



PLANNING AGENDA

Tuesday, 10 May 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, 10 May 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

(A) VARIATION OF SECTION 106 AGREEMENT SIN RELATION TO SITE 7C, EDGAR MOBBS WAY

(Copy herewith)

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

10. ITEMS FOR DETERMINATION

Addendum

(A) N/2015/1077 - DEMOLISH EXISTING GARAGE AND REPLACE WITH 14NO. TWO-BED AND 4NO. ONE-BED FLATS WITH CAR PARK (OUTLINE APPLICATION WITH ALL MATTERS RESERVED).DISCOUNT TYRE AND EXHAUST LTD, 11-13 RUSKIN ROAD

(Copy herewith)

(B) N/2016/0152 - CHANGE OF USE FROM OFFICES/CHURCH INTO HOUSES IN MULTIPLE OCCUPATION FOR 8NO OCCUPANTS (SUI GENERIS). 31 HAZELWOOD ROAD

(Copy herewith)

(C) N/2016/0162 - EXTENSION OF EXISTING GROUND FLOOR PORCH AND GARAGE. 3 BEECHWOOD DRIVE

(Copy herewith)

(D) N/2016/0190 - CHANGE OF USE FROM OFFICES/CHURCH INTO HOUSE IN MULTIPLE OCCUPATION FOR 6NO OCCUPANTS (USE CLASS C4). 33 HAZELWOOD ROAD

(Copy herewith)

(E) N/2016/0264 - SINGLE STOREY FRONT EXTENSION AND TWO STOREY SIDE EXTENSION. 22 MARTINS LANE

(Copy herewith)

(F) N/2016/0452 - PRIOR NOTIFICATION FOR LARGER HOME EXTENSION.1 BOUVERIE ROAD

(Copy herewith)

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

(A) N/2016/0486 - HYBRID APPLICATION. (1) OUTLINE APPLICATION FOR CLASS B2, B8 AND ANCILLARY B1, PROVISION OF A 2HA LORRY PARK AND ASSOCIATED INFRASTRUCTURE. (2) FULL APPLICATION FOR WORK ON THE A4500 COMPRISING: REFORMATTING THE ACCESS TO THE TRUCK STOP AND LAYBY (CLOSURE); CONSTRUCTION OF 2 ROUNDABOUTS; CLOSURE OF EXISTING ACCOMMODATION ACCESS NORTH SIDE OF THE A4500 AND REFORMATTING PROVISION OF NEW ACCESS FROM ROUNDABOUT; ENGINEERING OPERATIONS COMPRISING GROUND RE-PROFILING; THE RE-ROUTING OF THE EXISTING WATERCOURSE; FLOOD PLAIN COMPENSATION WORK; ECOLOGICAL WORK AND ACCESS ON LAND ADJACENT TO JUNCTION 16 OF THE M1 (INCLUDES ENVIRONMENTAL STATEMENT). LAND AT JUNCTION 16 ON THE M1

(Copy herewith)

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, 12 April 2016

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

OFFICERS : Steve Boyes (Director of Regeneration, Enterprise and Planning), Peter Baguley (Head of Planning) Rita Bovey (Development Manager), Nicky Toon (Principal Planning Officer), Theresa Boyd (Planning Solicitor), Michael Flynn (Democratic Services Officer)

1. APOLOGIES

Apologies were received from Councillors Haque, Lynch and Meredith.

2. MINUTES

The minutes of the meeting held on the 15th March and 22nd March 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/2015/1021

Mr Paul Mower
Mr Paul Garratt
Barry Waine

N/2015/1314

Cllr James Hill (Ward)
Keith Holland Delamere
Mrs Woodvine
Mr Gautam Chhabra
Mr Jeremy Heppell

N/2015/1424

Mr Jenkins
Barry Waine
Cllr D Stone

N/2016/0123

Cllr Hibbert

N/2016/0310

Mr Michael Ingram

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Hill declared a personal interest in item 10c as the Ward Councillor for Rectory Farm.

Councillor Golby declared a personal interest in item 12a as a member of Duston Parish Council.

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

None

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. The Whitworth Road appeal decision was referred to and advised that this does not affect the Council's Interim Policy on HIMO regarding 15% concentration within 50m radius. It was advised that moving forward the Council need to produce more robust evidence when defending any appeal e.g. fly tipping, noise complaints from neighbours, photos etc. Equally if Members were minded to object to any HIMO application, they need to justify what harm would be caused by such a change of use, rather than just giving general comments that HIMOs may affect an area.

RESOLVED: That the report be noted.

7. OTHER REPORTS

None

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None

10. ITEMS FOR DETERMINATION

(A) N/2015/1021 - PART DEMOLITION OF EXISTING FACTORY BUILDING & CONVERSION OF EXISTING FACTORY BUILDING INTO 45X APARTMENTS & ERECT 2X DWELLINGS. LAND AT THE CORNER OF COUNTESS ROAD & LYTTLETON ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration Enterprise and Planning and elaborated thereon. It was advised that the application was deferred by Committee on 22nd March 2016 to allow further investigation into the provision of disabled access to flats and the

possibility of having lift access. It was reported that officers raised these issues with the applicant. The applicant's agent responded advising that their client has considered the re-use of the lifts and comments as follows:

- The lifts are either goods lifts or pulley lifts and neither could be used as passenger lifts.
- There is no statutory requirement for lifts to serve a 3-storey development.
- To reconfigure a lift within the building would inevitably involve the loss of a unit on each of the three floors. The loss of any units to the scheme would make it even less viable than the current scheme for which a detailed Report on viability has been submitted and is now supported by the Council's own consultants.
- The provision of an external lift shaft has been looked at but the estimated price based on initial consultation with such lift companies indicates a figure of over £100,000 the additional cost of which would make the scheme unviable.
- Four mobility units are proposed on the ground floor.
- The development is over four floors, however the 2nd & 3rd floor are duplex apartments.

Point 2.6 was referred to in the report advising the applicant had submitted plans clarifying the use of Units 7, 9, 11 and 13 as mobility units.

Mr Paul Mower spoke against the application and was concerned that noise generated within the industrial unit may become nuisance to future residents.

Mr Paul Garratt spoke against the application and was concerned that delivery vehicles to the industrial unit would have difficulties manoeuvring as the site would be fenced off, and may impact on highway safety.

Mr Barry Waine as the planning consultant spoke in favour of the application.

In response to questions from the committee the Principal Planning Officer advised that the noise assessment was carried out during the daytime. There are noise mitigation measures proposed for rear of the flats and it was advised that Environmental Health has stated that there has been no complaint of noise issues for the last 5 years in relation to the units referred to by the speakers.

The Development Manager advised that the Highway Authority has reviewed the surrounding streets and the application site has been fenced off for some time and delivery is already restricted..

The Committee discussed the report.

RESOLVED

The Committee **APPROVED** the application subject to the conditions as set out in the report with amended Conditions 5 (landscaping) and 10 (noise control) to increase noise mitigation measures in relation to adjacent industrial units. Conditions to be agreed with the Chair beforehand.

(B) N/2015/1228 - DEMOLISH FORMER CAR SHOWROOM AND ERECT BUILDING WITH RETAIL (USE CLASS A1) ON GROUND FLOOR AND 14NO FLATS ON FIRST, SECOND AND THIRD FLOORS INCLUDING NEW ACCESS AND ANCILLARY DEVELOPMENT, AND CREATION OF RESIDENTIAL CAR PARKING AREA. 194-200 KINGSTHORPE GROVE AND TRINITY AVENUE

This item was withdrawn from the agenda

(C) N/2015/1314 - CHANGE OF USE FROM PUBLIC HOUSE (USE CLASS A4) INTO CONVENIENCE STORE (USE CLASS A1) INCLUDING ALTERATION AND EXTENSIONS, REAR STORAGE AND INSTALLATION OF 2NO SATELLITE DISHES ON ROOF. THE BARN OWL, OLDEN ROAD

The Principal Planning Officer submitted a report on behalf of the Director for Regeneration, Enterprise and Planning and referred to the addendum. The Committee were advised that the application was deferred by Committee on 22nd March 2016 to allow the applicant to carry out further consultation with the local community.

The Applicant, Hawthorn Leisure, accompanied by Instinctif Partners, Hawthorn's community consultants, met with Councillor James Hill and representatives of Rectory Farm Residents' Association ('the Representatives') on 1st April 2016.

It was acknowledged by all parties attending that the pub is no longer commercially viable as a business.

Following a comprehensive discussion, Hawthorn Leisure agreed to pass on some of the Representatives' thoughts and suggestions to the Co-op and in particular a request that the Co-op give consideration to allowing potential future community use of one or more room(s) on the first floor of The Barn Owl building, subject to the approval and implementation of the current planning application.

Members were advised that potential future community use of one or more rooms does not form part of the current planning application and cannot therefore be conditioned. A separate planning application would be required in respect of any future community use of part of the first floor and such an application would have to be considered on its planning merits. However, Hawthorn Leisure has advised that they would be happy to continue to keep the Committee, Councillor Hill and the Representatives apprised of on-going discussions with the Co-op regarding future access to the first floor of the site as development progresses. Should the current scheme be approved, the Applicant has indicated that the Co-op has expressed optimism about being able to accommodate the Representatives' interest with respect to access to the first floor.

It was reported that the Director of Regeneration, Enterprise and Planning has subsequently spoken to Hawthorn Leisure and they have confirmed that Co-op would, subject to details, be willing to provide a room for the local community.

Councillor James Hill addressed the committee as Ward Councillor for Rectory Farm and spoke against the application.

Councillor Hill left the room at 19:10

Mr Keith Holland Delamere addressed the committee as the Chairman of Rectory Farm Residents Association and spoke against the application.

Mrs Woodvine addressed the committee as a resident of Rectory Farm and spoke against the application.

Mr Gautam Chhabra addressed the committee as the Director of Hawthorn Leisure Ltd and spoke in favour of the application.

Mr Jeremy Heppell addressed the committee as the agent and spoke in favour of the application.

The Committee discussed the report.

RESOLVED

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

The proposal would bring a currently vacant building back into use. The scale of the retail use proposed is considered appropriate to provide a local convenience retail use without leading to any significant impact on the vitality and viability of the town centre or other identified centres. The proposal falls below the floorspace requirement for an Impact Assessment and whilst a sequential test may identify alternative sites the nature and scale of the proposal is intended to serve the local community in which it is located. It is not considered that the proposal would result in any significant adverse impacts on the surrounding community arising from the loss of a community facility. Furthermore, the NPPF identifies shops as a community facility and there is an existing community centre in close proximity to the site. The property has been considered and rejected by the Council under the nominations process for listing as an Asset of Community Value as it was deemed the nominations did not meet the necessary requirements and the decisions are now registered on the Council's „List of Unsuccessful Nominations“. Accordingly under Class A of Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 the proposed change of use from Class A4 (drinking establishment) to use within Class A1 (shops) is permitted development. The design and appearance of the proposed alterations are considered acceptable and the proposal would not lead to any unacceptable impacts on adjacent residential amenity or severe impacts on existing highway conditions. The proposal is therefore considered to be in accordance with Policies S9, S10 & RC2 of the West Northamptonshire Joint Core Strategy, Policies E20, E28 & T12 of the

Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

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

Councillor James Hill returned to the room.

