and flat roof forms, but these parts of the proposal would not appear unduly prominent in the streetscene due to their siting. The materials for the proposed development would have a contemporary feel, incorporating sections of red brick and sections of buff bricks separated horizontally by a course of engineering bricks. However, given the existing variety of materials in the streetscene it is considered such an approach to elevation treatments is acceptable.
- 7.9 The existing trees the subject of a Tree Protection Order to the frontage of the site would be retained as part of the proposed development, with the car parking designed around the existing trees and the new care home set back from their root protection areas. In addition, the proposal would include areas of landscaping to the frontage of the site with railings to the front boundary. The majority of the existing trees to the rear boundary of the site would also be retained and again the new building would be set outside the root protection area for these trees. The building would also set in from the side boundary with No. 484 to ensure minimal encroachment on the root protection area for the Cedar tree in the garden of this neighbouring property. The new care home would at one point be located relatively close to the trees running along the footpath to Eastfield Park due to the tapering nature of this side boundary, but this is also the case for the existing care home and the Council's Arboricultural Officer advises that the canopies for these trees are high on the main stem and that the development would not unduly encroach upon them. Furthermore, the Council's Arboricultural Officer raises no objections to the proposal, subject to conditions to secure tree protection measures. As such, it is considered that the proposal would maintain the sylvan character of this part of this streetscene, with the retained trees and landscaping proposals also helping to soften the appearance of the new care home building.
- 7.10 Overall, and subject to conditions relating to materials, levels, landscaping, tree protection and boundary treatments, it is considered that the proposal would not have a detrimental impact on the character and appearance of the streetscene.

Residential amenity

- 7.11 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.12 The new care home would be set to the northern side of 484 Kettering Road, some 4.6 metres in from the side boundary with no flank windows in its southern wing such that it would not appear prominent, overbearing or result in a loss of privacy, daylight or overshadowing. The proposal

does include a bin store directly adjacent to the side boundary with No. 484 and a small part of this building would project beyond the rear elevation of this neighbouring property. However, the existing bungalow at 486 Kettering Road is located close to the boundary with No. 484 and extends substantially beyond the rear elevation of No. 484. Furthermore, the bin store would be a wholly enclosed single storey structure of brick construction with a low flat roof and secure doors set away from the neighbouring property. As such, it is considered that the bin store would not have a detrimental impact on the residential impact of this neighbouring property.

- 7.13 The application site backs onto the rear boundaries of 7 and 8 Squires Walk, two bungalows which are located at the end of a cul-de-sac and set at angles within their plots such that their rear elevations do not face wholly square onto the application site. The proposed care home would be set in some 10 metres from the rear boundary at its closest point and 7 and 8 Squires Walk are set in similar distances from their rear boundaries with the application site. As such, and given that the rear projection for the new care home would have a hipped roof form and only one upper floor window at first floor level that would serve a corridor and is proposed to be obscure glazed, it is considered that the proposal would not appear prominent or overbearing when viewed from these neighbouring properties or result in an unacceptable loss of privacy, daylight or overshadowing. In addition, it is considered that the retention of the existing trees adjacent to the rear boundary would help to soften the initial impact of the development. It is also noteworthy that a two storey dwelling has recently been permitted closer the rear boundary of the application site than the built form proposed under the current application.
- 7.14 It is noted that third party concerns have been received regarding the potential for noise and activity from future users of the garden of the care home detracting from the amenity of neighbours. However, a care home is a residential use and is, therefore, by nature compatible with neighbouring residential dwellings. Also, it is noteworthy that a substantial part of the site was previously used as a care home. Furthermore, the use can be restricted to a care home only and no other use within Class C2 to prevent a change to other C2 uses that may not be as compatible with neighbours. In addition, and in any event, the noise implications of the scheme have been assessed by Environmental Health and found to be acceptable subject to conditions to prevent unacceptable impacts from plant and equipment associated with the kitchen and laundry.
- 7.15 It is also noted that Environmental Health recommend conditions relating to refuse storage, lighting and construction work to safeguard the amenities of neighbours.
- 7.16 Overall, and subject to conditions recommended by Environmental Health and conditions relating to boundary treatments, landscaping, tree protection, levels and obscure glazing of the first floor window in the rear projection, it is considered that the proposal would not have a detrimental impact on the residential amenity of neighbours.
- 7.17 Turning to the amenities of future occupiers of the care home, the individual bedrooms are generously sized and all include en-suites. In addition, all bedrooms are served by at least one large window, with landscaped buffer strips to the car parking to the front and communal amenity space to the rear. A couple of the windows in projections have a 45-degree relationship to other windows or other wings of the care home, but there are only a limited number of instances of this and such relationships are not unusual for a care home. The new care home would also include several communal rooms and facilities, such as separate dining and lounges on each floor and also a café, cinema room and hair salon. Furthermore, the residents would also benefit from a generously sized and landscaped communal amenity area to the rear of the site.
- 7.18 In addition, it is noted that Environmental Health advise that specific glazing and ventilation mitigation measures should be secured by condition to safeguard the amenities of future occupiers from noise impacts, as well as conditions relating to plant and extract noise, refuse storage and car park lighting as detailed above.
- 7.19 Therefore, subject to the conditions recommended by Environmental Health, it is considered that the proposal would, overall, offer a good standard of amenity for future occupiers of the proposed development.

Parking and highway safety

- 7.20 The County Parking Standards seek one parking space per full time equivalent staff plus 1 one visitor space per 3 beds, with 10% of the total car parking spaces required to be disabled spaces. In addition, the County Parking Standards seek 1 cycle space per five staff members.
- 7.21 The existing care home prior to its recent demolition had 20 bedrooms and only benefitted from a very limited number of informal parking spaces, with the frontage largely occupied by the coach drive. The extension permitted in 2016 and part constructed to reconfigure and enlarge the care home to accommodate a total of 25 bedrooms would have increased the parking provision on the site to 10 spaces. As such, there was an existing parking shortfall on the site and this is a material consideration in the assessment of the current application.
- 7.22 The current application follows pre-application enquiries in which the applicant originally sought advice on the acceptability of a 66 bed care home on the site. However, officers advised that the quantum of development should be reduced to better reflect the guidance in the County Parking Standards.
- 7.23 The current application proposes a 56 bed care home served by 19 parking spaces, two of which would be disabled spaces, and an additional ambulance and drop off / pick up space. The proposal would however still not meet the Standards, with for example the Standards suggesting that the development should provide 19 parking spaces for visitors as well as additional parking for staff at one space per full time equivalent (FTE) staff – The supporting submissions suggest that there would 55 FTE staff with 16 to 18 staff likely to one site at any one time. However, the application has been supported by a Transport Assessment which details that there would be a minimal increase in traffic when compared with the previous care home on the site equivalent to three peak hour two-way movements during a single hour and that there would be a maximum parking accumulation of 16 vehicles. Furthermore, the application has been supported by a Travel Plan to seek to promote sustainable forms of transport to the site. In addition, it should be acknowledged that the Standards are only guidance and it must also be taken into account that there was an existing parking shortfall on the site, there are bus stops along the Kettering Road close to the application site, and the proposal include details of cycle parking. Moreover, the County Highway Engineer has assessed the application and raises no objections on parking, layout or highway safety grounds subject to access related conditions.
- 7.24 The Parking Standards recently adopted by the Borough seek to encourage the installation of Electric Vehicle Charging Points (EVCP). Two such charging points are proposed as part of this application and these can be secured by condition.
- 7.25 Overall, having regard to the above, it is considered that the proposal is acceptable on parking and highway safety grounds subject to conditions to secure the parking, manoeuvring areas and access alterations; cycle storage; and EVCPs.

