



PLANNING AGENDA

Tuesday, 15 March 2016

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

6:00 pm

Members of the Committee

Councillor: Brian Oldham (Chair), Matthew Lynch (Deputy Chair)

Councillors: Jane Birch, Julie Davenport, Matthew Golby, Anamul Haque (Enam), James Hill, Jamie Lane, Phil Larratt, Arthur McCutcheon, Dennis Meredith and Mohammad Aziz Rahman

Chief Executive David Kennedy

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837587

PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 9 June, 30 June, 28 July, 2 September, 29 September, 27 October, 24 November and 17th December 2015 and 19 January, 16 February, 15 March, 12 April, 10 May, 14 June 2016.

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

Who Can Speak At Planning Committee Meetings?

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

How Do I Arrange To Speak?

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

Methods of Registration:

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

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.
- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 15 March 2016
at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

1. APOLOGIES

2. MINUTES

(Copy herewith)

3. DEPUTATIONS / PUBLIC ADDRESSES

4. DECLARATIONS OF INTEREST/PREDETERMINATION

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

6. LIST OF CURRENT APPEALS AND INQUIRIES

(Copy herewith)

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

**(A) N/2015/0987 - NEW COMMUNITY CENTRE INCORPORATING
CHANGING ROOM FACILITIES AND NURSERY SCHOOL. NEW
ACCESS ROAD WITH PARKING FACILITIES AND RELOCATION OF
PLAY AREA. LAND OFF ST CRISPIN DRIVE**

(Copy herewith)

10. ITEMS FOR DETERMINATION

ADDENDUM

(A) N/2015/0785 - CAR PARK EXTENSION, ASSOCIATED GROUNDWORKS AND PIT WITH CHANNEL FOR BALL COLLECTING - PART RETROSPECTIVE. DELAPRE GOLF COMPLEX, EAGLE DRIVE.

(Copy herewith)

(B) N/2015/0999 & N/2015/1000 - CHANGE OF USE FROM OFFICE (CLASS B1) TO CHILDRENS DAY NURSERY (CLASS D1) AND ASSOCIATED WORKS. HOME FARM WORKS, ORCHARD HILL

(Copy herewith)

(C) N/2015/1009 - CONVERSION OF EXISTING DWELLING INTO THREE DWELLINGS AND ERECTION OF TWO ADDITIONAL DWELLINGS.HOME FARM HOUSE, HILLCREST AVENUE

(Copy herewith)

(D) N/2015/1050 - ERECTION OF 3NO. DWELLINGS. 77-79 SEMILONG ROAD

(Copy herewith)

(E) N/2015/1424 - CHANGE OF USE FROM DWELLING (C3) TO HOUSE IN MULTIPLE OCCUPATION (C4) FOR THREE RESIDENTS. 35 COWPER STREET

(Copy herewith)

(F) N/2015/1498 - FORMATION OF CAR PARKING AREA.DELAPRE ABBEY, LONDON ROAD

(Copy herewith)

(G) N/2016/0070 - ERECTION OF FENCE ALONGSIDE DRIVE. 9 ROOKERY LANE

(Copy herewith)

(H) N/2016/0087 - INTERNAL ALTERATIONS INCLUDING BLOCKING EXISTING NON STRUCTURAL DOORWAY & REMOVE DOOR, OPEN WALKWAY AT GROUND FLOOR. 39 ST GILES STREET

(Copy herewith)

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

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.”

SUPPLEMENTARY AGENDA

**Exempted Under Schedule
12A of L.Govt Act 1972**

Para No:-

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, 16 February 2016

PRESENT: Councillor Oldham (Chair); Councillors Aziz, Davenport, Golby, Haque, Hill, Lane, Larratt, McCutcheon and Meredith

OFFICERS: Rita Bovey (Development Manager) David Rowen (Development Management Team Leader) Jonathan Moore (Senior Planning Officer) David Hackforth (Interim Head of Planning) Debbie Carter Hughes (Solicitor) Emma Powley (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillor Lynch.

2. MINUTES

The minutes of the meeting held on 19th January 2016 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2015/1133

Councillor M Hill
Mr Colin Davidson
Mr David Thompson
Parish Councillor Kay de Vere-Burt

N/2015/1265

Ms Carol Whiting

4. DECLARATIONS OF INTEREST/PREDETERMINATION

There were none.

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 and elaborated thereon. It was noted that that 2 appeals had been dismissed. It was noted that the details of the decisions were available on the Borough Council's website.

RESOLVED: That the report be noted.

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

10. ITEMS FOR DETERMINATION

(A) N/2015/0999 & N/2015/1000 - CHANGE OF USE FROM OFFICE (USE CLASS B1) TO CHILDREN'S DAY NURSERY (USE CLASS D1) AND ASSOCIATED WORKS AND LISTED BUILDING CONSENT APPLICATION FOR INTERNAL ALTERATIONS TO BUILDING AND ERECTION OF PALISADE FENCING. HOME FARM WORKS, ORCHARD HILL

This item was withdrawn.

(B) N/2015/1133 - ERECTION OF A DETACHED DWELLING. LAND AT 8 QUINTON ROAD

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. Members' attention was drawn to additional information contained within the addendum. In addition, two further letters of objections were received from 1B and 14 Berry Lane.

Councillor M Hill, as the Ward Councillor, spoke against the application.

Mr Colin Davidson, a local resident within the conservation area, spoke against the application.

Parish Councillor Kay De Vere-Burt, spoke against the application as a Parish Councillor in the area.

In response to questions raised by the Committee, the Development Management Team Leader stated that the Arboricultural Officer had viewed the trees and had not expressed concern over the loss of trees. He further explained that there was a condition which would allow the Council to stipulate the materials used in the proposed house build.

The Committee debated the application.

RESOLVED:

That the application be **REFUSED** by reason that the development would have an adverse impact upon the setting of the adjacent listed building, Clare Cottage, and would therefore harm the significance of this heritage asset. This would be contrary

to Policy BN5 of the West Northamptonshire Joint Core Strategy and conflict with the aims and objectives of the National Planning Policy Framework.

(C) N/2015/1265 - CONVERSION OF EXISTING RETAIL/OFFICE UNITS INTO 5 NO. FLATS INCLUDING ERECTION OF EXTERNAL STAIRCASE AND ALTERATIONS TO BUILDING. OAKLEY CYCLE, 84 - 86 LUTTERWORTH ROAD

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. He referred to additional information contained within the addendum. Additional objection and photos were received from the occupiers at 79 Lutterworth Road. It was noted that the officer recommendation was for approval, subject to conditions set out in the report.

Ms Carol Whiting, as a local resident on Lutterworth Road, spoke against the application.

In response to questions asked, the Senior Planning Officer stated that the property was not in the conservation area and that the storage buildings were not part of the application.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the Conditions as set out in the report and for the following reason:

The proposed change of use to residential flats is considered acceptable in principle in an established residential area and would not have an undue detrimental impact on the appearance and character of the area, amenity of neighbours or highway safety to comply with Policy E20 of the Northampton Local Plan, H1 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(D) N/2015/1337 - VARIATION OF CONDITION 2 OF PLANNING APPLICATION N/2013/1325 (RESIDENTIAL DEVELOPMENT COMPRISING 69 DWELLINGS WITH ASSOCIATED ACCESS VIA HARCOURT WAY) TO RE-PLAN PLOTS 12-19, 36-42 & 44-47 (INCLUDING THE SUBSTITUTION OF MATERIALS OF PLOTS 14, 15, 36, 41 & 47. LAND OFF DANES CAMP WAY

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. He referred to extra information contained in the addendum.

The Committee discussed the report.

RESOLVED:

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

1. The completion of the necessary S106 Agreement to secure the same obligations as contained in the S106 Agreement dated 3rd November 2014 in relation to the previous planning permission N/2013/1325.

2. The conditions as set out in the report and for the following reason:

The variations to the originally approved scheme would have no adverse impact upon residential amenity, the character and appearance of the area or highway safety and as such would comply with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

3. It is also recommended that in the event of the Legal Agreement not being completed within three calendar months of this Committee meeting, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion).

(E) N/2015/1400 - ERECTION OF DECKING (RETROSPECTIVE APPLICATION). 91 FAIRWAY

The Senior Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

The Committee discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions set out in the report and for the following reason:

The retention of the decking would have a neutral impact upon the character and appearance of the locality; visual amenity and neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy; and Policy E20 of the Northampton Local Plan.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

- (A) N/2015/1480 - ERECTION OF LEISURE BUILDING TO INCLUDE CINEMA, RESTAURANT & RETAILS UNITS AND OTHER LEISURE USES AND ERECTION OF A CYCLE HIRE FACILITY TOGETHER WITH PROPOSALS FOR ACCESS, PARKING AND SERVICING SPACE, HARD AND SOFT**

**LANDSCAPING AND OTHER ASSOCIATED WORKS, RUSHDEN LAKES,
LAND ADJACENT TO SKEW BRIDGE SKI SLOPE, NORTHAMPTON
ROAD, RUSHDEN**

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

The Committee discussed the report.

RESOLVED:

That Northampton Borough Council raised **NO OBJECTION** to the application as proposed.

- 1.1 Whilst Northampton Borough Council objected to the original application for the development proposals for Rushden Lakes and remain concerned regarding the potential impacts of the development on the viability and vitality of Northampton, it is acknowledged that the principle of development has been established through the grant of planning permission by the Secretary of State in 2014 and the subsequent approval of amendments to the original scheme in 2015.
- 1.2 It is not considered that the overall reduction in retail floorspace and subsequent increase in leisure and restaurant and café floorspace would be likely to represent any significant increased impacts on the vitality and viability of Northampton to the scheme already approved.

(B) N/2016/0051 - UP TO 110 RESIDENTIAL DWELLINGS (INCLUDING UP TO 35% AFFORDABLE HOUSING), CONVENIENCE STORE WITH 200SQ.M OF RETAIL SPACE (USE CLASS A1) ASSOCIATED USES AND PARKING. DEMOLITION OF EXISTING BUILDINGS, STRUCTURAL PLANTING AND LANDSCAPING, INFORMAL PUBLIC OPEN SPACE AND PLAY AREA, SURFACE WATER MITIGATION AND ATTENUATION AND ASSOCIATED ANCILLARY WORKS (ALL MATTERS RESERVED). LAND OFF HOLLY LODGE DRIVE, BOUGHTON

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was reported that a copy of the letter was received from Boughton Parish Council to Daventry District Council objecting to the application proposal.

The Committee discussed the report.

RESOLVED:

That Northampton Borough Council **OBJECTED** to the application for the following reasons:

1. The development would result in the piecemeal incursion of the built area into the countryside in an area designated as Green Wedge which would be

contrary to the relevant policies of the Daventry Local Plan as well as failing to demonstrate that there would be an acceptable impact upon the local road network in accordance with the National Planning Policy Framework. These issues would outweigh the contribution which the development would make to the five year housing land supply within the Northampton Related Development Area.

The Committee also resolved to strongly advise that should Daventry District Council be minded to grant the application a financial contribution should be sought towards the provision of new road infrastructure around the north and west of Northampton.

The meeting concluded at 8.04pm

Directorate: Regeneration, Enterprise and Planning
 Director: Steven Boyes



List of Appeals and Determinations – 15TH March 2016

Written Reps Procedure			
Application	DEL/PC	Description	Decision
N/2015/0430 APP/V2825/W/15/3136751	DEL	Change of use from 5-bed (use class C4) to 7-bed (Sui Generis) house of multiple occupation by converting cellar into 2no additional bedrooms. Retrospective application at 128 Clarence Avenue	ALLOWED
N/2015/0561 APP/V2825/W/15/3135609	PC	Change of use of single dwelling to house in multiple occupation for 5 residents (Use Class C4) - retrospective application at 76 Somerset Street	AWAITED
N/2015/0563 APP/V2825/W/15/3136497	DEL	Change of use of existing storage unit into 2no 1-bed apartments at 1 Gordon Street	DISMISSED
N/2015/0644 APP/V2825/D/15/3138574	DEL	Two storey side extension, single storey rear extension and front porch at 71 Wilford Avenue	DISMISSED
N/2015/0798 APP/V2825/D/15/3138225	DEL	Change of use of existing storage unit into 2no 1-bed apartments at 2 Oaklands Drive	DISMISSED
N/2015/0928 APP/V2825/W/15/3139794	DEL	Change of use to 5 person house in multiple occupancy at 119 Whitworth Road	AWAITED
N/2015/0946 APP/V2825/D/16/3141908	DEL	Erect attached garage to front at 57 Rickyard Road	AWAITED
N/2015/1279 APP/K2800/D/16/3142656	DEL	First floor side extension at 14 Tiffany Gardens	AWAITED
Public Inquiry			
N/2013/0338 APP/V2825/A/14/2228866	PC	Site at Land to East of Hardingstone, North of Newport Pagnell Road - Outline planning application for the development of a sustainable urban extension to include up to 1,000 dwellings (Class C3); local centre up to 1,320 sqm net floor space of retail, professional and financial services, restaurant/cafes (Classes A1, A2 and A3); up to 375 sqm net public house (Class A4); 2.09ha of land for a two form entry primary school (Class D1); up to 750 sqm of community uses to include a medical centre, pharmacy and community centre (Class D1). Infrastructure improvements including a pumping station, green infrastructure and highway access from Landimore Road and Newport Pagnell Road – Public Inquiry ended on 30th July at Franklin Gardens, Weedon Road	ALLOWED
N/2013/1035 APP/V2825/W/15/3028151	PC	Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved accept access, land south of Rowtree Road and west of Windingbrook Lane – Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED
N/2013/1063 APP/V2825/W/15/3028155	PC	378 dwellings served by a new access from Windingbrook Lane, and the re-configuration of part of the Collingtree Park Golf Course including a new temporary hole 17 and the demolition of all existing buildings and structures within the site, green infrastructure including formal and informal open space, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements), land south of Rowtree Road and west of Windingbrook Lane - Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED

Hearing			
N/2015/0335 APP/V2825/W/15/3138580	PC	Redevelopment comprising a new distribution centre (Use Class B8) including related service roads, access and servicing arrangements, car parking, landscaping bund and associated works. Land at Milton Ham, Towcester Road Hearing date 21st June 2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE	AWAITED
N/2015/0419 APP/V2825/W/15/3140695	PC	Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road. Hearing date 25/4/2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE	AWAITED
Enforcement Appeal			
		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 - www.planningportal.gov.uk	
Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed		Author and Contact Officer Mrs Rita Bovey, Development Manager Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE	



PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/0987

LOCATION: Land off, St Crispin Drive, Northampton, Northamptonshire

DESCRIPTION: New Community Centre incorporating changing room facilities and Nursery School. New access road with parking facilities and relocation of play area. (As amended by revised plans received on 9/10/15)

WARD: Upton Ward

APPLICANT: Mr Keith Mitchell
AGENT: Sursham Tompkins & Partners

REFERRED BY:
REASON: NBC 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 proposed community centre would provide for necessary community facilities whilst not resulting in any adverse impact on the character and appearance of the Conservation Area. Whilst the proposal would impact on the setting of the adjacent Listed Building this would not be significant and would be offset by the wider benefits of the proposal. The proposal would not adversely impact on the amenities of existing neighbouring residents nor highway safety, subject to appropriate mitigation as required by conditions. The proposal is therefore compliant with the requirements of Policies SA, S10, C2 and BN5 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The proposal is for the construction of a single storey new community centre, sports changing rooms and nursery school, an associated access road and area of parking. The existing play area would be relocated to the southern part of the application site.

2.2 Members may recall that this application was considered by the Planning Committee on October 27th 2015. The plans have now been revised, with the size of the building reduced by 9.5m. This

reduction would be on the side of the building adjacent to the listed church (to the north of the site), and therefore furthest away from the entrance and playground.

- 2.3 The changes relate to the reduction in size of the main hall, which would no longer be able to be divided into two halls, and a reduction in size of the café and meeting room as well as other internal changes. The nursery would be reconfigured internally but not reduced in size.
- 2.4 The design of the building remains similar to the previous design, but reduced in size. The building is of a modern design, comprising a wide, low building with a gently sloping flat roof and a separate circular element which would accommodate the nursery.
- 2.5 Linked to this would be four changing rooms, each incorporating showers and WC, together with officials' changing rooms, kit lockers and equipment stores. This area has been slightly reconfigured internally but not reduced in size from the previous plans.
- 2.6 As before, the parking area would provide 54 spaces, with five spaces for disabled people. These spaces have been slightly reconfigured to give them more space along with a change to the road alignment adjacent to these.
- 2.7 In terms of the external appearance, the building has been designed by means of a multi-disciplinary workshop to improve the original more standard design. The building has been designed in a modern style to represent an interesting feature in its own right which does not compete with historic buildings in the area. The reduction in size as shown on the amended plans would not compromise this design.
- 2.8 In addition a storm water run-off basin has been introduced to address previous drainage issues. This comprises a 43m long, 7m wide and 1m deep grass seeded depression being formed in the ground.

3. SITE DESCRIPTION

- 3.1 The site currently comprises an open field adjacent to relatively new housing to the east and a Grade II listed church and cemetery to the north, within the former St Crispins Hospital site, now redeveloped for housing. The site falls within the St Crispins Conservation Area.
- 3.2 Access to the site is via St Crispins Drive. The site was previously earmarked for the construction of a link road to Berrywood Road. The proposal was subsequently dropped due to the lack of a need for a link and to free up the site for this development.

4. PLANNING HISTORY

- 4.1 The development of the former St Crispin's hospital for residential use was approved in outline under application reference N/1997/0566 on 12th November 2002.
- 4.2 A revised application was submitted under reference N/2004/0719 which revised the proposal by removing the previously consented hotel and substituting residential conversion of the old hospital buildings.
- 4.3 Following on from these outline permissions, various reserved matters applications were approved for the detailed layout of the site.
- 4.4 In 2014 a variation to the S106 agreement was approved by the Planning Committee, to remove the obligation to provide a link road through the playing fields. This has freed up this site for this proposal.

5. PLANNING POLICY

5.1 Statutory Duty

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

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

5.2 National Policies

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

Section 7 – Requiring Good Design – States that great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Section 11 - Conserving And Enhancing The Natural Environment – States that when determining planning applications, local planning authorities should aim to conserve and enhance biodiversity

Section 12 - Conserving And Enhancing The Historic Environment - This sets out that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

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) is a policy to ensure planning is not a barrier to new development.

Policy S10 (Sustainable Development Principle) sets out the list of principles for development to follow. This includes issues such as good design, energy efficiency and accessibility by sustainable transport modes (including walking, the protection and enhancement of the natural environment and green infrastructure.