The Development Manager submitted a report on behalf of the Director of Regeneration, Planning and Enterprise and elaborated thereon. The addendum was referred to advising the committee that further information has recently been received from a local resident identifying properties in Cowper Street that are alleged to be in HIMO use. Investigation of the properties is being undertaken in conjunction with the Private Sector Housing Department. Some of the properties are previously identified as confirmed HIMOs. One has come into use as a HIMO and another has ceased being used as a HIMO. From available data, it has been concluded that the percentage of confirmed HIMOs within 50m of the application site has not increased, i.e. it remains at 8 confirmed HIMOs, equalling 11%. There remains one suspected HIMO, which even if confirmed would not result in the area concentration exceeding 15%.

Mr Jenkins as resident of the area addressed the committee and spoke against the application.

Councillor Stone as the Ward Councillor for Castle addressed the committee and spoke against the application.

Mr Barry Waine as the planning consultant addressed the committee and spoke in favour of the application.

In response to questions from the committee the Development Manager advised as below

- Correspondence has been sent to the local MPs in relation to noise insulation for HIMOs.
- Inspections on the property can be carried out within reason to ensure it is occupied by a maximum of 3 people.
- The 11% HIMO figure was ascertained via checking with Private Sector Housing records and planning records.
- Paragraph 50 of the National Planning Policy Framework was referred to - HIMOs contribute to different mix of housing provision.

Cllr Larratt requested a copy of the letter sent to MPs regarding noise condition.

Committee requested enforcement to be carried out regarding the number of people in occupancy.

RESOLVED

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

The development would not lead to an unacceptable concentration of HMOs 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.

(E) N/2016/0123 - ERECTION OF ELECTRONIC GATE AND PEDESTRIAN GATE WITH SURROUNDING FENCING AT THE ENTRANCE TO THE CLUB CARPARK VIA ANGEL STREET - RETROSPECTIVE APPLICATION. NORTHAMPTON AND COUNTY CLUB, 8B GEORGE ROW

Councillor Larratt left the committee at 20:00.

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the applicant sought planning permission to retain an electronic access gate (approximately 2.1m in height) and fencing to the rear of the club. Works to implement the development commenced earlier this year, without the benefit of planning permission; however, this application sought to regularise the situation.

Councillor Hibbert addressed the committee as Secretary of Northampton and County Club and spoke in favour of the application.

RESOLVED

The Committee **APPROVED** subject to the conditions as set out below and for the following reason:

The retention of the gates and fencing as proposed is considered to be of less than substantial harm, whilst providing wider public benefits in securing the site in order to reduce crime and anti- social behaviour

issues, and would assist in ensuring the continued viable use of the listed building. The retention of the gates and fencing would not lead to any unacceptable adverse impact on the setting of the Grade II* listed premises which form part of the application site, or the adjacent listed buildings to the north and north east. Nor would they adversely impact on the character and appearance of the conservation area. The proposal is, therefore, in accordance with the requirements of Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy 1 of the Northampton Central Area Action Plan and the aims and objectives of the National Planning Policy Framework.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

(A) N/2016/0310 - CONSTRUCTION OF 54 DWELLINGS INCLUDING PUBLIC OPEN SPACE, BALANCING POND AND ASSOCIATED INFRASTRUCTURE. LAND OFF WHITES LANE, LOWER HARLESTONE

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised the application sought full planning permission from Daventry District Council to erect 54 dwellings including public open space, a balancing pond and associated infrastructure. The development would be accessed from Whites Lane with a main access road running north to south in the western half of the site and two further roads running east west from this. The balancing pond and public open space would be located in the southern part of the site.

Mr Michael Ingram addressed the committee and had concerns regarding traffic in Duston, no cycle link and a lack of affordable housing.

In response to questions from the committee the Development Manager responded as below:

- Daventry District Council will need to make sure that the Policies in the West Northamptonshire Joint Core Strategy are complied with.
- A masterplan is being prepared regarding the strategic framework covering the Northampton West SUE area.
- The school and doctors surgery would be provided as part of the wider sustainable urban extension of 2,500 houses

The committee requested that The Development Manager include additional comments regarding the cycle way to be provided and link to existing routes.

RESOLVED

The committee had **NO OBJECTIONS** to the principle of development subject to the issues outlined in the report being addressed

by Daventry District Council and that cycle way should be provided and link to existing routes.

The meeting concluded at 20:27

Directorate: Regeneration, Enterprise and Planning

Director: Steven Boyes



List of Appeals and Determinations – 10th May 2016

Written Reps Procedure

| Application No. | DEL/PC | Description | Decision |
|--|--------|---|------------------|
| N/2015/0699 APP/V2825/D/16/3145940 | DEL | Single storey rear extension at 64 Kingsley Road | AWAITED |
| N/2015/0946 APP/V2825/D/16/3141908 | DEL | Erect attached garage to front at 57 Rickyard Road | DISMISSED |
| N/2015/1078 APP/V2825/W/16/3144604 | PC | Change of use from dwelling (use Class C3) to five person house in multiple occupation (use Class C4) at 74 Military Road | AWAITED |
| N/2015/1279 APP/K2800/D/16/3142656 | DEL | First floor side extension at 14 Tiffany Gardens | DISMISSED |
| N/2015/1349 APP/V2825/D/16/3147347 | DEL | New front boundary wall/fence and pedestrian/vehicular gate at 14 Woodland Avenue | AWAITED |

Public Inquiry

| | | | |
|--|----|--|----------------|
| 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 | AWAITED |
|--|----|--|----------------|

| | | | |
|--|----|--|----------------|
| | | 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 | |
| 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 |
| Hearings | | | |
| 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 ended on 27th April 2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE | AWAITED |
| Enforcement Appeals | | | |
| | | None | |

The Address for Planning Appeals is:

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

Appeal decisions can be viewed at - 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: 10th May 2016

DIRECTORATE: Regeneration, Enterprise and Planning

DIRECTOR: Steven Boyes

REPORT TITLE: Variation of two Section 106 Agreements dated 15th March 2005 in respect of planning permission N/2004/930, Land west of Harvey Reeves Road, and N/2004/0496, Southern Development Link Road

1. RECOMMENDATION

1.1 That the Committee **AGREE** to vary the two Section 106 Agreements dated 15th March 2005 to exclude an area of land known as Site 7C situated within the Northampton Waterside Enterprise Zone and identified on the attached plan from the planning obligations contained within the relevant S106 Agreements.

2. BACKGROUND

2.1 The relevant S106 agreements are both dated 15th March 2005 and relate to planning application N/2004/0930 for the development of an area of land, formerly a landfill site, for areas of parking, construction of a new service road and provision of foot/cycle ways and associated bridges and landscaping, and planning application N/2004/0496 for the development of the Southern Development Link Road (SDLR) linking Upton Way and Harvey Reeves Road and Ross Road spur link with associated landscaping and infrastructure.

2.2 Both schemes have since been implemented with the new road, the SDLR, forming Edgar Mobbs Way and the areas of car parking, foot/cycle ways and associated bridges provided.

2.3 The associated S106 Agreements required financial contributions towards CCTV, ecology and off-site mitigation all of which have been paid in full, and planning obligations in respect of drainage, remediation, landscape and flood risk management, and public art.

2.4 In December 2015, Planning Committee approved a variation of the S106 Agreement relating to N/2004/0930 to remove an obligation in relation to the provision of an easement strip no longer required for remediation purposes.

2.5 An outline application, N/2016/0015, has been submitted by Coltham Management Services Limited and a full application, N/2016/0178, by

Coltham Management Services and Hellermann Tyton Data Ltd for development of the Site 7C for employment use. The Applications have yet to be determined.

3. PROPOSED VARIATION

- 3.1 Site 7C is situated within the Northampton Waterside Enterprise Zone and is actively being promoted for development.
- 3.2 Coltham Management Services Limited, who have exchanged contracts with the Homes and Communities Agency for the purchase of Site 7C, have requested the Borough Council voluntarily agree to vary both S106 Agreements to release Site 7C from the planning obligations contained therein as the obligations have either been met or are not specifically relevant to this part of the overall site.
- 3.3 The only ongoing requirements of the S106 Agreements are in relation to landscape management, the land to be maintained in a neat and tidy condition, and in relation to flood risk management.
- 3.4 In the event that the site becomes unacceptably untidy there are alternative measures of control under planning legislation to ensure the site is kept in a reasonable condition.
- 3.5 With regard to flood risk management, the mitigation measures contained within the approved Flood Risk Assessment associated with the S106 Agreements relate to land outside of Site 7C. Any alternative development of Site 7C would be subject to a separate planning application and the submission of a Flood Risk Assessment. Details of surface water drainage would be assessed and agreed in consultation with the relevant drainage bodies. It is therefore considered that suitable measures would remain in place to control flood risk and surface water drainage issues.

4. CONCLUSION

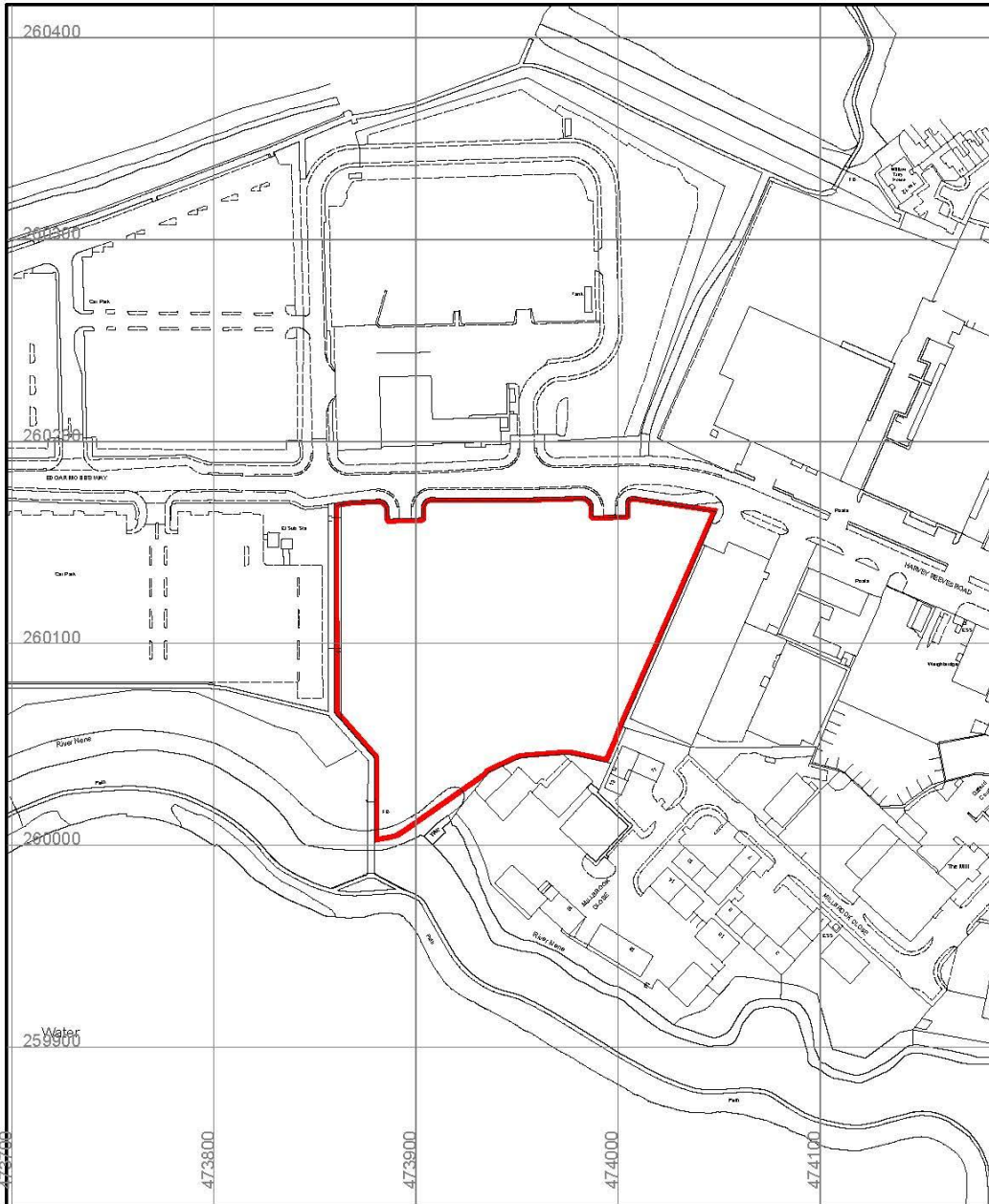
- 4.1 In view of the above and in the interests of bringing the site forward for development, it is considered that the removal of the area of the land as defined by the submitted plan, known as Site 7C, is acceptable in principle and would not adversely impact on the purpose of the planning obligations in either of the S106 Agreements.

