



# PLANNING AGENDA

**Tuesday, 5 July 2016**

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

6:00 pm

**Members of the Committee**

**Councillor:** Brian Oldham (Chair), Matthew Golby (Deputy Chair)

**Councillors:** Jane Birch, Julie Davenport, Anamul Haque (Enam), James Hill, Jamie Lane, Suresh Patel, Arthur McCutcheon, Dennis Meredith, Samuel Shaw and Andrew Kilbride

**Chief Executive** David Kennedy

If you have any enquiries about this agenda please contact  
[democraticservices@northampton.gov.uk](mailto: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 17<sup>th</sup> 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](mailto:democraticservices@northampton.gov.uk)

### When Do I Speak At The Meeting

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

### How Long Can I Speak For?

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

### Other Important Notes

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

**NORTHAMPTON BOROUGH COUNCIL  
PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.  
on Tuesday, 5 July 2016  
at 6:00 pm.

**D Kennedy  
Chief Executive**

**AGENDA**

- 1. APOLOGIES**
- 2. DEPUTATIONS / PUBLIC ADDRESSES**
- 3. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 4. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 5. LIST OF CURRENT APPEALS AND INQUIRIES**  
(Copy herewith)
- 6. OTHER REPORTS**
- 7. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
  - (A) N/2016/0482 - LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS TO BUILDING. MOUNTS BATHS, UPPER MOUNTS**  
(Copy herewith)
  - (B) N/2016/0507 - NORTHAMPTON WATERSIDE ENTERPRISE ZONE PROMOTIONAL SIGN. WESTBRIDGE DEPOT , 9 - 13 ST JAMES MILL ROAD**  
(Copy herewith)
- 9. ITEMS FOR DETERMINATION**

Addendum

  - (A) N/2015/0479 - CHANGE OF USE FROM OFFICES (USE CLASS B1) INTO GURDWARA AND COMMUNITY CENTRE (USE CLASS D1) INCLUDING EXTENSIONS AND ALTERATIONS. COMMUNITY CENTRE, 35 - 37 ST JAMES MILL ROAD**  
(Copy herewith)

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

(Copy herewith)

- (C) N/2016/0016 - DEMOLITION OF GARAGES AND ERECTION OF DETACHED DWELLING WITH ACCESS AND PARKING. 82 EASTERN AVENUE SOUTH**

(Copy herewith)

- (D) N/2016/0455 & N/2016/0456 - LISTED BUILDING CONSENT APPLICATION TO STRIP PAINT OFF FOUR INTERNAL DOORS AND APPLY FIRE RETARDANT PAINT AND FIRE DOOR SEAL KITS; AND CHANGE OF USE FROM RESIDENTIAL (USE CLASS C3) TO EDUCATIONAL DAY SERVICE (USE CLASS D1). COTTAGE 2 ABINGTON PARK , WELLINGBOROUGH ROAD**

(Copy herewith)

#### **10. ENFORCEMENT MATTERS**

None.

#### **11. ITEMS FOR CONSULTATION**

- (A) N/2016/0788 - RESERVED MATTERS APPLICATION FOR LANDSCAPING ONLY FOR PHASES 1A AND 1B (200NO DWELLINGS) AT OVERSTONE LEYS DEVELOPMENT. OVERSTONE LEYS, OVERSTONE ROAD, OVERSTONE**

(Copy herewith)

#### **12. 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.

Directorate: Regeneration, Enterprise and Planning

Director: Steven Boyes



**List of Appeals and Determinations – 5<sup>th</sup> July 2016**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2015/0949</b> APP/V2825/W/16/3147931	DEL	Single-storey extension to increase floor area for 8no residential care bedrooms at The Richardson Mews Care Home, Harborough Road	<b>AWAITED</b>
<b>N/2015/0950</b> APP/V2825/Y/16/3147933	DEL	Listed building application for associated works with single-storey rear extension at The Richardson Mews Care Home, Harborough Road	<b>AWAITED</b>
<b>N/2015/1067</b> APP/V2825/W/16/3145919	PC	Conversion into 2no. 1 bed flats, 4no. new 1 bed flats and 2no. new 2 bed semi-detached dwellings at 54 Adams Avenue, Northampton (Retrospective application).	<b>AWAITED</b>
<b>N/2015/1078</b> 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	<b>AWAITED</b>
<b>N/2015/1349</b> APP/V2825/D/16/3147347	DEL	New front boundary wall/fence and pedestrian/vehicular gate at 14 Woodland Avenue	<b>AWAITED</b>
<b>N/2016/0203</b> APP/V2825/D/16/3149992	DEL	Vehicular crossover at 561 Harlestone Road	<b>AWAITED</b>