Other considerations

- 7.26 The application has been accompanied by a site investigation report for contaminated land which has been assessed by Environmental Health and it is recommended that conditions are imposed to secure a remediation scheme and address any unexpected contamination should planning permission be forthcoming.
- 7.27 The application site is not located in Flood Zones 2 or 3. However, the new care home would have a floor space of 2,982sqm such that it would comprise a major development and has been accompanied by a Flood Risk Assessment with details of surface water drainage. The submitted details have been assessed by Anglian Water, the Environment Agency and the Lead Local Flood Authority and found to be acceptable subject to surface water drainage conditions.

- 7.28 The Northants Police Crime Design Advisor advises that the scheme is acceptable subject to conditions to secure specific details of the development, such as boundary treatments, materials for the bin store, and car park lighting.
- 7.29 The County Ecologist has assessed the submitted Ecological Report and advises that the site currently offers little in the way of biodiversity interest, but recommends conditions to secure a Construction and Environmental Management Plan to ensure wildlife is adequately protected during the construction phase, details of hedgehog holes in the boundary fences and compliance with the submitted Landscape and Ecological Management Plan to secure biodiversity enhancements.
- 7.30 The application has been supported by a BREEM pre-assessment to indicate that the development could achieve BREEM Very Good accreditation to contribute to reductions in carbon emissions and to minimise the impacts of climate change and this can be secured by condition.
- 7.31 The application has been accompanied by a Construction Environmental Management Plan. However, it is recommended that a revised CEMP is secured by condition to clarify further details of the construction works such as the construction compound location, traffic routing and delivery arrangements, review construction hours in light of the relevant government guidance and Environmental Health advise at the time, and ensure other matters such as tree protection are adequately addressed.
- 7.32 As the building would fall within Use Class C2, there is not a policy requirement to secure construction training or other Section 106 matters and, for the avoidance of doubt, a condition is recommended that would reinforce the Use Class of the approved development.

8 CONCLUSION

- 8.1 To conclude, the Council cannot presently demonstrate a five year housing land supply and, therefore, the application needs to be assessed in accordance with the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and provide specialist accommodation for older people to help contribute to the different housing needs across the Borough and the Council's five year housing land supply, with associated social and economic benefits. Furthermore, subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

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

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

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

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

3. The development hereby permitted shall be used as a care home only and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: For the avoidance of doubt and in the interests of ensuring a satisfactory standard of development, residential amenity and parking provision as the application has been assessed on details submitted in accordance with the requirements of Policies H1, S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

4. Notwithstanding the submitted details and Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall than be carried out in accordance with the approved CEMP which shall include:
- i. Traffic management and signage during construction.
 - ii. Parking for site operatives and visitors.
 - iii. Storage areas for plant and materials.
 - iv. The erection and maintenance of security fencing/hoardings and lighting.
 - v. Welfare and other site facilities.
 - vi. Working hours and delivery times.
 - vii. Measures to control noise, vibration, dust and fumes during construction
 - viii. Measures to prevent mud and other debris being deposited on the surrounding highway.
 - ix. Ecological mitigation measures

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

5. Notwithstanding the submitted details and prior to the commencement of development hereby permitted, an Arboricultural Report including tree protection measures for all the trees to be retained as part of the development and a method statement for all works within the root protection areas of the retained trees shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

Reason: In the interests of the character and appearance of the locality in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

6. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be prepared, and shall be subject to approval in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

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.

7. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and shall be subject to approval in writing by the Local Planning Authority.

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

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

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

9. Prior to the commencement of the development hereby permitted, full details of the surface water drainage scheme for the site based on the details in the submitted Flood Risk Assessment and Drainage Strategy Issue 2 dated 25 March 2020; correspondence from Anglian Water dated 23 April and 6 May 2020; and drawings HC-2622-502 rev P1 and HC-2622-501 rev P3, shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the new care home is completed. 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 structures (if required).
 - b) Cross sections of all control chambers (including site specific levels mAOD).
 - c) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - d) Details of infiltration tests to BRE 365.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the NPPF and 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.

10. Prior to the commencement of the development hereby permitted, a scheme for the maintenance and upkeep of the surface water drainage system proposed for the site, including details of any drainage elements that will require replacement within the lifetime of the development, shall have been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the future maintenance of drainage systems associated with the development and reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the NPPF and 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.

11. The development hereby permitted shall not be occupied until a Verification Report for the installed surface water drainage system for the site has been submitted to and approved in writing by the Local Planning Authority. The verification report shall include the following details:
- a) Any departure from the agreed design is keeping with the approved principles
 - b) 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.
 - e) Confirmation that the system is free from defects, damage and foreign objects.

Reason To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site and reduce the risk of flooding both on and off

site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy.

12. Prior to the commencement of the development hereby permitted, full details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

13. The external surfaces of the development hereby permitted shall be constructed in the materials detailed on the submitted Application Form and shown on the Proposed Elevations drawing number AL(1)141B.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

14. The first floor rear facing window shown to be obscure glazed on drawing number AL(1)101A 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 H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

15. The development shall be constructed to a minimum rating of BREAAAM Very Good and certification of compliance with this sustainability rating by a licenced inspector shall be submitted to and approved in writing by the Local Planning Authority within three months of the occupation of the development hereby permitted.

Reason: In the interests of minimising the environmental impact of the development, in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

16. Prior to the occupation of the development hereby permitted, car parking shall be constructed and laid out in accordance with the details shown on drawing number AL(9)901C and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policies S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Prior to the occupation of the development hereby permitted, the new access shall be constructed in accordance with the approved details and all existing accesses from the site onto the highway shall be permanently closed in accordance with the details shown on drawing AL(9)901C including the reinstatement of the footway and verge.

Reason: To confine access to the permitted point(s) in order to ensure that the development does not prejudice the free flow of traffic or conditions of highway safety along the neighbouring highway in accordance with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy.

18. Prior to occupation of the development hereby permitted, a scheme for the installation of at least two electric vehicle charging points within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of reducing carbon emissions and to secure a satisfactory standard of development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

19. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, full details of facilities for the secure and covered parking of bicycles to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to the occupation of the development hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy.

20. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two months of the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of promoting more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

21. Notwithstanding the submitted details and prior to occupation of the development hereby permitted, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and biodiversity and to secure a satisfactory standard of development in accordance with Policies S10, H1, BN1 and BN2 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

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

Reason: In the interests of amenity and biodiversity and to secure a satisfactory standard of development in accordance with Policies S10, H1, BN1 and BN2 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

23. Notwithstanding the submitted details and prior to occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted for approval in writing by the Local Planning Authority. The development shall be implemented and maintained in accordance with the approved details thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN1, BN2 and S10 of the West Northamptonshire Joint Core Strategy.

24. Prior to the occupation of the development hereby permitted, full details of all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of appearance of the locality, residential amenity and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

25. Prior to the occupation of the development hereby permitted, bin storage, boundary treatments and enclosures within the site shall be provided in accordance with the details shown on drawing number AL(9)902D and retained thereafter.

Reason: In the interests of ensuring a satisfactory standard of development and visual and residential amenity in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

26. Prior to the occupation of the development hereby permitted, full details of an odour control system for the cooking equipment to serve the new care home and measures for the acoustic treatment of the system shall be submitted to and approved in writing by the Local Planning Authority. The approved system and acoustic treatment shall be installed prior to the occupation of the approved development and retained and maintained thereafter in accordance with the approved details

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

27. Prior to the occupation of the development hereby permitted, glazing and ventilation acoustic design measures shall be implemented in accordance with the details in Section 6.1 of the submitted Noise Assessment (report reference 2010-04-02a) and retained thereafter.

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

28. Prior to the occupation of the development hereby permitted, fixed plant acoustic mitigation measures shall be implemented in accordance with the details in Section 6.2 of the submitted Noise Assessment (report reference 2010-04-02a) and retained and operated in accordance with the details in the afore referenced assessment thereafter.