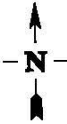

5. LEGAL IMPLICATIONS

- 5.1 As set out in the report.

6. SUMMARY AND LINKS TO CORPORATE PLAN

- 6.1 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 Disposal Plan Site 7C Northampton Waterside Enterprise Zone Northampton | |  |  Homes & Communities Agency | Spatial and Market Intelligence Tel: 0300 1234500 Email: spatialintelligence@hca.gov.uk www.homesandcommunities.co.uk |
| ITP NO. MIDL/MIDE/286 | PCS NO. 20615 | | | |
| DRS NO. GML17284_RevB | DATE 6/8/15 | SCALE 1:2500 | SIZE A4 | <small>Information shown is correct to the best of Spatial Intelligence Department's knowledge at date of issue. This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Homes and Communities Agency OD 100824283</small> |



Addendum to Agenda Items Tuesday 10th May 2016

7. OTHER REPORTS

7a

Variation of two Section 106 Agreements dated 15th March 2005 in respect of planning permission N/2004/0930, land west of Harvey Reeves Road and N/2004/0496, Southern Development Link – in relation to Site 7C Edgar Mobbs Way

No update.

10. ITEMS FOR DETERMINATION

10a

N/2015/1077

Demolish existing garage and replace with 14no. two-bed and 4no. one-bed flats with car park (outline application with all matters reserved)
Discount Tyre and Exhaust Ltd, 11-13 Ruskin Road

No update.

10b

N/2016/0152

Change of use from offices/church into houses in multiple occupation for 8no occupants (Sui Generis)
31 Hazelwood Road

No update.

10c

N/2016/0162

Extension of existing ground floor porch and garage
3 Beechwood Drive

No update.

10d

N/2016/0190

Change of use from Offices/Church into house in multiple occupation for 6no occupants (Use Class C4)
33 Hazelwood Road

No update.

10e

N/2016/0264

Single storey front extension and two storey side extension
22 Martins Lane

Item **WITHDRAWN** from agenda as the applicant wishes to amend the submitted scheme.

10f
N/2016/0452
Prior notification for larger home extension
1 Bouverie Road

No update.

12. ITEMS FOR CONSULTATION

12a
N/2016/0486
Hybrid Application
(1) Outline application for class B2, B8 and ancillary B1, provision of a 2ha lorry park and associated infrastructure
(2) Full application for work on the A4500 comprising: reformatting the access to the Truck Stop and layby (closure); construction of 2 roundabouts; closure of existing accommodation access North side of the A4500 and reformatting provision of new access from roundabout; engineering operations comprising ground re-profiling; the re-routing of the existing watercourse; flood plain compensation work; ecological work and access on land adjacent to Junction 16 of the M1 (includes Environmental Statement)
Land at Junction 16 on the M1

No update.



PLANNING COMMITTEE: 10th May 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1077

LOCATION: Discount Tyre & Exhaust Ltd, 11 - 13 Ruskin Road

DESCRIPTION: Demolish existing garage and replace with 14no two-bed and 4no one-bed flats with car parking (outline application with all matters reserved)

WARD: Sunnyside Ward

APPLICANT: Mr Gibbes
AGENT: Mr Gibbes

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major application requiring S106 agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

1.1.1 The prior completion of a S106 Agreement to secure:

- i) 35% on site affordable housing;
- ii) A payment towards the provision of and/or enhancements and maintenance of public open space within the vicinity of the site;
- iii) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and
- iv) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.1.2 The Conditions set out in Paragraph 9 below and for the following reason:

The proposed development represents an acceptable use of the land and is complementary towards the surrounding land uses. Subject to conditions, it is considered that a satisfactory standard of development would be created with a neutral impact on the amenities of surrounding properties. The development is therefore in conformity with the requirements of the National

Planning Policy Framework; Policies S1, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

- 1.2 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Director of Regeneration, Enterprise and Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The proposal is made in outline form with all matters reserved for future consideration. As a consequence, the primary matter for consideration in this application is whether the principle of erecting up to 18 flats in this location is acceptable. In the event of an approval, future applications would be submitted to cover matters such as design, layout, access and landscaping.

3. SITE DESCRIPTION

- 3.1 The application site currently consists of a commercial garage for cars sales and vehicle repairs. The building on site is of a functional style of architecture. The surrounding buildings are generally in use for residential accommodation and are generally two storeys in height. The majority of parking demand in the vicinity of the site is met through on-street provision. Whilst the building is currently used for commercial purposes, the site is allocated in the Northampton Local Plan as being suitable for residential accommodation.
- 3.2 The site is in close proximity to the Kingsthorpe Local Centre, which contains a number of businesses and commercial activities. In addition, a number of public transport routes are available, which ensures that the area is well connected with the wider environs.

4. PLANNING HISTORY

- 4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

5.3 Paragraph 49 requires proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant development management policies cannot be considered to be up to date. 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.

5.4 In terms of providing additional housing, planning proposals should 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 supports sustainable development, mitigating impacts on amenity and facilitating mixed uses (paragraph 17).

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. Policies of particular relevance are:

5.6 Policy S1 of the JCS states that new developments will be concentrated primarily in and adjoining the existing principal urban area of Northampton. Policy S3 requires the construction of approximately 18,870 houses within Northampton Borough over the plan period and Policy S4 requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated to satisfy the West Northamptonshire Objectively Assessed Housing Needs.

5.7 Policy S10 requires that new developments be located where services and facilities can be accessed by walking, cycling or public transport.

5.8 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing. Policy S10 encourages sustainable development through incorporating measures to increase safety and security. To further encourage sustainable development.

5.9 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure.

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, some policies are material to the determination of this application including Policy E20 states that new buildings should be of an appropriate design; and Policy T12 necessitates that new developments have sufficient manoeuvring space for commercial vehicles.

5.11 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

6. **CONSULTATIONS/REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Anglian Water** – No objections.

- 6.2 **Highway Authority (NCC)** – Make observations regarding the design of the access and the size of car parking spaces.
- 6.3 **Lead Local Flood Authority (NCC)** – No objections, subject to conditions relating to drainage provision and on-going maintenance.
- 6.4 **Northamptonshire Police Crime Prevention Design Advisor** – Make observations regarding the type of doors and windows and appropriate types of boundary treatments.
- 6.5 **16 Boughton Green Road** – Object due to a loss of privacy in addition to drainage problems in the vicinity. It is also considered that the development would generate excessive noise.
- 6.6 **Construction Future** – Request S106 obligation to secure training opportunities with appropriate funding.

7. APPRAISAL

Principle of Development

- 7.1 Whist it is recognised that the proposed development would result in the loss of a commercial unit, it is considered that as the current land use does not comply with the allocation of the Local Plan, the site's redevelopment for residential uses, which is complimentary to the surrounding area, is acceptable. In addition to this point, it is noted that the development would contribute (albeit on a small scale) to meeting the established need for housing in the Borough.

Drainage and Contamination

- 7.2 Given the nature and scale of the proposed development and its current use as a commercial facility, conditions are recommended that would ensure suitable drainage systems are put in place and that the potential occurrence of contamination is investigated and remediated where necessary.

Design and Impact

- 7.3 As the application is made in pure outline form, no firm details of the siting and design of the building have been submitted; however, the indicative parameters demonstrate that the proposed quantum of development can be accommodated within a two storey building. This therefore ensures that the future residential development would be reasonably harmonious with the prevailing character of the surrounding area and would not form an incongruous or overbearing feature. In order to provide certainty of this, conditions are recommended that would place limitations on the maximum number of units and the height of the building. The detailed consideration of the design of the development would also address the points raised by Northamptonshire Police's Crime Prevention Design Advisor.
- 7.4 By reason of the aforementioned controls over building height, it is considered that the development would have a neutral impact on the amenities of neighbouring properties in terms of considerations such as light, outlook and privacy.
- 7.5 In order to create a good standard of development, it is considered that the design of the building should be enhanced over the parameters submitted with the planning application; however this would be a matter reserved for future consideration.

Parking and Access

- 7.6 It is recognised that the majority of demand for car parking spaces in the vicinity is currently predominantly met through on-street provision. The indicative plans indicate that 20 off-street parking spaces would be provided within the development. Given the nature of the development (i.e. comparatively small flats of between one and two bedrooms) and as no objections have been received from the Highway Authority, it is considered that this level of provision is acceptable and a condition is recommended that would ensure the resultant reserved matters application includes this number of spaces. This condition would also specify the minimum size of the spaces in order to provide complete certainty that the highway impacts of the scheme will be mitigated.
- 7.7 It is noted that the Highway Authority have made a number of observations regarding the design of the access. As access has been referred for future consideration, these are not matters that need to be considered as part of this planning application as this would be addressed through the consideration of any subsequent Reserved Matters application.

S106 Obligations

- 7.8 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.
- 7.9 By reason of the development being for more than 15 dwellings, 35% of the development would be secured for occupation on affordable tenures. This would assist in creating a varied form of development where dwellings are made available on a variety of tenures in line with the requirements of the NPPF.
- 7.10 In addition to this matter, financial contributions would also be secured for the provision of off-site open space and for construction worker training opportunities. This ensures compliance with the requirements of the Council's Developer Obligations Supplementary Planning Document.

8. CONCLUSION

- 8.1 It is considered that the principle of the land use is acceptable and would remove a non-conforming use in a residential area; the indicative parameters submitted with the application demonstrate that the proposal would have a neutral impact upon the character of the area, highway safety and the amenities of surrounding properties.