Policy S11 (Low Carbon and Renewable Energy) requires all new non-residential developments over 500m² gross internal floorspace achieve a minimum BREEAM rating of Very Good.

Policy RC2 (Community needs) requires proposals for new facilities to be supported by a long term maintenance and management plan. There is no evident plan, this should be provided

Policy BN1 (Green Infrastructure Connections) establishes the green infrastructure corridors (GI) of sub-regional and local importance. These should be conserved, managed and enhanced by incorporating existing and identified future networks into development proposals and securing contributions for the creation and future management of GI Networks. The policy goes on to set out the measures to be used to enhance existing and create new GI.

Policy BN2 (Biodiversity) establishes that development that maintains and enhances existing designations and assets or delivers a net gain in biodiversity will be supported.

Policy BN5 (Historic Environment and Landscape) states that designated and non-designated heritage assets and their settings and landscapes will be conserved and enhanced in recognition of their individual and cumulative significance and contribution to local distinctiveness and sense of place.

Policy INF1 (Approach to infrastructure Delivery) determines that new development will be supported by and provide good access to infrastructure, including physical, green and social elements.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E7 (Skyline Development) aims to ensure that proposals do not have any detrimental effect upon the skyline of St Crispin / Berrywood (as seen from the west beyond the town's existing boundary).

Policy E9 (Locally Important Landscape Areas) in association with Appendix 28, establishes that the proposal is situated within a Locally Important Landscape Area. The policy aims to ensure that the proposal has no detrimental effect on the character of the area.

Policy E20 (New Development) Requires the design of any new building or extension to adequately reflecting the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials

E26 (Conservation Areas) Requires that development in conservation areas preserves or enhances the character and appearance of those areas

Policy L26 (Leisure Proposals), in association with Appendix 27, establishes the proposal site as an area where planning permission will be granted for recreational / leisure uses.

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 Responses from statutory consultees and neighbouring residents to the original application were previously reported to the Planning Committee. At the time of that Committee meeting, there were matters outstanding in respect of the Flood Risk Assessment and Transport Assessment. Subsequently the Lead Local Flood Authority and Local Highway Authority respectively have confirmed that the reports into these matters were acceptable, in respect of the original proposal. The Lead Local Flood Authority further requested an additional condition for a surface water drainage strategy.
- 6.2 Upon the receipt of amended plans, a full reconsultation was carried out and the following further responses from statutory consultees:
- 6.3 **Historic England** – No further comments to add to previous advice, recommend that issues raised are addressed and that the application is determined in accordance with national and local policy guidance, and on the basis of specialist conservation advice.
- 6.4 **County Archaeologist** – No further comments to make, comment requesting a condition for archaeological investigation is still valid.
- 6.5 **Arboricultural Officer** – Nothing to add to comments of previous arboricultural officer.
- 6.6 **Conservation Officer** - The revision relates to a proposed reduction in size, drawing the building approximately 9m further away from the boundary of the cemetery associated with the Listed Chapel. Whilst this is seen as positive, consider that this is insufficient to overcome the concerns regarding the impact on the setting of the Chapel and the open rural character of this part of the Conservation Area.
- 6.7 The amended plans were also notified to neighbouring occupiers and additional comments have been received from one nearby resident, as follows:
- A gully which has been added to comply with conditions regarding flooding due to excess surface water. Feel that this gully, will pose a danger to young children playing in the area. Who will be responsible for its maintenance?
 - Would request that the layout of this equipment be given careful consideration when it is re-sited especially the large swing which is designated to be positioned very close to residences of 61 Frank Large Walk and 201 St Crispin Drive. This swing is often used in the hours of darkness by older children and is already the subject of a nuisance factor, which would be even more of a nuisance when it is positioned more closely to the residences.
 - As the landscaping is no longer specified in detail request that no fast growing tall trees be planted as this would detract from the visual amenity currently available from lounge window.

7. APPRAISAL

- 7.1 The proposal is an amendment to a larger version of the same proposal, which was previously approved in principle by the Planning Committee on 27th October 2015, subject to the resolution of matters relating to surface water management and highway related concerns, both being matters which were subsequently resolved in respect of the previous scheme.
- 7.2 The issues to consider in respect of the amended plans are whether this affects the acceptability of the proposals in comparison to the previously considered larger scheme.

Principle of the development

- 7.3 The principle of development was considered in the previous Committee report, and in this respect it is considered that the reduction in size does not affect the acceptability of the proposal in principle.

Impact on the adjacent listed building, conservation area and street scene

- 7.4 The proposed building is situated within the St Crispin Conservation Area and is adjacent to the Grade II listed St Crispins Hospital Chapel (the Listed Building), now operating as the St. Neophytos Greek Orthodox Church.
- 7.5 The proposed building would, under the amended plans, now be 9m from the boundary with the cemetery of the Listed Building and at its closest point 40m from the main building of the Listed Building itself.
- 7.6 Notwithstanding the fact that the previous scheme was considered acceptable in this regard, this amendment is considered to represent an improvement in the relationship with the Listed Building, particularly in respect of the separation from the cemetery.
- 7.7 The building as amended would remain to be forward of the front of the Listed Building by around 40m, but due to the increased separation from the boundary the impact on important views of the Listed Building would be reduced. Nevertheless, there would still be an impact to the setting of this Listed Building within the context of the field to the rear and when viewed from properties on Frank Large Walk.
- 7.8 As set out in the previous Committee report it was considered that the impact on principal views of the front elevation of the church, from the old Kent Road, and on other listed buildings and the wider conservation area would be unaffected by the proposal and it is considered that amendments to the scheme would not affect this conclusion.
- 7.9 Whilst there would be a remaining impact on the setting of the adjacent listed building, this is reduced by the revised plans and is to some extent unavoidable. This must nevertheless be given considerable weight which must be balanced against the significant benefits of the development, as set out in the conclusions below.

Wider Design Considerations

- 7.10 In respect of wider design considerations it is considered that the amendments to the scheme do not affect the broad conclusions reached in the previous report that the design was acceptable. It should be noted, however, that lighting and landscaping details are not now included in the proposals, due to the need for amendments to these to reflect the changed building design. Conditions are therefore recommended, requiring such details.

Impact on wildlife and trees

- 7.11 It is considered that the proposed amendments would not result in any greater impact on wildlife or trees than the previously considered scheme.

Impact on neighbouring properties

- 7.12 In terms of the impact on adjoining and nearby residents it is considered, as before, that the building is sufficiently distant from the residential properties to prevent any adverse impact from overshadowing or visual dominance but the building would nevertheless be clearly visible to residents in an area which is currently an open field. This would significantly change the outlook for these residents but it is considered that the building is of an attractive appearance and that

visual amenity would not be compromised in the area. The reduced size of the building would reduce this impact.

- 7.13 In terms of noise from the use of the building, concerns were raised by Environmental Health in respect of the previous proposal, however they also recommended that this matter could be satisfactorily controlled by conditions. The proposed hours of use of the building would be from 8am to 6pm for the nursery use and for the community centre use from 8am to 10pm on Sundays to Fridays and from 8am to midnight on Saturdays. It is considered that these hours are reasonable for the proposed use and that subject to the noise mitigation measures which would be secured by condition would prevent any significant impact. Given the smaller size, and therefore capacity, of the amended building, such impacts would also be reduced.
- 7.14 Comments from one nearby resident in respect of these amendments raise concerns in respect of the proposed storm water gully, the position of the play equipment and the landscaping. In response to this, conditions are proposed requiring the ongoing management of all aspects of the surface water drainage scheme, details of landscaping (which would have been required in any event) and details of the precise positioning of play equipment.

Impact on Highways

- 7.15 The proposed development includes a number of uses which would attract a potentially large number of users to the site. However, this is a centre which is intended to serve the local community, and which users would be able to walk to. Nevertheless, it is also recognised that there will be those who choose to drive, and in addition to this the adjacent playing pitches would be used by teams coming from a wider area, and it is this element of the proposal which would generate the greatest level of potential demand for parking.
- 7.16 Comments received from the Highway Authority in respect of the previous proposals initially raised some minor concerns, but these were subsequently resolved following the previous Committee meeting at which this application was considered and approved in principle. The plans as amended are, insofar as they relate to highway matters, in accordance with the revisions as agreed with the Highway Authority in these discussions. At the time of writing this report no further comments have been received from the Highway Authority, any which are received will be reported to Committee by means of the addendum.

Flood Risk

- 7.17 In respect of flood risk, discussions with the Lead Local Flood Authority (LLFA) continued after the previous Committee meeting also. This resulted in the submission of a revised Flood Risk Assessment, which the LLFA confirmed was acceptable. The revised layout accords with the details as set out in this report, including the proposed storm water basin. At the time of writing this report, no further comments have been received from the LLFA, any which are received will be reported by means of the addendum.

8. CONCLUSION

- 8.1 The weighing up of the positive and negative aspects of the development was considered within the previous Committee report with the conclusion being that the positive elements in terms of the substantial public benefits arising from the development would outweigh the less than substantial harm to the setting of the adjacent listed building and that no other interests of acknowledged importance would be unduly adversely impacted, or could not be satisfactorily ameliorated by conditions. The development has been reduced in size and as such it is considered that its impacts would now be even less significant.

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: PL10 E, PL10 C, PL11 E, PL12 C, PL13 C, PL14 C, PL15 A.

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

- 3) The premises shall be open only between the following hours in respect of the approved uses - Nursery School: 8:00am to 6:00pm from Mondays to Fridays; Community Centre: 8:00am to 10:00pm on Sundays to Fridays and 8:00am to midnight on Saturdays; Changing Rooms: 8:00am to 8:00pm on any day.

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

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

Reason: To protect the amenities of nearby occupants from noise and vibration in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 5) A scheme for the collection, treatment and dispersal of cooking smells and fumes shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall have been implemented prior to the development being first brought into use and retained thereafter.

Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development in accordance with the National Planning Policy Framework.

- 6) Details of any external lighting to the building and the car park shall be submitted to and approved in writing by the Local Planning Authority and thereafter be implemented in accordance with those details before development being first brought into use and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 7) Details and/or samples of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 8) Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority and provided prior to the development being first brought into use and retained thereafter.

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

- 9) Full details of the proposed surface treatment of all parking areas and footpaths shall be submitted to and approved by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 10) Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building hereby permitted and retained thereafter.

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

- 11) Notwithstanding the submitted scheme, 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 indications of all existing trees and hedgerows on the land and details of any to be retained.

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

- 12) 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, unless the Local Planning Authority gives written consent to any variation.

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.

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

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- 14) No development shall take place prior to the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded, in accordance with the National Planning Policy Framework. This is a pre-commencement condition to ensure investigation is carried out in a timely manner.

- 15) No development shall take place until a finalised Arboricultural Method Statement and Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. All trees shown to be retained in the approved plans shall be protected for the duration of the

development by (a) stout fence(s) to be erected and maintained on (an) alignment(s) to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials nor waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as it is essential that the tree protection measures are in place before any work which may cause damage to the trees is carried out.

- 16) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1in100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The strategy shall include provision for the future maintenance of all aspects of the drainage scheme. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site. In accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is necessary for the drainage scheme to be finalised before any work is carried out.

- 17) Notwithstanding the submitted plans, full details of the positioning of individual items of play equipment within the playground area shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall thereafter be installed in accordance with the approved details.

Reason: In the interests of the amenities of adjoining occupiers, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

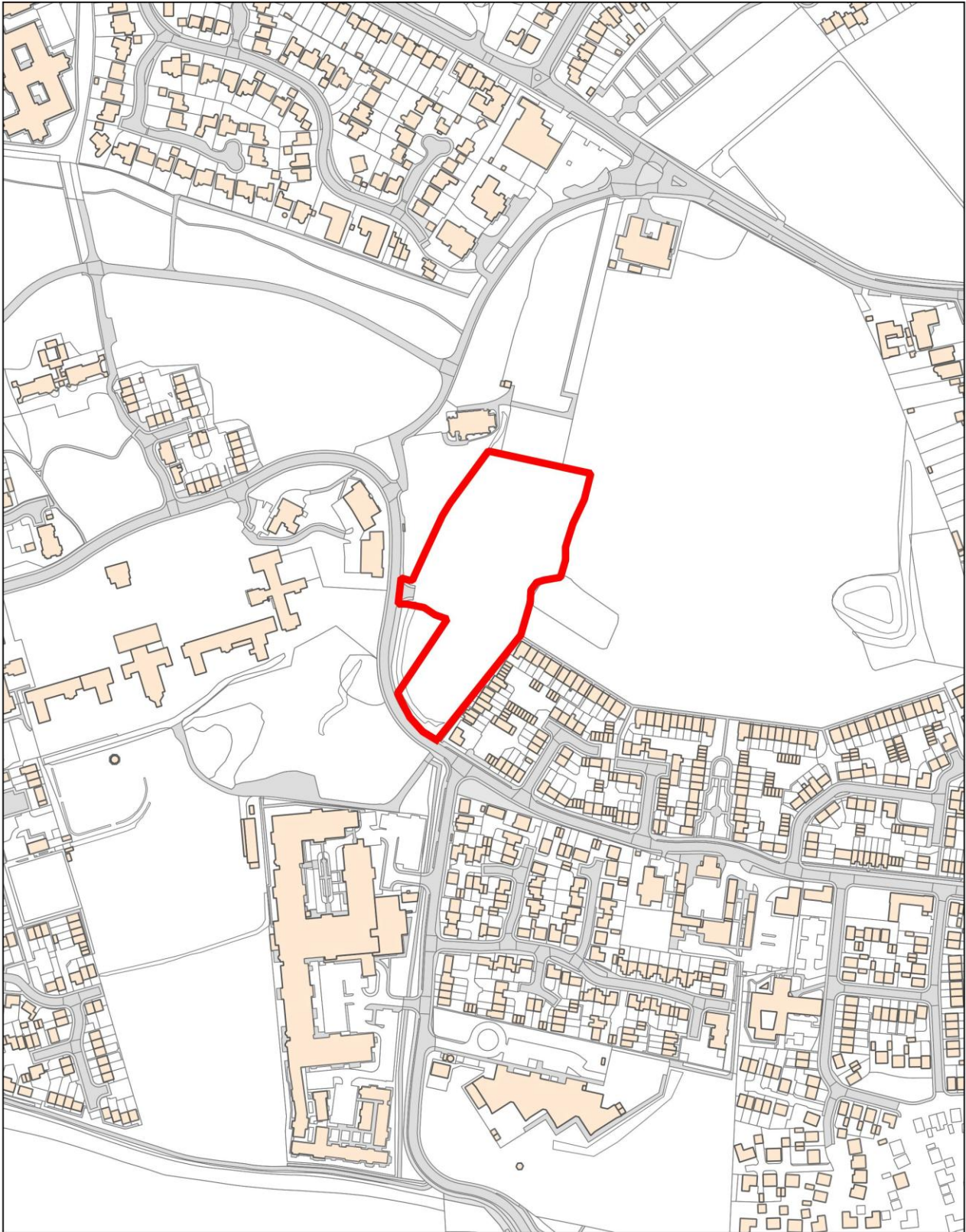
- 10.1 Application File N/2015/0987

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **Land off, St Crispin Drive**

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Date: 24-02-2016
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Drawn by: Planning



Addendum to Agenda Items Tuesday 15th March 2016

9. NORTHAMPTON BOROUGH COUNCIL APPLICATION

9a

N/2015/0987

New Community Centre incorporating changing room facilities and Nursery School. New access road with parking facilities and relocation of play area.

Land off St Crispin Drive

Local Lead Flood Authority – having reviewed the recently submitted Flood Risk Assessment, the impacts of surface water drainage will be addressed with planning conditions.

Local Highway Authority – after a review of the additional information submitted, have no objection to the updated plans.

Environmental Health – no observations.

10. ITEMS FOR DETERMINATION

10a

N/2015/0785

Car park extension, associated groundworks and pit with channel for ball collecting - part retrospective

Delapre Golf Complex, Eagle Drive

Application **WITHDRAWN**.

10b

N/2015/0999 & N/2015/1000

Change of use from Office (Class B1) to Childrens Day Nursery (Class D1) and associated works and Listed Building Application for internal alterations to building and erection of palisade fencing

Home Farm Works, Orchard Hill

Applications **WITHDRAWN**.

10c

N/2015/1009

Conversion of existing dwelling into three dwellings and erection of two additional dwellings

Home Farm House, Hillcrest Avenue

No update.

10d

N/2015/1050

**Erection of 3no. dwellings
77-79 Semilong Road**

Highway Authority (NCC) – Require clarification regarding the driveway in order to ensure that there would be no drainage onto the public highway and that the visibility splays detailed in the application should be retained.

Officers Response:

Condition 5 of the recommended schedule of conditions enables the Council, in consultation with the Highway Authority, to approve details of the driveway including its gradient. A further condition is recommended relating to visibility splays as detailed below.

Additional Condition:

12. The visibility splays as shown on drawing DW1 Rev. E shall be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

10e

N/2015/1424

**Change of use from dwelling (C3) to house in multiple occupation (C4) for three residents
35 Cowper Street**

Cllr. Danielle Stone - Cowper street is one of the worst in my ward for HIMO's and houses turned into flats. It is awash with rubbish and litter most of the time. It has immense parking issues. Families live in this street and have a truly horrible time.

10f

N/2015/1498

**Formation of car parking area
Delapre Abbey, London Road**

Environment Agency – No objection.

Local Highway Authority – the Local Planning Authority should impose a planning condition requiring the submission in writing a Traffic Management Plan for the site, covering both the regular operation of the site and event specific management. The Traffic Management Plan should include details of:

1. Any marshalling and other temporary measures proposed during special events;
2. Any proposed directional/information signage associated with the car parking;
3. Measures to maintain the free flow of traffic on London Road during special events (to prevent the build-up of traffic on the access road); and
4. Submission of a plan detailing the ability of vehicles to pass and re-pass for the first 30m from the site access junction onto London Road into the site.

Amended Conditions:

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 5489/01, 5489/03, 5489-10 (apart from the details for bus parking).

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

(4) Full details of security measures, including entrance gates and lighting to be used within the car parking areas shall be submitted to and approved in writing by the Local Planning Authority and shall be put into place prior to the commencement of the use of the car park hereby approved and retained thereafter.

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

(5) Notwithstanding the submitted plans, full details of alternative provision for bus and coach parking including position of the proposed disabled parking spaces shall be submitted to and approved in writing by the Local Planning Authority and such parking shall be provided in accordance with such approved details thereafter. For the avoidance of doubt such alternative provision shall not include coach parking to the south of the drive to the west front of the Abbey.