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

INFORMATIVE: The applicant is advised that it will be necessary to obtain a crossover (Section 184) licence from Northamptonshire Highways Regulations Department for the purpose of installing the new commercial crossover of publicly maintained highway land. The works necessary to install vehicle crossover must be undertaken only by a Northamptonshire Highways Approved Contractor who has the required and necessary public liability insurance in place. The vehicle crossover of public highway land must be hard surfaced in tarmac only, no paving or any loose material may be placed in publicly maintained highway land. Please note that planning permission does no guarantee that a licence will be permitted, as it is a separate process.

INFORMATIVE: The applicant's attention is drawn to the consultation response from the Police Crime Prevention Design Advisor, which is available to view on the Council's website and provides advice on internal access controls and the specifications for external doors and windows to ensure that the development is secure.

INFORMATIVE: The applicant's attention is drawn to the consultation response from Anglian Water, which is available to view on the Council's website and highlights the presence of Anglian Water infrastructure in the vicinity of the site.

10 BACKGROUND PAPERS

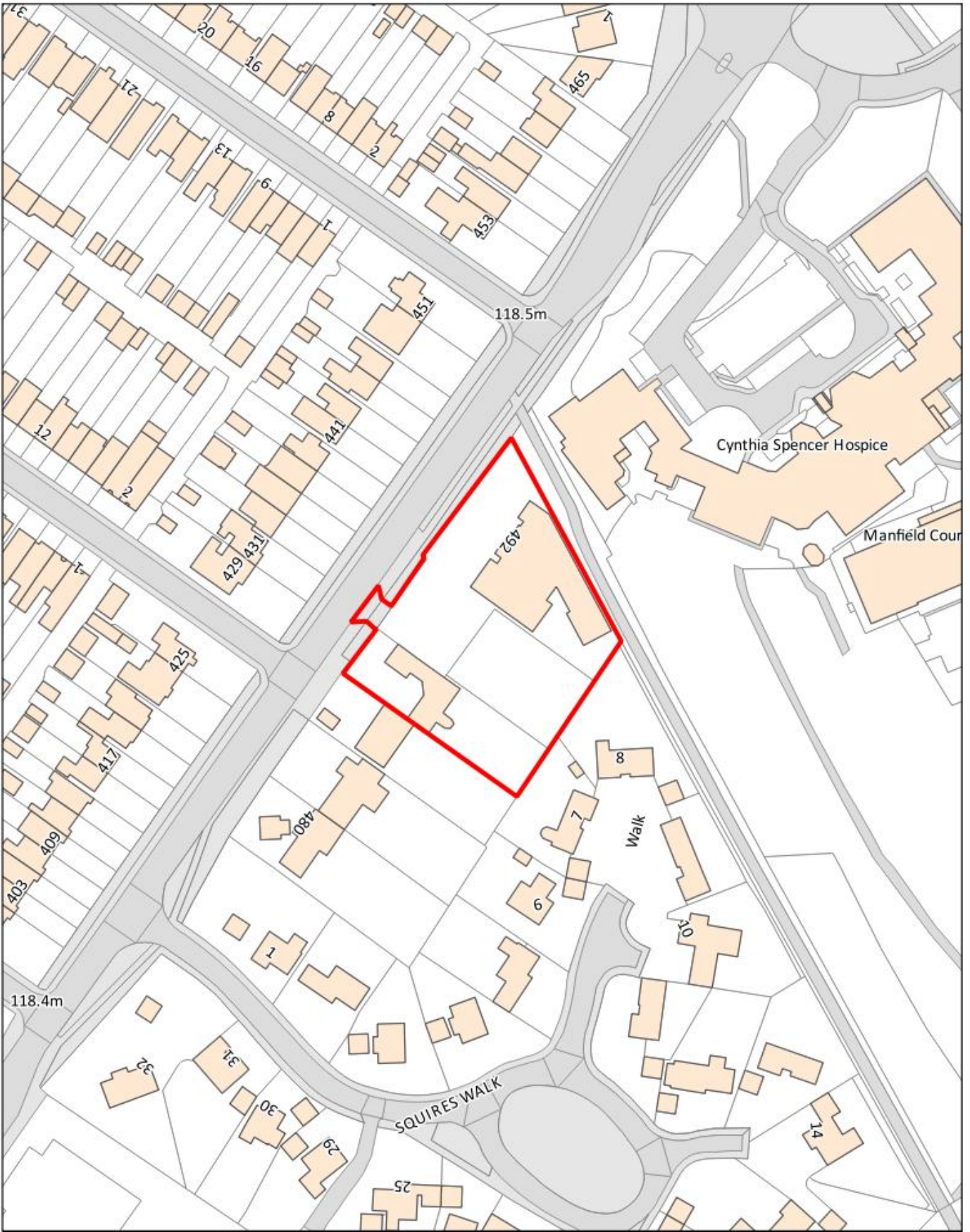
- 10.1 N/2020/0399, N/2018/1188, N/2017/0627, N/2016/0141, N/2015/0747, N/2011/0508, and N/2008/0406.

11 LEGAL IMPLICATIONS

11.1 The development is for a C2 Use Class and is not therefore CIL liable

12 SUMMARY AND LINKS TO CORPORATE PLAN

12. 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: **492 Kettering Road**

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PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0509

LOCATION: 50 Manfield Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation for 5 occupants (Use Class C4)

WARD: Abington Ward

APPLICANT: Mr Stephen Ingram
AGENT: N/A

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 principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 5 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to Wellingborough Road local centre. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

2.1 The proposal is for the change of use of a dwellinghouse into a 5-person house in multiple occupation (HIMO). All the bedrooms will have en-suite facilities. The proposed kitchen will be located in the basement, the proposed living room will be to the ground floor of the property. Parking will be on-street.

3 SITE DESCRIPTION

- 3.1 The site comprises a terraced house within a street of similar properties. The application site has an additional side access from Manfield Road running under the first floor of the property to the rear yard and garden space.

4 PLANNING HISTORY

- 4.1 N/2019/1604 – Change of use from a dwellinghouse (Use Class C3) to a House in Multiple Occupation for 7 occupants (Sui Generis) including the erection of a rear dormer. Refused by the Planning Committee in March 2020.
- 4.2 Reason for refusal 1 - due to their being no residual parking capacity in the area, and the fact that the proposed change of use would generate a greater parking demand than existing.
- 4.3 Reason for refusal 2 - the proposed development in respect of the remoteness of the basement kitchen and convoluted access to rear yard for refuse storage in relation to the majority of proposed bedrooms would result in a poor standard of amenity for proposed occupants.

5 PLANNING POLICY

5.1 Statutory Duty

- 5.2 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.

- 5.3 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.

5.4 National Policies

- 5.5 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 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.

Section 12 – seeks to achieve well designed places

5.6 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

Policy BN5 - Heritage Asset

Policy BN7 - Flood Risk

5.7 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 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling.

5.8 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Houses in Multiple Occupation Supplementary Planning Document 2019

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 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Highways** – requested a parking beat survey be undertaken as whilst not all residents may have a car, there is a greater probability of a higher number of cars being associated with the property.
- 6.2 **Private Sector Housing** – the applicant should be advised that the premises will require licensing under the mandatory licensing scheme. The room sizes indicated on the submitted plans would meet requirements for a 5 occupant HIMO. The kitchen facilities are considered to be adequate and the sanitary facilities are adequate. Fire protection measures will also be required.
- 6.3 **Councillor Zoe Smith** – Calls the application into Planning Committee on the grounds that it is likely to exacerbate parking and refuse issues in the 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.

Area concentration

7.2 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act, other data held by the Council and survey work. Within the 50m radius, there are currently 5 other HIMOs (established or with planning approvals) on Adnitt Road, Manfield Road and Allen Road.

7.4 Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HIMOs within a 50m radius of the application site. The inclusion of the proposed HIMO would result in a concentration of 5.8%. The proposed concentration is therefore within the threshold of 10% as described in the adopted SPD.