9. CONDITIONS

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

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

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

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

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

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

4. 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 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. 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 agree these details in a timely manner.

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

7. No development shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development should be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained thereafter.

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

National Planning Policy Framework. This condition is required in order to ensure that these details are agreed in an appropriate timescale.

8. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: To ensure the future maintenance of drainage systems associated with the development. This condition is required in order to ensure that these details are agreed in a timely manner.

9. The development hereby approved shall not exceed more than 18 flats.

Reason: For the avoidance of doubt and to ensure a neutral impact upon the surrounding area in accordance with the requirements of the National Planning Policy Framework.

10. The development hereby permitted shall not exceed 9m in height.

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

11. The development hereby permitted shall include a minimum of 20 on-site car parking spaces, which shall have minimum dimensions of 2.4m x 4.8m. The car parking shall be provided prior to the first occupation of the development hereby permitted and retained thereafter.

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

10. BACKGROUND PAPERS

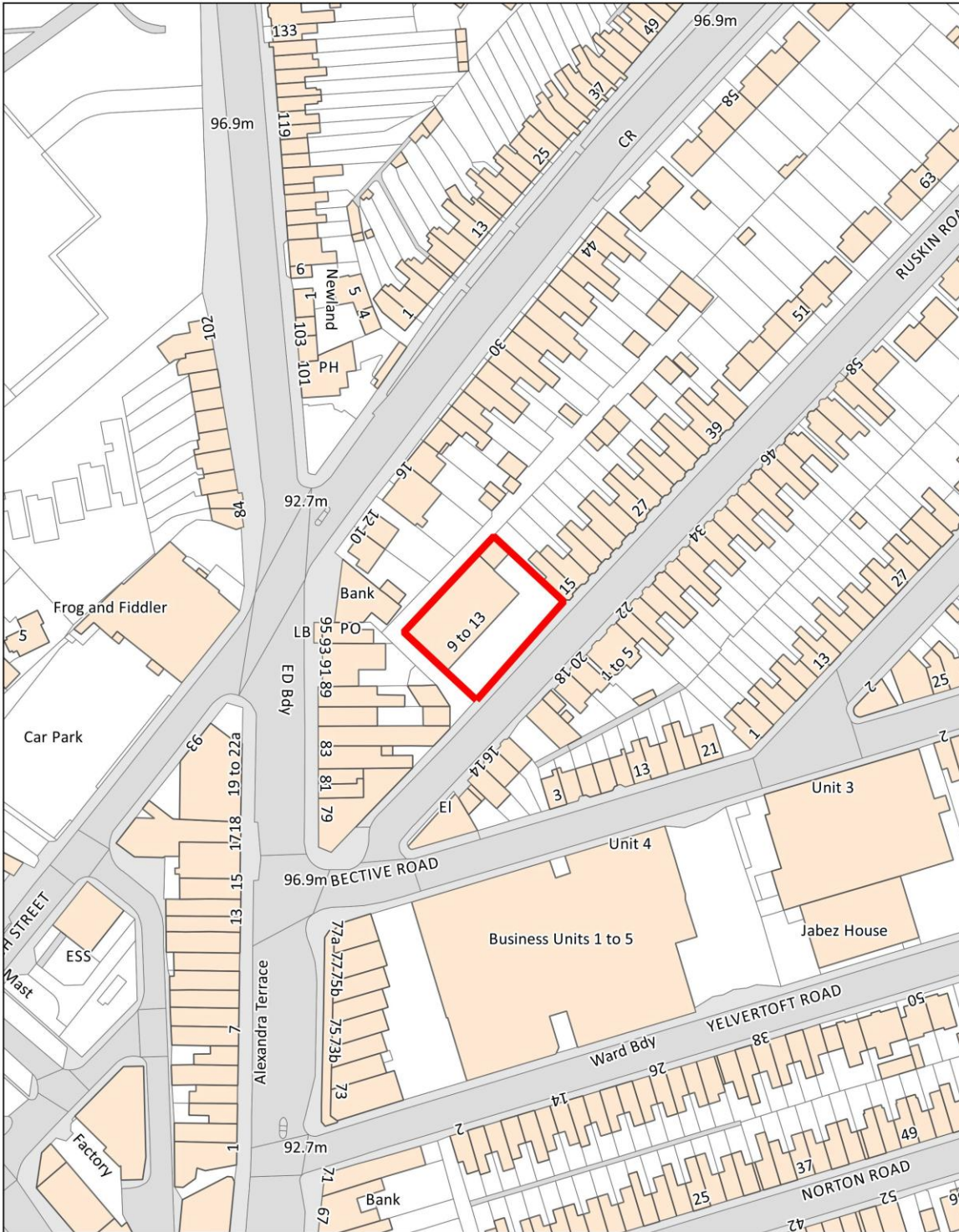
- 10.1 N/2015/1077.

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: 11-13 Ruskin Road

© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.

Date: 30-03-2016
Scale: 1:1,250
Drawn by: Plannir



PLANNING COMMITTEE: 10th May 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0152

LOCATION: 31 Hazelwood Road

DESCRIPTION: Change of use from offices/church into houses in multiple occupation for 8no occupants (Sui Generis)
WARD: Castle Ward

APPLICANT: Mr Angus Lawson
AGENT: HDA Architecture

REFERRED BY: Councillor D Stone
REASON: Overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to conditions, would represent an acceptable use of the land and would secure a satisfactory level of amenity for future residents and the occupiers of neighbouring properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; Policy 1 of the Central Area Action Plan and the Houses in Multiple Occupation Interim Planning Policy Statement

2. THE PROPOSAL

2.1 The planning application is for the change of use of a building which was previously used as a church and offices to a house in multiple occupation (HIMO) for a maximum of eight residents.

3. SITE DESCRIPTION

3.1 The application site is located in the town centre. The surrounding land uses comprise a mixture of commercial, leisure and residential uses. Car parking demand within the vicinity is generally met through on-street provision, although there is a small, commercial car park to the south of the application site.

3.2 The building is three storeys in height, which is comparable to the surrounding area. Due to the general topography of the area, the building's basement is accessible at grade from the outside area to the rear of the site. Of additional note is that the site is located in the Derrnate Conservation Area.

4. PLANNING HISTORY

4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty as respects conservation areas in the exercise of planning functions: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers. In addition, paragraph 49 requires that housing applications considered with presumption in favour of sustainable development and paragraph 50 states that planning should 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. The importance of good design is emphasised by paragraph 56.

5.5 In respect of heritage matters, paragraph 132 states that great weight should be given to conserving heritage assets.

5.6 West Northamptonshire Joint Core Strategy (2014)

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

5.7 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.

- 5.8 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.
- 5.9 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.
- 5.10 Policy BN5 – Requires that heritage assets should be conserved in a manner appropriate to their significance.

5.11 **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:

1 – Promoting Design Excellence

5.12 **Other Material Considerations**

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

Proposals for HIMOs should:

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** – Request a condition to ensure that new and replacement windows are of an appropriate design and constructed from timber.
- 6.2 **Highway Authority (NCC)** – No objections, as the surrounding area features a number of parking restrictions, which are regularly enforced.
- 6.3 **Private Sector Housing (NBC)** – The proposed rooms are of sufficient size and details relating to refuse storage should be secured. Comments are also made relating to ventilation.
- 6.4 **Cllr. D. Stone** – Request that the application is decided by the Planning Committee as it represents an overdevelopment of the area and puts a stress on services.

7. APPRAISAL

- 7.1 The site is identified as being part of an employment area within the Central Area Action Plan. Whilst any employment potential would be lost if the proposed developments were to proceed, this impact is somewhat limited as the former ecclesiastical use of the site. Notwithstanding this, Policy 15 of the CAAP permits a change away from business uses to other functions if it can be demonstrated that a contribution would be made to meeting the strategic objectives of the CAAP.
- 7.2 In this case, the proposals would contribute towards the repopulation of the Central Area, which would also support the operation of town centre business and leisure facilities. The close proximity of the development sites to these facilities would also create a sustainable form of development, which is compatible with the strategic objectives of the CAAP. As a consequence, it is considered that there is no significant breach of CAAP Policy 15.
- 7.3 Due to the town centre location of the site, there are a significant number of buildings within the vicinity. As there are only two other HIMOs within a 50m radius, the development would not result in the 15% threshold being breached. As a result, it is considered to be acceptable and in line with the policy objective.
- 7.4 The external alterations to the building are comparatively limited as these would predominantly compromise the installation of replacement doors and windows on the front elevation. In the interests of preventing harm to the character or appearance of the Conservation Area, conditions are recommended that would ensure that the Council approves these prior to the first occupation of the development. For the avoidance of doubt, the condition will also specify that these windows and doors are constructed from timber.
- 7.5 In addition, to the above works, a new window would be installed on the second floor. This provides some symmetry on this elevation, which would make a contribution to visual amenity. In addition, a condition is recommended that would ensure details are approved by the Council in line with the process outlined above.
- 7.6 Given the separation distances and the predominantly unaltered elevations, it is considered that there would be no significant adverse impacts upon the amenities of the surrounding properties in terms of considerations such as light, outlook and privacy.
- 7.7 The proposed development has been assessed by the Council's Private Sector Housing team, who have confirmed that the room sizes are acceptable to secure an appropriate level of amenity for the future occupiers of the developments. In order to provide further assurances of this, conditions are recommended that would cover matters pertaining to refuse storage, cycle storage and the maximum number of residents.
- 7.8 The site is sustainably located in the town centre and therefore residents would have easy access to various commercial and leisure facilities. In addition, the Highway Authority have observed that the surrounding car parking is within the town centre pay and display area, which is subject to regular enforcement. Due to these circumstances, the proposed development is unlikely to generate significant demand for on street car parking spaces and as a result, there would be no undue adverse impact on highway safety.
- 7.9 Such matters as the unsatisfactory handling of refuse and noise disturbance are the landlord's responsibility under The Management of Houses in Multiple Occupation (England) Regulations 2006 and would be included in the tenancy agreement, and also part of the Council's Licencing process. Such matters would also fall under the Environmental Protection Act 1990 if the anti-social behaviour is arising from HIMOs.

7.10 The recent Appeal Decision for 76 Somerset Street illustrates this point, as follows:

'The appellant states that he manages the property in a way which is focussed on professional people who are vetted before they are granted a tenancy, and that the tenancy agreement contains obligations to minimise noise. Whilst the planning permission runs with the land, there is no evidence to suggest that new ownership or management would lead to more significant noise issues being experienced. As the HMO is a residential use it cannot be assumed that it would create a noise problem which is materially worse than would be generated by use as a single dwelling house, which could involve for example young children or teenagers.'

7.11 Consequently it is not considered that any refusal of planning permission or the imposition of planning conditions in relation to amenity issues would be reasonable or sustainable at appeal.

7.12 Matters pertaining to ventilation and extraction equipment would be addressed under the relevant Building Regulations.

8. CONCLUSION

8.1 In conclusion, it is considered that the proposed development would, subject to conditions, secure a satisfactory level of amenity for the future occupiers of the development and the amenities of surrounding properties, and would not harm the character or appearance of the Conservation Area.