**Public Inquiry**

<b>N/2013/1035</b> APP/V2825/W/15/3028151	PC	Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved accept access, land south of Rowtree Road and west of Windingbrook Lane - <b>Public Inquiry ended on 18<sup>th</sup> December at Franklin Gardens, Weedon Road</b>	<b>AWAITED</b>
<b>N/2013/1063</b> 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 - <b>Public Inquiry ended on 18<sup>th</sup> December at Franklin Gardens, Weedon Road</b>	<b>AWAITED</b>
<b>N/2015/0335</b> 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 <b>Planning Inspectorate will confirm the date of the inquiry in due course.</b>	<b>AWAITED</b>

**Hearings**

<b>N/2015/0419</b> 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. <b>Hearing ended on 27<sup>th</sup> April 2016 at The Guildhall, St Giles Square, Northampton</b>	<b>ALLOWED</b>
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**Enforcement Appeals**

		None	
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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](http://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:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0482

**LOCATION:** Mounts Baths, Upper Mounts

**DESCRIPTION:** Listed building consent for internal alterations to building

**WARD:** Castle Ward

**APPLICANT:** Trilogy Leisure  
**AGENT:** Calderpeel Architects

**REFERRED BY:** Director of Regeneration, Enterprise & Planning  
**REASON:** NBC owns the land and is the Applicant

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

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

**2. THE PROPOSAL**

2.1 The applicant has applied for Listed Building Consent in order to carry out internal alterations to provide improved changing facilities.

**3. SITE DESCRIPTION**

3.1 The Mounts Baths Leisure Centre is located on the north side of Upper Mounts on the northern edge of the town centre. The building is Grade II listed and located within the Boot and Shoe Quarter Conservation Area.

**4. PLANNING HISTORY**

- 4.1 72/0943 – Extension to baths for teaching swimming – Deemed granted
- 4.2 70/0442 – Erection of a teaching bath at the rear of swimming baths – Deemed granted

## **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).

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

### **5.2 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 requires that planning decisions should seek to secure developments of a high quality design, whilst conserving heritage assets in a manner appropriate to their significance.

Section 12 of the NPPF elaborates upon the importance of heritage as a material consideration. In particular, it is made clear that it is desirable to sustain and enhance the significance of heritage assets and put them to a viable use consistent with their conservation. It states that where a development proposal would lead to less than substantial harm to the significance of a listed building the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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

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

Of particular relevance are Policy S10 which emphasises the importance of good design and Policy BN5 which requires that heritage assets are conserved and enhanced in a manner commensurate with their significance.

### **5.4 Northampton Central Area Action Plan 2013**

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

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

### **5.5 Supplementary Planning Documents**

Boot and Shoe Quarter Conservation Area Appraisal and Management Plan.



## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Conservation (NBC)** – No objections.

6.2 **Town Centre Conservation Advisory Committee** – note that changes are within the modern changing facilities and that NBC Heritage Team has been involved at early stages of plans. Assured that no historic fabric would be affected.

## **7. APPRAISAL**

7.1 The principle consideration is the impact the proposal will have on the special character of the Listed Building.

7.2 The proposed works are for minor internal alterations to upgrade and modernise the appearance and provision of the changing facilities to the west side of the building. These works form part of redecoration and refurbishment of the leisure centre to ensure that it complies with Sport England requirements and continues to provide a high-quality facility. The works involve reconfiguring the layout of the wet changing facility in which the present separate male and female arrangement will be replaced by a family orientated changing area.

7.3 The significance of Mounts Baths lies in the form, appearance and features of the original 1930s building. The subsequent alterations of the 1970s and later are of low importance. The proposed works are restricted to the removal of these later additions. The original elements and features of the building will remain entirely unaffected by the works. The alterations will result in the public benefit of a much improved facility. It is considered that the proposal will not impact on the historic significance of the building and is therefore acceptable.

## **8. CONCLUSION**

8.1 The proposed works would not harm the character and appearance of the listed building and would support the continued public use of the building. As a consequence the proposed works are considered to be acceptable.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 15198 (P1) 110A, 15198 (P1) 100, 15198 (P1) 111.