Size of property and facilities for future occupiers

7.5 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.

7.6 Following the previous refusal, the proposal has been revised and the number of occupants has been reduced from 7 to 5. The property is considered to be of sufficient size, providing larger single occupancy bedroom sizes (all upwards of 10m²) in accordance with the Council’s HIMO Facilities and Amenities Guidance. All bedrooms have en-suite toilets and showers which are considered to be appropriate facilities which would provide all occupants with a high standard of amenity and personal space. The proposed kitchen would be over 16m² and this would meet the requirement as stated in Principle 2 of the HIMO SPD 2019. There is also an additional storage room connecting with the kitchen/diner, and a ground floor sitting room with outlook over the garden which would provide additional shared amenity space for occupants.

7.7 The kitchen/diner would be served by two relatively small higher-level windows (these would be street level at when viewed from the outside). Although these do not provide any outlook for occupants, they do provide sufficient natural light for a kitchen. It is considered that it would be sufficient for the kitchen to have this reduced outlook because each bedroom is large exceeding requirements for size and amenities, and there is an additional lounge at first floor with good outlook. In addition, the kitchen would be located at a lower ground floor level (rather than a deep basement) and in this respect it would not be significantly difficult for occupants on the first floor to access the kitchen. The proposal has been amended since the previous submission and as such 5 bedrooms are included on both the ground and first floor. There is an additional access door to the rear garden to ensure access for refuse storage is more straightforward.

7.8 The proposed amendments have led to an improved scheme for a reduced number of occupants to provide a 5-person house in multiple occupation which exceeds the requirements of the HIMO SPD. The objection about the layout from the previous refusal has been overcome.

7.9 A condition restricting the use of the property to a maximum of 5 people could be imposed. 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.

Flooding

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

Highways/Parking

7.11 The HIMO SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

7.12 No parking beat survey has been submitted with the application, however the applicant has submitted an assessment of the existing parking and highways situation. In the assessment, the applicant has ascertained the location is sustainable and close to bus stops with regular bus routes and there are a variety of local facilities. It is clear that there is some pressure on parking on Manfield Road, particularly close to Wellingborough Road. The applicant also considers that in their experience HIMO tenants do not often have or wish to have a car and select a home because of its easier access to facilities.

7.13 As the application site is in a sustainable location within 100-200m of bus stops on Wellingborough Road, and also within walking distance of local facilities on Wellingborough Road, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations. There are 3 bus routes that pass through the bus stops and have services every 10 minutes on Monday-Friday and 4 bus routes on Saturday providing service in every 5-15 minutes.

7.14 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the house and cycle storage is shown on the submitted Proposed Site Plan (013/09/2019C Sheet 2 of 13). The cycle storage would be accessible through a side passage in order that occupants can get bicycles in and out of the secure unit without bringing them through the house. The side passage would also provide access to the rear for all occupants of the proposed HIMO. Further details including dimensions of the secure cycle storage for at least 5 bicycles can be secured via a condition to be agreed prior to occupation.

7.15 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 5 parking spaces, which is an increase of 2 compared to the existing use, as the parking the requirement for the existing 5-bed dwelling is 3 spaces. In the absence of the required off road parking spaces, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

Refuse storage

7.16 There is sufficient space to the rear of the property for bin storage and an indicative bin store is detailed on the submitted plan. This would allow for outdoor storage of waste prior to refuse collection days. The proposed new side/rear access provides easy access outside. These facilities would ensure there was space to store refuse in the rear garden prior to refuse collection days and bins could be brought through the side access to the front of the property for collection. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter.

Other matters

- 7.17 The proposed change of use is for 5 occupants and a condition is included to ensure a maximum of 5 occupants.

8 CONCLUSION

- 8.1 The use of the property as a 5-person HIMO would provide an appropriate standard of accommodation for residents and would not have an undue impact upon the amenity of adjoining occupiers.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, 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 Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.

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: Location Plan 013/09/2019C Sheet 1 of 13 , Proposed Site Plan 013/09/2019C Sheet 2 of 13, Proposed Basement 013/09/2019C Sheet 4 of 13, Proposed Ground Floor 013/09/2019C Sheet 7 of 13, Proposed First Floor 013/09/2019C Sheet 9 of 13, Proposed Loft 013/09/2019C Sheet 11 of 13.

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 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. Notwithstanding the submitted plans and prior to the occupation of development, further details of facilities for the secure and covered parking of at least 5 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: 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 submitted plans and prior to the occupation of development, further details of facilities for refuse and recycling storage 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: 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.

10 BACKGROUND PAPERS

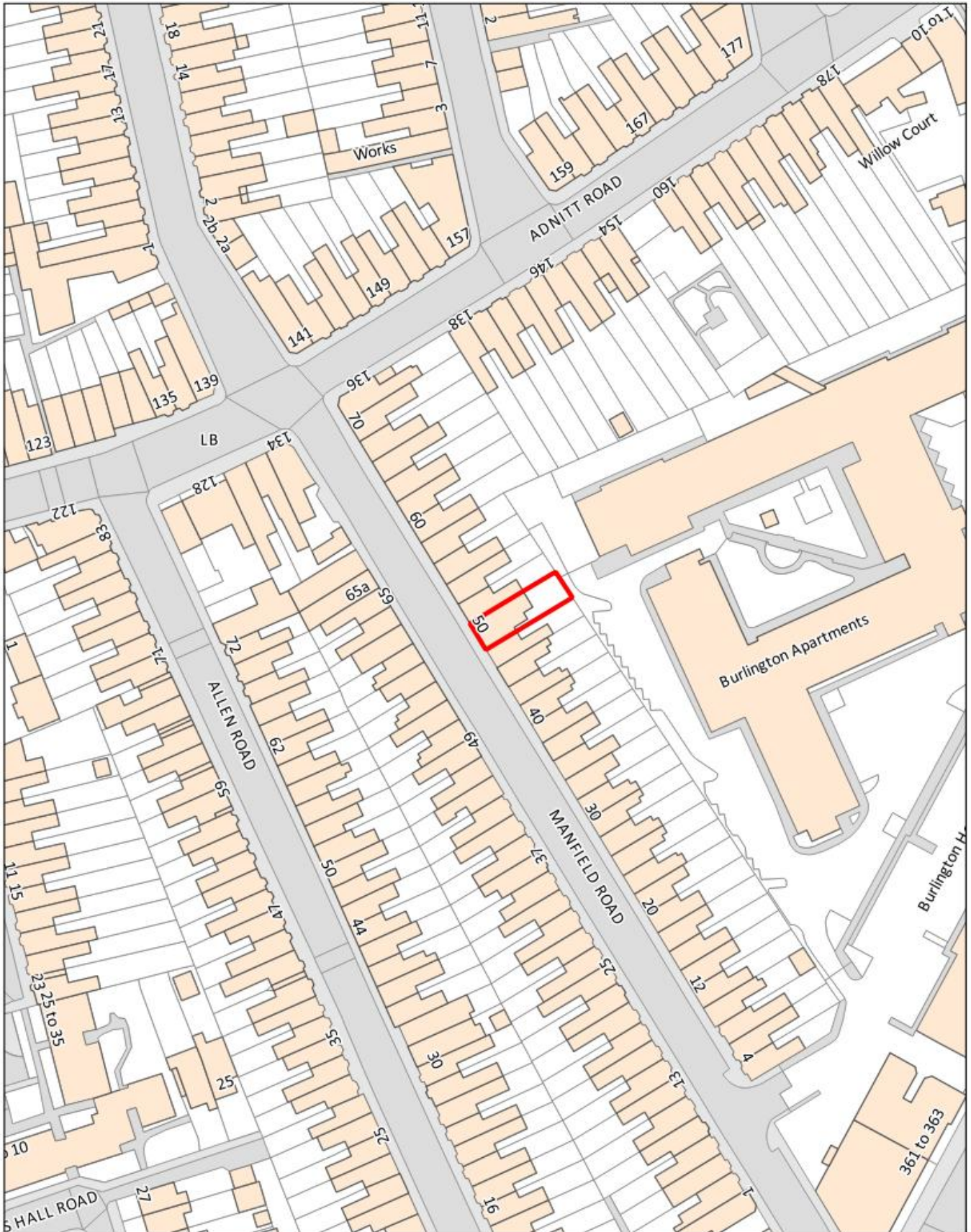
- 10.1 Application file N/2020/0509.

