



PLANNING AGENDA

Tuesday, 16 February 2021

This meeting will be held remotely at 5:00 pm at
<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 application 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 video 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:

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

on Tuesday, 16 February 2021

at 5:00 pm.

AGENDA

1. **APOLOGIES**
2. **MINUTES**
3. **DEPUTATIONS / PUBLIC ADDRESSES**
4. **DECLARATIONS OF INTEREST/PREDETERMINATION**
5. **MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
6. **LIST OF CURRENT APPEALS AND INQUIRIES**
Report of Head of Planning (copy herewith)
7. **OTHER REPORTS**
8. **NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
9. **NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
 - (A) **N/2020/1556**
CHANGE OF USE TO SECURE THE FOLLOWING USE CLASSES:
E(A) DISPLAY OR RETAIL SALE OF GOODS, OTHER THAN HOT FOOD
E(C)(III) OTHER APPROPRIATE SERVICES IN A COMMERCIAL, BUSINESS OR SERVICE LOCALITY
E(G)(I) OFFICES TO CARRY OUT ANY OPERATIONAL OR ADMINISTRATIVE FUNCTIONS
E(G)(II) RESEARCH AND DEVELOPMENT OF PRODUCTS OR PROCESSES
F1(B) DISPLAY OF WORKS OF ART (OTHERWISE THAN FOR SALE OR HIRE)
F1(C) MUSEUMS
F1(D) PUBLIC LIBRARIES OR PUBLIC READING ROOMS
F1(E) PUBLIC HALLS OR EXHIBITION HALLS
24 GUILDHALL ROAD
NBC OWNED BUILDING AND ARE THE APPLICANT

10. ITEMS FOR DETERMINATION

(A) N/2020/1063

**ERECTION OF BUILDINGS FOR USE FOR LIGHT INDUSTRIAL,
GENERAL INDUSTRIAL AND STORAGE/DISTRIBUTION USES WITH
ANCILLARY OFFICES, TOGETHER WITH MEANS OF ACCESS,
SERVICING, CAR PARKING, LANDSCAPING AND ASSOCIATED
WORKS**

FORMER OPUS CAR PARK, DEER PARK ROAD

MAJOR APPLICATION REQUIRING S106 AGREEMENT

11. ITEMS FOR CONSULTATION

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 22 December 2020

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

1. APOLOGIES

Apologies for absence were received from Councillors Birch, Cali, King and M Markham.

2. MINUTES

The minutes of the meeting held on 24 November 2020 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2020/0920

Councillor Davenport
Michael Hambridge
Cheryl Holdsworth
Kain Paley

N/2020/1118

Councillor Stone
Ali Ay

N/2020/1163

Councillor Nunn
Councillor Perry Thomas
Gail Duncan
Ali Ay
Jabeer Miah

N/2020/1321

Jonathan Evans

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Bottwood declared a disclosable and pecuniary interest in respect of item 12a as a board member of Northampton Partnership Homes (NPH), and he advised that he would leave the meeting while the items were discussed.

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

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Director of Planning and Sustainability. She advised that there were a few appeals, the first being 32 Belfry Lane for a two-storey extension to the front of the property. The decision was delegated and the application refused due to the impact the extension would have on the character of the area. The appeal was dismissed. Another appeal, 4 Wrekin Close, was in relation to a 2.1m brick wall with 2.4 pillars to replace the boundary hedge. Although the wall was uncharacteristic as the estate is generally open plan, it was agreed the wall should be set back from the footpath with landscaping to soften the appearance of the wall. The appeal was allowed subject to these amendments.

Members discussed the report.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2020/0920 - SINGLE STOREY REAR EXTENSION AND NEW FRONT PORCH (RETROSPECTIVE). 42 GLOUCESTER CRESCENT

At the Chair's invitation, the Development Manager presented the report and explained the application was for retrospective planning permission for a single storey rear extension and a single storey front porch for 42 Gloucester Crescent. There was no addendum for the application. The Development Manager described the location of the site on a prominent corner within an area of predominantly semi-detached pairs. Previous planning permission was granted in 2017 for the 2-storey side extension, however, there has been slight deviation from the plan as French doors and a Juliette balcony has been added to the extension with another window below. Similarly, French doors and a Juliette balcony have been added to the existing property. The Development Manager explained the front porch is slightly larger than usual porches as the porch is approximately 5m wide and 1.75m deep. However, due to its siting, design and scale, officers were of the opinion that it would not result in any adverse impact on the character of the existing dwelling and wider

area or adjacent residential amenity. Condition 3, as proposed, required materials to match existing render. The single storey rear extension is 3.1m in depth and expands across the entire width of the house, including the newly built two storey side extension. Concerns had been raised regarding the building line of the porch, the use of the games room and the scaffolding left in the rear of the property. The Development Manager explained that a rear extension with a similar impact on the neighbouring property could be constructed without the need for planning permission, the use as a games room was acceptable for domestic use and it had been agreed that the scaffolding in the rear garden would be removed upon completion of the development.

At the Chair's invitation, Michael Hambridge addressed the Planning Committee and expressed his concerns that the 45-degree rule had been breached and permission was required as the rear extension adjoins the side extension blocking sunlight. He also felt that the site had been overdeveloped and that additional vehicle access had not been considered as the front of the property had clearly been developed. Mr Hambridge complained that the rear extension was already overhanging and trapping his removable fencing and had already caused a land grab and damage.

The Chair then invited Councillor Davenport to address the Committee. Councillor Davenport explained that it was mutually agreed between the neighbour's that a flat roof would be used, and this was changed to a higher pitched roof, taking the light away from Mr Hambridge's garden. In addition, the planning application is on the boundary and no site visits have been undertaken to see the impact on the neighbouring property.

Finally, the Chair invited the applicant, Mr Kain Paley, addressed the committee. He explained that he had followed planning regulations. As far as he was aware, he was building it within the measurements required, and did not realise that if an extension meets an extension, planning permission is required. He apologised for not realising this in hindsight and agreed he would render the property as outlined in the conditions if the application was granted.

Members discussed the report.