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 in accordance with the following approved plans: 5086/1; 5082/2; and 5086/3b.

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 eight residents at any one time.

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

4. Notwithstanding the details submitted, full details of refuse and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the commencement of the use hereby permitted and shall be retained thereafter.

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

5. Notwithstanding the details submitted, full details of all proposed new and replacement doors and windows, which shall be timber, 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 commencement of the use hereby permitted and shall be retained thereafter.

Reason: In the interests of ensuring a neutral impact upon the character and appearance of the Conservation Area in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

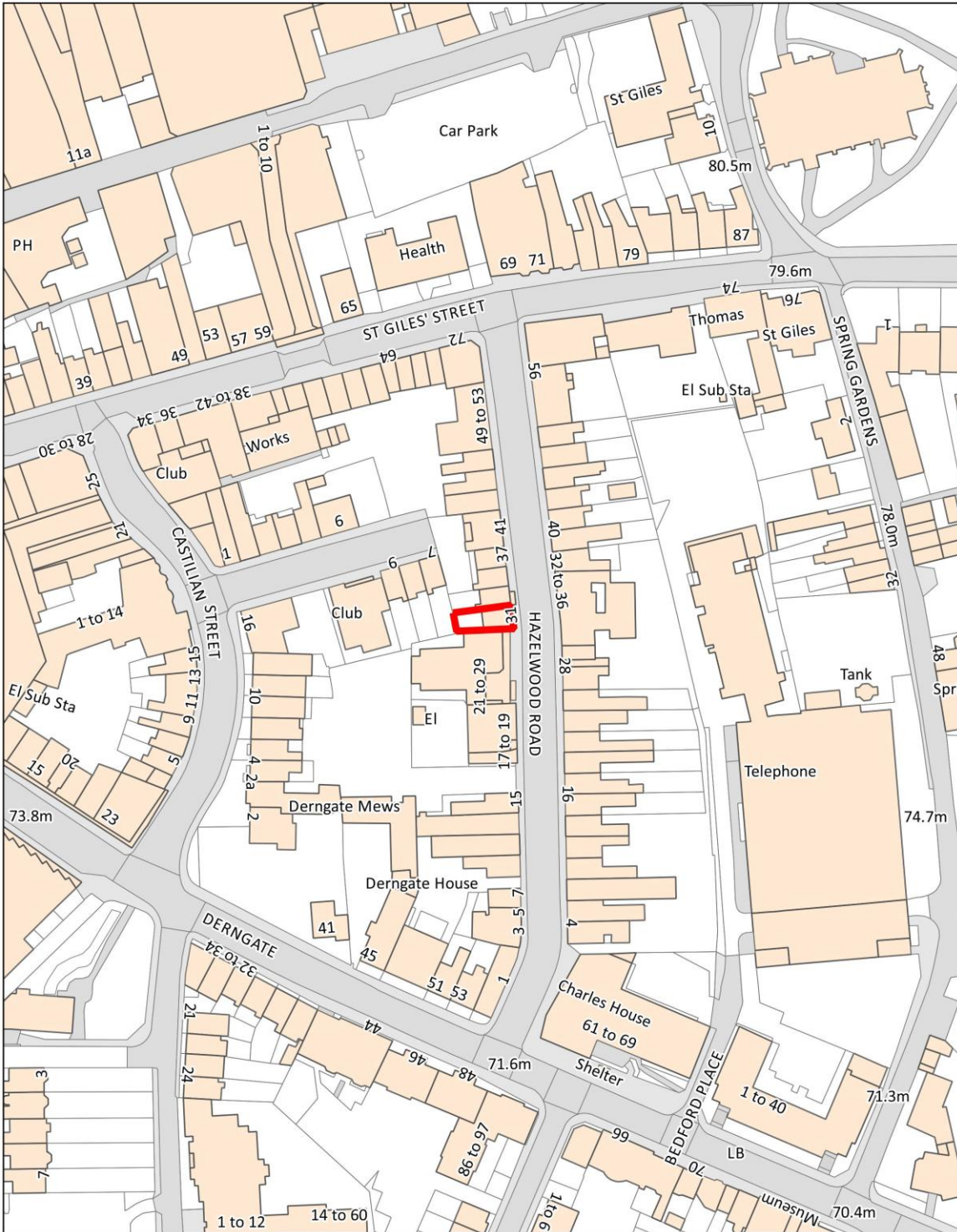
10.1 N/2016/0152

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: **31 Hazelwood Road**

© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.

Date: 28-04-2016

Scale: 1:1,250

Drawn by: Plannir



PLANNING COMMITTEE: 10th May 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0162

LOCATION: 3 Beechwood Drive

DESCRIPTION: Extension of existing ground floor porch and garage
WARD: Westone Ward

APPLICANT: Mr Ian Jenkinson
AGENT: Architectural Services

REFERRED BY: Councillor M Lynch
REASON: Development does not fit in with the area

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would not have an undue detrimental impact on the appearance and character of the host building, surrounding area and amenity of adjoining occupiers to comply with Policies E20 and H18 of the Northampton Local Plan, S10 of the West Northamptonshire Joint Core Strategy, SPD on Residential Extensions and National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for single storey front extension with front porch. The proposal involves a new pitched roof over the front of the attached garage.

3. SITE DESCRIPTION

3.1 The application site consists of a 2 storey semi-detached dwelling along a street of similar properties. The property is set back from Beechwood Drive and has an attached garage to the side. The property is not in a conservation area.

4. PLANNING HISTORY

4.1 N/2015/0787 Planning permission was refused in 2015 for a first floor side extension on the grounds that the proposal would result in a visual terracing effect with the adjoining property infilling a visual gap detrimental to the appearance and character of the area and street scene.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Paragraph 17 relates to design and seeks to ensure a good standard of amenity for all adjoining buildings.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

S10 Sustainable Development Principles - encourages development which achieves high standards of design and a strong sense of place.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 Design of new development

Promotes good design in new development and extensions and ensures acceptable levels of privacy, light and amenity to adjoining properties.

H18 Residential Extensions

Relates specifically to domestic extensions and consideration should be given to design and appearance and impact on neighbouring properties.

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD

6. CONSULTATIONS/ REPRESENTATIONS

6.1 **Councillor Lynch** – object to the application as proposal is out of character with the area. Called in application to be determined by the Planning Committee.

7. APPRAISAL

Main issues

- 7.1 The main issues to consider are the impact on the appearance and character of the host building, surrounding area and neighbour amenity.

Impact on appearance and character of host building and area

- 7.2 Given that the property is set back from Beechwood Drive and the proposed extension is of modest scale, it is considered that the proposal would be in keeping with the character of the host building and would have a neutral impact on the wider street scene. Any approval would be subject to a matching materials condition to ensure a satisfactory external appearance of development. This would comply with Policies E20 and H18 of the Northampton Local Plan and aims of the Council's Adopted Residential Extensions Design Document.

Impact on amenity of neighbours

- 7.3 Due to the minor scale of development combined with the separation to adjoining properties at nos. 1 and 5 Beechwood Drive, it is not considered that there would be any undue impact on residential amenity in terms of overbearing, loss of outlook and overshadowing.

8. CONCLUSION

- 8.1 The proposal is considered acceptable as it would not have any undue impact on the appearance and character of the host building, surrounding area or residential amenity and is fully compliant with development plan policy.

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: 15/2049/100B, 01A, 02A.

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

- (3) The external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

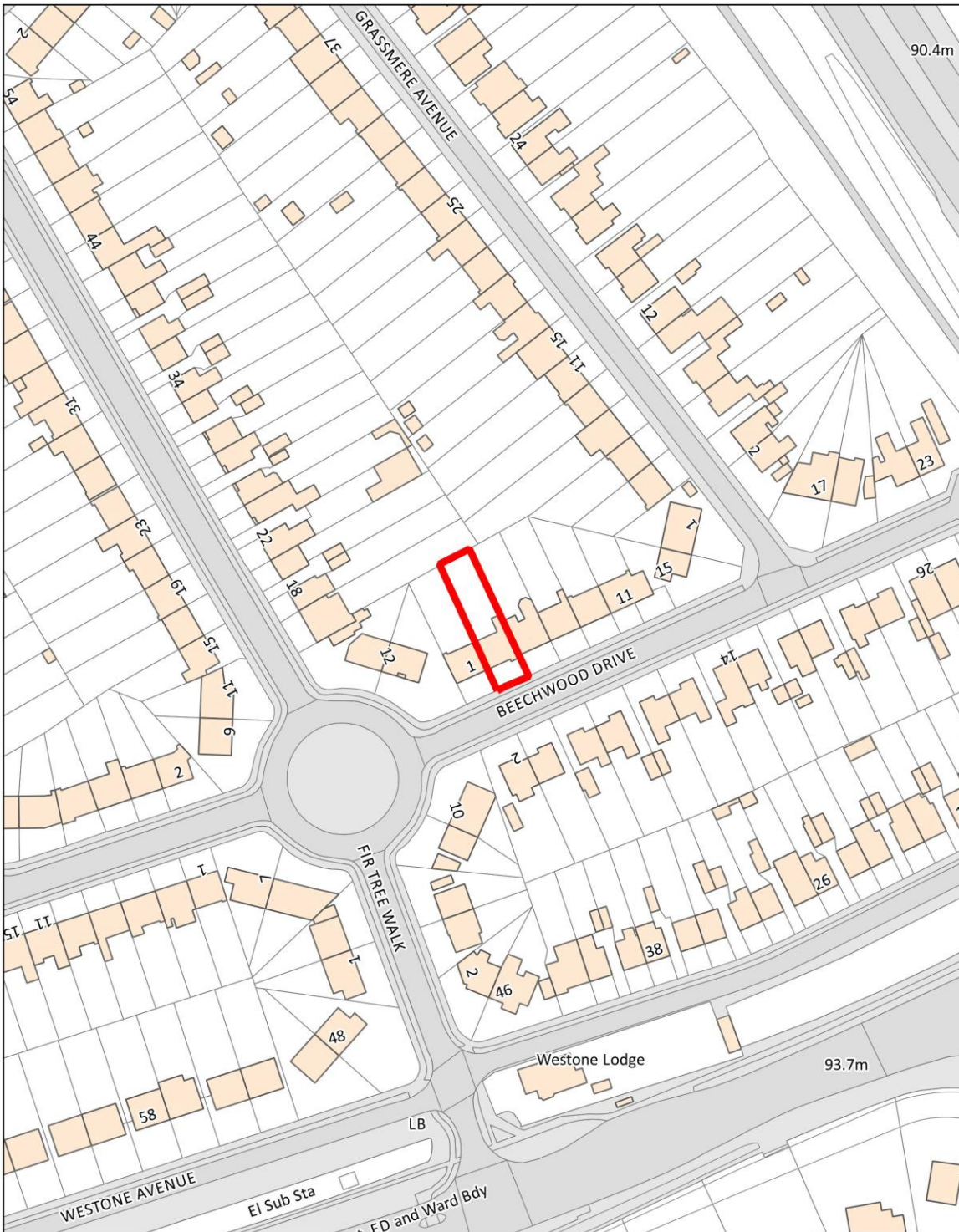
- 10.1 N/2016/0162


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: 3 Beechwood Drive</p> | <p>Date: 28-04-2016</p> |
| | <p><small>© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.</small></p> | <p>Scale: 1:1,250</p> <p>Drawn by: Plannir</p> |



PLANNING COMMITTEE: 10th May 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0190

LOCATION: 33 Hazelwood Road

DESCRIPTION: Change of use from offices/church into house in multiple occupation for 6no occupants (Use Class C4)
WARD: Castle Ward

APPLICANT: Mr Angus Lawson
AGENT: HAD Architecture

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: As the next door application called in by Cllr D Stone

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development, subject to conditions, would represent an acceptable use of the land and would secure a satisfactory level of amenity for future residents and the occupiers of neighbouring properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy; Policy 1 of the Central Area Action Plan; and the Houses in Multiple Occupation Interim Planning Policy Statement

2. THE PROPOSAL

2.1 The planning application is for the change of use of a building which was previously used as a church and offices to a house in multiple occupation (HIMO) for a maximum of six residents.