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: **50 Manfield Road**

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Date: 25-06-2020

Scale: 1:1,000

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NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE:	7th July 2020
DEPARTMENT:	Planning Service
DIRECTOR OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2020/0514
LOCATION:	1a Billing Road
DESCRIPTION:	Proposed removal of Horse Chestnut tree (under Tree Preservation Order 069)
WARD:	Castle Ward
APPLICANT:	Abington Dental Practice
AGENT:	MPL Tree Consultancy Ltd
REFERRED BY:	Director of Planning and Sustainability
REASON:	Public interest
DEPARTURE:	No

1 RECOMMENDATION

- 1.1 **APPROVAL** subject to the condition as set out at paragraph 11 of the report.

2 THE PROPOSAL

- 2.1 The application seeks consent to fell a very prominent horse chestnut tree in the grounds of the Abington Dental Practice, and to replace it with a tree of similar ultimate stature.

3 SITE DESCRIPTION

- 3.1 The application site is on the north west corner of the junction of Alexandra Road and Billing Road. It is occupied by the Abington Dental Practice and the associated private car park accessed from Alexandra Road. Pedestrian access to the site is obtained from Billing Road by mounting a flight of steps from footpath level, as well as from Alexandra Road.
- 3.2 The tree is located to the south-east of the site. The canopy of the tree spreads over the car park for the dental practice and the neighbouring office premises, Cottons Chartered Accountants, as well as the public highway.

4 PLANNING HISTORY

- 4.1 Tree Preservation Order (TPO) 069 was served on 7 December 1990 to protect the horse chestnut tree.
- 4.2 In October 2001, an application was received from the owner for consent to remove the tree on the grounds that it was diseased, and it was putting pressure on the retaining wall and on the footpath.

It was considered that it was not necessary for the tree to be removed at that time and that the situation be monitored. The application was refused on 21st March 2002.

4.3 On 15 October 2007, an application to lift the tree's canopy and remove any dead wood was granted consent.

4.4 The current application N/2020/0514, was validated on 11 May 2020, and seeks consent to fell the tree. It is supported by an arboricultural report from MPL Tree Consultancy.

5 PLANNING POLICY

5.1 In the determination of this application, consideration must be given to the relevant planning policy as well as applicable legislation and case law.

5.2 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 Central Area Action Plan (2013).

Part VIII of the Town and Country Planning Act 1980 (as amended); the Town and Country Planning (Tree Preservation) (England) Regulations 2012; Section 192 of the Planning Act 2008 and Part 6 of the Localism Act 2011 also apply.

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.

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 170. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.

6.2 West Northamptonshire Joint Core Strategy (2014)

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

Policy BN1 - Green Infrastructure Connections
Policy BN2 - Biodiversity
Policy BN3 - Woodland Enhancement and Creation

6.3 Northampton Central Area Action Plan 2013

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

7 RELEVANT LEGISLATION

- 7.1 A tree owner owes a duty of care to all lawful visitors under Section 2 of the Occupiers' Liability Act 1957; Section 1 of Occupiers' Liability Act 1984 extended that duty to include trespassers.
- 7.2 Under the Health and Safety at Work etc. Act 1974, employers have a duty of care to ensure, so far as is reasonably practicable, the health, safety and welfare of employees (Section 2) and to others, such as the general public (Section 3) and to ensure that their premises are safe (Section 4).
- 7.3 Those broad duties are articulated in the Management of Health and Safety at Work Regulations 1999, which require a risk assessment to be carried out to identify the nature and level of risk. Regulation 3.1 states:

Every employer shall make a suitable and sufficient assessment of:

- a. the risks to the health and safety of his employees to which they are exposed whilst they are at work; and
 - b. the risks to the health and safety of persons not in his employment arising out or in connection with the conduct by him of his undertakings.
- 7.4 Section 187(b) of the Town and Country Planning Act 1990 places a duty on the local planning authority "to make such [Tree Preservation Orders] under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise."
- 7.5 The Town and Country Planning (Tree Preservation) (England) Regulations 2012 interpret that duty. Regulation 13 prohibits certain activities without the written consent of the local authority, regulation 16 stipulates how that consent is to be sought and regulation 17 describes how such applications are to be determined.

- 7.6 Regulation 24 states:

24. (1) If, on a claim under this regulation, a person establishes that loss or damage has been caused or incurred in consequence of

- (a) the refusal of any consent required under these Regulations;
- (b) the grant of any such consent subject to conditions; or
- (c) the refusal of any consent, agreement or approval required under such a condition,

that person shall, subject to paragraphs (3) and (4), be entitled to compensation from the authority.

- 7.7 Under the Highways Act 1980, trees within falling distance of the highway (including those outside the ownership and direct control of the Highway Authority) are classed as highway trees, and the highway authority is responsible for ensuring that those trees do not endanger the highway and its users.

8 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 8.1 **Town Centre Conservation Area Advisory Committee** - Noted that this tree makes a strong and positive contribution to the character of the Conservation Area, and that trees are a particularly important feature of Billing Road highlighted in the conservation area appraisal. The tree is in a relatively good condition and the Committee members recommended that it should be retained. If it is damaged irretrievably during the repairs to the wall, it should certainly be replaced with a suitable tree to preserve the character of the conservation area.
- 8.2 Over 90 objections from a wide geographic area had been received. The objections can be summarised as follows:

- referred to this tree's significant presence in the locality, its major contribution to the public amenity of the Conservation Area, and its status as a protected tree.
- objections appeared to be concerned that an unknown and unspecified future development was driving the application.
- the repair of the retaining wall was the principal motivation and considered that such work should proceed with the tree in situ.
- the tree provides shelter to wildlife and help to fight climate change and air pollution.
- independent assessment of the health of the tree should be carried out.
- disease could be treated and sympathetic pruning would be appropriate.

9 APPRAISAL

Condition of Tree

- 9.1 During his site visit on 28 May to assess the application the **Arboricultural Officer** noted:
- the presence of one live fungal fruiting body of *Ganoderma australe*, and a fallen fruiting body at the base of the tree denoting a progressive infection;
 - decay pockets on the stem on the west side of the trunk at about 1.5m where the tree forked, and on the scaffold, or first-order, limbs at height;
 - the lower canopy was made up of expanded epicormic shoots, weakly attached in theory but they've emerged since (presumably) the tree was pruned in 1991;
 - the leaves were wilted suggesting drought stress.
- 9.2 The fungus was a localised white rot that would result in the full degradation of the lignin in the cells at ground level leaving the cells as a spongy mass. The fungal infection cannot be treated and when advanced the decay can result in a catastrophic brittle failure of the stem base. If this were to happen, the whole of the tree would therefore fail.
- 9.3 Horse chestnut trees are noted for a soft heartwood with poor resistance to fungal invasion. In a list of 33 genera ranked for the propensity of their forks to fail, horse chestnut was considered as almost the most likely to fail, ranked 31st out the 33 genera, and for the propensity to fail due to decay was ranked 30th.
- 9.4 In summary, the tree was in a poor and declining condition, host to a progressive and un-treatable pathogenic fungus that would destroy the tissues at the tree's base resulting in a total and catastrophic failure at ground level at some unknown future time.
- 9.5 If the tree were to fail, the consequences could be significant for any persons and property in the vicinity.