RESOLVED:

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

(B) N/2020/1118 - CHANGE OF USE OF BASEMENT AND GROUND FLOOR FROM ESTATE AGENTS (USE CLASS E) TO HOT FOOD TAKEAWAY (SUI GENERIS), INCLUDING INSTALLATION OF EXTRACTION FLUE SYSTEM. CHANGE OF USE OF UPPER FLOORS FROM OFFICES (USE CLASS E) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. ASSOCIATED INTERNAL AND EXTERNAL ALTERATIONS TO SHOP FRONT AND NEW FLUE. 2 MERCERS ROW

At the Chair's invitation, the Principal Planning Officer presented the application for 2 Mercers Row, which proposed to convert the ground floor of the unit into a hot food takeaway and erect an associated flue, and the upper floors to a house in multiple occupation. The application would be bringing the building back into use, as the unit

has been vacant for an extended period of time and was last used as an estate agent. There would be cycle storage and waste storage provided and there would be separate entrances to the upper floors and the takeaway unit. It was advised that both uses were considered appropriate for a town centre location and there were no objections from private sector housing, public protection, conservation or highways.

The Chair then invited Councillor Stone to address the Planning Committee. Councillor Stone expressed her concerns regarding a HiMO being located above a takeaway, the nuisance and litter that another takeaway would cause, whether HiMOS should be approved during COVID, and that this development is not what we want for town centres – we need a pull factor and less takeaways. In response to questions Cllr Stone advised that there were concerns with traffic, waste and smells from the flue. It was advised that the Council should be ambitious with this site.

At the Chair's invitation the planning agent, Mr Ali Ay addressed the Committee and explained that the property had been empty for a long time and that the roof needed urgent repair. He advised that the site was too small for a coffee shop, that the facilities provided are good, that the flue has been located inside due to the position of the site within the Conservation Area. He hoped that the Planning Committee would approve the planning application.

In response to questions the Principal Planning Officer advised that there was a bathroom on each floor of the HiMO, that there is no planning policy as current restricting the loss of shops or number of takeaways in a town centre as the NPPF does not require this, that the bin and bike stores have been carefully considered and those proposed are considered the best option, and that the flue is positioned by the staircase of the HiMO internally to reduce the impact upon the conservation area and occupiers of the unit.

Members discussed the report.

RESOLVED:

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

(C) N/2020/1163 - CHANGE OF USE FROM HAIRDRESSERS (USE CLASS E) TO HOT FOOD TAKEAWAY (SUI GENERIS), INCLUDING INSTALLATION OF EXTRACTION FLUE SYSTEM. 139 BOUVERIE ROAD

At the Chair's invitation, the Development Manager presented the application for 139 Bouverie Road, which proposed the change of Use from Hairdressers (Use Class E) to Hot Food Takeaway (Sui Generis), including installation of extraction flue system. The Development Manager referred Member to the Addendum with comments received from CPRE Northamptonshire advising that special consideration should be given to the change of use with regards to the impact on the character of the conservation area, and the impact of additional vehicles as there is little parking in the area and this could also have a detrimental impact on the character of the area; and to an additional condition regarding deliveries.

The Development Manager advised that the site formed part of a parade of shops in Hardingstone Conservation Area with a parking area to the front. The use was

considered to contribute to an appropriate mix in this location. No objections had been raised from consultees regarding the flue and refuse storage was proposed to the front. The parking requirements were considered comparable to the existing use and the Highway Authority raised no objection.

At the Chair's invitation, Mrs Duncan addressed the Committee and explained she lives opposite to the site. She expressed concerns that there is inadequate parking and expressed how dangerous the roads are and as a result stagecoach have stated that they may have to stop the bus service. With no rear access deliveries could have an impact. The use of the takeaway may also exacerbate the existing rat problem.

The Chair then called upon Councillor Perry Thomas to address the committee. He reiterated the huge concerns regarding parking and the possibility that stagecoach will cut off the village and raised concerns regarding rubbish.

Next the Chair called upon Councillor Nunn to address the Planning Committee. Councillor Nunn echoed the comments previously made and expressed concerns regarding the bottleneck and the lack of detail in the highways report. He urged that the application should be delayed until highways had properly considered the report.

Finally, the Chair invited Jabeer Miah to address the Committee. Mr Miah introduced himself as the solicitor on behalf of the agent. He explained there were plans for an Indian takeaway aimed at the local market and the applicant was willing to restrict the opening hours to reduce the impact on parking.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** as recommendation and subject to the following:

Amended Condition 3 – refuse storage

Amendment to Condition 4 - opening hours from 5pm-11pm Mon-Sat

5pm-10pm on Sundays/Bank & Public Holidays

Additional Conditions:

Condition 7 – Delivery hours from the premises to accord with revised opening hours

Condition 8 – Delivery hours to the premises – to be agreed in consultation with the Chair and Head of Planning.

(D) N/2020/1272 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 7 OCCUPANTS. 70 BOOTH MEADOW COURT

At the Chair's invitation, the Senior Planning Officer presented the application for 70 Booth Meadow Court for a change of use from a dwelling-house to a 7 occupant HIMO (Sui Generis). The proposed layout consisted of a large shared kitchen and lounge with double cookers and two sinks for the occupants. There would be one bedroom to the front of the property and a toilet with wash hand basin on the ground floor. On the first floor there would be two bedrooms and a communal shower room with a toilet and basin, and another large bedroom with an en-suite bathroom. On the second floor there would be three bedrooms two of which would share an additional

communal shower room and another larger bedroom with its own en-suite bathroom. In response to questions the Senior Planning Officer clarified that there was a 2.2% concentration.

Members discussed the report.

RESOLVED:

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

11. ITEMS FOR CONSULTATION

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2020/1321 - SINGLE STOREY REAR EXTENSION TOGETHER WITH INTERNAL ALTERATIONS. 41 HARDY DRIVE

At the Chair's invitation, the Principal Planning Officer presented the application for 41 Hardy Drive which sought planning permission for the erection of a single storey pitched roof rear extension. Members attention was drawn to the addendum which included a correction to the description of development within the report. It was advised that the development would not have an unacceptable impact upon neighbouring amenity and was considered acceptable in design terms and officers recommended the application be approved.

Members discussed the report.