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

## **10. BACKGROUND PAPERS**

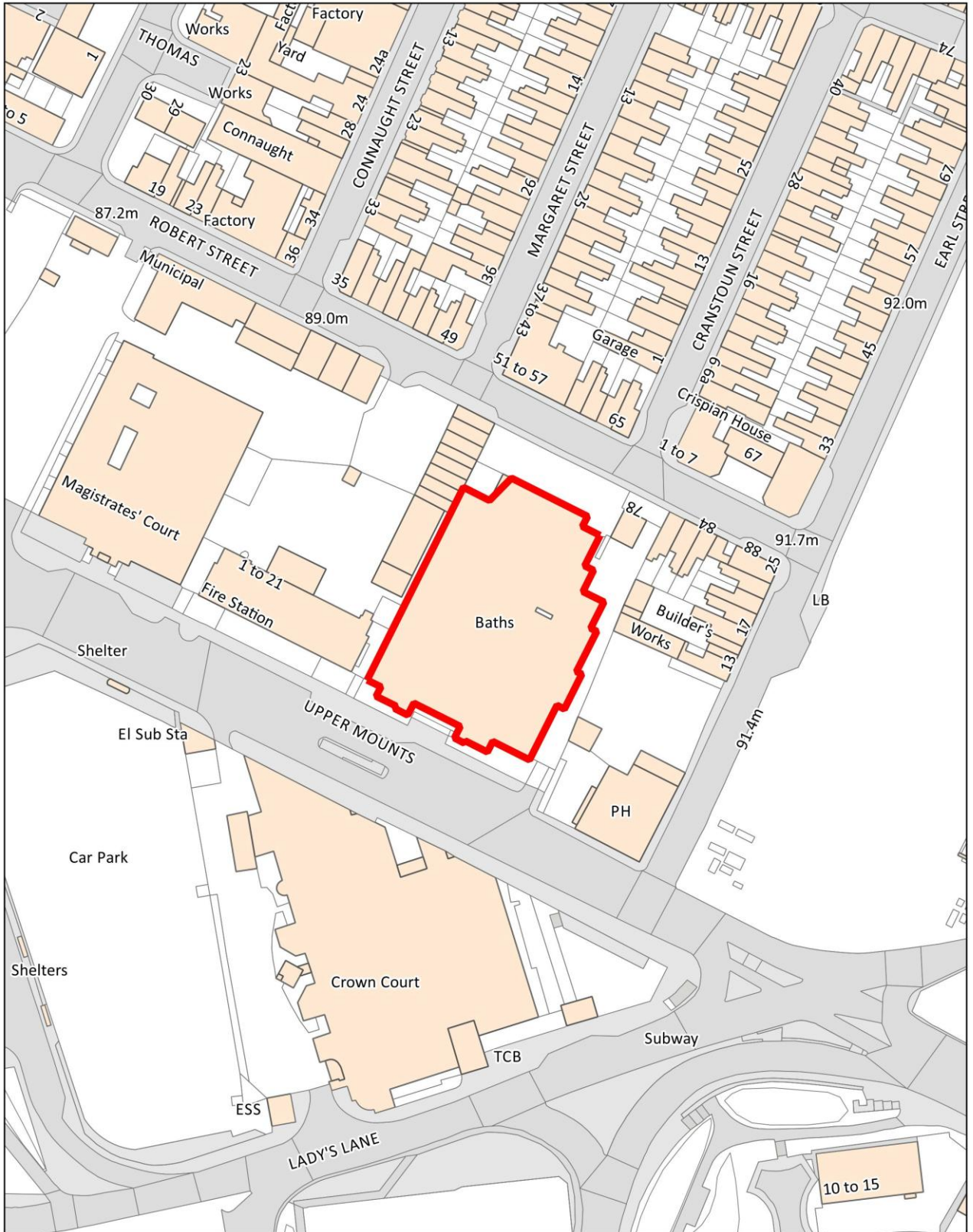
10.1 None


**11. LEGAL IMPLICATIONS**

11.1 None

**12. SUMMARY AND LINKS TO CORPORATE PLAN**

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



 <p><b>NORTHAMPTON BOROUGH COUNCIL</b></p>	<p>Title: <b>Mounts Baths, Upper Mounts</b></p>	<p>Date: 27-06-2016</p>
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	<p>Drawn by: -----</p>	