Amenity

- 9.6 The land within the application site is more or less level but rises toward Billing Road, where it is retained by a substantial wall characteristic of the Conservation Area; the land outside the site falls to the south.
- 9.7 The base of the tree is raised above car park level and about 1.9m above the footpath outside the boundary wall which emphasises the tree's height and mass when viewed from the public realm.
- 9.8 The canopy of the tree spreads over the car park of the Abington Dental Practice and the neighbouring office premises, Cottons Chartered Accountants, as well as the public highway. The amenity value of the tree in terms of biodiversity and ability to combat air pollution, although in a small scale, is acknowledged.

- 9.9 The tree's location could be described as a target-rich environment, using target as defined in BS 3998: 2010 Tree work – Recommendations as follows:

“person or object, whether mobile or fixed, within the potential zone of impact of a tree or its branches, which might be harmed as a result of the partial or total failure of the tree.”

Note: The term can also refer to a pedestrian or vehicular route where harm might thus occur.

- 9.10 The tree is on one of the main arterial routes into and out of the town centre, at the junction with Alexandra Road, and opposite Northampton General Hospital. The junction with York Road some 50 metres to the west of the tree was traffic-light controlled, and vehicles would therefore regularly be stationary beneath the tree.
- 9.11 On this basis, the tree makes a significant contribution to the amenity of the area.

Impact on the Conservation Area

- 9.12 The site is at the extreme north-western end of the Billing Road Conservation Area, designated in 2011 and justified by the consistently high architectural quality of the buildings which line the north side of the Billing Road. The Conservation Area Appraisal noted that “Single mature trees [such as the one being considered here] ... punctuate the street scene with great presence and add to the genteel character of the road” These trees “contribute texture and colour to the streetscene ... and form a natural counterpoint to the setting” their soft organic form contrasting with the rigidity and rhythm of the local architecture.
- 9.13 Under the consideration of Trees and Green Spaces, the Appraisal stated “it is important that trees are retained, and where appropriate replaced, in order to preserve the long-term sustainability of tree cover”. The tree was not referred to specifically in the Appraisal, but its status as a TPO tree was noted under Management & protection of important trees.
- 9.14 The short to medium term impact of the removal of this tree would be a gap on the skyline on the edge of the Conservation Area; the impact of the loss of this organic form would lessen as the tree that will be planted to replace the removed horse chestnut attained stature, presence and mass as it matured. It is considered that the harm on the setting of the conservation area would be less than significant and would be outweighed by public safety in this instance.

Retaining Wall

- 9.15 Any consideration of the retaining wall was always subsidiary to the Arboricultural Officer's consideration of the merit of the application to fell the tree; however, the suggestion by some objectors that the wall could be repaired whilst the tree remained in situ were wholly impractical and would have increased the risk of the tree's collapse.
- 9.16 Independent Structural Engineers have, from time to time, offered generally negative opinions as to the structural integrity of the wall. However, a recent assessment by Building Control has suggested that the wall is not at risk of imminent failure, and whilst the render was in poor condition in some places, there was no immediate need to protect members of the public from the wall.

Impact Assessment

- 9.17 To remove the tree now would result in a dramatic short and medium term loss of public amenity. However, a well-planted and tended replacement should begin to make a positive contribution to the locality as soon as it became established because of its prominent location high above the footpath and highway. The replacement tree, of a species to be decided, should be an extra heavy standard as defined by BS 8545 2014: Tree: from nursery to independence in the landscape – Recommendations, i.e. have a girth of 14 – 16cm at 1m, be at least 3.5m tall overall and have a clear stem of 1.75 – 2m.
- 9.18 If removal were to be deferred, notwithstanding the risk of complete failure, the condition of the tree will degrade and the amenity that it provided will diminish as it begins to deteriorate.

- 9.19 **Other matters**

9.20 Whilst not material to the determination of this application, any other works to the site, including works to the building and car park would require separate grants of planning permission. The impact of any such proposal on a protected tree would be a material consideration in the determination of an application.

10 CONCLUSION

10.1 The information submitted with the application is robust. A balance needs to be struck between general amenity and public safety.

10.2 The recommendation is that consent for the removal of the horse chestnut tree and its replacement be granted primarily for technical, health and safety and liability reasons:

- the MPL report noted the presence of a basal rot, and horse chestnut is noted for a soft heartwood with rather poor resistance to fungal invasion;
- where substantial limbs had been removed there are open and slowly occluding wounds on the main stem beneath the fork, as well as on the scaffold limb at height over the car park; in all likelihood columns of decay had developed;
- the owner has a duty of care under the Occupiers' Liability Act 1957 and the Occupiers' Liability Act 1984;
- the owner has a duty of care under the Health and Safety at Work etc. Act 1974;
- the Highway Authority has a duty of care under the Highways Act 1980 to ensure no tree within falling distance of the highway endangers the highway or its users;
- the owner has come to the judgement, based upon MPL's report and his own tolerance of risk, that he was not comfortable with the risk posed by the tree;
- if consent were refused, the authority would frustrate the owner's ability to discharge his duty of care to protect the public from a foreseeable risk of catastrophic failure and the likelihood of harm to persons or damage to property;
- if consent were refused, the authority would be open to a claim for compensation for damage from the owner if damage were to occur within twelve months of the date of our decision to refuse consent;

10.3 The newly planted tree would be protected by the serving of a new TPO.

10.4 The authority should not countenance agreeing to lesser works, such as a crown reduction, for the following reasons:

- such pruning activity would deplete the tree's stored energy reserves and hasten its decline,
- it would disfigure the tree and so remove any public amenity it may have, and
- it would reduce the tree's defences against the locally prevalent bacteria canker, leaf miner and fungal leaf infection whose combined assault would also hasten the tree's decline.

11 CONDITIONS

11.1 A replacement tree, of a species of variety to be approved in writing by the Local Planning Authority, shall be planted in the same location, or as close to the location as possible, as the tree hereby permitted to be felled within the first planting season (1 November – 31 March) following the removal of the tree. The Local Planning Authority shall give their prior written consent for the chosen species and or variety. The minimum size shall be an "Extra Heavy Standard" in accordance with British Standard BS8545 2014 – Trees: from nursery to independence in the landscape – Recommendations: the girth at 1m shall be 14 to 16 cm, the tree shall be greater than or equal to 3.5m tall with a clear stem of 1.75 to 2.0m. The tree shall be planted in accordance with industry good practice. If within a period of five years from the date of planting the tree (or any other tree planted in replacement for it) is removed, uprooted, destroyed or dies another tree of the same size and species as that originally planted shall be planted at the same place, or in accordance with any variation for which the Local Planning Authority gave their written consent.

Reason: To protect and enhance the amenity of the area in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