3. SITE DESCRIPTION

3.1 The application site is located in the town centre. The surrounding land uses comprise a mixture of commercial, leisure and residential uses. Car parking demand within the vicinity is generally met through on-street provision, although there is a small, commercial car park to the south of the application site.

3.2 The building is three storeys in height, which is comparable to the surrounding area. Due to the general topography of the area, the building's basement is accessible at grade from the outside

area to the rear of the site. Of additional note is that the site is located in the Derngate Conservation Area.

4. PLANNING HISTORY

4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty as respects conservation areas in the exercise of planning functions: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

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 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers. In addition, paragraph 49 requires that housing applications considered with presumption in favour of sustainable development and paragraph 50 states that planning should 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. The importance of good design is emphasised by paragraph 56.

5.5 In respect of heritage matters, paragraph 132 states that great weight should be given to conserving heritage assets.

5.6 West Northamptonshire Joint Core Strategy (2014)

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

5.7 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.

- 5.8 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.
- 5.9 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.
- 5.10 Policy BN5 – Requires that heritage assets should be conserved in a manner appropriate to their significance.

5.11 **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:

1 – Promoting Design Excellence

5.12 **Other Material Considerations**

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

Proposals for HIMOs should:

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

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** – Request a condition to ensure that new and replacement windows are of an appropriate design and constructed from timber.
- 6.2 **Highway Authority (NCC)** – No objections, as the surrounding area features a number of parking restrictions, which are regularly enforced.
- 6.3 **Private Sector Housing (NBC)** – The proposed rooms are of sufficient size and details relating to refuse storage should be secured. Comments are also made relating to ventilation.
- 6.4 **Flat 9, 21-22 Hazelwood Road** – Object as similar developments in the vicinity have caused problems with noise and disturbance.

7. APPRAISAL

- 7.1 The site is identified as being part of an employment area within the Central Area Action Plan. Whilst any employment potential would be lost if the proposed developments were to proceed, this impact is somewhat limited as the former ecclesiastical use of the site. Notwithstanding this, Policy 15 of the CAAP permits a change away from business uses to other functions if it can be demonstrated that a contribution would be made to meeting the strategic objectives of the CAAP.
- 7.2 In this case, the proposals would contribute towards the repopulation of the Central Area, which would also support the operation of town centre business and leisure facilities. The close proximity of the development sites to these facilities would also create a sustainable form of development, which is compatible with the strategic objectives of the CAAP. As a consequence, it is considered that there is no significant breach of CAAP Policy 15.
- 7.3 Due to the town centre location of the site, there are a significant number of buildings within the vicinity. As there are only two other HIMOs within a 50m radius, the development would not result in the 15% threshold being breached. As a result, it is considered to be acceptable and in line with the policy objective.
- 7.4 The external alterations to the building are comparatively limited as these would predominantly compromise the installation of replacement doors and windows on the front elevation. In the interests of preventing harm to the character or appearance of the Conservation Area, Conditions are recommended that would ensure that the Council approves these prior to the first occupation of the development. For the avoidance of doubt, the condition will also specify that these windows and doors are constructed from timber.
- 7.5 In addition, to the above works, a new window would be installed on the second floor. This provides some symmetry on this elevation, which would make a contribution to visual amenity. In addition, a condition is recommended that would ensure details are approved by the Council in line with the process outlined above.
- 7.6 Given the separation distances and the predominantly unaltered elevations, it is considered that there would be no significant adverse impacts upon the amenities of the surrounding properties in terms of considerations such as light, outlook and privacy.
- 7.7 The proposed development has been assessed by the Council's Private Sector Housing team, who have confirmed that the room sizes are acceptable to secure an appropriate level of amenity for the future occupiers of the developments. In order to provide further assurances of this, conditions are recommended that would cover matters pertaining to refuse storage, cycle storage and the maximum number of residents.
- 7.8 The site is sustainably located in the town centre and therefore residents would have easy access to various commercial and leisure facilities. In addition, the Highway Authority have observed that the surrounding car parking is within the town centre pay and display area, which is subject to regular enforcement. Due to these circumstances, the proposed development is unlikely to generate significant demand for on street car parking spaces and as a result, there would be no undue adverse impact on highway safety.
- 7.9 Such matters as the unsatisfactory handling of refuse and noise disturbance are the landlord's responsibility under The Management of Houses in Multiple Occupation (England) Regulations 2006 and would be included in the tenancy agreement, and also part of the Council's Licencing process. Such matters would also fall under the Environmental Protection Act 1990 if the anti-social behaviour is arising from HIMOs.
- 7.10 The recent Appeal Decision for 76 Somerset Street illustrates this point, as follows:

'The appellant states that he manages the property in a way which is focussed on professional people who are vetted before they are granted a tenancy, and that the tenancy agreement contains obligations to minimise noise. Whilst the planning permission runs with the land, there is no evidence to suggest that new ownership or management would lead to more significant noise issues being experienced. As the HMO is a residential use it cannot be assumed that it would create a noise problem which is materially worse than would be generated by use as a single dwelling house, which could involve for example young children or teenagers.'

7.11 Consequently it is not considered that any refusal of planning permission or the imposition of planning conditions in relation to amenity issues would be reasonable or sustainable at appeal.

7.12 Matters pertaining to ventilation and extraction equipment would be addressed under the relevant Building Regulations.

8. CONCLUSION

8.1 In conclusion, it is considered that the proposed developments would, subject to conditions, secure a satisfactory level of amenity for the future occupiers of the development and the amenities of surrounding properties, and would not harm the character or appearance of the Conservation Area.

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 in accordance with the following approved plans: 5086/10; 5082/11; and 5086/3b.

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

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

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

4. Notwithstanding the details submitted, full details of refuse and cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the commencement of the use hereby permitted and shall be retained thereafter.

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

5. Notwithstanding the details submitted, full details of all proposed new and replacement doors and windows, which shall be timber, 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 commencement of the use hereby permitted and shall be retained thereafter.

Reason: In the interests of ensuring a neutral impact upon the character and appearance of the Conservation Area in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

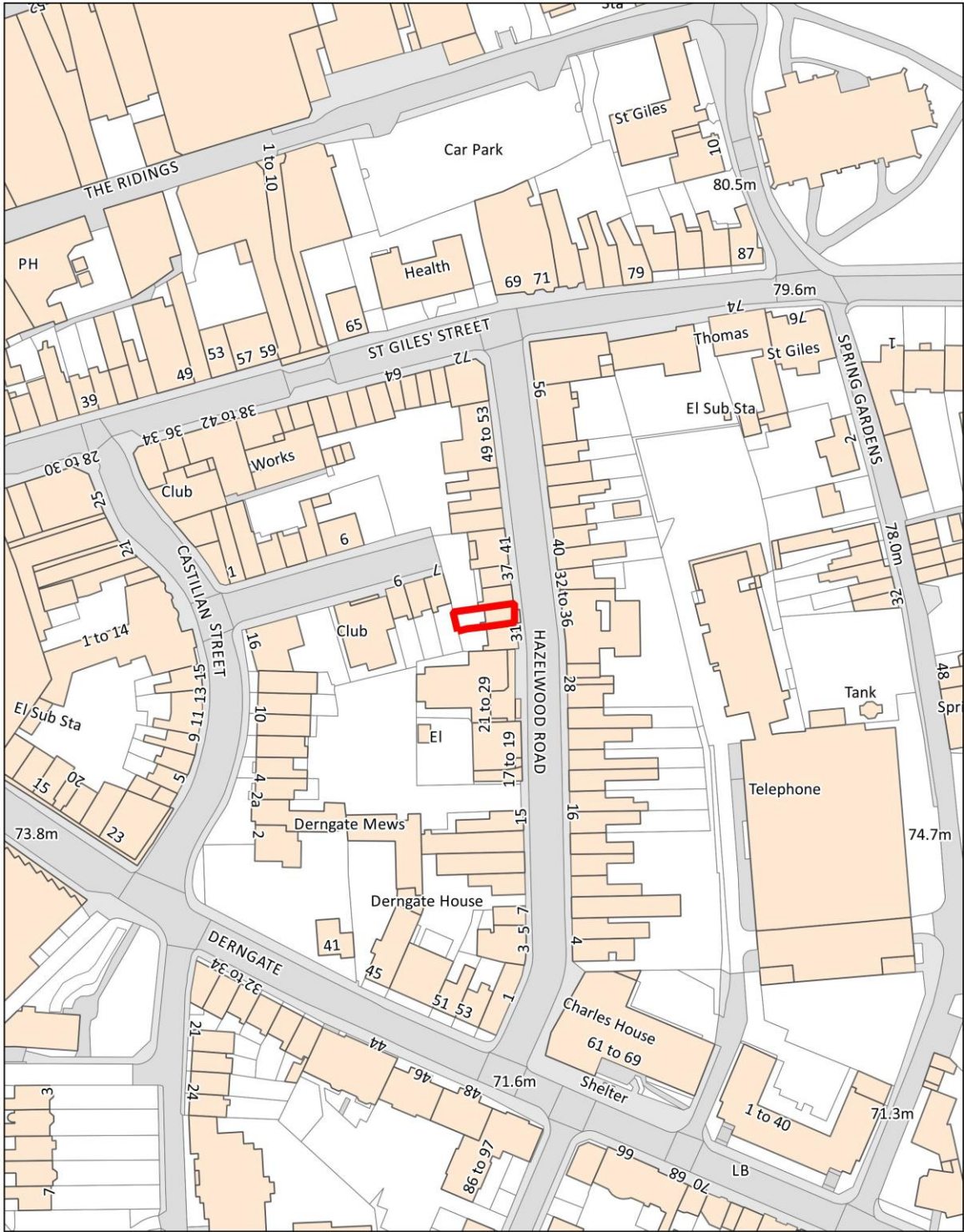
10.1 N/2016/0190


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: 33 Hazelwood Road</p> | <p>Date: 28-04-2016</p> |
| | <p><small>© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.</small></p> | <p>Scale: 1:1,250</p> <p>Drawn by: Plannir</p> |



PLANNING COMMITTEE: 10th May 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0264

LOCATION: 22 Martins Lane, Hardingstone

DESCRIPTION: Single storey front extension and two storey side extension

WARD: Nene Valley Ward

APPLICANT: Mr & Mrs Davis
AGENT: Drawings by Design

REFERRED BY: Called in by Councillor J Nunn
REASON: Overlooking and overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would, due to its siting, scale and design, not have an undue detrimental impact on the appearance and character of the host building. street scene and amenity of adjoining occupiers to comply with Policies E20 and H18 of the Northampton Local Plan, S10 of the West Northamptonshire Joint Core Strategy, SPD on Residential Extensions and National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for the erection of single storey front extension and two storey side extension. The proposed side extension would be sited above an existing garage and constructed in materials to match the majority of the existing house (brickwork). The single storey front extension is to create a porch and extended kitchen.