RESOLVED:

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

The meeting concluded at 19:15

Planning Service

Director of Planning and Sustainability: Peter Baguley



List of Appeals and Determinations – 16th February 2021

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2019/1174 APP/V2825/W/20/3258793	DEL	Variation of Conditions 2 and 7 and removal of Condition 3 of Planning Permission N/2017/1442 (Conversion of part of building to 2no dwellings) to amend location of parking areas for the new dwellings, retain accesses as existing and replace proposed boundary walls with fencing at Billing Arbours House	AWAITED
N/2019/1335 APP/V2825/W/20/3257246	DEL	2no new dwellings with off road parking at Billing Arbours House	AWAITED
N/2019/1374 APP/V2825/W/20/3259799	DEL	New detached two storey dwelling, double garage and associated hard landscaping at 74 Barley Lane	AWAITED
N/2020/0099 APP/V2825/W/20/3254573	DEL	Garden room extension at 1 Frosts Court, High Street, Wootton	AWAITED
N/2020/0100 APP/V2825/Y/20/3254574	DEL	Listed Building Consent Application for garden room extension for 1 Frosts Court, High Street, Wootton	AWAITED
N/2020/0178 APP/V2825/W/20/3259658	DEL	Erection of new Dwelling on land adjoining 39 Cottingham Drive	ALLOWED
N/2020/0229 APP/V2825/W/20/3256999	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants (retrospective) at 46 Adams Avenue	DISMISSED
N/2020/0366 APP/V2825/W/20/3259493	DEL	Variation of Conditions 1, 4 and 5 of Planning Permission N/2017/0515 (Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective)) to increase the maximum number of occupants to 5 and permit the basement for use as a bedroom at any time at 5 Essex Street	DISMISSED
N/2020/0389 APP/V2825/W/20/3256183	DEL	Conversion of ground and basement from 1no flat into 2no flats and installation of windows at 22 Watkin Terrace	DISMISSED
N/2020/0405 APP/V2825/D/20/3263468	DEL	Loft conversion with dormer to rear (Retrospective) (Amendment to planning application N/2019/0472) at 4 Harold Street	AWAITED
N/2020/0445 APP/V2825/W/20/3263925	DEL	Construction of 2no semi-detached dwellings at King David Public House, Newnham Road	AWAITED
N/2020/0731 APP/V2825/D/20/3263364	DEL	Conversion of front garden to driveway and vehicular crossover off Booth Lane South at 111 Booth Lane South	AWAITED
N/2020/0794 APP/V2825/W/20/3261949	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 25 Beaconsfield Terrace	AWAITED
N/2020/0829 APP/V2825/D/20/3262857	DEL	Loft conversion with rear dormer and front rooflights at 22 Manor Road	AWAITED
N/2020/1052 APP/V2825/W/20/3264338	DEL	Conversion of existing undercover area and conservatory/storage area to side and rear of office building to 2 bedroom 2 person annexe to existing Care Home (Use class C2) to provide independent living, including windows and access to front elevation of office at 32A Millway	AWAITED
N/2020/1077 APP/V2825/D/20/3263376	DEL	Two storey rear extension with alterations to front to convert garage to living accommodation at 21 Mapperley Drive	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

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

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

Local Government (Access to Information) Act 1985
Background Papers
The Appeal Papers for the appeals listed

Author and Contact Officer:

Nicky Scaife, Development Manager (Interim)
Telephone 01604 837692
Planning Service
The Guildhall, St Giles Square,
Northampton, NN1 1DE



PLANNING COMMITTEE: 16th February 2021
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/1556

LOCATION: 24 Guildhall Road
Northampton

DESCRIPTION: Change of Use to secure the following Use Classes:
E(a) Display or Retail Sale of Goods, other than Hot Food
E(c)(iii) Other appropriate services in a Commercial, Business or Service locality
E(g)(i) Offices to carry out any Operational or Administrative Functions
E(g)(ii) Research and Development of Products or Processes
F1(b) Display of Works of Art (otherwise than for sale or hire)
F1(c) Museums
F1(d) Public Libraries or Public Reading Rooms
F1(e) Public Halls or Exhibition Halls

WARD: Castle Ward

APPLICANT: Northampton Borough Council
AGENT: PHP Architects

REFERRED BY: Director of Planning and Sustainability
REASON: The Council is the applicant

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The development as proposed is acceptable and would contribute to the aims of regenerating the Town Centre, providing a cultural focus within Derngate Conservation Area and the Northampton Cultural Quarter and a viable long-term use for the existing buildings. The proposal would not lead to any undue impacts in respect of impact on heritage assets, impact on surrounding amenity or impact on drainage and highways in accordance with the aims and objectives of the National Planning Policy Framework, Policies S10, E7, BN5, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Policies 1, 5, 10 and 21 of the Northampton Central Area Action Plan.

2 THE PROPOSAL

- 2.1 The application relates to the change of change of Use of the building to secure the following Use Classes:
- E(a) Display or Retail Sale of Goods, other than Hot Food
 - E(c)(iii) Other appropriate services in a Commercial, Business or Service locality
 - E(g)(i) Offices to carry out any Operational or Administrative Functions
 - E(g)(ii) Research and Development of Products or Processes
 - F1(b) Display of Works of Art (otherwise than for sale or hire)
 - F1(c) Museums
 - F1(d) Public Libraries or Public Reading Rooms
 - F1(e) Public Halls or Exhibition Halls
- 2.2 The change of use is an extension of the uses relating to the relocation of NN Contemporary Art, which offers art space for artists in all stages of their careers. They are currently located in No.9 Guildhall Road but have now outgrown these premises.
- 2.3 The section of the building that the application relates to fronts onto Guildhall Road (from the museum entrance) and onto Angel Street. The proposal relates to all floors of this section of the building (the lower ground, upper ground, first floor, second floor and third floor) and seeks to permit a variety of uses that fall under the new Use Classes E and F introduced under the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020.
- 2.4 The proposal does not involve alterations to the external appearance of the building, only internal works.

3 SITE DESCRIPTION

- 3.1 The application site comprises a 1930s building located on Guildhall Road opposite the Royal and Derngate and within Derngate Conservation Area. The building is not listed but is of a neo-Georgian style with a stone frontage and brick on the rear elevation. Pedestrian access to the building is from Guildhall Road.
- 3.2 The building was previously used as the County Council Offices. The ownership was subsequently transferred to Northampton Borough Council around 2017 and the building now forms part of the wider Central Museum development.
- 3.3 To the north and adjoining the application site is the Northampton Museum, which is currently undergoing refurbishment. To the south of the site is the Vulcan Works, which is also the subject of major redevelopment and, in combination, these developments form important elements of the cultural quarter of Northampton.