12 BACKGROUND PAPERS

12.1 N/2020/0514

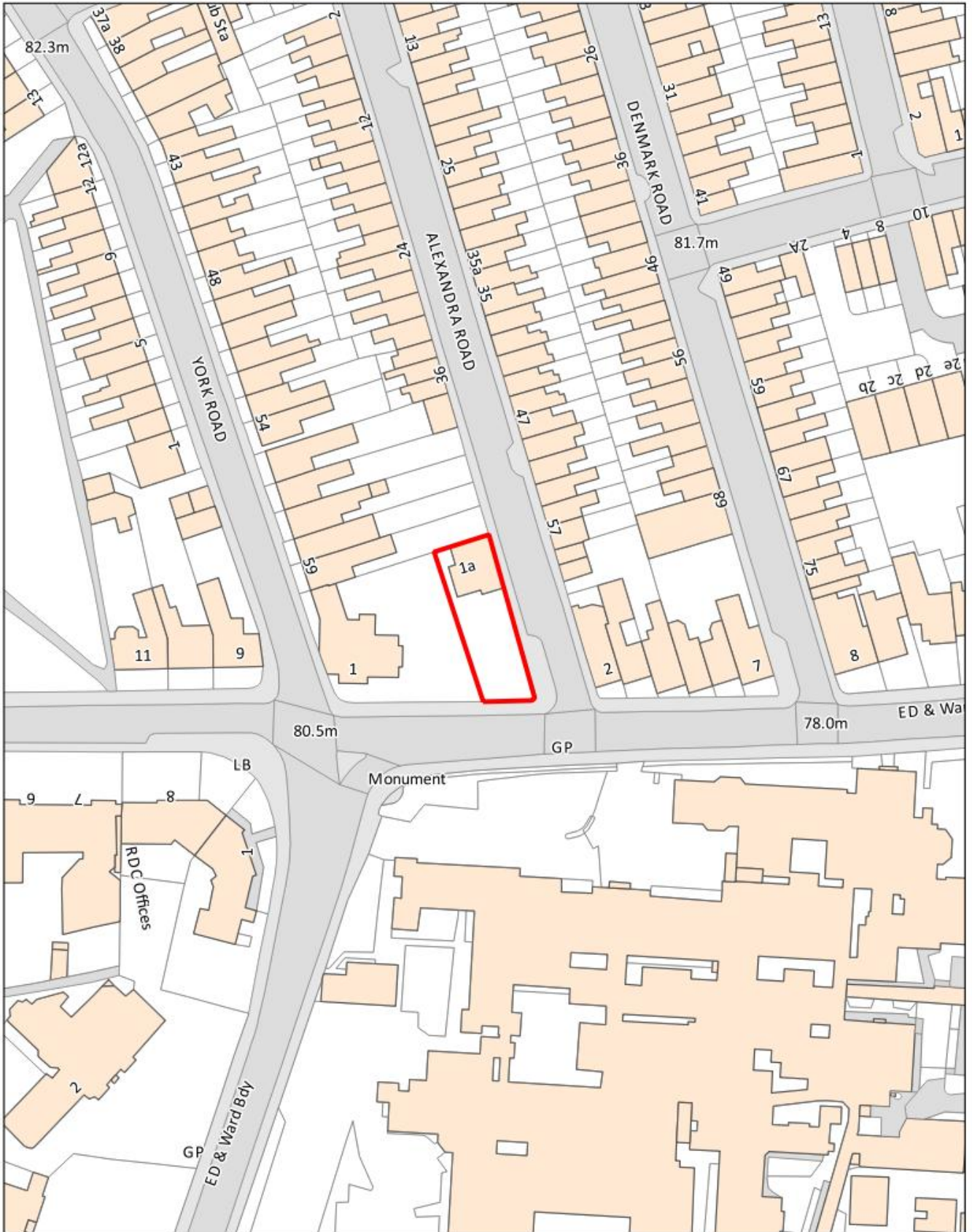
13 LEGAL IMPLICATIONS

13.1 If consent were granted, then there are no obvious legal implications associated with that decision.

13.2 If consent were refused, or if only lesser works were granted, and the tree were to fail in whole or in part within 12 months of that decision it would be impossible for the authority to refute a claim for damage under the tort of negligence.

14 SUMMARY AND LINKS TO CORPORATE PLAN

14.1 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: **1a Billing Road**

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Date: 25-06-2020

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PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0244

LOCATION: 1 Stoneyhurst

DESCRIPTION: Installation of brick built bin enclosures with drop kerb adjacent to 1-23 Stoneyhurst

WARD: Delapre & Briar Ward

APPLICANT: Northampton Partnership Homes
AGENT: N/A

REFERRED BY: Director of Planning and Sustainability
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 adverse impact on the street scene or on the amenities of adjoining occupiers and would thereby comply with the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and saved policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The proposal is for the creation of a purpose built brick bin enclosure, which could accommodate 3 Euro bins for the adjoining flatted development at 1-23 Stoneyhurst, together with a crossover for bin collection.

2.2 The location of the proposed bin storage has been amended during the course of the application and the proposed structure has been relocated to minimise any adverse impact on the habitable windows of the flats.

3 SITE DESCRIPTION

3.1 The application site comprises an area of green space located adjacent to an existing block of flat on Stoneyhurst.

3.2 The local area is predominantly residential with a mix of bungalows and blocks of flatted development.

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), Northampton Local Plan (1997) saved policies.

National Policies

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

- 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. Policy of particular relevance is:

- 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 policy is material to this application:

- Policy E20 - Northampton Local Plan.

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004
Northamptonshire County Parking Standards 2016
Northampton Parking Standards 2019

6 CONSULTATIONS/ REPRESENTATIONS

6.1 **Environmental Health** – No comments to make.

7 APPRAISAL

- 7.1 The issues to consider are the impact on visual amenity and on the amenities of adjoining residential occupiers, as a result of the proposed bin store.

Visual Amenity and Street Scene

- 7.2 The proposed bin store would be functional in appearance to accommodate 3 Euro bins and have been proposed to be finished in brickwork to match the existing flats. The proposed bin enclosures would be approximately 2m in height and 5m in width and 1.25m wide. Owing to the scale and siting of the bin enclosure, it is considered that it would not appear unduly prominent or be an incongruous feature in the streetscene and would be in keeping with the overall character of the area. As such, it is not considered that the bin enclosure and the crossover would be detrimental to visual amenity of the area. The proposed development would comply with guidelines in the NPPF and saved policy E20 of the Northampton Local Plan.

Impact on adjoining occupiers

- 7.3 The proposed bin store with a crossover would be located adjoining the block of flats, it would serve the local residents. The bin enclosures would be located at some distance and given the small scale of the proposed structure, it would not unduly affect the occupiers of these flats.
- 7.4 The neighbouring properties, nos. 3 and 5 South Wood Hill on the other side of the road are located at a separation of over 18m. Owing to the scale of development and separation, it is not considered that the proposed development would result in any adverse impact on the residential amenity of these properties.

8 CONCLUSION

- 8.1 The proposed bin enclosure with a crossover would have no undue adverse impact on the street scene or on the amenities of adjoining and nearby occupiers. The proposal would comply with the guidelines outlined in the NPPF, policy S10 of the West Northamptonshire Joint Core Strategy and saved policy E20 of the Northampton Local Plan.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: BH-PL- 009 received on 22/05/2020.

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

10 BACKGROUND PAPERS

- 10.1 N/2020/0244.

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: **1 - 23 Stoneyhurst**

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PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0541

LOCATION: Lock Up Garages, Cardigan Close

DESCRIPTION: Variation of Condition 2 of Planning Permission N/2019/0387 (Demolition of 18no domestic lock up garages and construction of 2no new build units) to amend units position

WARD: Spencer Ward

APPLICANT: Northampton Partnership Homes
AGENT: Mr Jaspal Mond

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

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

2 THE PROPOSAL

- 2.1 The application proposes a variation to permission N/2019/0387 to amend the position of the proposed dwellings by shifting the building 3 metres to the south-west. This is due to a sewer easement under the site. No alterations to the design or layout of the properties are proposed.
- 2.2 Application N/2019/0387, granted permission by the Planning Committee on 4th June 2019, for the demolition of 18 existing garages and the erection of a pair of semi-detached bungalows. The approved building was approximately 18 metres wide, 9 metres deep, and had a ridge height of 4.8 metres.

3 SITE DESCRIPTION

- 3.1 The application site comprises a gated garage court located with a residential area. The site is located on the north-western side of Cardigan Close and comprises two rows of garages. Due to the gated nature of the site, no parking is currently provided in this location.

4 PLANNING HISTORY

- 4.1 N/2019/0387 - Demolition of 18no domestic lock up garages and construction of 2no new build units – Approved 5th June 2019.