Reason: To preserve the setting of the listed building and the conservation area, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(8) A traffic management plan shall be submitted to and approved in writing by the Local Planning Authority, which shall specify the following:

- a) hours of use of the overspill parking area hereby permitted;
- b) proposed marshalling measures;
- c) any proposed directional/information signage associated with the car parking;
- d) measures to maintain the free flow of traffic on London Road during special events;
- e) submission of a plan detailing the ability of vehicles to pass and re-pass for the first 30m from the site access junction onto London Road into the site.

The site shall be operated in full accordance with the approved plan upon first use of the car park hereby approved and shall continue to be operated thus thereafter.

Reason: To protect the amenities of neighbouring occupiers and for the prevention of crime, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10g
N/2016/0070
Erection of fence alongside drive
9 Rookery Lane

No update.

10h
N/2016/0087
Internal alterations including blocking existing non structural doorway & remove door,
open walkway at ground floor
39 St Giles Street

No update.



NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/0785

LOCATION: Delapre Golf Complex, Eagle Drive, Northampton, Northamptonshire, NN4 7DU

DESCRIPTION: Car park extension, associated groundworks and pit with channel for ball collecting - part retrospective.

WARD: Delapre & Briar Ward

APPLICANT: Mr Tony Channing
AGENT: GP Planning Ltd

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: NBC owns the land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

REFUSAL for the following reason:

It has not been adequately demonstrated what the level of harm to the significance of the heritage asset, comprising part of the site of the Battle of Northampton, resulting from the development would be, or that this harm would be outweighed by any public benefit. The proposal is thereby contrary to Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is a retrospective application for the provision of an additional area of car parking within the site of the existing golf club and the creation of a pit with a channel for golf ball collection.

3. SITE DESCRIPTION

3.1 The site comprises an established golf club extending across a significant part of Delapre Abbey Park. The site of the proposal specifically relates to a small area of land close to the club house. This is within the Registered Battlefield.

4. PLANNING HISTORY

- 4.1 The golf course was originally approved in 1974 under reference 74/0333, with associated buildings approved later the same year under reference 74/0632.
- 4.2 Following on from this various additional applications were made for additional buildings, extensions to the course etc, which are not directly relevant to the current proposal.
- 4.3 In 2003 earthworks and landscaping to the course were approved, under reference N/2003/1322.
- 4.4 In 2012 an application for an extension to the car park at the golf club was made and subsequently withdrawn, under reference N/2012/1065.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Paragraph 17 that states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Paragraph 126 States that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 130: States that evidence of deliberate damage should not be taken into account in any decision.

Paragraph 131: In determining applications Local Planning Authorities should take account of: The desirability of sustaining the significance of heritage assets and putting them to viable uses consistent with their conservation; The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation and any harm should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance,

notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 133: Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, LPA's should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

Paragraph 134: Where a development proposal will lead to less than substantial harm, 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 BN5: The Historic Environment and Landscape.

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

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

Policy E9: Locally Important Landscape Areas gives special importance to the impact of proposals to the character of locally important landscape areas.

Policy E20 "New Development", which states that the design of any new building or extension should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and that development should be designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

Policy E38 which states that planning permission will not be granted for development which would adversely affect the character or setting of a nationally important ancient monument (whether scheduled or not), important historic landscape or the site of the Battle of Northampton.

5.5 **Supplementary Planning Documents**

The Site of the Battle of Northampton 1460 – Conservation Management Plan
Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Historic England – Comments on initial submission:** Do not consider that sufficient evidence has been provided to understand the impact of the proposal on the significance of the heritage asset affected. It therefore does not meet the requirements of paragraph 128 of the National Planning Policy Framework. Advise that the Council should request further information.

On receipt of further information: Advice has not changed, the application does not address the issues raised previously of significance of material identified in the archaeological assessment, clarification regarding previous ground disturbance, clear and detailed statement of need for the additional parking spaces. Do not agree with the statements or conclusions in the submitted heritage assessment report. It remains Historic England's view that the loss of green space and change to the character of the development site will be harmful to the significance of the registered battlefield. **On the basis of the currently submitted information the proposals would constitute unjustified harm to a designated heritage asset of the highest significance**

- 6.2 **County Archaeologist** – The application has not considered the impact of the proposed development in relation to the guidance within the National Planning Policy Framework and the Conservation Management Plan. *One receipt of further information:* reiterate advice given in last response.
- 6.2 **NBC Conservation** – It is not possible to support the proposal as submitted due to a lack of information demonstrating need and the lack of a clear justification. Further information would be required which clearly demonstrates need for additional parking and associated works including the proposed ball pit and channel and clearly evaluating the historic significance of the two areas proposed for works and the potential impact the development will have on the heritage asset. There would need to be a clear and convincing justification for the works, clearly demonstrating how the harm to the historic significance would be outweighed by the public benefit the proposal could deliver. *One receipt of further information:* The application does not demonstrate the need for a car park extension or offer robust justification for the acknowledged harm to the heritage asset. Issues relating to the ball pit and associated works have not been addressed.
- 6.3 **Local Highway Authority** – No observations to make.
- 6.4 **Police Crime Prevention Design Adviser** – The applicant has not considered the implications for crime when designing this car park and further crime prevention measures (CCTV for example) should be required should the application be granted permission.
- 6.4 217 objections received from local, national and international objectors, The Richard the 3rd Society, the Battlefields Trust and the Northampton Battlefield Society, making the following points in summary:
- The site is on the nationally important Historic England designated battlefield of Northampton.
 - Concerned that the Battlefield Management Plan has not been properly considered. States that NBC should resist any further development.
 - Must not destroy Northampton's heritage by building a car park.
 - No development should be allowed within the registered battlefield.
 - Site could be a cultural draw to Northampton
 - Parking is for cars from Brackmills, not associated with the golf club, no need for this development for the club itself.
 - Robotic ball return will damage what is left of the site.
 - Report that nothing of archaeological significance was found during the survey is inaccurate
 - Concerned that shortcuts are being taken and correct procedures not followed.

- Any building should only be undertaken once full archaeological research has been completed.
- Application does not demonstrate the need for additional parking.
- By allowing the application would be condoning the golf clubs action of illegally carrying out the work.
- Would prevent future development as a heritage site
- Application fails to demonstrate why there is an exceptional need.
- Local authorities should be safeguarding historical sites and not permitting them to be destroyed.
- Any loss to the historic landscape will be irretrievable.
- The application does not identify any public benefits.
- Will make it impossible to undertake research into the battle of Northampton
- Area concerned is green space and parkland, development would erode the sense of open space.
- Has there been a risk assessment carried out on the impact of more traffic on Eagle Drive?

7. APPRAISAL

- 7.1 The issues to consider in the determination of this application relate to the harm which would be caused to the registered battlefield, a designated heritage asset, and whether such harm can be justified.
- 7.2 The work which has been carried out to date involves the removal of topsoil from the site, the further work as proposed would involve the removal of more layers and the installation of a car park area with the use of road planings to create a suitable surface for parking.
- 7.3 As set out in the National Planning Policy Framework, as referred to above, any harm or loss to a heritage asset requires clear and convincing justification, whereas substantial harm or loss to an asset of the highest significance should be wholly exceptional.
- 7.4 In making this assessment, the importance of the asset must first be considered. The site is within the registered battlefield site of the Battle of Northampton. The National Planning Policy Framework states that a registered battlefield represents a heritage asset of the highest significance and this is confirmed in advice in this respect from Historic England.
- 7.5 Turning to the assessment of the level of harm, the application was accompanied by a programme of archaeological assessment for the unauthorised works already carried out, but did not include any assessment of the harm which would be caused by further works to complete the installation of the car park. The submitted Heritage Assessment concedes that development would lead to harm to the heritage asset, but argues that this would not be substantial, as it would not lead to a total loss of significance. This conclusion is based on the small area of land involved. This conclusion is not accepted by Historic England who consider that further information as to the level of harm is required.
- 7.6 Even without such information, it is clear that harm would occur. If such harm could be considered to be less than substantial, justification is still required. The only justification which is provided is that the area would provide additional car parking for the golf course, rather than remaining “disused”. No assessment is made as to why

this car parking or the ball collection facilities are necessary for the functioning of the club.

- 7.7 It should also be noted that a significant number of parking spaces within the existing parking area of the golf club have been sub-let to business users in nearby Brackmills. This is understood to be a temporary arrangement. Therefore even if the area of parking as proposed in this application could be shown to be necessary at present for the continued functioning of the club, in time the arrangement of subletting parking spaces would come to an end. Therefore the permanent harm to an area of the historic battlefield to make up this temporary shortfall could not be justified.

8. CONCLUSION

- 8.1 In considering the merits of this proposal, the positive and negative aspects must be carefully weighed up in accordance with the NPPF.
- 8.2 In this case, on the negative side it is clear that harm would be caused to a heritage asset of the highest significance. It is not clear at present whether this would represent substantial harm or less than substantial harm.
- 8.3 If the proposal would represent substantial harm, this would only be acceptable in wholly exceptional circumstances. If the proposal represented less than substantial harm, it would need to be demonstrated that significant public benefits would result and which would outweigh the negative impact of this harm. This has not been demonstrated.
- 8.4 During the course of the application the applicants have been given the opportunity, through their agents, to provide further evidence of the degree of harm and the justification for such harm. Further details were provided and these were assessed but still found to be insufficient. The opportunity to provide still further justification has also been given. At the time of writing this report such justification has not been provided and it must therefore be concluded that it has not been adequately demonstrated what the level of harm caused by the development would be, or that the harm caused would be outweighed by public benefits.
- 8.5 The application also includes a proposal for a ball pit and channel. Despite requests no assessment of the level of harm which would result from this or any justification for any harm which would result has been provided. It must therefore be concluded that this element of the proposal has also not been demonstrated to be acceptable.

9. BACKGROUND PAPERS

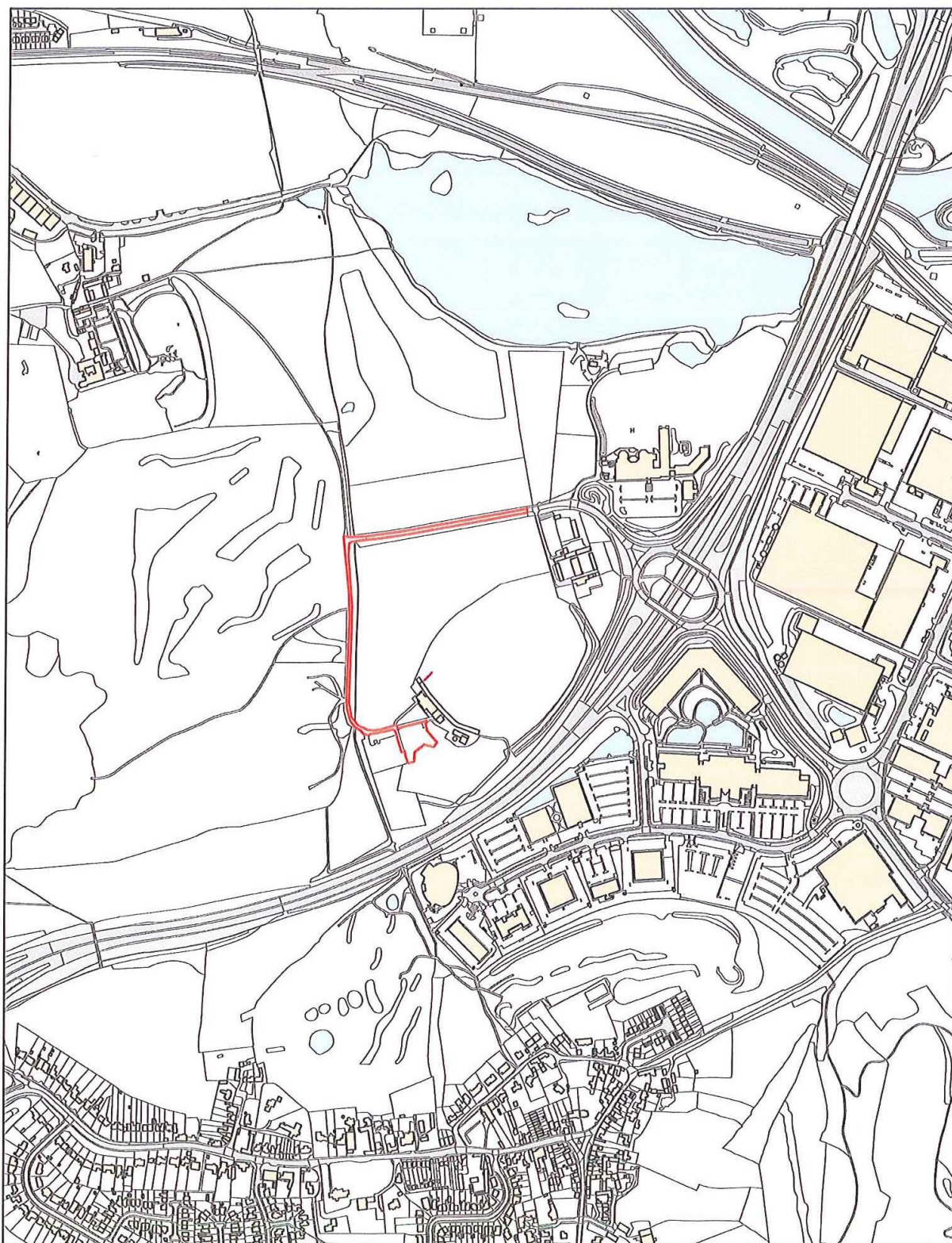
- 9.1 Application file N/2015/0785

10. LEGAL IMPLICATIONS

- 10.1 None

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: **Delapre Golf Complex, Eagle Drive**

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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/0999 & N/2015/1000

LOCATION: Home Farm Works, Orchard Hill, Northampton,
 Northamptonshire, NN3 9AG

DESCRIPTION: Change of use from Office (Use Class B1) to Childrens
 Day Nursery (Use Class D1) and associated works. (As
 amended by revised plans received on 8/10/15 and
 revised plans/additional information received on
 5/11/15)

WARD: Billing Ward

APPLICANT: Bambino Ltd
AGENT: Aitchison Raffety

REFERRED BY: Cllr Malpas
REASON: Called in by Councillor

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

N/2015/0999 – Planning Application

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

The proposed change of use of the property from offices (use class B1) to a childrens day nursery (use class D1) for 80 children would support the sensitive re-use of a vacant listed building and provide a community facility with employment opportunities without significant harm to the character or appearance of the building, surrounding area, highway safety or the amenity of neighbouring properties. The proposal is therefore in accordance with Policies C2, S10, RC2, E1, BN5 and B9 of the West Northamptonshire Joint Core Strategy, Policies E20, B14 and H35 of the Northampton Local Plan and National Planning Policy Framework.

N/2015/1000 – Listed Building Application

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

The proposed development would represent the effective re-use of a vacant listed building without significant harm to the historic and architectural character of the

listed building, its setting or the visual amenities of the wider area in accordance with the guidance contained in National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

- 2.1 The proposal is to change the use of the building from offices to a children's day nursery to accommodate 80 children with an age range from 0 – 5 years. The applicant initially proposed that up to 117 children would be cared for with the creation of 24 jobs. Proposed hours of use would be 7.30am to 6.30pm Monday to Friday. The proposal includes internal alterations to the building, alterations to the parking layout, the erection of fencing to form a play area and the erection of a cycle shelter.
- 2.2 It was resolved by Members at the Planning Committee meeting of 19 January to defer the applications to allow for further discussions regarding the highway implications of the development. Discussions took place between the applicants and members of the local community regarding the development and as a result a Parking Management Plan was been produced.
- 2.3 This plan indicates that long term staff parking will take place within the site with short term 'drop-off' parking taking place within the road. It also sets out the measures which the operators of the nursery will take to ensure the development operates in accordance with this.
- 2.4 However the extent of the discussions with the local community has been questioned by the Local Councillor who has raised concerns regarding the Parking Management Plan on behalf of local residents.

3. SITE DESCRIPTION

- 3.1 The application site is located on the east side of Orchard Hill close to the junction with Manorfield Road and comprises a two storey Grade II listed former farmhouse. The property has been extended and converted to office use and is currently vacant. Hardstanding lies to the south and west of the building and provides car parking for approximately 30 vehicles. The site is bounded by a low stone wall, some with railings to the top. Surrounding properties comprise of residential and commercial uses.

4. PLANNING HISTORY

- 4.1 98/0897 – Extended floor area onto existing office structure by constructing a first floor onto existing single storey lean to - Approved with conditions.
- 4.2 98/LB36 – Additional floor space provided to existing office by adding a floor on top of existing single storey lean to – Approved with conditions.
- 4.3 NR/65/187 – Change of use of farmhouse to offices – Approved with conditions

5. PLANNING POLICY

5.1 Statutory Duty

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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to preserving a listed building and its setting.

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 14 supports sustainable economic development.

Paragraph 32 states that developments that generate significant amounts of movement should be supported by a Transport Statement or assessment and development should only be refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 34 states that plans and decisions should ensure developments that significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 70 – seeks to ensure positive planning for community facilities to enhance the sustainability of communities and residential environments and ensure that social, recreational and cultural services the community needs are delivered.

Paragraph 131 – 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 and the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability.

Paragraph 132 states that when considering the impact of the proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.

Paragraph 133 states that where the proposed development will lead to substantial harm of a heritage asset, local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve public benefits or the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 134 states that where the proposed development will lead to less than substantial harm of a heritage asset, such harm should be weighed against the public benefits of the proposal, including its optimum viable use.

Paragraph 140 states that local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the dis-benefits of departing from those policies.

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:

C2: New Developments – states that new development should maximise travel choice from non-car modes and should be supported by a transport assessment and travel plan.

S10: Sustainable Development Principles – requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

RC2: Community Needs – supports a positive approach to the provision and retention of community facilities and identifies that such facilities including those for children’s services are vital to the well-being of residents.

E1 – Existing Employment Areas - Change of use to (non- employment generating) uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment uses in the long term, there is a clear conflict with adjoining uses or its release would offer community benefits.

Policy BN5: The Historic Environment and Landscape – seeks to conserve and enhance heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets.

Policy BN9: Planning for Pollution Control – Proposals should demonstrate that opportunities to minimise and where possible reduce the adverse impacts of noise.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – New Development – seeks to secure development which has an acceptable design and layout and achieves acceptable standards of amenity.

Policy B14 – Developments for non-business uses in business areas- planning permission will not be granted for development outside the business use classes unless such development would be of significant benefit to the local community and would lead to substantial employment opportunities.