4 PLANNING HISTORY

- 4.1 In 2012, a two-storey side extension was added to the existing building providing additional display areas for the Northampton Shoe Museum. Since that time, the only other applications have related to additional signage on the building.
- 4.2 In 2017, consent was granted for the remodelling and extension of the museum, a new courtyard extension to provide a new shoe gallery, cafe and multi-functional space and to link the buildings, a new substation and demolition to facilitate the extension and a change of use from offices (Class B1) to museum (Class D1). The part of the building that this current application relates to, was outside the application site boundary for the museum proposal (N/2017/1362).

- 4.3 In 2020, consent was granted for the change of use of part the ground floor from offices (Use Class B1a) to artist studios (Use Class D1) (N/2019/1470), this has been implemented and partially completed.

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 Central Area Action Plan (2013).

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

5.2 National Policies

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

Paragraph 8 – There are three dimensions to sustainable development. These dimensions give rise to the need for the planning system to perform a number of roles: an economic role, a social role, an environmental role.

Paragraph 11 – Central to the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Section 7 relates to good design advising design is a key aspect of sustainable development and should contribute to making places better for people. In Paragraph 85, reference is made to ensuring the vitality of town centres and considers the need to allocate a range of suitable sites to meet the scale and type of uses within town centres including leisure, tourism and cultural uses.

Section 9, and in particular Paragraph 110, considers sustainable transport – developments should be located and designed where practicable to create safe and secure layouts which minimise conflicts between traffic and cyclists and pedestrians.

Section 12 relates to achieving well designed places noting that proposals should be sympathetic to local character and history, whilst not preventing or discouraging appropriate innovation or change and create places that are safe, inclusive and which promote health and well-being.

Section 16 relates to conserving and enhancing the historic environment - in considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 195 adds where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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 S10: sustainable development principles
Policy E7: Tourism, Visitor and Cultural Industries
Policy BN5: The Historic Environment and Landscape
Policy BN7: Flood Risk
Policy BN9: Planning for pollution control

5.4 **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:

Policy 1: Promoting Design Excellence
Policy 5: Flood risk and drainage
Policy 10: Parking
Policy 21: Angel Street

5.5 **Supplementary Planning Documents**

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

5.6 **Other Material Considerations**

Derngate Conservation Area Appraisal and Management Plan.

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation Officer** has advised that no objection is made to the proposed range of alternative uses, which will give flexibility to help secure a viable future for an important building within Derngate Conservation Area. The character of the conservation area would be unlikely to be harmed by the possible uses. A separate application would be required for any alterations to the external appearance.
- 6.2 **Town Centre Conservation Area Advisory Committee** has advised that they have no objections.
- 6.3 **NBC Public Protection** have no comments to make on the application.
- 6.4 **Northamptonshire Police** had no objection to the proposed change of use.
- 6.5 **NCC Highways** – no response received
- 6.6 **Castle Ward Councillors** – no response received.
- 6.7 The application was also advertised by means of press and site notices. No third party comments received.

7 **APPRAISAL**

- 7.1 The key issues for consideration are the appropriateness of the use and impact on the setting of heritage assets.

Principle

- 7.2 The works only relate to the change of use of the building. No external alterations are proposed.
- 7.3 The part of the building in question is next to the existing museum. It is considered that the principle of the range of uses as proposed is appropriate and acceptable within this Town Centre location and will assist in further promoting the area as the Northampton Cultural Quarter. In any event, the use has been occupying another building in close vicinity and the proposal is merely a relocation of the same from the existing premises.
- 7.4 The purpose of this application is to allow some flexibility in the proposed use of the building, whilst still maintaining its role and relationship with the main museum building.

Impact on Heritage

- 7.5 As no external alteration is proposed, it is not considered that the proposed use would impact on the character and appearance of the Conservation Area.
- 7.6 Section 16 of the NPPF states that account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. This approach is continued in Paragraph 195 which states “where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.
- 7.7 In this instance, the proposal is to enable the relocation of an existing use, which will in turn seek to offer a viable and public use for these prominent Town Centre buildings, that lie within the Northampton Cultural Quarter.
- 7.8 Given that the drawings indicate that some internal walls are to be removed, further discussions have taken place with the Conservation Officer, who considers it would be appropriate to require a building recording condition, to ensure that a record is kept of the building in its original state.

Highways

- 7.9 The application does not propose any parking on site, but deliveries have already been addressed through the wider Museum project. Given that this is a Town Centre location and there are car parks and public transport links nearby, this is not considered to be a significant issue and is compliant with Policy 10 of the Central Area Action Plan.

Flood Risk and Drainage

- 7.10 The National Planning Policy Framework, Policy BN7 of the Joint Core Strategy and Policy 5 of the Central Area Action Plan require that development proposals do not increase the risk of flood and, where possible, offer betterment.
- 7.11 The application site is located in an area designated as Flood Zone 1 which is identified as an area of low probability of flooding, land having a less than 1 in 1,000 annual probability of river or sea flooding. The application relates to a change of use only and no additional hard standing or floor space is being created. As such, there are no drainage or flood risk impacts arising from the proposed use.

Impact on neighbouring uses and amenity

- 7.12 The proposed use seeks to compliment the other cultural uses in this area.

- 7.13 The activities will all be carried out within the building and no extraction systems are proposed. The use has already been operating on a smaller scale within the same locality and it is considered that the move to this location would not result in a significant impact on any nearby properties or uses, in terms of noise, dust or odour.
- 7.14 Bloomsbury House, located to the south of the Royal and Derngate Theatres, is occupied as residential flats. It is considered that these properties are a sufficient distance away from the application site such that there would not be any significant adverse effect on residential amenity arising from activities in this section of the building.
- 7.15 The use would further contribute to the vitality of this part of the Town Centre and bring part of the building back into a viable use and is not expected to have a significant adverse impact on the area.

8 CONCLUSION

- 8.1 The development as proposed is acceptable and would contribute to the aims of regenerating the town centre and providing a cultural focus within Derngate Conservation Area and a viable long term use for the existing buildings. The proposal would not lead to any undue impacts in respect of flood risk, highways or impact on surrounding amenity in accordance with the aims and objectives of the National Planning Policy Framework, Policies S10, E7, BN5 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 1, 5, 10 and 21 of the Northampton Central Area Action 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: 4468 020 P1 (lower ground floor plan), 4468 021 P1 (upper ground floor plan), 4468 022 P1 (first floor plan), 4468 023 P1 (second floor plan), 4468 024 P1 (third floor plan), 4468 025 P1 (location plan).