3. SITE DESCRIPTION

3.1 The application site consists of a 2 storey detached dwelling located along residential street comprising a large mix of house types and designs. There is a substantial private garden to the rear enclosed on 3 sides. The site is not in a Conservation Area.

4. PLANNING HISTORY

4.1 None recent.

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 section is of particular relevance to this application:

Paragraph 17 relates to high quality design and ensuring amenity for future residents

5.3 West Northamptonshire Joint Core Strategy (2014)

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

S10 Sustainable Development Principles - development should achieve the highest standards of design and create a strong sense of place.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 Design of new development - development should be designed to adequately reflect character of surroundings in terms of layout siting, form, scale and materials and impact on neighbour amenity in terms of light and privacy.

H18 Residential extensions - states that planning applications will be granted subject to design and appearance being acceptable and effect on adjoining properties

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD (2011)

6. CONSULTATIONS/ REPRESENTATIONS

Comments are summarised as follows:

6.1 **Hardingstone Parish Council** - no objection.

6.2 **Councillor Nunn** - concerned on overlooking to rear of 20 Martins Lane and over-development. Called in application for consideration by the Planning Committee.

6.3 Objection received from **20 Martins Lane:**

- Over-development;
- Would be out of character and scale with other properties;
- Concern on how foundations will be laid;
- Would create a visual terracing effect;
- Loss of light and Overbearing;
- Overlooking.

6.4 Comment from **24 Martins Lane:**

- No objection subject to consideration being given to proposed porch roof design.

7. APPRAISAL

Main issues

7.1 The principal issues to consider are the impact on the appearance and character of the host building, wider area and amenity of adjoining neighbours.

Impact on appearance and character of host building and area

7.2 Whilst it is noted that the proposed extensions would be clearly visible from Martins Lane, there are a range of house designs and types in the surrounding area, the proposed addition would not appear over prominent and the impact on the street scene is considered acceptable. The proposed design and appearance is also considered to be in keeping with the host building, subject to a condition for matching materials to be used.

7.3 It is not considered that the proposed side extension would create a terracing effect with 20 Martins Lane, given that there is still a visual gap above the garage serving 20 Martins Lane. In addition, given the scale of the proposal and the size of the application site, the proposal would not result in over-development.

Impact on amenity of neighbours

7.4 The adjacent property 20 Martins Lane has one side facing first floor window serving a bathroom facing the applicant's house. They also have a garage adjacent to the applicant's boundary which appears to be currently used as a store and home office. Given that no habitable room windows would be affected, it is considered that the impact on that neighbour's living conditions would be acceptable in terms of loss of outlook, light and overbearing.

7.5 There will be a new window located on the first floor rear elevation of the proposed two storey extension. Given that any views of the neighbour's rear garden at 20 Martins Lane from this window would be from an oblique angle, it is not considered that overlooking is significant enough to warrant refusal of planning permission. It is also worth noting that this relationship is no different to that on a large number of properties in the Borough. It is considered that there would be limited overlooking to the properties on the opposite side of Martins Lane which are approximately 30 metres away.

7.6 The impact on the other adjoining neighbour at 24 Martins Lane would be limited given that the proposed single storey front extension is of modest scale and set away from the boundary. There would be no impact from the proposed side extension given that it would be located on the other side of the property.

Other issues

- 7.7 The concern raised by the objector on the foundation of the proposed extension is a matter to be addressed under Building Regulations.

8. CONCLUSION

- 8.1 The proposed development is considered to be in keeping with the appearance and character of the host building, wider street scene and would not have any undue impact on the residential amenity of the locality. For these reasons, the proposal is considered acceptable as it would comply with development plan and national policy. The application is recommended for approval subject to the conditions below.

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: C555 -001, 002, 003C, 004B, 005A.

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

- (3) The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

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

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

10. BACKGROUND PAPERS

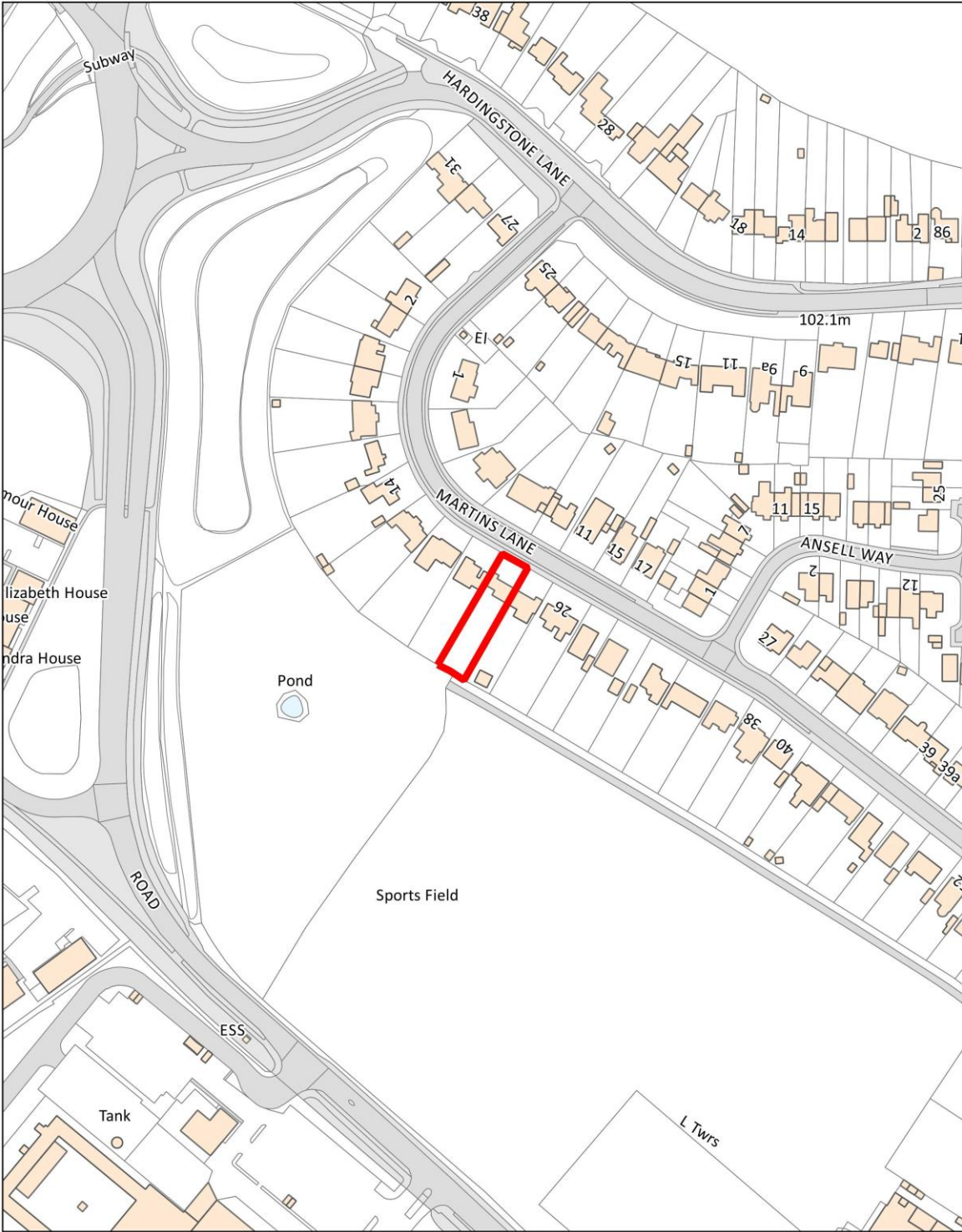
- 10.1 N/2016/0264


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: 22 Martins Lane</p> | <p>Date: 28-04-2016</p> |
| | <p>© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.</p> | <p>Scale: 1:2,016</p> |
| | | <p>Drawn by: Plannir</p> |



NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 10th May 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0452

LOCATION: 1 Bouverie Road

DESCRIPTION: Prior Notification for larger home extension

WARD: Nene Valley Ward

APPLICANT: Northampton Partnership Homes
AGENT: Brian Smith Associates

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 That delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to consider any objections that may be received in respect of the application and determine whether the impact on the amenity of all adjoining properties is acceptable and either:
- (i) grant prior approval unconditionally or subject to conditions reasonably related to the impact of the proposed development on the amenity of any adjoining premises or
 - (ii) refuse prior approval.

2. THE PROPOSAL

- 2.1 The applicant has submitted a prior notification application for the erection of a single storey rear extension. The proposed extension will have a projection of 4m and 2.5m in height.

3. SITE DESCRIPTION

- 3.1 The application site consists of a semi-detached house constructed to a combined render and cladded appearance. The adjoining dwellings are constructed to an identical appearance. The property features a large rear garden.

4. PLANNING HISTORY

4.1 None

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

5.3 Part 6 requires the delivery of a wide choice of quality homes and the provision by a Local Planning Authority of a five year housing land supply and Part 7 encourages good design.

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. Policy of particular relevance is:

Policy S10 - Sustainable Development Principles

5.5 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 - New development
Policy H18 – Residential Extensions

5.6 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD

6. CONSULTATIONS/REPRESENTATIONS

6.1 None received at the time of preparing this report.

7. APPRAISAL

- 7.1 As members will be aware the Town and Country Planning (General Permitted Development) Order 2015 grants planning permission for a range of predominantly minor development, subject to certain limitations and conditions. Development granted planning permission under the Order is known as “permitted development”, and the effect is that no application needs to be made to the local planning authority to obtain planning permission, however in some cases the permitted development right is subject to “prior approval” from the local planning authority in relation to certain specified matters.
- 7.2 A homeowner wishing to build a larger single storey rear extension that will extend a semi-detached between 3 and 6 metres must notify the local planning authority by submitting a prior notification application to the Council. The Council must give adjoining neighbours notice of the proposals and the opportunity to make comments.
- 7.3 If any adjoining neighbour raises an objection the Council must take it into account and make a decision about whether the impact on the amenity of all adjoining properties is acceptable. The development can proceed if the Council notifies the developer that either: no objections are received, or if following consideration of an objection it has decided that the effect on the amenity of adjoining properties is acceptable. Alternatively if the Council does not notify the developer of its decision within the 42-day determination period, the development may go ahead.
- 7.4 The consultation process associated with the application has commenced and will conclude on the 11th of May however as the 42-day determination period will expire before the date of the next Planning Committee in June it is proposed that delegated authority be granted to the Head of Planning in consultation with the Chair of Planning Committee to consider any objections received and determine whether the impact on the amenity of all adjoining properties is acceptable.
- 7.5 If any objections are received and the application is not delegated, there would be no mechanism to consider the merits of any objections within the 42-day period. As a result, the development would be deemed approved, which would not be in the interests of good planning.