Policy H35 – Planning permission for childminding, play schemes, nursery or crèche facilities will be granted unless they give rise to disturbance for adjoining occupiers, where there are adequate parking facilities and there is no detriment to highway safety.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Public Protection - Initial comments** - Expresses concern about the scale of the proposal for up to 117 children in a quiet residential location. Requests further information about noise break-out from the building and further details of acoustic fencing. Considers a temporary consent for a limited number of children should be considered to assess the impact on surrounding properties.

6.2 **NBC Conservation - Initial comments** - no objections in principle. Requests amended plans showing the cycle shelter and playground fencing repositioned. Requests details of additional toilet and washing facilities.

Further comments following the submission of amended plans:

Position of cycle shelter more appropriate;

Support the proposal to retain surviving railings;

Considers that the fenced play area will undermine the setting of the Listed Building. Requires further details of profiles and means of fixing;

No details of any future play equipment;

No details of water supply and drainage to sinks.

6.3 **NCC Highways - Initial comments** – require a minimum of 26 car parking spaces, 9 cycle spaces and a detailed travel plan to determine how picking up and dropping off will be managed and the proposed measures to encourage sustainable travel.

Further comments following the submission of amended plans and Travel Plan – The addition of 5 extra spaces to be used at peak times brings the total number of parking spaces to 26 which is in line with the minimum requirement. Although the arrangement is not ideal as these spaces will not always be available, given the site constraints it is considered to be a pragmatic solution. Pleased that number of cycle spaces increased to 10. No comments to make with regard to the submitted Travel Plan.

Additional comments concerning the Parking Management Plan raising no objections as the Highway Authority's parking requirement is met.

6.4 **Councillor Christopher Malpas** – concerned about numbers of children using the facility together with the lack of organised procedure for dropping off and collecting the infants. Consider traffic generation and the reduction in parking spaces will have

a severe effect on the area especially as there will be more members of staff than spaces available. Wishes to call the application in to be heard by the Planning Committee.

6.5 **Billing Parish Council** – object stating that representations have been made from local residents and businesses to the Parish Council which the Parish Council fully endorse. State that they would be pleased to see use made of the building after it has been empty for so long but have concerns about the number of parking spaces available for staff and parents, the access and the provision for a safe dropping off point adjacent to a dangerous junction. State that there are already traffic problems associated with existing businesses, the existing nearby nursery and the church. Consider the possibility of 100 plus additional vehicles will cause chaos and danger. Express concern about poor visibility at the junction of Orchard Hill with Manorfield Road and the inconsiderate parking that will inevitably happen if the applications are approved.

6.6 **Objections** have been received from **Steinhurst, Church Lane, Old Rectory Nursery, Church Lane, The Outlook Creative Group, the Courtyard, Orchard Hill, 17 Orchard Hill, 3 and 8 Willow Rise, 20 Home Farm Close, 11 Church Walk**. Comments can be summarised as follows:

- Proposal will have serious detrimental impact on adjacent businesses and local residents in terms of safety, traffic and parking
- The traffic in the area will be substantially increased as up to 117 cars drop off and collect children
- Increase in traffic will create safety issues at Manorfield Road/Orchard Hill junction and will add to the traffic created by the existing Old Rectory Day Nursery in nearby Church Lane
- Vehicular access is opposite the access to The Priory and two other businesses and close to busy road junction which results in high volume of traffic at peak times
- Considerable number of accidents have already occurred at the Orchard Hill/Manorfield Road junction where visibility is limited. Proposal will create increase in parking, congestion and accidents.
- Vehicle access to the property is only suitable for one vehicle which will create backlog of vehicles
- Parking restrictions are in place to the south of the site but are never observed or enforced
- Due to restricted parking consider majority of cars will park on the street and carry out 'u' turns to exit
- Major problems with parking issues in the past resulting in obstruction for neighbouring properties, refuse and delivery vehicles
- Nearby St Andrews Church has no off-street parking. Will create further problems when weddings and funerals etc occur
- Noise levels from outside play areas and additional traffic will be detrimental to nearby residents and adjoining businesses
- There are currently 5 day nurseries and playgroups within a half mile radius. Not all are operating at full capacity. Cannot foresee a situation to sustain an additional 117 place nursery
- Proposal contrary to Planning Policy E1 of West Northamptonshire Joint Core Strategy and not sustainable
- Traffic plan is misleading and bears no relation to existing conditions. Unlikely that many people will cycle to the premises.

- Proposals to make changes to the interior of the Listed Building are not acceptable.
 - The road survey is not complete and appears to avoid the key issues on road safety.
- 6.7 Subsequent to the 19th January Committee meeting **Councillor Malpas** has forwarded comments received from members of the public expressing concerns over the parking situation in the area and with particular regard to the impact on the nearby church.
- 6.8 **Councillor Malpas** has also submitted two letters of objection on the following grounds: questioning the extent of public engagement by the applicant, particularly with the Parish Council and himself, following the 19th January Committee meeting; safety and sustainability of proposals; car parking now on Orchard Hill and not within the site; practicality of parking arrangements and routing of customers proposed within the plan as well as the public engagement and enforcement elements of this; concerns over time taken by parents to drop off when parked within the road; questioning the accuracy and validity of some of the information provided in terms of subscription rates; lack of any road safety improvement measures to be provided in association with the County Council; any arrangements are between the nursery and its customers only; problems with other nurseries operated by applicant; supports the building being re-used and nurseries generally but not in this location due to its safety issues.
- 6.9 A further representation has been received from the occupier of **17 Orchard Hill** stating that while originally opposed to the application would now like to **support** on the following grounds: use proposed would be better than possible alternatives, some of which may not require planning permission; use will generate traffic but so will other uses; temporary car parking will be problematic but better than 'all day' parking of other uses; other uses could operate 24:7; no parking restrictions therefore anyone can park on the road; Highways do not object; no parking issues in the area only due to vacancy of building; restoration of building and creation of facility providing employment; a refusal would set precedent for any future application in the area which would result in an increase in traffic/parking, problems have been and will be overcome by dialogue.

7. APPRAISAL

Principle of development

- 7.1 The National Planning Policy Framework makes clear the presumption in favour of sustainable development and aims to promote healthy communities and deliver community needs (social, recreational and cultural) by planning for sustainable communities with shops, meeting places, sports venues etc. Policy RC2 of the West Northamptonshire Joint Core Strategy supports a positive approach to the provision of community facilities recognising their value in meeting community needs and contributing towards sustainable communities. Policy B14 of the Northampton Local Plan supports development outside of the business use classes where the use would be of significant benefit to the local community and would lead to substantial employment opportunities. Policy BN5 of the JCS seeks to conserve and enhance heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets.
- 7.2 Whilst the proposal will reduce the office space available within the business area, the premises have remained vacant for approximately 23 months. The proposal would

provide a community facility, employment for up to 24 people and would bring about the re-use of a vacant listed building. It is considered therefore that in principle the proposal is acceptable.

Impact on Heritage Asset

- 7.3 The property is Grade II Listed and was granted planning permission for conversion to offices in 1965. It appears that most of the original detailing within the building have already been removed. Proposed internal alterations involve unblocking a previous blocked up doorway between two rooms in the historic part of the building, the removal of stud partitioning within the modern extension and the insertion of three new doors. The Conservation Officer has no objections to these works although additional details of proposed washing facilities were requested. Five new sinks are proposed to be installed within the building. The applicant has stated that these can be linked to existing pipework however the Conservation Officer requires further details. Subject to agreeing appropriate details of the method and precise details of the installation of these facilities it is considered the proposed alterations would cause less than substantial harm to the significance of the internal fabric of the listed building.
- 7.4 External alterations comprise the erection of pallisade fencing to section off part of the existing car park to form a play area, the provision of a cycle shelter and the replacement of existing timber fencing with acoustic fencing along the eastern boundary. There are no proposed alterations to the actual building. The proposed pallisade fencing will consist of 1.3 to 1.9 meter high railings and will match existing railings that surround the site. The Conservation Officer requested alterations in terms of the re-siting of the cycle shelter and the play area fencing to minimise the impact on the Listed Building. Amended plans have been received. Whilst the re-located cycle shelter is considered to be acceptable the Conservation Officer has still expressed concerns about the fencing of the play area impacting on the setting of the listed building. It is noted that the setting of the listed building is already compromised by the extensive hard surfacing that surrounds the site. It is considered that as the railings are not a solid structure and as their erection could be reversible they will not cause substantial harm to the setting of the listed building. There are no objections to the replacement of existing timber fencing on the east elevation with acoustic timber fencing.

Impact on amenity

- 7.5 The nursery will operate during weekdays only. The application is accompanied by a Noise Assessment which suggests areas of mitigation to prevent any detrimental impact on neighbouring properties. These measures include the erection of acoustic fencing on the eastern boundary adjacent to the properties in Home Farm Close and suggests that first floor windows facing Home Farm Close are kept closed. These proposals are detailed on the submitted plans and further details of the acoustic fencing have been submitted. Notwithstanding this information the Environmental Health Officer has expressed concern about noise issues that a 117 child place nursery will create. They suggest that a reduced number of children for a temporary period would allow the use to commence and the impacts be assessed. With regard to this suggestion the applicant has stated that a temporary consent would not be feasible and it would cause considerable problems for the viability of the business proposition with problems of obtaining loans, leasing the premises, employing staff and potentially making them redundant. On balance, in view of objections to the proposal and concerns about the impact of the proposal on neighbouring amenity it

has been agreed that the maximum number of child care places should be limited to 80 only.

Impact on Highways

- 7.6 The Highway Authority initially objected to the proposal as a Travel Plan had not been submitted with the application. In addition they stated that 26 car parking spaces were required and a minimum of 9 cycle spaces. Following the submission of a Travel Plan and plans showing compliance with Highways parking requirements, albeit that five additional parking spaces have been incorporated for use during peak times only, the Highway Authority now had no objections. Numerous objections have been received regarding the impact of additional traffic and parking and it is acknowledged that the proposal may attract additional vehicle movements in the vicinity of the site.
- 7.7 In response to these issues a Parking Management Plan has been produced. This seeks to address the concerns of local residents regarding on-street car parking by outlining how the applicant proposes to operate. In effect to avoid confusion and congestion, the car park will only be available for staff. Any child drop off will take place within the road with parents encouraged to access the road in one direction and to keep stops as short as possible. It is indicated that action will be taken against those who breach the advice on a regular basis.
- 7.8 This arrangement would be between the nursery and its customers however a planning condition is proposed to try and ensure these measures are actually incorporated into the operation of the nursery.
- 7.9 Overall, the Highway Authority previously raised no objections, and have no further objections following the submission of the Parking Management Plan as the necessary car parking requirement has been fulfilled. It is not considered that the proposal could be refused on highway grounds, particularly as the premises were previously used as offices that generated a considerable amount of parking requirement and traffic movement. This use could be re-instated without the need for planning permission if no other alternative use is found.

8. CONCLUSION

- 8.1 Whilst the principle of development is considered to be acceptable and in accordance with planning policy it is considered that the proposal for 117 children will unduly impact on neighbouring residential amenity by reason of an unacceptable level of noise and disturbance. The proposal is therefore recommended for approval but with a condition that only 80 children are cared for at the premises.
- 8.2 It is considered that the proposed use is acceptable and would not cause undue harm to residential and general amenity, highway safety.
- 8.3 In terms of listed building and its setting it is considered that the proposals would cause less than substantial harm and that this would be outweighed by the public benefits arising from the development.

9. CONDITIONS

Planning Application N/2015/0999

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: 15-101.1, 15-101.2 REV D, 15-101.3, 15-101.4 REV D, 15-101.5, Section A-A REV A, Section B-B REV B, Section C-C, Section D-D, Section F-F, Proposed railings and Gate Design Revision A, cycle shelter details dated 5/11/2105, acoustic fencing details dated 8/10/15.

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

3. The premises shall be used as a Children's Day Care Nursery only and for no other purpose (including any other purpose within Class D1 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: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority to allow it the opportunity to assess the impact any other Class D1 would have on neighbour amenity in accordance with Policy E20 of the Northampton Local Plan.

4. The premises shall be used for the provision of childcare for no more than 80 children.

Reason: In the interests of the amenities of the locality and ensure effective planning control is retained by the Local Planning Authority in accordance with Policy H35 of the Northampton Local Plan.

5. The provision of childcare is to take place between the hours of 0730 and 18:30 Monday to Friday and at no other time.

Reason: In the interests of residential amenity in accordance with Policy H35 of the Northampton Local Plan.

6. The parking spaces shown on the submitted plans shall be laid out prior to the first use of the premises hereby approved and retained thereafter.

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

7. The first floor windows on the east elevation shall remain closed as detailed on drawing number 15-101.2 Rev D during occupation of the building for nursery use.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy H35 of the Northampton Local Plan.

8. The acoustic fencing as detailed on drawing number 15-101.4 Rev D shall be installed prior to the first use of the premises hereby approved and retained thereafter.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy H35 of the Northampton Local Plan.

9. The proposed cycle shelter shall be installed prior to the first use of the premises hereby approved and retained thereafter.

Reason: To ensure the proposed development complies with the requirements of the Travel Plan in accordance with Policy C2 of the West Northamptonshire Joint Core Strategy.

10. Notwithstanding the submitted Travel Plan, before the development hereby permitted is first brought into use a Parking Code of Conduct shall be produced, which all customers will be signed up to as part of their enrolment at the Nursery. This will set out car parking/access arrangements for customers as well as setting out measures to address non-compliance. This Code of Conduct shall be agreed in writing by the Local Planning Authority before the development is first brought into use and shall be operated thereafter.

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

Listed Building Consent – N/2015/1000

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

Reason: To comply with Section 18 of the (Listed Building and Conservation Areas) Act 1990

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 15-101.1, 15-101.2 REV D, 15-101.3, 15-101.4 REV D, 15-101.5, Section A-A REV A, Section B-B REV B, Section C-C, Section D-D, Section F-F, Proposed railings and Gate Design Revision A, cycle shelter details dated 5/11/2105, acoustic fencing details dated 8/10/15.

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

3. Notwithstanding the submitted information further details of the profiles of proposed railings and the means of fixing shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with National Planning Policy and Policy S10 of the West Northamptonshire Joint Core Strategy.

4. Notwithstanding the submitted information further details of the works required to install the new sinks into the premises shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To safeguard the integrity of the listed building in accordance with National Planning Policy and Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

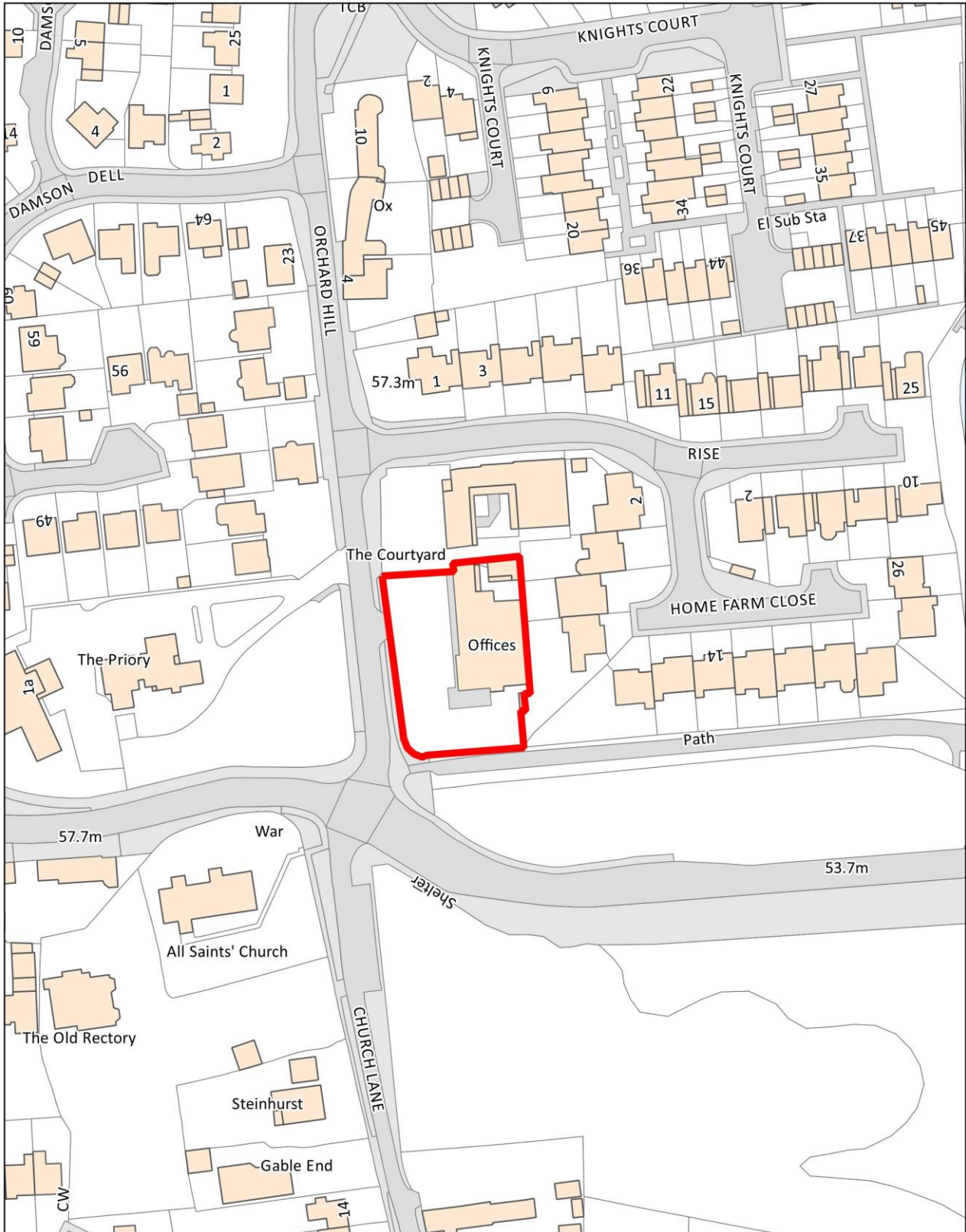
10.1 N/2015/0999 & N/2015/1000.


11. LEGAL IMPLICATIONS

11.1 None.

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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Home Farm Works, Orchard Hill</p>	<p>Date: 07-12-2015</p>
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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1009

LOCATION: Home Farm House, Hillcrest Avenue, Northampton, NN3 2AB

DESCRIPTION: Conversion of existing dwelling into three dwellings and the erection of two additional dwellings

WARD: Parklands Ward

APPLICANT: Mr Paul Rumens
AGENT: Barry Waine Planning

REFERRED BY: Cllr M Hallam
REASON: Concerns over traffic, parking and overdevelopment of the site.