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

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

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

10 BACKGROUND PAPERS

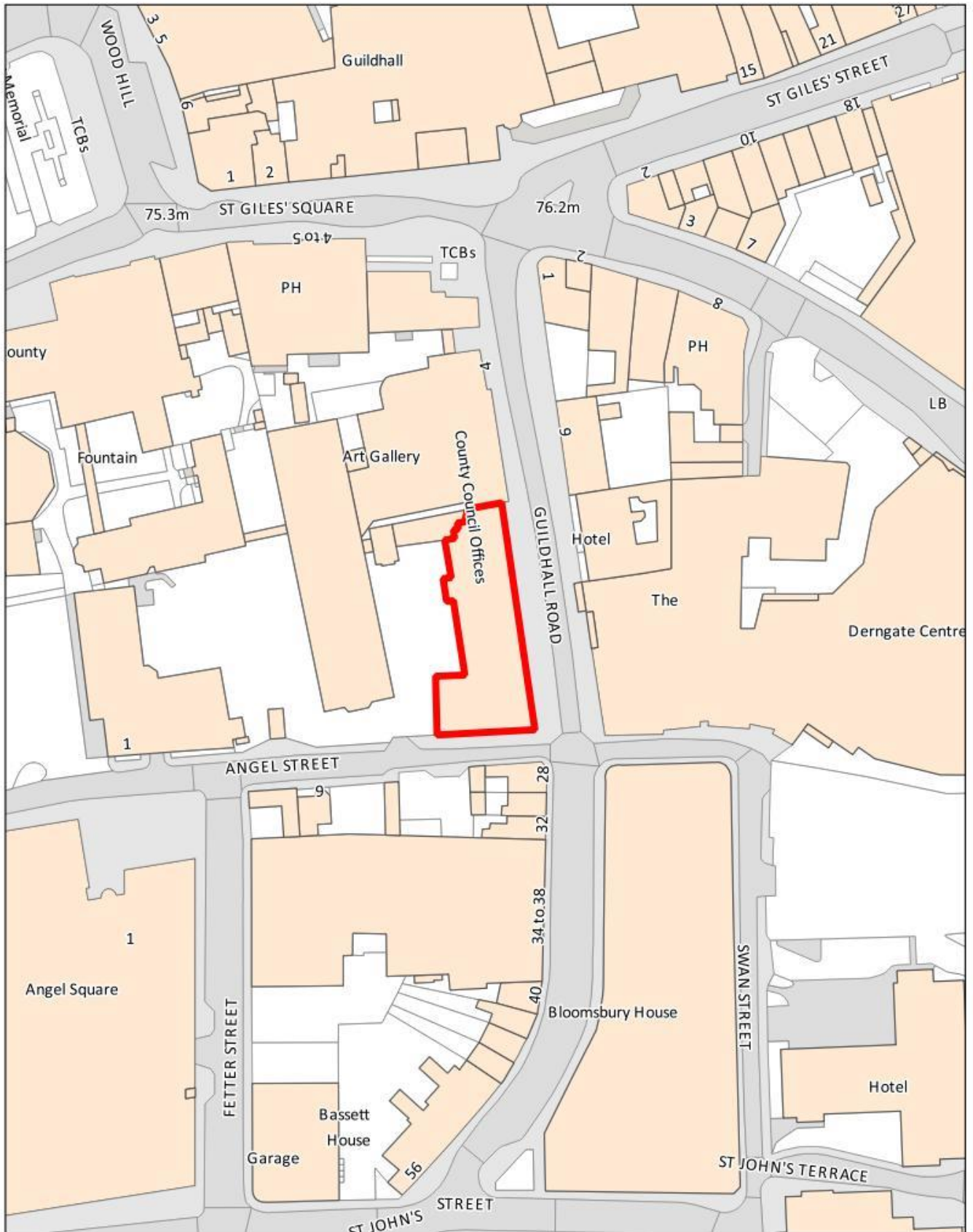
- 10.1 N/2020/1556

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable

12 SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **24 Guildhall Road**

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Date: 04-02-2021

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 16th February 2021
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/1063

LOCATION: Former Opus Car Park
Deer Park Road

DESCRIPTION: Erection of buildings for use for light industrial, general industrial and storage/distribution uses with ancillary offices, together with means of access, servicing, car parking, landscaping and associated works

WARD: Parklands Ward

APPLICANT: WD (Deer Park) Limited
AGENT: Delta Planning

REFERRED BY: Director of Planning and Sustainability
REASON: Major application requiring a S106 agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to S106 legal agreement to secure:

- A financial contribution to provide construction training.

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

The proposal would make a positive contribution to the provision employment within the Borough and would not have an undue detrimental impact on the appearance and character of the wider area, nor result in any undue harm to residential amenity, parking, flood risk and highway safety. The proposal therefore accords with the National Planning Policy Framework; Policies S7, S8, S10 and BN7 of the West Northamptonshire Joint Core Strategy; and Policies B14 and E20 of the Northampton Local Plan.

2 THE PROPOSAL

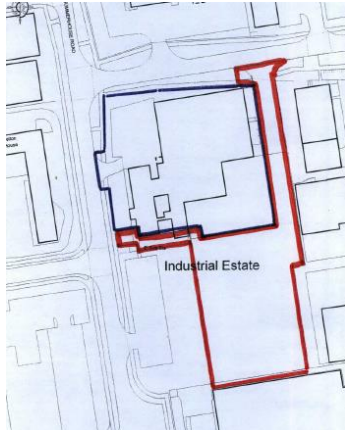
- 2.1 Erection of buildings for use for light industrial, general industrial and storage/distribution uses with ancillary offices, together with means of access, servicing, car parking, landscaping and associated works.

3 SITE DESCRIPTION

- 3.1 The application site is located on the southern side of Deer Park Road, and eastern side of Summerhouse Road and comprises two former car parks. The site is situated within Moulton Park business area with established commercial and industrial uses surrounding the site.

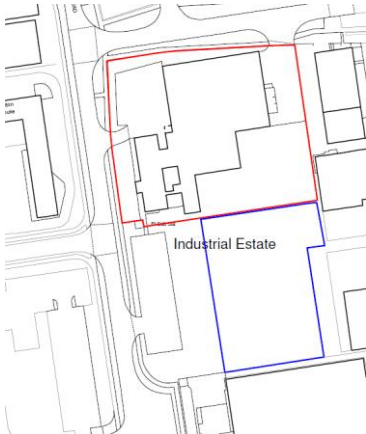
4 PLANNING HISTORY

- 4.1 N/2011/0404 – Creation of car park – Approved 23/06/2011 – temporary 2 year permission.