8. CONCLUSION

- 8.1 It is considered that it is in the interests of good planning for the Head of Planning in consultation with the Chair of Planning Committee to consider any objections received and either grant or refuse prior approval.

10. BACKGROUND PAPERS

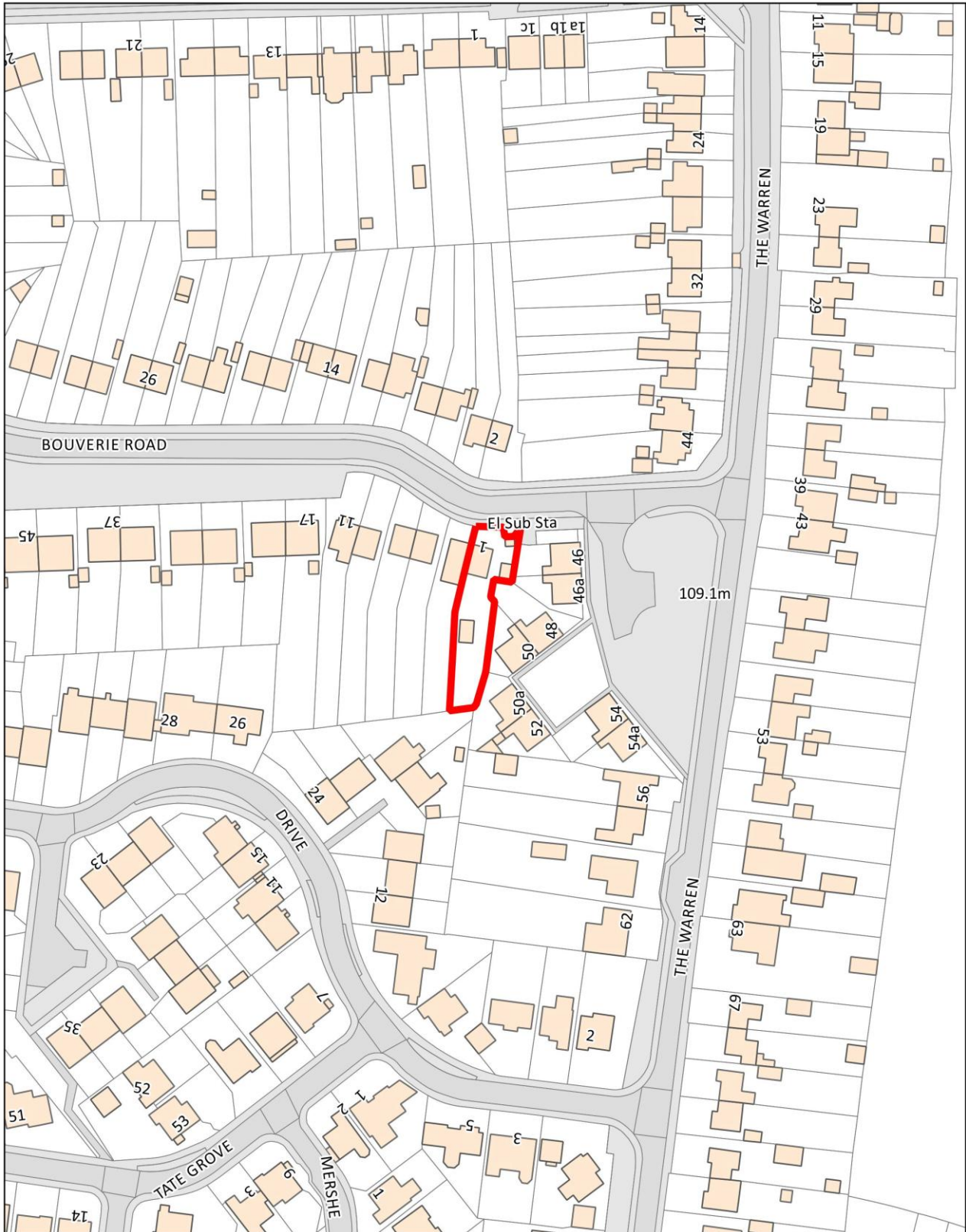
- 10.1 None

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



Title: **1 Bouverie Road**

© Crown Copyright 2014. Reproduced from Ordnance Survey data with the permission of the controller of Her Majesty's Stationery Office. Ordnance Survey is a registered trademark. Northampton Borough Council License Number 100019655.

Date: 28-04-2016
 Scale: 1:1,250
 Drawn by: Plannir



PLANNING COMMITTEE: 10th May 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0486

LOCATION: Land at Junction 16 on the M1

DESCRIPTION: Hybrid Application
 (1) Outline application for class B2, B8 and ancillary B1, provision of a 2ha lorry park and associated infrastructure;
 (2) Full application for work on the A4500 comprising: reformatting the access to the Truck Stop and layby (closure); construction of 2 roundabouts; closure of existing accommodation access North side of the A4500 and reformatting provision of new access from roundabout; engineering operations comprising ground re-profiling; the re-routing of the existing watercourse; flood plain compensation work; ecological work and access on land adjacent to Junction 16 of the M1 (includes Environmental Statement)

APPLICANT: Midway South LTD and Henry Bletsoes and Son LLP
AGENT: Stephen George & Partners

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major Fringe Area Application

DEPARTURE: No

APPLICATION FOR CONSULTATION BY SOUTH NORHTHAMPTONSHIRE COUNCIL:

1. RECOMMENDATION

1.1 That Northampton Borough Council has **NO OBJECTIONS** to the principle of development subject to the issues outlined below being addressed by South Northamptonshire Council:

- No objections being received from the Highway Authority or Highways England in respect of the impact on the local and strategic road networks and the necessary works/contributions being secured to mitigate the impacts of the development;
- Sustainable transport measures being secured;
- No objections being received from the Environment Agency or the Lead Local Flood Authority in respect of the flooding and drainage implications of the development;
- The development being fully assessed against Policy E8 of the West Northamptonshire Joint Core Strategy and being found to be in conformity with this;
- The development on land outside the West Northamptonshire Joint Core Strategy allocation E8 being fully assessed and the impacts of this found to be acceptable;

- Adequate landscaping being secured to satisfactorily ameliorate the visual impact of the development;
- Archaeological and ecological impacts of the development being fully addressed; and
- Noise and air quality impacts of the development being fully addressed.

2. THE PROPOSAL

- 2.1 The application is a hybrid application to South Northamptonshire Council (SNC) comprising two elements.
- 2.2 The first element is an outline application for Class B2 (General Industry) and B8 (Storage and Distribution) development with ancillary Class B1 (Business), the provision of a 2ha lorry park and associated infrastructure. The second element is a full application for work on the A4500 concerning access arrangements to the site and general road configuration, engineering operations relating to watercourses and floodplain compensation works and ecological work.
- 2.3 The site would be accessed from the A4500 via two roundabouts with the lorry park served by an access road running parallel to the A4500. An indicative layout submitted with the application shows five units of between approximately 20,000 and 40,000 sqm and a smaller unit of approximately 7,500 sqm. All units are shown as having their own service yards and car parking as well as individual attenuation measures. There would be landscaping around and between the units.

3. SITE DESCRIPTION

- 3.1 The site is located immediately adjacent to Junction 16 of the M1 to the south of the A4500 (Weedon Road) and to the north of the motorway. The River Nene runs along the south-eastern boundary. Currently the site is agricultural land with the Red Lion truck stop occupying part of the site adjacent to the A4500 and forms allocation E8 in the West Northamptonshire Joint Core Strategy. The application site exceeds the area identified within the policy at both its eastern and western extremes.

4. PLANNING HISTORY

- 4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

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 identifies the development plan as the starting point for decision making and enables development proposals that accord with an up-to date Local Plan to be approved without

delay.

Paragraph 18 sets out the Government's commitment to securing economic growth.

Paragraph 34 indicates that developments which generate significant movement are located where the need to travel is minimised and the use of sustainable modes can be maximised.

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 E8 - Northampton Junction 16 Strategic Employment Site

Policy S7 - Provision of Jobs

Policy S8 - Distribution of Jobs

Policy S10 - Sustainable Development Principles

Policy S11 - Low Carbon and Renewable Energy

5.4 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 Not applicable.

7. **APPRAISAL**

7.1 The majority of the application site is allocated for strategic employment purposes in the Joint Core Strategy (JCS). The principle of this form of development is therefore established on the site and largely in conformity with the JCS.

7.2 Documentation submitted with the application indicates that over 3,000 jobs would be created by the development which would be of economic benefit to the Borough and the surrounding area.

7.3 The application site being larger than the JCS allocation is a matter which will need to be considered in detail in terms of its impacts, however the broad principle of this is not considered to be unacceptable.

7.4 The site's proximity to the M1 would make it accessible to the strategic road network as well as the A4500 providing accessibility by road more locally. Works are proposed to the A4500 to accommodate the development. Consideration would also need to be given to any sustainable transport measures required to restrict the volume of vehicle movements generated by the development.

7.5 As the River Nene forms part of the southern boundary of the site the issue of flooding and surface water drainage will also need to be assessed. The application does propose attenuation measures and flood compensation works.

8. **CONCLUSION**

8.1 That the principle of the development is broadly acceptable and would have economic benefit to the Borough subject to the following matters being adequately addressed during the determination of the application by SNC:

- No objections being received from the Highway Authority or Highways England in respect of the impact on the local and strategic road networks and the necessary works/contributions being secured to mitigate the impacts of the development;
- Sustainable transport measures being secured;
- No objections being received from the Environment Agency or the Lead Local Flood Authority in respect of the flooding and drainage implications of the development;
- The development being fully assessed against Policy E8 of the Joint Core Strategy and being found to be in conformity with this;
- The development on land outside Joint Core Strategy allocation E8 being fully assessed and the impacts of this found to be acceptable;
- Adequate landscaping being secured to satisfactorily ameliorate the visual impact of the development;
- Archaeological and ecological impacts of the development being fully addressed; and
- Noise and air quality impacts of the development being fully addressed.

9. BACKGROUND PAPERS

9.1 N/2016/0486

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.



Revision
 Rev A: 17.09.2015
 Rev B: 17.09.2015
 Rev C: 18.01.2016
 Rev D: 20.01.2016
 Rev E: 20.01.2016

Application Site Area: 55.3Ha
 (136.6 acres)

Architects & Planners
STEPHEN GEORGE & PARTNERS LLP
 175 Cambridge Road
 Luton LU2 1JG
 W 01582 547 6007 • M 01582 546 1099
 www.stephen-george.co.uk

Midway 216 - Land at M1 216
 Northampton
 Application Site Boundary

| | |
|-----------------|-------------|
| Drawing Status: | Planning |
| CDR Reference: | 13-268-001 |
| Drawn: | S.J. |
| Traced: | S.J. |
| Date: | 04.2015 |
| Scale: | 1:2000 @ A4 |
| Project No: | 13-268 |
| Drawn By: | WJG |
| Rev: | 0 |