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development is complimentary towards the surrounding land uses; is of an acceptable design and would have a neutral impact upon the character and appearance of the surrounding area; and would have a neutral impact upon the highway system. The development is therefore compliant with the requirements of the National Planning Policy Framework; Policies S1, S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The applicant seeks full planning permission to erect two new dwellings within the curtilage of an existing dwelling. It is also proposed that the existing dwelling, which predates the development of much of the surrounding area, would be subdivided into three new dwellings. Vehicular access to four of the units would be via a new driveway that would be constructed in Cumberland Close.

3. SITE DESCRIPTION

- 3.1 The application site is located within an existing residential area. The site was originally a farm; however, the surrounding area was developed for residential accommodation as part of the growth of Northampton. The application site has a frontage onto Hillcrest Avenue, whilst Cumberland Close (a short cul-de-sac) is located to the north west of the site.
- 3.2 Planning permission has previously been granted for the erection of three dwellings towards the front of the site, which has been implemented. Access to two of the dwellings is from Hillcrest Avenue, whilst the third is accessed from Cumberland Close.

4. PLANNING HISTORY

- 4.1 N/2008/1117 – Erection of three detached dwelling and associated garages and access – Approved
N/2009/719 – Change of use of land from highway to residential, demolition of existing boundary wall and erection of new boundary walls – Approved
N/2014/0886 – Conversion of existing dwelling into three dwellings and the erection of two additional dwellings.
- 4.2 The 2014 application is of particular relevance as permission was sought for a similar scheme. This application was refused due to it being of an inappropriate design, that the scheme would fail to ensure an adequate level of amenity for the occupiers of the proposed development, would adversely impact upon the amenities of existing residents and would have a negative impact upon the highway system.

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.

- 5.3 Of particular note to this application is that Paragraph 49 confirms that proposals for housing should be considered within the context of promoting sustainable development but that relevant policies for the supply of housing should not be considered up to date where a five year housing land supply cannot be demonstrated (which is the case in Northampton). Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed

against the requirements of the NPPF taken as a whole; or specific policies indicate that development should be restricted.

- 5.4 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development and mitigating impacts on amenity (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).

5.5 **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.

- 5.6 Of particular note is that Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period.

- 5.7 Policy H1 provides further detail regarding the location of these buildings by stating that they should be constructed through a combination of specifically planned Sustainable Urban Extensions and development within the existing built fabric. The same policy states that new developments shall provide for a mixture of house types, sizes and tenures in order to meet varying needs of the community. Applications for residential developments will be assessed against the location and setting of the site; the existing character of the area; the accessibility to services and facilities, including the proximity to public transport routes; the living conditions provided for future residents; and the impact upon the amenities of surrounding properties.

- 5.8 Policy S10 encourages sustainable development through incorporating measures to increase safety and security.

5.9 **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.

- 5.10 Policy E20 that states that developments should be of a satisfactory standard of design.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Highway Authority (NCC)** – Confirm that the Highway Authority would not be opposed to a continuous dropped kerb from the existing access to serve the proposed new access. The Highway Authority is also content with the proposed layout. It is requested that details of the drainage system are submitted.

- 6.2 **Northamptonshire Police Crime Prevention Design Advisor** – No objections

- 6.3 **Cllr M. Hallam** – Requesting that the application is determined by the Planning Committee as concerns have been raised regarding traffic, parking and whether the number of new dwellings represents an over development of the site.
- 6.4 46 letters of objection have been received. Comments can be summarised as:
- The development would intensify the use of Cumberland Close and the surrounding area, which would be detrimental to highway safety, which is of particular concern due to the narrowness of Cumberland Close. The development would also impact upon pedestrian safety/.
 - Road users would have slowed during the periods in which the applicant's traffic survey was carried out and road users can drive along Cumberland Close at 30mph.
 - A number of other developments have taken place in the vicinity, which have contributed to increased road usage.
 - Delivery vehicles would not be able to turn in the site.
 - On street parking in Cumberland Close would be reduced. The surrounding area already suffers from a number of issues relating to inappropriate car parking/.
 - The development is out of keeping with the character of the surrounding area.
 - The development would lead to a loss of privacy.
 - The site previously featured wildlife.
 - A significant amount of refuse would be generated by the development, which would need to be collected.
- 6.5 A petition signed by 34 individuals objecting to the application on the grounds that a similar proposal has previously been refused; that the development would increase the usage of Cumberland Close; that the development would lead to an overdevelopment of the site and would adversely affect light levels; that there is insufficient parking; that a number of refuse bins will be put out in the street on collection days; and that the proposal is out of keeping with the area.
- 6.6 25 letters of support have been received. Comments can be summarised as:
- The dwellings would be constructed to a similar standards as the properties built to the front of the site.

7. APPRAISAL

Principle of the development

- 7.1 The site is allocated in the Local Plan as being within a residential area and this is reflected in the use of the surrounding properties. In addition, it is acknowledged that there is a notable need for new housing within the Borough and this development would make a contribution (albeit it small) to addressing this. Therefore, a case can be made that the principle of establishing some housing on this site is acceptable. .
- 7.2 The site does not feature any significant trees and as a consequence of this the development of the site would not have any significant undue ecology implications. In the event of an approval, conditions could be attached that would require the investigation and remediation of any potential contamination either associated with historic land uses or naturally occurring contamination.
- 7.3 Whilst it is accepted that the site and the surrounding area has seen a significant amount of development as part of the growth of Northampton, there is the potential

for evidence to exist regarding the previous use of the site. As a consequence of this a condition is recommended that would require this matter to be suitably investigated.

Design and appearance

- 7.4 Following the previous refusal of planning permission (as described in paragraph 4.2, the scheme has been redesigned. In particular, the two new dwellings are of a design that has a degree of subordinancy towards the original dwelling. This ensures that it remains the key element of the site. The application details that the buildings would be constructed from materials that are of a traditional nature and reasonably complimentary towards the prevailing character of the surrounding area. In addition, to this factor, the design of the building includes a number of details, which reflect the prevailing vernacular in terms of detailing such as porches, fenestration arrangement and the installation of a chimney.
- 7.5 It is accepted that the new dwellings are of differing proportions to the original building and that houses that have recently been constructed to the front of the site; however, given that there is a significant variety of house types within Hillcrest Avenue and Cumberland Close, it is considered that the proposed buildings would not significantly impact upon the character and appearance of the locality to any significant degree.
- 7.6 The dwellings have been designed in such a manner so as to ensure that there would be no significant loss of light, outlook or privacy to the occupiers of surrounding dwellings in line with the requirements of national and local planning policies. The design of the development has also been revised so that all residents of the development would have a satisfactory level of amenity and privacy. Given the size of each dwelling, it is considered that there is a satisfactory level of private amenity space for the occupier of each dwelling.
- 7.7 In order to provide certainty regarding the potential impacts of the development, conditions are recommended that would ensure that would remove permitted development rights for the erection of further extensions or the introduction of more windows.
- 7.8 The proposed layout also includes suitable refuse storage, which is considered a necessity in order to ensure a good level of residential amenity.
- 7.9 By reason of the road layout, the boundaries of the site are of particular prominence. As a result of this, a condition is recommended that would enable the Council to approve the materials and heights of all boundary treatments. This would ensure that the development has a neutral impact upon visual amenity and that the gardens that would serve the proposed dwellings would have an adequate degree of privacy.
- 7.10 Whilst it is noted that the existing building is of some note within the locality as it predates the development of the surrounding area for residential development and represents a link to the agricultural past of the site, this building does not fall within a Conservation Area and is not listed. The building has also seen a number of alterations in the past. As a result, it is considered that the alterations to the building would not represent a significant detrimental impact upon the historic environment.

Highway consideration

- 7.11 The development features 10 car parking spaces, which is considered appropriate given the scale of the development. The proposal would not impact upon the

provision of parking spaces that serve the three newer dwellings to the front of the site. As a consequence of this arrangement, it is considered that the development would not increase demand for on street car parking spaces. A condition is recommended that would ensure that the parking and manoeuvring spaces are provided prior to the development being first brought into use and to be retained thereafter. This would provide certainty regarding the impacts of the development in highway terms.

- 7.12 One of the dwellings would be accessed via the existing entrance from Hillcrest Avenue. As this entrance is already in situ and the development would result in this serving a smaller dwelling than what is currently the case, it is considered that the development would have a neutral impact upon this specific access.
- 7.13 The development would result in the installation of a new access in Cumberland Avenue. This is in close proximity to an entrance that serves an existing dwelling. Whilst this development would result in two entrances close together and there is a curve in Cumberland Avenue, it is considered that this arrangement would not result in a significant impact upon highway safety. The reason for this is that due to the site boundaries being set back from the road edge vehicles entering and leaving the site would have sufficient views of passing traffic.
- 7.14 In addition to the matter, the applicant has submitted a traffic assessment, which details that the typical speeds of passing traffic are not significant. As Cumberland Close serves a comparatively small residential cul-de-sac it therefore follows that the bulk of road users would be familiar with the highway layout. For this reason, it is considered that the proximity of the two accesses would not unduly impact upon highway safety.
- 7.15 Given that there are no objections to the provision of two vehicular accesses in this location and the fact that the pavement is set back from the road by a reasonably significant distance means there would be no undue impact upon pedestrian movement. In order to secure a good standard of development, a condition is recommended that would require that details of the dropped kerb are submitted to the Council and implemented within an agreed timescale. In addition to this matter, the scheme has been revised during the application process in order to provide suitable visibility splays to the new access. As a consequence of this arrangement, the development would have a neutral impact on pedestrian safety.
- 7.16 The Highway Authority has indicated that their preference would be for the residential dwellings to be set back from the highway edge (in this case, the pavement) by a distance of between 0.6m and 1m. This is to ensure that the foundations and drainage to the buildings do not encroach onto the highway itself. Whilst the applicant has set back the building by the required 0.6m, it is considered that a condition which would require that details of all foundations and drainage that are relevant to Plot 1 are submitted to and approved by the Council prior to the development commencing is necessary and reasonable.
- 7.17 It is noted that the highway authority has raised some comments regarding the construction of the existing access (such as there being a gully within the driveway area); however, as this driveway is in situ the Council cannot reasonably require that alterations are carried out.

8. CONCLUSION

- 8.1 It is considered that the proposed development is acceptable in principle and that an acceptable design has been proposed, which ensures a neutral impact upon the character and appearance of the surrounding area and neighbouring properties. Subject to conditions, it is also considered that the development would have a neutral impact upon the highway system.

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: 07-14-01c; 17-14-02; and 17-14-03b.

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

3. Prior to the commencement of development, details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to ensure the agreement of such details in a timely manner.

4. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

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

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

Reason: In the interests of residential and visual amenity in accordance with the Policy E20 of the Northampton Local Plan.

6. No development shall take place until full details (including a timetable for implementation) of the new dropped kerb in Cumberland Close as shown on drawing 07-14-01c have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved timescale and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure the agreement of such details in a timely manner.

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

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

8. Notwithstanding the details submitted and prior to the commencement of development, full details of the foundation and drainage design to serve Unit 1 as shown on drawing 07-14-01c shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the dwelling and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to ensure the agreement of such details in a timely manner.

9. Full details of the proposed surface treatment of all access, driveways and parking areas shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with the requirements of the National Planning Policy Framework.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the elevations and roof slopes of the proposed development.

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

12. No development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure the agreement of such details in a timely manner.

13. The south-west elevation first floor windows to Units 1 and 2 (as shown on drawing 07-14-01c) shall be fitted with obscure glass prior to the first occupation of the dwellings hereby permitted and shall be retained in that form thereafter.

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

10. BACKGROUND PAPERS

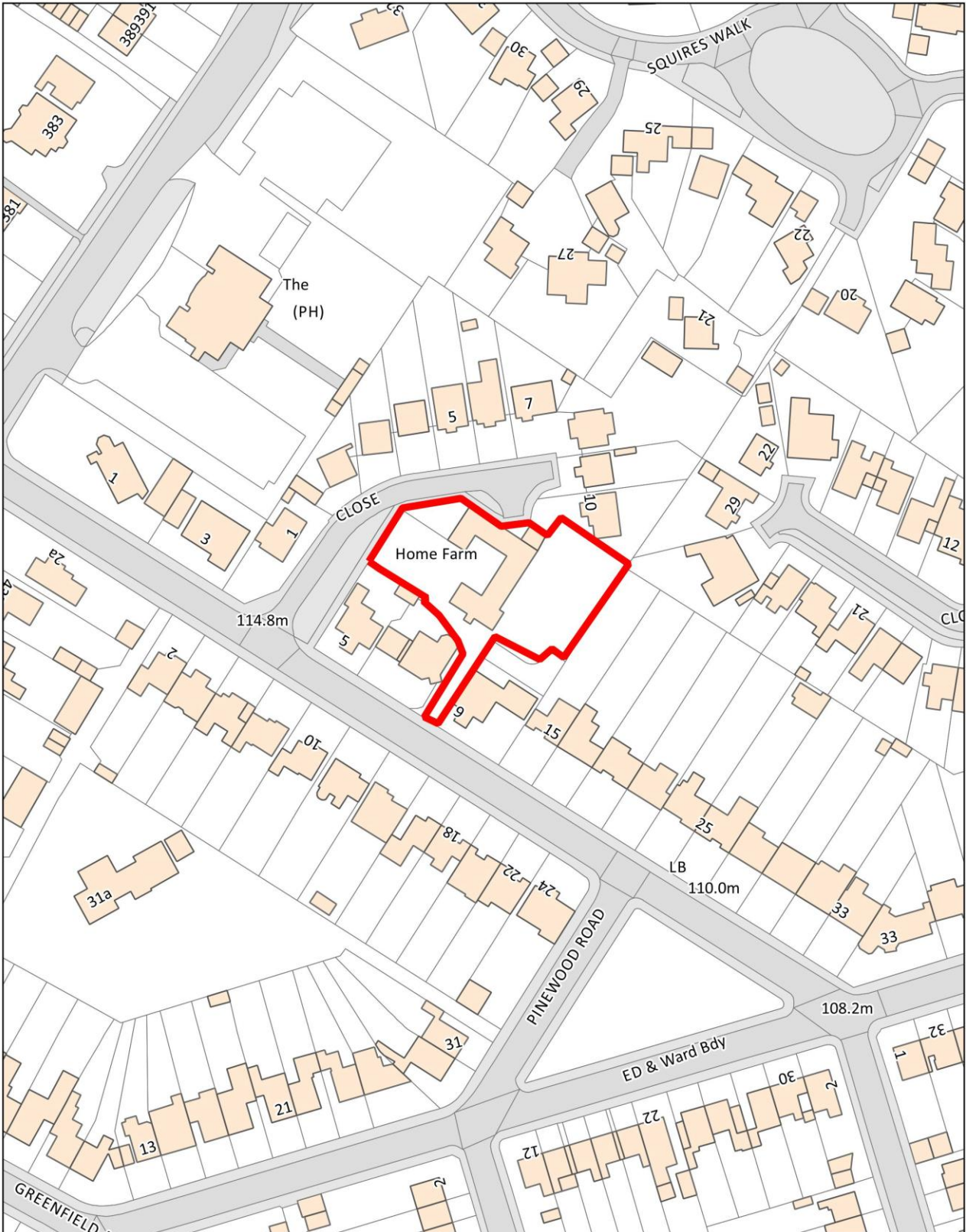
10.1 None


11. LEGAL IMPLICATIONS

11.1 None

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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Home Farm House, Hillcrest Avenue</p>	<p>Date: 26-01-2016</p>
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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE:	15 March 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2015/1050
LOCATION:	77-79 Semilong Road, Northampton, Northamptonshire, NN2 6DG
DESCRIPTION:	Erection of 3no. dwellings
WARD:	Semilong Ward
APPLICANT:	Porterhouse Ltd
AGENT:	David Nicholson
REFERRED BY:	Councillor L Marriott
REASON:	Density of development and impact on amenity of area
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would preserve the character and appearance of the surrounding area (including the Barrack Road Conservation Area), neighbour amenity and highway safety. The development is therefore in accordance with the requirements of the National Planning Policy Framework; Policies S1, S3, S10, H1 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H10 of the Northampton Local Plan.

2. THE PROPOSAL

- 2.1** The application seeks planning permission to erect three dwellings of two storeys in height, which would be arranged in terrace located adjacent to the northern boundary. The dwellings would be accessed via a service road that runs from Semilong Road. To the front of each dwelling, there would be a block paved area, which would be used for car parking.

3. SITE DESCRIPTION

- 3.1** The application site consists of an area of land that was formerly gardens serving 79-83 Semilong Road, however, these have subsequently been separated and now form a separate plot that is accessed via a private service road that runs from Semilong Road.

- 3.2 The surrounding land uses are predominantly residential in character. The properties in Semilong Road are generally smaller terraced houses typically of two storeys, although a number of these properties have included loft conversions, which have resulted in the introduction of dormer windows in the front roof slope. Towards the east of the site is Primrose Hill. Primrose Hill falls within the Barrack Road Conservation Area. The Conservation area lies immediately to the east of the application site and is characterised by residential accommodation; however, the dwellings are of larger proportions (generally three storeys) and of grander proportions and design, which typically date from the Georgian period. These dwellings are part of the Barrack Road Conservation Area, the boundary of which is the easternmost boundary of the application site.
- 3.3 As a result of the traditional form of the built environment, there is a general reliance upon on street car parking within the vicinity.

4. PLANNING HISTORY

- 4.1 N/2005/0975 – Demolition of houses at 79 and 81 Semilong Road and construction of new first floor flat and development of 9no. flats to rear of nos. 79 – 83 Semilong Road – outline application – Withdrawn
N/2006/396 – Demolition of 81 Semilong Road to provide access to rear with new flat over to provide nine flats – outline application – Refused
N/2007/1081 – Residential development including demolition of no. 81 and the erection of a flat – outline application – Withdrawn
N/2008/0910 - Erection of five dwellings to rear of 79-83 Semilong Road. Demolition of 81 Semilong Road to create access and erection for first floor flat over (outline application) – Refused
- 4.2 The 2008 planning application comprised five units that were arranged in terrace running at 90 degrees to the layout of properties in Semilong Road and Primrose Hill. It was proposed that access to the development would be from Semilong Road, which necessitated the demolition of number 81. The dwelling was to be replaced by a single flat that would be located above the access road. This arrangement would mean that the terrace was visible to Semilong Road. The application was refused as it was considered that the form of the terrace and its prominence, combined with the unusual and alien form of the flat would adversely impact upon the character and appearance of the locality.