- 4.2 N/2012/0477 – Removal of condition 2 of planning permission N/2011/0404 for the creation of a car park to allow use of car park to continue on a permanent basis – Approved 27/06/2012

- 4.3 N/2013/0084 – Change of use of land to create additional car park to serve Opus Energy at Summerhouse Road – Approved 11/03/2013



- 4.4 N/2017/1240 – Lawful Development Certificate for the proposed use of land as a car park – Approved 24/10/2017. This application confirmed that approval N/2013/0084 granted consent for a car park on this site and this use is not tied to Opus Energy as there were no conditions rendering the permission a personal consent or requiring that the offices of Opus Energy and the car parking operate in tandem. The car park is a self-contained planning unit and could be used by any company to park in as current.

5 PLANNING POLICY

5.1 **Statutory Duty**

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

5.2 **National Policies**

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

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

Section 6 – building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – making effective use of land

Section 12 - design

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:

E1 Existing employment areas

S7 Provision of Jobs

S8 Distribution of Jobs

S10 Sustainable Development Principles

S11 Carbon emissions

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 policy is material to this application:

Policy E20 – New Development (Design)

Policy B14 – use in Business areas

Policy T12 – servicing

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 **Northampton Borough Council Public Protection – No objection. Request conditions on contamination, EV charging, and the implementation of the submitted Travel Plan.**

- 6.2 **Northampton County Council Highways and Access** – If the site is restricted to no more than 2300m² combined B1c and B2 with the remaining B8, that would be acceptable. A further condition is requested requiring a delivery and servicing management plan.
- 6.3 **Northampton County Council Waste** – The site is designated as being acceptable for waste management and the applicant should demonstrate how they comply with policy 30 of the Minerals and Waste Local Plan (MWLP) (adopted July 2017).
- 6.4 **Northampton County Council Development Management** – Request conditions on fire hydrants, sprinklers and broadband.
- 6.5 **Northampton County Council Ecology** – No objection subject to conditions on the removal of cotoneaster and the securing of enhancements as recommended within the submitted ecology report.
- 6.6 **Northampton County Council Archaeology** – No comments to make on application.
- 6.7 **Northamptonshire Police** – No objection. Layout is in accordance with the principles of planning out crime and the applicant has demonstrated a layered approach to security.
- 6.8 **Environment Agency** – No comment to make on application.
- 6.9 **Lead Local Flood Authority** – No objection subject to conditions on surface water drainage.
- 6.10 **Anglian Water** – No objection, request condition on surface water drainage and informatives on the used water network.
- 6.11 **Construction Futures** – Request contribution towards construction training.
- 6.12 No comments have been received from neighbouring properties.

7 APPRAISAL

Principle of development

- 7.1 The application proposes the erection of buildings for light industrial, general industrial and storage/distribution uses with ancillary offices. 12 individual units are proposed all of which would have a flexible use class for light industrial, general industrial and storage/distribution. The site would be accessed from the north off Deer Park Road, with the exit on Summerhouse Road to the west.
- 7.2 The development would be provided within the two car park areas approved within applications N/2012/0477 and N/2013/0084. Whilst these applications were associated with 'Opus', a company which previously resided in Royal Pavilion, 2 Summerhouse Road situated to the east of the car park areas, the consents for the car parks were not personal or required to be provided for the company 'Opus' or for the building within which they resided. Since the relocation of 'Opus' out of Royal Pavilion, the car parks have been unused.
- 7.3 The site is located with Moulton Park business area. Policy E1: 'Existing Employment Areas' of the West Northamptonshire Joint Core Strategy (JCS) seeks to ensure that such sites are retained for employment uses within Use Classes B1 (now part of class E), B2 and B8 or appropriate non-B employment generating uses. Policy 7 of the JCS sets out the requirement for a minimum net increase of 28,500 jobs in the plan period between 2008-2029, and Policy S8 allows for the provision of new job growth through the renewal and regeneration of existing employment sites.
- 7.4 The proposed use of the site for light industrial, general industrial and storage/distribution uses would regenerate and retain the site in employment use contributing towards the provision of jobs

within the Borough and therefore accord with the aims of the above JCS policies and the aims of the National Planning Policy Framework which seeks to promote economic growth.

- 7.5 NCC Waste advised that the site is designated as being acceptable for waste management and the applicant should demonstrate how they comply with policy 30 of the Minerals and Waste Local Plan (MWLP) (adopted July 2017). This is not a Northampton Borough Council policy and as such it is not reasonable to require the applicant to demonstrate compliance with this County Council objective. In addition, the site is allocated for employment use within the JCS which was in itself subject to consultation.
- 7.6 The application site is located within an existing employment area and is brownfield land. The proposal is to provide new light industrial, general industrial and storage/distribution uses. As such the principle of the development is accepted.

Design

- 7.7 The application proposes the creation of 12 new business units. These units are arranged such that 4 run along Deer Park Road, a further 4 parallel to this with access and parking between, and the final 4 running parallel with Summerhouse Road behind an existing car park which is not part of the application site.
- 7.8 The proposed units are all of a similar size and design. The four units running along Deer Park Road are proposed to be approximately 68.6 metres wide, 21.8 metres deep, and a maximum of 11.4 metres high. The four units running parallel to these are proposed to be approximately 58.4 metres wide, 26.3 metres deep, and a maximum of 11.8 metres high. The four units running parallel to Summerhouse Road would be approximately 64.5 metres wide, 22.6 metres deep, and a maximum of 11.41 metres high. Gross internal floor areas of the proposed units range from 331 sq m to 642 sq m including ancillary mezzanine space.
- 7.9 The proposed buildings are all of a functional design, which would be expected within Moulton Park business area, with the predominant material comprising profiled cladding in varying shades of grey. It is considered that the proposal would be acceptable in design terms.

Neighbouring amenity

- 7.10 The application site is located within a business area and as such there are no neighbouring residential properties which would be impacted upon by this development.