5 PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

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

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy BN9 - Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 - New Development (Design)

5.5 Supplementary Planning Documents

Northampton Parking SPD (2019)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Highways** – No comment to make on application.
- 6.2 **NBC Public Protection** – No comment on amendment.
- 6.3 **NBC Trees** – No comment to make on application.
- 6.4 **Northamptonshire Police** – Amendment does not address exposed rear fence lines and unobserved rear parking space. Rear fence lines should be supplemented with trellis topping and rear gate should be lockable from both sides.
- 6.5 1 neighbour letter has been received commenting that it is hoped the bungalows will be greatly appreciated.

7 APPRAISAL

Principle of development

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

Design

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The application site comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.
- 7.4 The application proposes a pair of semi-detached bungalows which are positioned to continue on from an existing terrace of bungalows. Within the original approval, the bungalows continued the existing row. It is now proposed to step the bungalows to the south-east, such that they fall slightly out of line with the existing bungalow row. Whilst not continuing the exact line of the existing bungalows, it is considered that the re-positioned layout would not have a detrimental impact upon the character and appearance of the street scene, and remain in appearance as a continuation of the terrace row. It is considered that the proposed dwellings would complement the existing character of the area and improve the character and appearance of the street scene through the removal of disused garages and the introduction of complimentary housing.

Amenity

- 7.5 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.
- 7.6 The application site borders 1 Cardigan Close to the north-west. The side elevation of number 1 does not contain any windows. The re-positioning of the approved properties would result in the proposed building falling approximately 4.1 metres beyond the rear elevation of the neighbouring

bungalow. Whilst falling beyond the rear elevation of the neighbouring property, a separation of approximately 3.8 metres between the properties ensures that the proposal would not appear unacceptably dominating to this neighbouring property. It is not considered that there would be an unacceptable impact upon the occupier of number 1 as a result of the re-positioning of this property.

- 7.7 The proposed dwellings would be positioned approximately 23 metres from 12 and 14 Cardigan Close to the north-east, and approximately 27 metres from the rear elevations of 86 and 88 Dallington Road to the south-west. Due to these separation distances, it is not considered that there would be an unacceptable impact upon these neighbouring properties.
- 7.8 It is also the case that the proposed dwellings provide good size rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

Parking and highway safety

- 7.9 The Northamptonshire County Council Parking Standards seek 1 on plot parking space per dwelling for 1 bedroom properties. The proposal provides 2 1xbedroom properties and 3 parking spaces for the proposed dwellings. The proposal also provides sheds which could be used for bicycle storage.
- 7.10 The application site as existing comprises a gated disused garage court. The existing garages are not to a size that could be counted as providing existing parking spaces for the site, and as such the existing parking provision on the site must be assessed as 0.
- 7.11 Northamptonshire County Council Highways Department have been consulted on this application and raise no comment. With the proposal not resulting in a reducing in parking and providing sufficient parking provision for the proposed dwellings, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.
- 7.12 Following the grant of application N/2019/0387 the Council has adopted a Parking SPD which requires the provision of 1 electric vehicle charging point per new dwelling. This will be required through condition.

Other considerations

- 7.13 The Northamptonshire Police raised concern as to the exposed rear boundary and request that trellis topping is used to the fencing. Condition 5 requests details of boundary fencing to be submitted to and approved by the Council.

8 CONCLUSION

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

9 CONDITIONS

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

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

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

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

3. 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.

4. Prior to the construction of the new dwellings hereby approved above ground floor slab level, 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 in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

5. Notwithstanding the submitted details, prior to the construction of the new dwellings hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with any other means of enclosure to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the new dwellings hereby permitted.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

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

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

7. The new parking spaces shown on approved plan (P)03 Rev F shall be constructed prior to the first occupation of the dwellings hereby approved and retained thereafter solely for the parking of vehicles.

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.

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

Reason: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

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 extensions or roof alteration/enlargement shall be erected to the dwellings hereby permitted.

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

10. Full details of a minimum of 2 electric vehicle charging points (1 per unit) for the units hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby permitted. 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.

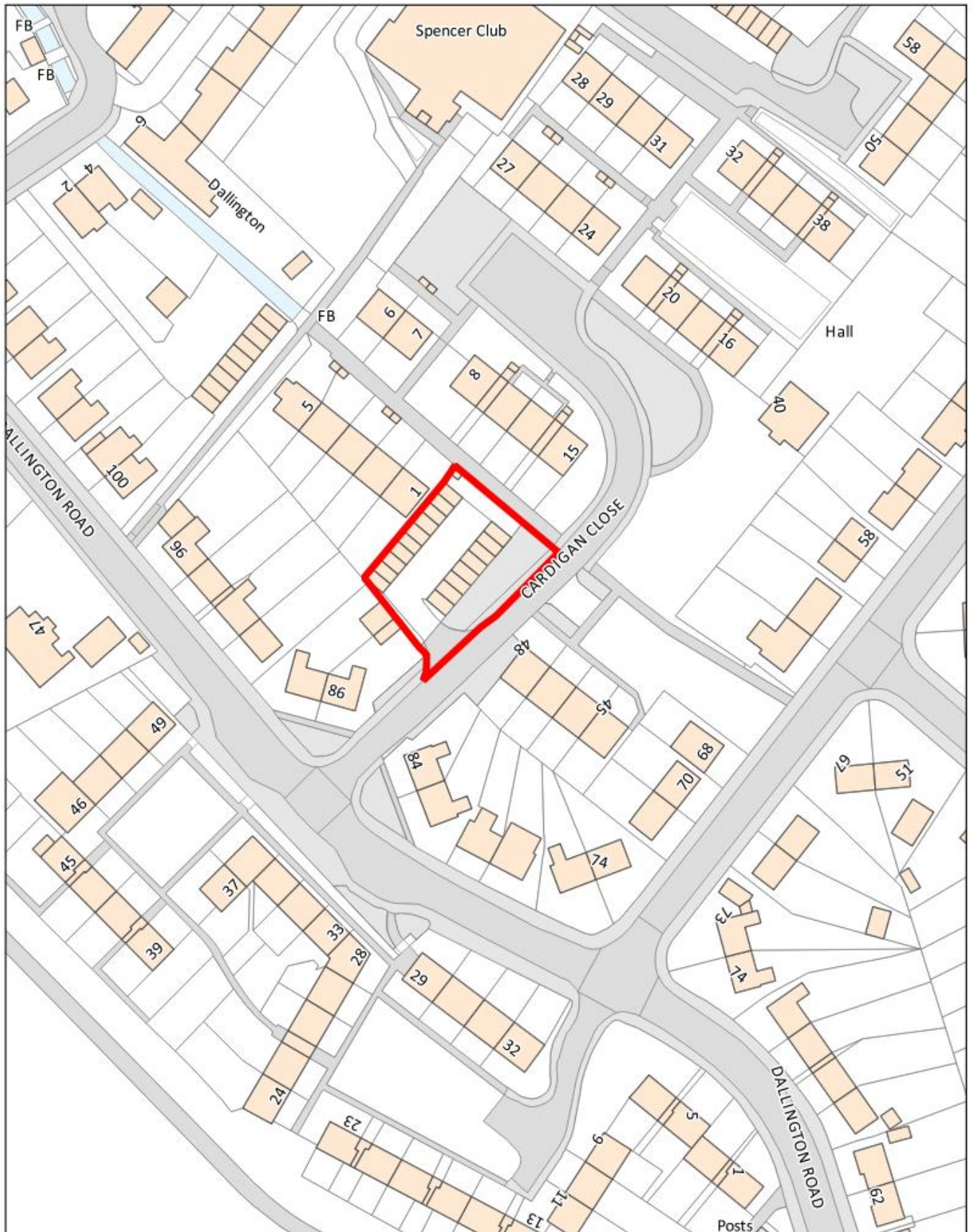
Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document (2019).

10 LEGAL IMPLICATIONS

- 10.1 The development is CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **Lock-up garages at Cardigan Close**

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Date: 25-06-2020

Scale: 1:1,000

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