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 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.

National Policies

- 5.3 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system.
- 5.4 Of particular note to this application is that Paragraph 49 confirms that proposals for housing should be considered within the context of promoting sustainable development but that relevant policies for the supply of housing should not be considered up to date where a five year housing land supply cannot be demonstrated (which is the case in Northampton). Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications. This means that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the requirements of the NPPF taken as a whole; or specific policies, including those relating to designated heritage assets, indicate that development should be restricted.
- 5.5 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50). In design terms it is required that the planning decision proactively support sustainable development and mitigating impacts on amenity (paragraph 17). The same paragraph also emphasises the importance of good design and ensuring a neutral or positive impact on heritage assets. Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).
- 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.
- 5.7 Of particular note is that Policy S1 states the new development within West Northamptonshire will be concentrated primarily in and adjoining the existing urban area of Northampton. S3 requires that the construction of approximately 18,870 houses within the Northampton Borough over the plan period.
- 5.8 Policy H1 provides further detail regarding the location of these buildings by stating that they should be constructed through a combination of specifically planned Sustainable Urban Extensions and development within the existing built fabric. The same policy states that new developments shall provide for a mixture of house types, sizes and tenures in order to meet varying needs of the community. Applications for residential developments will be assessed against the location and setting of the site; the existing character of the area; the accessibility to services and facilities, including the proximity to public transport routes; the living conditions provided for future residents; and the impact upon the amenities of surrounding properties.
- 5.9 Policy S10 encourages sustainable development through incorporating measures to increase safety and security. Policy BN5 requires that planning decisions should seek to conserve heritage assets in manner commensurate with their significance.

5.10 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

- 5.11 Policy E20 that states that developments should be of a satisfactory standard of design. In addition, Policy E26 requires that planning decisions have a neutral impact upon the character and appearance of heritage assets. Policy H10 states that planning permission for backland development should only be given in instances where there would be a neutral impact upon the character and appearance of the area and neighbour amenity.

6. CONSULTATIONS/REPRESENTATIONS

- 6.1 **Arboricultural Officer (NBC)** – No objections, subject to conditions relating to the protection of trees during the construction process.
- 6.2 **Highway Authority (NCC)** – Make observations regarding drainage from the driveway, its gradient and surfacing (*Officers note: Revised plans have been submitted to address some of these matters. The revised response from the Highway Authority was awaited at the time of preparing this report. Any update will be provided to members via the addendum, which will be circulated prior to the meeting commencing*).
- 6.3 **Northamptonshire Police Crime Prevention Design Advisor** – To create a safe development, electronic access gates should be installed. Secure gates should also be installed to serve the rear pedestrian access.
- 6.4 **Cllr L. Marriott** - Semilong is a property dense area. This application, if granted, will add to this and have an impact on the area's general amenity.
- 6.5 **County Councillor S. Uldall** – The development is out of keeping with the character of the surrounding area, would overlook surrounding properties and would put further strain on car parking.
- 6.6 **Barrack Road Conservation Area Advisory Committee** – The proposal fails to comply with adopted policies, does not seek to create a safe form of development and would have a detrimental impact upon the character and appearance of the surrounding area.
- 6.7 Letters of objection from the Semilong Community Forum; and the occupiers of 8, 9, 10 and 11 Primrose Hill; and 87b, 100 and 102 Semilong Road have been received. Comments can be summarised as:
- The proposal is of too great a density and is out of keeping with the character of the area.
 - The proposal would adversely impact upon privacy levels
 - The proposal would negatively impact upon the security of adjoining properties
 - The development would adversely impact upon the Conservation Area
 - The development would create greater noise and disturbance
 - The development would increase traffic in the area
 - There are a large number of House in Multiple Occupation within the vicinity of the site

7. APPRAISAL

Principle of the development

- 7.1 The site is allocated within the Local Plan as being suitable for residential purposes; it is considered that the principle of developing the site for residential purposes is considered acceptable. In addition, the development site enables adequate private garden space to be retained for the properties in Semilong Road.
- 7.2 In addition, the development would facilitate the provision of three additional dwellings within the existing built area. This will make a contribution (albeit small) to addressing the established need for housing within the Borough. On account of the site's location, it is considered that the development would be sustainable as it would be within ready access of the town centre. In addition, the site is in close proximity to Barrack Road, which features a number of public transport links. The application identifies that the proposed dwellings would be occupied as family housing. The current Article 4 Direction means that planning permission would need to be sought from the Council should there ever be an intention to occupy the properties as houses in multiple occupation.
- 7.3 Whilst it is recognised that Semilong features a large number of dwellings, it is considered that the scale of the development (three dwellings), which when combined with the size of gardens within the vicinity, the fact that the application site does not currently have an effective use and the separation distances' that the proposal would not significantly harm the character of the surrounding area.
- 7.4 It is accepted that vehicle movements in the site would increase over the existing scenario; however, given the proportionately small scale of the development, it is considered that this activity is unlikely to give rise to an adverse impact upon neighbour amenity as a result of noise and disturbance.
- 7.5 In order to ensure that the site is suitable for use as a residential development, a condition is recommended that would ensure that a suitable investigation into potential contaminants is carried out prior to building works taking place, which would include the identification of any necessary mitigation. By reason of the residential character of the surrounding area, it is considered that there a satisfactory level of amenity would be secured for the future occupiers of the development.
- 7.6 The applicant has carried out an assessment into the likelihood of there being any form of notable plants or wildlife on the site. This survey does not identify the presence of any significant species, particularly as the trees on the boundaries of the site are to be retained and conditions are recommended that would ensure their protection during the carrying out of the development.

Design and appearance

- 7.7 It is recognised that the development would represent the introduction of new houses within a back land location. Whilst it is accepted that this is not a feature that is replicated to any significant degree within the surrounding area, it is considered that as the proposed dwellings would not be visible from any public area, the overall impact upon the character of the area would be neutral. This means that this proposal is not directly comparable to the scheme which was refused planning permission in 2008. In that case, the scheme featured an alien form of

development in the form of a flat suspended over the site access that occupied a significant position within the streetscene of Semilong Road.

- 7.8 The proposed dwellings are of two storeys and are constructed in a conventional design. This arrangement ensures that there would be a neutral impact upon the amenities of neighbouring properties in terms of considerations such as light and outlook. Whilst the length of the proposed rear gardens is comparatively short and would therefore result in rear windows being sited near to the eastern boundary of the site (approximately 6-8m away), it is considered that due to the length of the gardens of the properties in Primrose Hill and the various planting and other structures that are adjacent to the boundary means the positioning and design of the houses would not be significantly detrimental to the levels of privacy currently experienced in neighbouring properties.
- 7.9 In order to provide certainty regarding these impacts, it is considered prudent to remove, through conditions to any planning permission, permitted development rights for introduction of further windows and for the erection of rear extensions. Further conditions are recommended that would ensure that the Council approves all building materials in order to ensure a neutral impact upon visual amenity.
- 7.10 As discussed previously, the site is adjacent to the Barrack Road Conservation Area. The particular significance of the Conservation Area is the fact that it contains a number of grand terraced properties, which date from the Georgian period and create a distinctive sense of place within Barrack Road. This particular characteristic would not be impinged upon by the proposed development as it would not be visible from any public viewpoint. For this reason, it is concluded that the development would preserve the character and appearance of the Conservation Area and would not cause harm to the significance of the Conservation Area as a designated heritage asset.
- 7.11 Whilst it is accepted that there are some trees within the site and on immediately adjoining properties, these are typically lower value specimens and as such do not contribute to the character of the wider surrounding area. Notwithstanding this, it is recognised that these trees do contribute to the amenity of the surrounding properties. As a result of this, conditions are recommended that would ensure that the identified trees are protected during the construction process.
- 7.12 In addition to these matters, conditions are recommended that would ensure that the Council approves all boundary treatments and that these are implemented prior to the development first coming into use. This would ensure that the proposal is of a secure nature that would have a neutral impact on neighbouring properties. This process would also include gating to the main vehicular access and to the pedestrian access that would serve the rear gardens of the development.

Highway impacts

- 7.13 Access to the development would be via a service road from Semilong Road. The scheme has been revised during the course of the application in order to ensure that adequate visibility is provided for vehicles exiting the site. The development contains suitable room to enable vehicles to turn around within the site, which removes the need for vehicles to have to either enter or leave the highway in a reverse gear. This therefore ensures a neutral impact upon highway safety.
- 7.14 The development includes sufficient car parking to meet the needs of the development and the level of provision is in line with the current standards. Given this

and the sustainable nature of the location, it is considered that the proposal would have a neutral impact upon existing parking provision within the vicinity of the application site.

- 7.15 In order to respond to the comments of the Highway Authority, conditions are recommended that would ensure that details of the driveway construction and surface treatments are approved prior to the commencement of development.

8. CONCLUSION

- 8.1 It is considered that the proposed development would have a neutral impact upon the character and appearance of the surrounding area and would enable a reasonable level of amenity to be secured for the future occupiers of the development. As a consequence, it is considered that the proposal is compliant with the requirements of national and local planning policies.

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: DW1, DW1A, DW1C, DW1E, DW2, DW1D, DW3, DW6 and DW7.

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

3. Full details of the method of the treatment of the boundaries of the site (including individual plot boundaries, gates to the pedestrian path to the rear of the site and electronic vehicle access gates) shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

4. Prior to the commencement of development, details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to ensure that these details are agreed in a timely manner.

5. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in addition to the gradient of the driveway 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 and retained thereafter. This condition is required in order to ensure that these details are agreed in a timely manner

Reason: In the interests of residential amenity and highway safety in accordance with the National Planning Policy Framework.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the dwellings hereby permitted shall take place.

Reason: To prevent overdevelopment of the site and in the interests of neighbour amenity in accordance with the requirements of the National Planning Policy Framework.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the elevations of the proposed development.

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

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

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure that these details are agreed in a timely manner.

9. Notwithstanding the details submitted, full details of lighting to serve the access road and communal areas shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of safety levels in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

10. All trees shown to be retained in the approved plans shall be protected for the duration of the development by (a) stout fence(s) to be erected and maintained on alignment(s) to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant

sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy. This condition is required in order to ensure the agreement of such details in a timely manner.

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme landscaping for the site. Development shall be carried out in accordance with the approved details and shall be retained thereafter.

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

10. BACKGROUND PAPERS

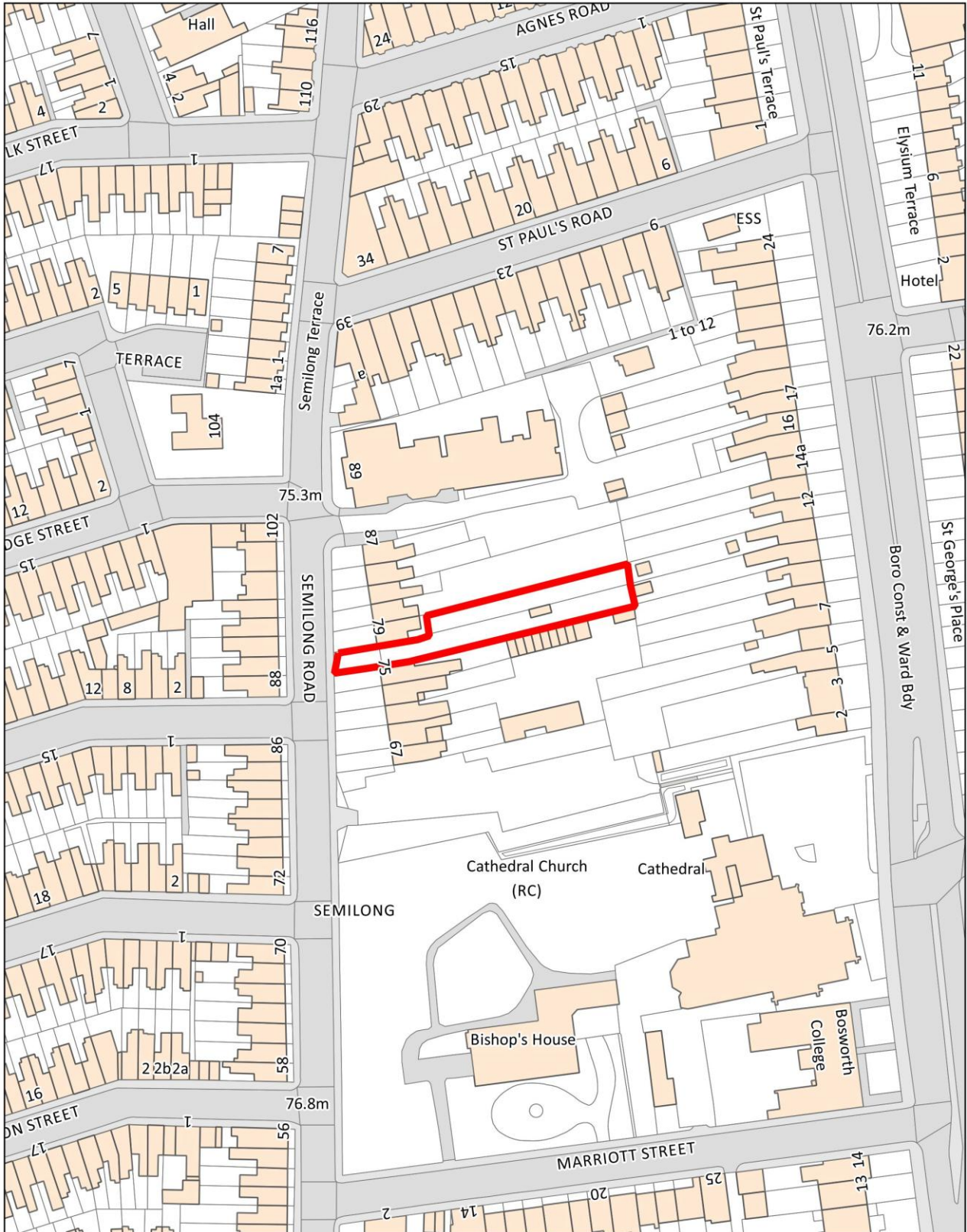
10.1 None


11. LEGAL IMPLICATIONS

11.1 None

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.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 77-79 Semilong Road</p>	<p>Date: 29-02-2016</p>
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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1424

LOCATION: 35 Cowper Street, Northampton, NN1 3QR

DESCRIPTION: Change of use from dwelling (C3) to House in multiple occupation (C4) for three residents

WARD: Castle Ward

APPLICANT: Mr Luthra
AGENT: Archi-tec Architectural Design

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Previously dismissed on appeal.

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 would not lead to an unacceptable concentration of HIMOs within the locality that would adversely impact upon the character of the street, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and is in accordance with the requirements of Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20, E26 and H30 of the Northampton Local Plan, the Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought to change the use from single dwelling to house in multiple occupation (HIMO) for 3 people.

3. SITE DESCRIPTION

3.1 A two storey mid-terrace dwelling of the Victorian era, within the Boot and Shoe Quarter Conservation Area, and within a residential area as so designated in the

Northampton Local Plan. The area is included in the Article 4 Direction which has removed permitted development rights for Class C4 use.

- 3.2 The property fronts directly on to a street of approx. 60 houses, and has a long rear garden, with no car parking spaces provided on site. Surrounding uses include single family dwelling houses, flats, and houses in multiple occupation. Three bedrooms and a bathroom are provided upstairs, with two lounges, a kitchen, utility room and WC provided on the ground floor, with a basement room for storage.

4. PLANNING HISTORY

- 4.1 N/2014/1025 – change of use from dwelling to house in multiple occupation for 4 people – retrospective – refused and dismissed at appeal.

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).

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

Paragraph 49 - Housing applications considered with presumption in favour of sustainable development.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.

Paragraph 56 - Good design is a key aspect of sustainable development.

Chapter 12 – Conserving and enhancing the Historic Environment.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy H1 - Housing Density & Mix & Type of Dwellings - States that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - seeks to manage and safeguard existing housing stock, including through HIMOs where they would not adversely impact upon the character and amenity of residential areas.

Policy S10 - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

Policy BN5 – Historic Environment: Designated heritage assets and their settings will be conserved and enhanced in recognition of their individual and cumulative significance.

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

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

Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.

Policy E26 – the character and appearance of conservation areas should be enhanced or preserved.

Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003
Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

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

Proposals for 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 15% of HMOs within a 50m radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

Boot and Shoe Quarter Conservation Area Appraisal 2011

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **NBC Conservation** – no physical changes to the building fabric are proposed, and use would have a neutral impact on the character and appearance of the Conservation Area.
NBC Private Sector Housing – space and amenities provided are suitable to let to 3 individuals from 3 separate households. The property is already licenced under Part 2 of the Housing Act.
Ward Councillors – no response.
Highway Authority – whilst parking is at a premium in the area, the LHA does not believe that the potential increase in parking demand created by the change of use to a three bedroom HMO will compromise highway safety or amenity in the area.
- 6.2 Letters sent to immediate neighbours, site notice posted and newspaper advertisement placed.
- 6.3 25 responses from neighbours received objecting on the grounds that Cowper Street is being targeted by landlords who want to make money, most of the time ignoring planning permission, multiple occupied houses already overpopulate the street with an impact on car parking, noise, anti-social behaviour, refuse on street and increased public nuisance.

7. APPRAISAL

Principle of the development

- 7.1 The conversion of an existing dwelling to a HMO is considered to be in accordance with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HMOs where they would not adversely affect the character and residential amenity of an area.
- 7.2 In principle, houses in multiple occupation are considered to be acceptable in a residential area.

Size of property

- 7.3 The plans indicate two lounges, kitchen, utility and a WC on the ground floor and three bedrooms and a bathroom on the first floor. The response from Private Sector Housing indicates that the property can accommodate 3 people from three separate households, and holds a licence for the same under the Housing Act 2004. It is considered that the application therefore complies with Principle 2 of the Council's

adopted Planning Policy Statement on HIMOs, that adequate facilities and amenities would be provided for occupants.

Area Concentration

- 7.4 Updated Council records evidence that the application would not lead to an over-concentration of HIMOs within a 50m radius of the application site; i.e. there would be a total of 8 HIMOs within the 50m radius, which would equal 11% out of 72 properties. The application therefore complies with Principle 1 of the Council's adopted Planning Policy Statement on HIMOs.
- 7.5 The previous application for a 4 person HIMO at this site (N/2014/1025) was refused (and dismissed at appeal) in October 2014 for the reason of '*undue concentration of such premises in this locality to the detriment of the general amenities and character of the area, contrary to Policy H30 of the Northampton Local Plan*' However, it should be noted that the HIMO Interim Planning Policy Statement was not adopted at that time, and the method of assessing over-concentration was different, i.e. data was collected for Cowper Street as a whole, as opposed to a wider area (50m radius) around the property. Also since that time, the Council has updated its records for HIMO properties.