**PLANNING COMMITTEE:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0507

**LOCATION:** Westbridge Depot , 9 - 13 St James Mill Road

**DESCRIPTION:** Northampton Waterside Enterprise Zone promotional sign

**WARD:** St James Ward

**APPLICANT:** Northampton Borough Council  
**AGENT:** Craig Forsyth

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** NBC is applicant

**DEPARTURE:** No

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## **APPLICATION FOR DETERMINATION:**

### **1. RECOMMENDATION**

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

The proposed advertisement would have no detrimental effect on amenity or public safety in accordance with the National Planning Policy Framework.

### **2. THE PROPOSAL**

2.1 The proposal is for the erection of an advertisement hoarding 9.6m wide by 2m high. This would promote the Northampton Waterside Enterprise Zone.

### **3. SITE DESCRIPTION**

3.1 The site would be located at the edge of the yard area of the Council's depot at Westbridge, and adjacent to the railway line.

### **4. PLANNING HISTORY**

4.1 There is no history of advertisements at the site.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **5.2 National Policies**

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

Paragraph 67, which states that applications for advertisement consent should only be considered in terms of the impacts of amenity and public safety, as established by the Advertisement Regulations. Furthermore, the same paragraph states that poorly placed advertisements can have a detrimental impact upon the quality of the built and natural environment.

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

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

Policy E20 – New Development: Design to adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials.

## **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 In line with established practice for advertisements of this type, no consultations have been carried out.

## **7. APPRAISAL**

7.1 As set out within Paragraph 5.2 of this report, the two relevant material considerations for the determination of applications for advertisement consent are the impacts upon amenity and public safety.

7.2 The proposed location of the sign at the edge of Westbridge Depot and facing towards the railway line is such that it will only be visible from the railway, as a change in ground levels means that it would not be seen from land on the other side of the railway.

7.3 Whilst the rear of the sign would be visible from within Westbridge Depot, due to its location this also would not be seen from any public viewpoint.

7.4 The view from the railway, in this area features the rear of the depot, whilst the wider view along the railway generally features the rear of many commercial premises, some with signage. In this context it is not considered that the sign would appear out of place or be unduly prominent.

7.5 In conclusion, therefore, it is not considered that the sign would be detrimental to visual amenity.

7.6 Due to the sign's location it is further considered that no detrimental impact on public safety would result.

## **8. CONDITIONS**

(1) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(2) No advertisement shall be sited or displayed so as to:

a. Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

b. Obscure or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;

c. Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

(3) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(4) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(5) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