Parking and highway safety

- 7.11 Northamptonshire County Council Highways have been consulted on this proposal. It is advised that there is no objection to the scheme subject to the level of light industrial and general industrial uses on the site being restricted to no more than 2300m², with the remaining floorspace being warehousing (B8). This is to ensure sufficient parking is provided on site for the proposed uses. It is further advised that a condition would be needed requiring details of a delivery and servicing management plan for the B8 uses, to ensure that large lorries are not accessing the site when the light industrial and general industrial uses are open on the site. This is due to parking conflicts between the two uses. The agent has advised that due to the size of the units proposed and the intended occupiers it is unlikely that large lorries would require access to the site. Notwithstanding this, a condition is proposed that restricts deliveries to the site on vehicles larger than a 12m rigid HGV during the hours of 8am to 5.30pm on any day to avoid conflict with on-site parking during the predominant intended operational hours for the development.
- 7.12 It is considered reasonable to limit the level of light industrial and general industrial uses on the site and control the extent of large HGV access in order to ensure that adequate parking and access is provided for the proposed uses.

- 7.13 The Northampton Parking SPD requires the provision of electric vehicle charging points within developments of this nature. This is a requirement of 10% of all parking spaces. It is considered reasonable to attach a condition requiring the provision of EV charging in this development.
- 7.14 Cycle parking provision is also required under the Northampton Parking SPD. It is considered reasonable to attach a condition requiring details of this provision.

Obligations

- 7.15 Construction Futures request a contribution towards construction training as part of any development of this site. Due to the size of the development it is considered reasonable to require a contribution for this purpose and the applicants have agreed to the payment of this. This would be secured through a S106 legal agreement.

Flood Risk

- 7.16 The Environment Agency, Lead Local Flood Authority and Anglian Water have been consulted on this application and no objections are raised. This is subject to conditions on surface water drainage, which it is considered are reasonable to attach.

Other Matters

- 7.17 NBC Public Protection request conditions on contamination and the implementation of the submitted travel plan. It is considered reasonable to attach such conditions.
- 7.18 NCC Planning request conditions on fire hydrants and broadband provision. There is no policy basis within Northampton Borough Council Planning Department for the requirement of these and as such it is not considered reasonable to attach conditions with regards to fire hydrants and broadband provision.
- 7.19 NCC Ecology request conditions on the removal of cotoneaster from the site and the securing of enhancement recommendations outlined within the submitted ecology report. These are considered reasonable to require through conditions.

8 CONCLUSION

- 8.1 To conclude it is considered that the proposal would not have an undue detrimental impact on the appearance and character of the wider area, nor result in any undue harm to residential amenity, parking, and highway safety. The proposal therefore accords with the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy; and Policies B14 and E20 of the Northampton Local Plan and 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: 19025 P0001 Rev B, P0002 Rev C, P0003 Rev C, P0004 Rev B, P0005 Rev A, P0006 Rev A, P0007 Rev C, P0008 Rev B, P0009 Rev A, P0010 Rev A, P0011 Rev C, P0012 Rev B, P0013 Rev A, P0014 Rev A

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 in writing 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. There shall be no deliveries to the site on vehicles larger than a 12m rigid HGV during the hours of 8am to 5.30pm on any day.

Reason: In the interests of highway safety, in accordance with the requirements of the National Planning Policy Framework.

5. The floorspace in use for light industrial (use class E(g)) and general industrial (use class B2) shall be limited to a maximum of 2300 square metres in total across the entire site.

Reason: To ensure adequate parking provision and in the interests of highway safety, in accordance with the requirements of the National Planning Policy Framework.

6. The premises shall be used for light industrial (use class E(g) former use class B1), general industrial (use class B2) and storage and distribution (use class B8) only of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), and for no other purpose (including any other purpose in Class E of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (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: To ensure adequate parking provision and in the interests of highway safety, in accordance with the requirements of the National Planning Policy Framework.

7. Prior to the occupation of the development hereby permitted, a scheme for the provision of signage within the site to control the one way direction of traffic through the site from the access from Deer Park Road to the egress onto Summer House Road as shown on the approved plans 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 prior to occupation and retained as such thereafter.

Reason: In the interests of highway safety, in accordance with the requirements of the National Planning Policy Framework.

8. Removal of the invasive Cotoneaster shall be carried out in full accordance with the details contained in section 5.3.5 of Ecological Impact Assessment Deer Park Road, Northampton by AGB Environmental and dated 27 August 2020 (reference P3580.2.2).

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

9. Prior to first occupation of the units hereby permitted, details of ecological enhancement measures (as outlined in section 5.4.2 of Ecological Impact Assessment Deer Park Road, Northampton by AGB Environmental and dated 27 August 2020 (reference P3580.2.2)) shall be submitted to and approved in writing by the Local Planning Authority. The approved ecological enhancement measures shall be provided in full accordance with the approved details prior to first occupation and retained as such thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

10. Prior to the commencement of development full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Statement ref 20-7983-FRA rev 5 dated 5th November 2020 prepared by Complete Design Partnership Limited shall be 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 development 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) A qualitative examination of what would happen if any part of the system fails. It should be demonstrated that flood water will have flow routes through the site without endangering property and where possible maintaining emergency access/egress routes

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the West Northampton Joint Core Strategy by ensuring the satisfactory means of surface water attenuation and discharge from the site.

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

Reason: To ensure the future maintenance of drainage systems associated with the development and in interests of flood prevention in accordance with the NPPF and Policy BN7 of the West Northampton Joint Core Strategy.

12. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment and Drainage Statement ref 20-7983-FRA rev 5 dated 5th November 2020 prepared by Complete Design Partnership Limited has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority The details shall include:

- 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) CCTV 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 in the interests of flood prevention in accordance with the requirements of the NPPF and Policy BN7 of the West Northampton Joint Core Strategy.

13. No hard-standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

14. Prior to the first occupation of the development hereby permitted, the parking spaces as shown within plan 19025 P0002 Rev C shall be provided in full accordance with the approved plan and these parking spaces shall be retained at all times thereafter for the parking of vehicles in association with this development.

Reason: In the interests of highway safety, in accordance with the requirements of the National Planning Policy Framework.

15. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.
- viii) Non-road mobile machinery (NRMM) controls.
- ix) Details of temporary site storage, welfare facilities and contractor parking.

The approved CEMP and measures contained therein shall be adhered to throughout the construction process.

Reason: To minimise the impact of the development during the construction phase in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement to ensure the agreement of such details in a timely manner.