Parking

- 7.6 No off-street parking is provided, and neighbours have objected on this issue. However, the amended plan indicates cycle storage in the rear garden and also the site is located within walking distance (130m) of a main bus route, and a Local Centre. This therefore complies with Principle 3 of the Council's adopted Planning Policy Statement on HIMOs.
- 7.7 The Highway Authority has raised no objections to this application, on the basis that whilst parking is at a premium in the area, the LHA does not believe that the potential increase in parking demand created by the change of use to a three bedroom HMO will compromise highway safety or amenity in the area.

Bin Storage

- 7.8 The amended plan indicates an area for refuse bins in the back garden. This is therefore considered to be in compliance with Principle 4 of the Council's adopted Planning Policy Statement on HIMOs.

Amenity

- 7.9 The use proposed falls within Class C4 of the Use Classes Order, which in effect categorises this as a residential use which would not generate amenity impacts, such as noise or anti-social behaviour, on local residents over and above those created by a more conventional C3 dwelling. Indeed without the Article 4 Direction planning permission would not be required for this change of use. Consequently it is not considered that any refusal of planning permission or the imposition of conditions, in relation to amenity issues would be reasonable or sustainable at appeal.
- 7.10 Several objections have been received from neighbours concerning anti-social behaviour and refuse, however such matters would need to be addressed through other agencies and other, non-planning, legislation.

8. CONCLUSION

- 8.1 Taking the above into account, it is considered that the use of this property as a HIMO for 3 people is in compliance with Policy requirements, and is therefore recommended for approval.

9. CONDITIONS

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, L13-1A.

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 three residents at any one time.

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

- (4) The bin storage and cycle storage provision as indicated on the approved plans shall be implemented prior to the use commencing and retained thereafter.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- (5) The basement area shall not be used for habitable accommodation at any time.

Reason: For the avoidance of doubt and to avoid overdevelopment of the site in the interests of amenity in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

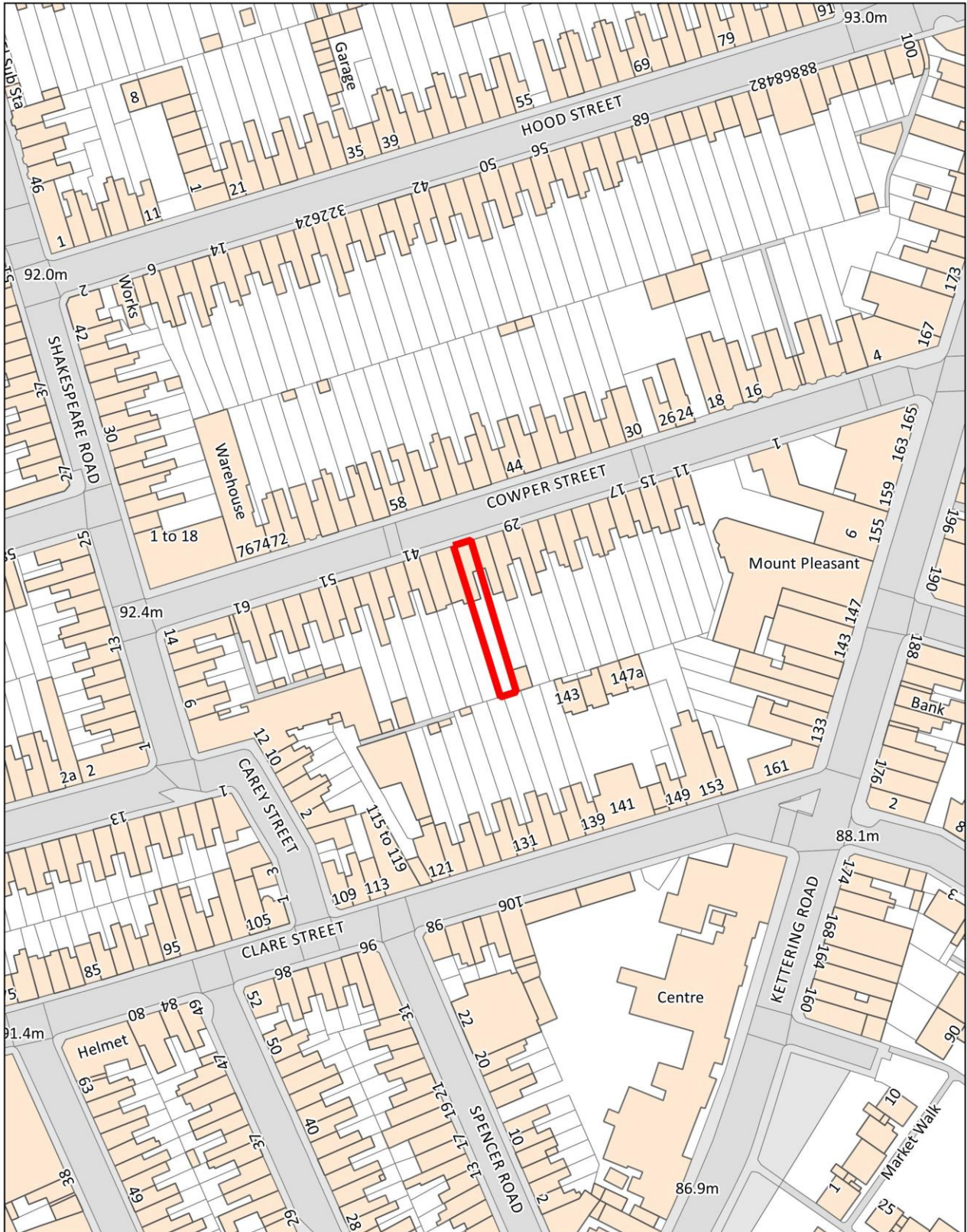
- 10.1 N/2015/1424

11. LEGAL IMPLICATIONS

- 11.1 None

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.



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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1498

LOCATION: Delapre Abbey, London Road, Northampton, NN4 8AW

DESCRIPTION: Formation of car parking area.

WARD: Delapre & Briar Ward

APPLICANT: Delapre Abbey Preservation Trust
AGENT: BCAL Consulting

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: NBC owns the 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 impact on the character, appearance or historical significance of the listed building, the registered Battlefield and Delapre Conservation Area would be outweighed by the public benefit arising from the development, with no undue adverse impacts on neighbour amenity, road safety or drainage. The impact of the proposal on the registered battlefield has been minimised by appropriate site selection and the proposal would assist with the overall project to restore the Abbey and remove it from the Heritage at Risk Register and thereby accords with Policy BN5 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks planning permission for additional parking to serve Delapre Abbey, providing 126 general car spaces in total, an increase of 80 above the current provision, as well as 11 disabled parking spaces and 2 coach spaces. The additional parking provision would largely come from the provision of a grasscrete parking area.

3. SITE DESCRIPTION

3.1 The site of this proposal is the existing car park area, which would be reconfigured, and a grassed area adjacent to this, within the grounds of the Abbey. This grassed area is located at the eastern end of the drive, before the main abbey buildings and is adjacent to one residential property (Park Cottage).

3.2 The site is within the Delapre Park Conservation Area as well as the registered Battle of Northampton site. The Abbey buildings are Grade II* listed.

4. PLANNING HISTORY

4.1 In October 2013 an application was approved for the repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House and change of use to include functions/events, conferences, guided tours, visitor and heritage centre and ancillary retail, offices, café and restaurant, and holiday lets. An associated application for listed building consent for the works required was also approved at that time.

4.2 Subsequently applications for associated works have also been approved, mainly for advertisement consent but also for a disabled toilet, café facility and the siting of temporary buildings.

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.

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

5.2 National Policies

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

Paragraph 17 that states that planning should conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations.

Paragraph 126 States that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 131: In determining applications Local Planning Authorities should take account of: The desirability of sustaining the significance of heritage assets and putting them to viable uses consistent with their conservation; The positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 132: When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation and any harm should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Paragraph 133: Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, LPA's should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the harm or loss.

Paragraph 134: Where a development proposal will lead to less than substantial harm, 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 BN5 "The Historic Environment", which sets out that heritage assets will be conserved and enhanced and that where heritage assets are at risk they will be appropriately conserved and managed.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E9: Locally Important Landscape Areas gives special importance to the impact of proposals to the character of locally important landscape areas.

Policy E20 "New Development", which states that the design of any new building or extension should adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and that development should be designed, located and used in a manner which ensures adequate standards of privacy, daylight and sunlight.

Policy E26 "Conservation Areas" which states that development must preserve or enhance the character and appearance of the area, and not include the demolition of any building which makes a significant contribution to the character or appearance of the area.

Policy E38 which states that planning permission will not be granted for development which would adversely affect the character or setting of a nationally important ancient monument (whether scheduled or not), important historic landscape or the site of the battle of Northampton.

5.5 **Supplementary Planning Documents**

The Site of the Battle of Northampton Conservation Management Plan 2014
Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **Battlefields Trust** – Welcomes the careful approach taken to developing these proposals. Recognises the need for an increase in parking. Development is likely to increase interest in the registered battlefield at Northampton on which the Abbey site is located which itself will enhance protection for the battlefield. The proposed car park construction will have some impact at the margins of the registered battlefield area, but appears unlikely to cause significant damage. Metal detecting survey should be carried out in advance of construction. The construction materials to be used for the car park and its chosen location also appear to the Trust to be sympathetic to the setting of the battlefield and are unlikely to affect its appreciation. No objections.
- 6.2 **Far Cotton Residents Association** – Support the proposals but only as a temporary solution due to flooding and drainage issues. Request investigation of more suitable permanent solutions.
- 6.3 **Local Highway Authority** – Parking spaces appear to be 4.7m long, must ensure they are 4.8m long.
- 6.4 **Police Crime Prevention Design Adviser** – Recommends crime prevention measures are put in place.
- 6.5 **County Archaeologist** - The proposed works are within the Delapre Park Conservation Area and the Registered Battlefield of the Battle of Northampton. The proposed application will have a detrimental impact upon any archaeological deposits present. This does not however represent an over-riding constraint on the development provided that adequate provision is made for the investigation and recording of any remains that are affected.
- 6.6 **NBC Conservation** - Would not harm the setting of the listed building as it is further away. However, concerned regarding the proposed bus parking area. The introduction of large structures (buses) in this location would have a negative impact on views from the approach avenue towards the principal elevation of the building and there would be a negative impact on views out from the building. This element of the proposals would cause harm to the setting of the listed building, suggest seeking amendments to address this.
- 6.7 **Historic England** – No concerns regarding the location of the new additional parking in North Field in relation to the setting of the Delapre Abbey listed buildings, but consider that the most visually harmful area of the existing parking area, this being the area south of the drive, should be removed as part of these proposals (the current car park). Further consideration should be given to the use of suitable landscaping.

- 6.8 **Lead Local Flood Authority** – Insufficient information is available, details of infiltration testing are required.
- 6.9 The application was notified to adjoining occupiers by letter, as well as being advertised by site and press notices. 15 representations have been received in total.
- 6.10 Of these representations, twelve are letters in support and one is classed as an observation, these are from interested persons across the Borough and the adjacent Mencap Centre, and make the following points in summary:
- Car parking is essential for the Abbey
 - Vital for the future of the Abbey as the existing parking is inadequate.
 - The report makes the case for the North Field unquestionable as the best location.
 - Would be nice to see gates at the top of London Road, for security.
 - Foresee more than two coaches
 - Car park should have lighting
 - No provision for emergency vehicles.
- 6.11 A further letter in support was received from the applicants, the **Delapre Abbey Preservation Trust**, setting out the background to the restoration of the Abbey and the approach taken in selecting the site for the car park.
- 6.12 Two objections, from neighbouring residents at Park Cottage and 3 Gardener's Cottage, make the following points in summary:
- Will be affected by noise from car alarms day and night.
 - Flood lighting would be needed which would affect neighbours
 - Cars would be a target for vandals.
 - Will open up neighbouring house for more attacks and vandalism
 - There are better places for the parking
 - Flooding occurs in the field 4-6 times a year.
 - Already have original car park, Mencap car park and staff parking, would complete a horseshoe of parking around Park Cottage.
 - Cabin (in garden of Park Cottage) opens onto car park.
 - Conservation Management Plan states that residents should be involved, this only happened at a late stage.
 - With increased use of the Abbey there are increased security issues, vandalism and other ant-social behaviour. Will increase with increased visitor numbers.
 - Conservation Management Plan also states that driveway could be widened or a circular route provided.
 - Plans do not include any aspect of traffic management.
 - Not clear where staff parking will be, if adjacent to the 19th Century stable block access to this area would need to be controlled.
 - Not clear how water will be drained, if this will add water to the brook
 - Lighting is not specifically mentioned, currently there is little light pollution
 - Incorrect to state the parking causes no overriding deleterious effects.
 - Conditions have changed with the submission of an application for extended opening hours. Location of the car park should be reviewed.

7. APPRAISAL

- 7.1 The issues to consider are the impact on the registered battlefield, the conservation area, the setting of the listed building and on the amenities of adjoining occupiers.

Impact on the registered battlefield

- 7.2 The siting of the proposed additional car park is within the historic grounds of the Abbey and is located within the historic battlefield. This is an area which is currently laid to grass and which forms a parkland setting.
- 7.3 Ideally, the site would remain as undisturbed historic battlefield and as part of the parkland setting. However, there is a need to provide additional car parking to serve the Abbey and there is no identified scope to provide this outside the Abbey grounds. In light of this, various areas within the grounds were given consideration. Of the options considered, the currently proposed site has the advantage of being outside the identified areas of ridge and furrow, which is an important historic feature of the landscape which should be preserved, as well as being close to the historic buildings, therefore not requiring the construction of additional paths to provide access between the car park and the Abbey which would be damaging to the historic landscape.
- 7.4 In terms of the method of construction, this would be done using non-invasive methodology which would not be damaging to any archaeology. A full archaeological survey would be required in any event, by condition.
- 7.5 It is considered, therefore, that the proposed siting would be the least damaging to the historic battlefield.
- 7.6 Some harm would, nevertheless, occur and the impact of this must be weighed against the wider public benefits of the proposals, as discussed in the conclusions.

Impact on the Conservation Area and the Setting of the Listed Buildings

- 7.7 In terms of the impact on the setting of the listed buildings, and the wider conservation area, the proposed site also has the advantage of being outside of the direct line of site for views of the Abbey along the drive, and of views out from the Abbey. The exception to this is the proposed location of coach parking, within an existing parking area, which as identified in the comments from the Conservation Officer would restrict views to and from the Abbey. In order to overcome this impact, it is proposed to require amendments by condition which would reconfigure the parking and remove the coach parking from this prominent position.
- 7.8 Concerns have also been raised by Historic England about the continued use for parking of the area to the south of the drive, which includes the coach parking. Given that this is an existing area of car parking, planning permission is not required for the continued use of this area for cars. Nevertheless, the condition as discussed above, proposed regarding the relocation of coach parking would go some way to addressing this concern.

Impact on adjoining occupiers

- 7.9 In terms of the impact on adjoining occupiers, the car park would be close to the boundary with the garden of the neighbouring occupier at Park Cottage. There would be landscaping provided between the parking spaces and the garden, which would provide some separation. The visual impact of the car park when not in use would also be minimised, as it would retain a green appearance and would not be marked out with lines.

- 7.10 The impact on the occupiers of Park Cottage would therefore be as a result of the use for parking of vehicles, as referred to in their objections. Whilst this would impact to some extent on their enjoyment of the house and garden, it is not considered that this impact would be unduly detrimental during the daytime, given that there would in any event be increased activity around the site following the full opening of the Abbey as a visitor attraction..
- 7.11 However, it is considered that parking close to this neighbouring property would have more of a detrimental impact in the evenings and if cars are left overnight, due alarms potentially going off, as referred to in the objection from this neighbour, but also as a result of noise from visitors returning late in the evening, after visiting weddings and other functions. It is considered that the impact of this can be satisfactorily mitigated by the management of the car park, requiring that this area is used only as an overspill parking area and not for evening events. This would be required by means of a condition requiring a traffic management plan.
- 7.12 This traffic management would enable control over where vehicles are parked on the site as well as access arrangements, reducing congestion.

Flooding

- 7.13 Reference has been made by objectors to flooding of the area, and this is a matter which requires due consideration. In this respect a flood risk assessment including a drainage strategy was submitted with the application. This has been examined by the Lead Local Flood Authority and whilst a concern has been raised regarding the need for infiltration testing it has been agreed that this matter can satisfactorily be dealt with by a suitable condition.

8. CONCLUSION

- 8.1 In considering the merits of this proposal, the positive and negative aspects must be carefully weighed up in accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as referred to above.
- 8.2 As discussed above, the site for the proposed car parking has been carefully selected from potential locations within the Abbey grounds, given that there is no suitable available land outside the grounds. This site has been selected as the least damaging as it does not include ridge and furrow, and also being close to the Abbey this means that there is not a need for additional paths which would be damaging to the battlefield. Nevertheless, on the negative side of the balance it is acknowledged that there would be a physical impact on the registered Battlefield with the construction of the parking area, and visually on the Battlefield, conservation area and the setting of the listed buildings. However, for the reasons outlined above it is considered that the harm arising from this would be less than substantial.
- 8.3 This must be balanced against the positive aspect of this proposal which is that it would provide for additional visitor parking for the Abbey. Such parking is essential if the Abbey is to succeed as a visitor attraction and this in turn will help to secure a long term economic use for the listed buildings. Given the importance of the buildings it is considered that this represents a substantial public benefit which it is considered is sufficient to outweigh the negative impact of the less than substantial harm to the heritage assets.

- 8.4 Additionally, the revised parking area would not have undue adverse impact on neighbouring residents or other interests of acknowledged importance which could not be satisfactorily ameliorated by the conditions as proposed.

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: 5489/01, 5489/03, 5489-10,

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

- (3) No development shall take place until the applicant or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, to include metal detecting, which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to prevent any damage to archaeological remains which would otherwise occur.

- (4) Full details of security measures, including lighting, to be used within the car parking areas shall be submitted to and approved in writing by the Local Planning Authority and shall be put into place prior to the commencement of the use of the car park hereby approved and retained thereafter.

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

- (5) Notwithstanding the submitted plans, full details of alternative provision for bus and coach parking shall be submitted to and approved in writing by the Local Planning Authority and such parking shall be provided in accordance with such approved details thereafter. For the avoidance of doubt such alternative provision shall not include coach parking to the south of the drive.

Reason: To preserve the setting of the listed building and the conservation area, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- (6) Notwithstanding the submitted plans, a detailed scheme of hard and soft landscaping for the parking area 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 to secure a satisfactory standard of development, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development, in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- (8) A traffic management plan shall be submitted to and approved in writing by the Local Planning Authority, which shall specify the hours of use of the overspill parking area hereby permitted and which, for the avoidance of doubt, shall preclude the use of this area for guests attending evening events. The site shall be operated in full accordance with the approved plan upon first use of the car park hereby approved and shall continue to be operated thus thereafter.

Reason: To protect the amenities of neighbouring occupiers and for the prevention of crime, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- (9) No development shall take place until a revised surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The strategy shall include provision for the future maintenance of all aspects of the drainage scheme. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site. In accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is necessary for the drainage scheme to be finalised before any work is carried out.

10. BACKGROUND PAPERS

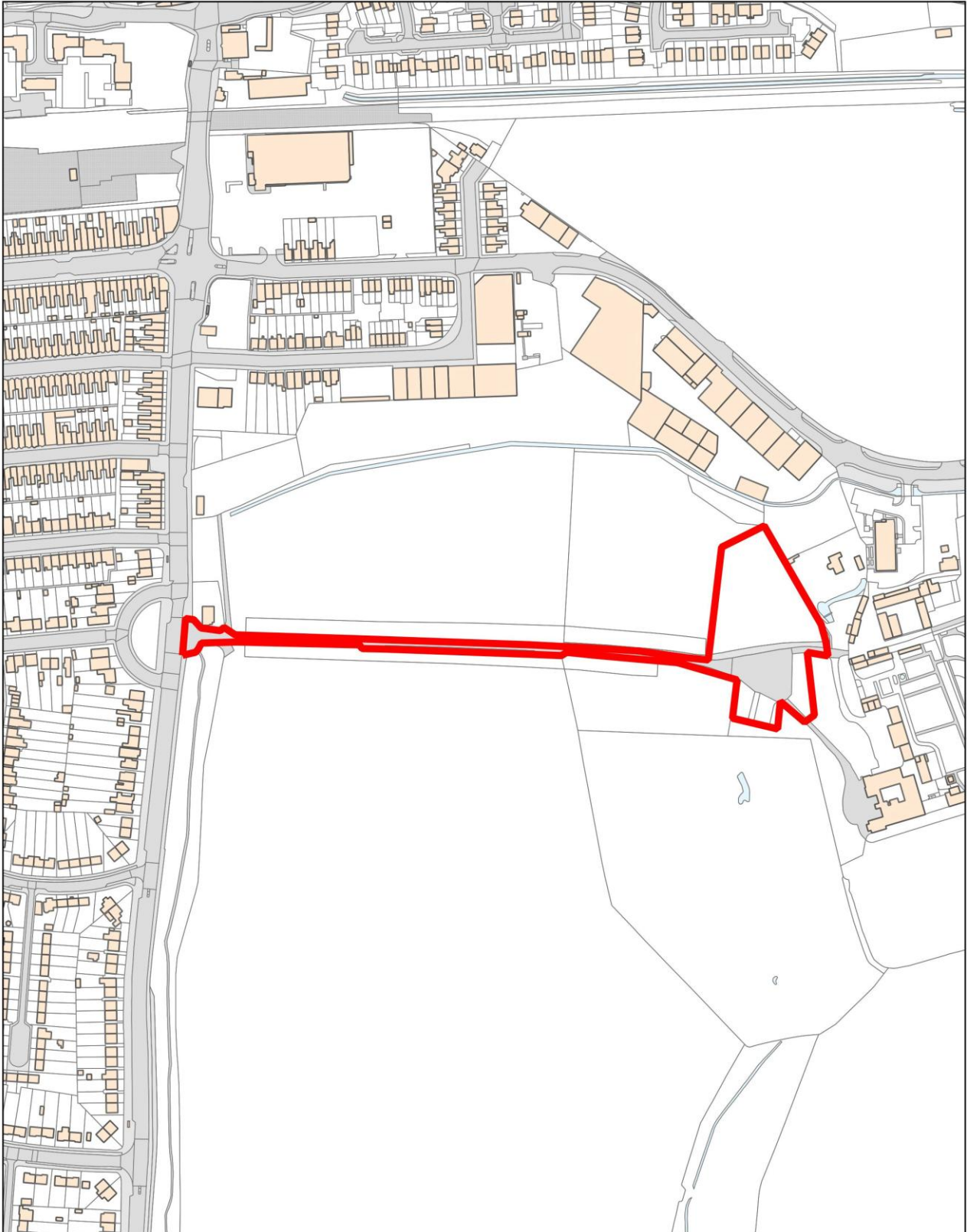
- 10.1 Application file N/2015/1498

11. LEGAL IMPLICATIONS

- 11.1 None

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: Delapre Abbey, London Road

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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0070

LOCATION: 9 Rookery Lane, Northampton, NN2 8BQ

DESCRIPTION: Erection of fence alongside drive.

WARD: Spring Park Ward

APPLICANT: Anthony Shaw
AGENT: Anthony Shaw

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Applicant is a relative of employee

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 a neutral impact upon the character and appearance of the locality and neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to replace a hedge that is sited adjacent to the site boundary with a wooden fence. This fence would taper from 1.8m in height to 0.9m in height.

3. SITE DESCRIPTION

3.1 The application site consists of a detached dwelling located in an existing residential area. Dwellings within this vicinity are often located on sizeable plots and are set back from the highway. This creates a generally open character, although there are a number of tall hedges and other boundaries visible in the street scene.

- 3.2 The application site features an attached garage, which is set back from the road. The south-eastern boundary of the driveway is currently marked by a substantial conifer hedge, which runs from the garage to the edge of the pavement.

4. PLANNING HISTORY

- 4.1 Planning permission for the wider residential development was granted in the mid-1960s. This was subject to a condition that removed permitted development rights for the installation of boundary treatments (ordinarily boundary treatments of up to 1m when adjacent to a highway can be installed without planning permission). The reason for this condition was to ensure that the installation of any future boundary treatments would have a neutral impact on amenity.

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.

- 5.3 Paragraph 17 of the NPPF requires that planning decisions take into account the character of different areas and should seek to secure a good standard of design and amenity for future occupiers of land and buildings.

5.4 West Northamptonshire Joint Core Strategy (2014)

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

- 5.5 Policy S10 requires that new developments be of a high standard of design in order to promote a sense of place.

5.6 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:

- 5.7 Policy E20 requires that new buildings reflect the character of the surroundings in terms of layout, siting, form and scale.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 None

7. APPRAISAL

7.1 The proposed development would result in the loss of a hedge, which contributes to a general verdant character in the surrounding area; however, it is of an unremarkable species and is of a very short length. As a consequence, the overall contribution is small and its loss would not unduly impact upon the area's character. In addition, the street pattern is such that similar boundary treatments (albeit generally associated with rear gardens) are visible in a number of locations. The fence would also be lower than the existing hedge. As a result of these factors, it is considered that there would be no significant adverse impact upon the character and appearance of the locality.

7.2 By reason of the separation distances between the proposed fence and the surrounding dwellings, there would be no significant adverse impact upon the amenities of existing residents in terms of matters such as light, outlook and privacy.

7.3 It is recognised that the development would result in a fence of 0.9m being constructed in close proximity to the pavement. It is not considered that this would have any significant adverse impact upon highway or pedestrian safety. The reason for this is that the existing hedge occupies a similar position to the proposed fence, which means that there would be an enhancement of visibility over the existing situation. Furthermore, if the aforementioned restrictive condition from the 1960s was not in force, a fence of 1m could be constructed in this location. For these reasons, it is considered that the development would not have a significant adverse impact upon highway safety.

8. CONCLUSION

8.1 The proposed fence would have a neutral impact upon the character and appearance of the surrounding area and the amenities of the neighbouring properties. As a consequence, the development is considered to be in conformity with the requirements of national and local planning policies.

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; Block Plan; Proposed Elevations; and Photo Montage.

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

10. BACKGROUND PAPERS

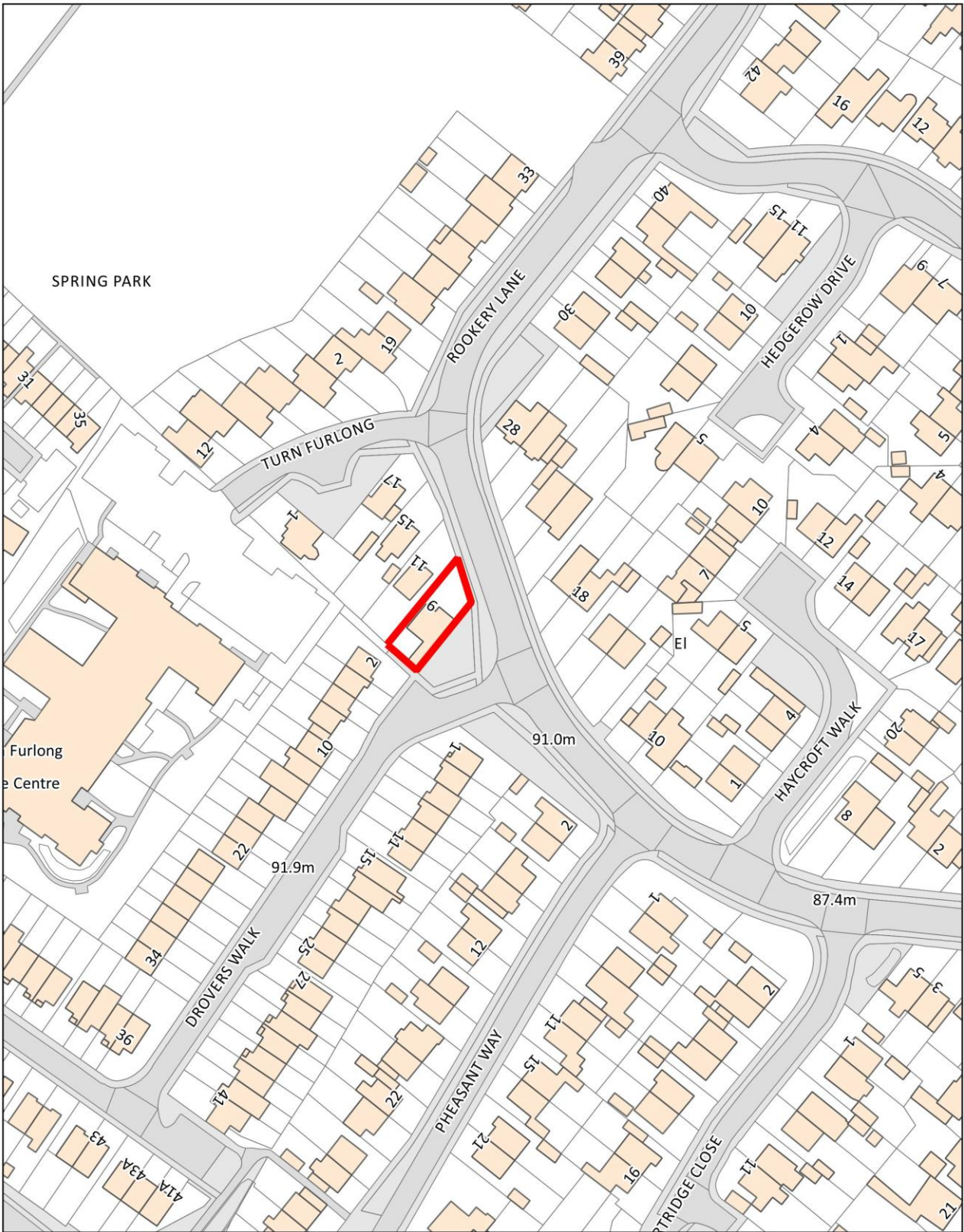
10.1 None

11. LEGAL IMPLICATIONS

11.1 None

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.



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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 15 March 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0087

LOCATION: 39 St Giles Street, Northampton, NN1 1JF

DESCRIPTION: Internal alterations including blocking existing non structural doorway and remove door, open walkway at ground floor.

WARD: Castle Ward

APPLICANT: John Nightingale
AGENT: John Nightingale

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Council Member is a trustee of property owner.

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 works would not harm the character and significance of this Grade II Listed Building and as a consequence, the proposal is compliant with the requirements of the National Planning Policy Framework; Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy; and Policy 1 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant has applied for Listed Building Consent in order to carry out internal works comprising the removal of a stud partition and door on the ground floor and the installation of additional shelving units on the first floor.

3. SITE DESCRIPTION

3.1 The application site consists of a shop that is a Grade II Listed Building that forms part of a terrace that runs from 33 to 45 St Giles Street. The building dates from the mid-19th century and is of three storeys in height. The historical significance of the building is derived from the use of a Welsh slate roof, corncicing, an architrave and a pulvinated frieze.

4. PLANNING HISTORY

4.1 None

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.3 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.

5.4 Paragraph 17 requires that planning decisions should seek to secure developments of a high quality design, whilst conserving heritage assets in a manner appropriate to their significance. Section 12 of the NPPF elaborates upon the importance of heritage as a material consideration. In particular, it is made clear that it is desirable to sustain and enhance the significance of heritage assets and put them to a viable use consistent with their conservation; whilst recognising the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.

5.5 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.

5.6 Of particular note is that Policy S10 emphasises the importance of good design, whilst Policy BN5 requires that heritage assets are conserved and enhanced in manner commensurate with their significance.

5.7 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:

- 5.8 Policy 1 (Promoting Design Excellence) which states that planning decisions should preserve and enhance the character, appearance and setting of the central area heritage assets.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 Conservation (NBC) – No objections

7. APPRAISAL

- 7.1 As a result of the requirements of national and local planning policies, the primary matter for consideration within this application is whether the proposed works would have either a neutral or positive impact upon the character and appearance of the Listed Building.

- 7.2 As a Listed Building all elements are protected; however, it is inevitable that some are more significant than others. In this particular case, the ground floor stud wall and door represents a modern installation and is of no particular historical significance. As a consequence, its removal would result in something of a reinstatement of the original ground floor layout. For this reason it is considered that these elements of the works would not have any harm.

- 7.3 The works to the first and second floors of the building are more intrusive due to the large amounts of shelving that would be installed; however, a sub frame would be installed which would limit the number of physical attachments to the existing walls. As a consequence, any harm to the building would not be significant and would be outweighed by the benefits of bringing a vacant Listed Building back into use, would assist in its preservation and would support the enhancement of the role of St Giles Street as a retail destination.

8. CONCLUSION

- 8.1 The proposed works would not harm the character and appearance of the building and would support the continued use of the Listed Building. As a consequence, the proposed works are considered acceptable.

9. CONDITIONS

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

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; and Proposed and Existing Floor Plans.

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

10. BACKGROUND PAPERS

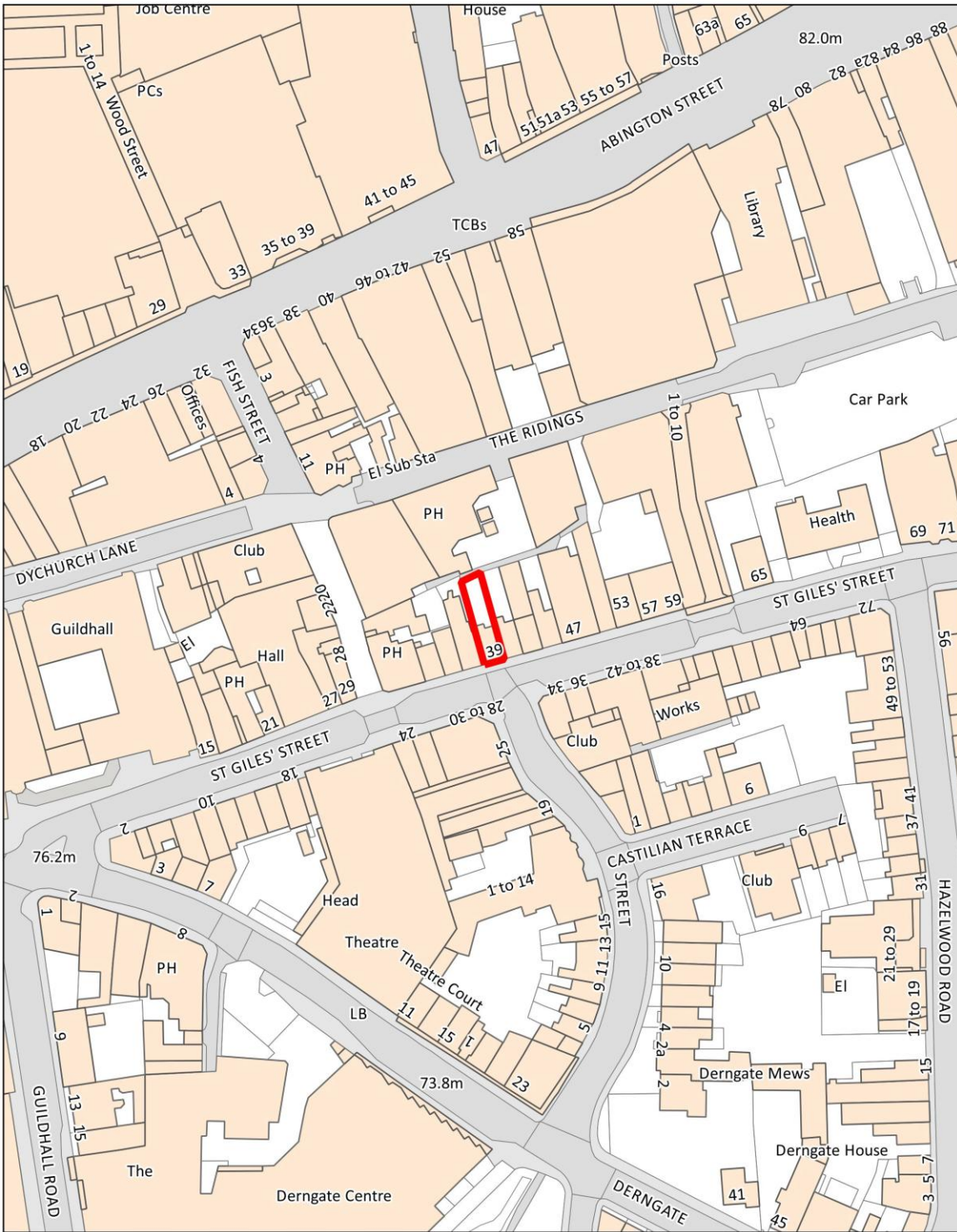
10.1 None

11. LEGAL IMPLICATIONS

11.1 None

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.



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