16. Full details of a scheme for the provision of electric car charging points (including a timetable for implementation) shall be submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the development. The scheme shall provide 10% of all parking spaces as EV charging spaces, including 1 charging unit per 10 disabled spaces. Where more than 50 spaces are provided, 1 rapid charging unit per 50 spaces shall be provided. Development shall be carried out in accordance with the approved details, and be retained thereafter.

Reason: In the interests of creating a sustainable form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the Northampton Parking SPD.

17. The development shall be undertaken in full accordance with the measures and timetable identified within the submitted travel plan by ADC Infrastructure Limited reference ADC2134-RP-B dated 26/08/2020.

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

18. Prior to first occupation of the development hereby permitted the boundary treatments as shown within plan 19025 P0021 Rev C shall be provided on site in full accordance with these details and shall be retained at all times thereafter.

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

19. The development in respect of the shell and core works to the units shall achieve a minimum rating of at least BREEAM 'very good' standard or an equivalent standard or any future national equivalent zero carbon standard.

Reason: to assist in reduction in carbon emissions and adapt to climate change in accordance with policy S11 of the West Northamptonshire Joint Core Strategy.

20. The development shall be undertaken in full accordance with the levels details as shown on plan 20-7983-001 RevT2.

Reason: In the interests of visual amenity in accordance with Policy E20 of the Northampton Local Plan. This condition is considered necessary in order to ensure that there is a neutral impact upon the amenities of surrounding properties.

21. The materials used in the development hereby permitted shall be in full accordance with those details outlined within plans 19025 P0006 Rev A, P0010 Rev A, and P0014 Rev A.

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

22. Notwithstanding the submitted details full details of cycle storage (including a timetable for implementation) shall be submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the development. Development shall be carried out in accordance with the approved details prior to first occupation, and be retained thereafter.

Reason: In the interest of promoting sustainable transport in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

23. The bin storage as shown within plan 19025 P0019 Rev C shall be provided on site prior to first occupation of the development hereby permitted and retained at all times thereafter.

Reason: In the interests of visual amenity and to ensure adequate refuse storage in accordance with the National Planning Policy Framework and Policy S10 of the West Northamptonshire Joint Core Strategy.

24. Prior to first occupation of the units hereby permitted, the lighting scheme as identified within plan P186-504-F shall be provided on site. Thereafter the lighting scheme shall be retained on site in compliance with the details within this plan and in a fully working order.

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

Informatives:

Anglian Water advise:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Used Water Network:

- 1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the

Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

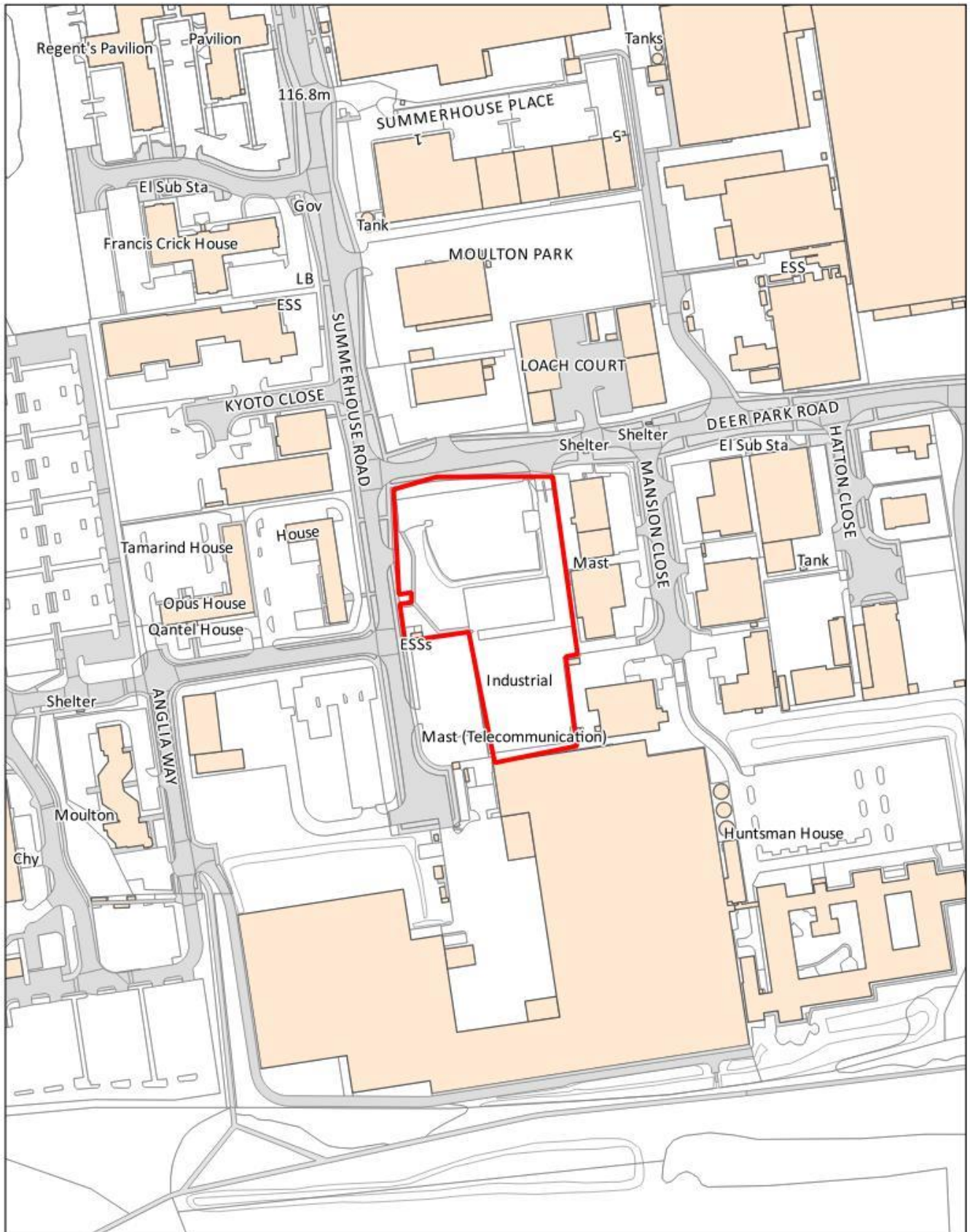
(5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

10 LEGAL IMPLICATIONS

10.1 The development is not CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL

Title: **Deer Park Road - Former Opus Carpark**

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Date: 04-02-2021

Scale: 1:2,500

Drawn by: -----