## **9. BACKGROUND PAPERS**

9.1 Application file N/2016/0507

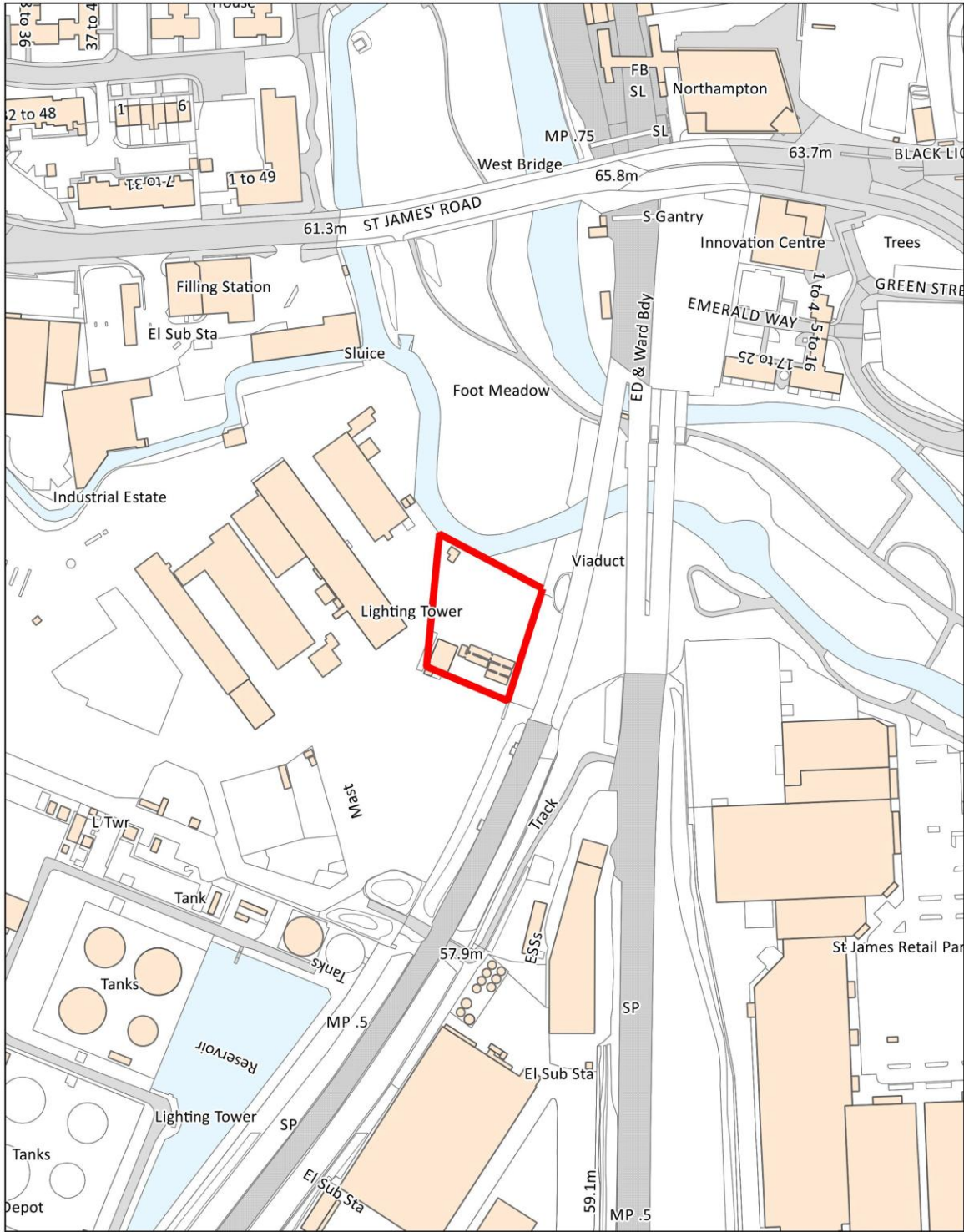
## **10. LEGAL IMPLICATIONS**


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.





 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>9-13 St James Mill Road</b></p>	<p>Date: 27-06-2016</p>
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## Addendum to Agenda Items Tuesday 5<sup>th</sup> July 2016

### 8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

8a

**N/2016/0482**

**Listed building consent for internal alterations to building  
Mounts Baths, Upper Mounts**

No update.

8b

**N/2016/0507**

**Northampton Waterside Enterprise Zone promotional sign  
Westbridge Depot, 9 - 13 St James Mill Road**

No update.

### 9. ITEMS FOR DETERMINATION

9a

**N/2015/0479**

**Change of use from offices (Use Class B1) into Gurdwara and community centre (Use Class D1) including extensions and alterations  
Community Centre, 35 - 37 St James Mill Road**

Further clarification received from the applicants on the following matters:

- Confirm it is essential that the caretaker lives on site as this would be the priest who would need to remain on site.
- The proposed creche is an idea at this stage and not confirmed, and can be changed to a meeting room.
- The rooms used by elderly persons would be located on the ground floor. The elderly will be using the ground floor area, the main areas they will use are all on the ground floor such as the prayer hall, food hall, toilets etc. This was one of the main reasons for having the main functional areas on the ground floor, making them easily access for everyone especially the elderly members of the community.

9b

**N/2015/1228**

**Demolish former car showroom and erect building with retail (Use Class A1) on ground floor and 14no flats including new access and ancillary development, and creation of residential car parking area  
194-200 Kingsthorpe Grove**

Representation received from **Councillor Catherine Russell** on behalf of a resident of Trinity Avenue, making the following points:

- Due to the number of HIMOs, flats and student accommodation and a gym, Stanhope Road has become one of the most congested areas of Northampton.



- Most residents on Stanhope Road are against the development yet it appears it will be going ahead.
- More often than not unable to park on Stanhope Road and often have to walk from either Balfour Road or Balmoral Road.

Representation from **Queen's Park Residents Association** making the following points:

- Residents are not opposed to this scheme to add to NBC's housing stock.
- The main objection is its design and appearance, represents poor quality of design and an incongruous feature in a prominent position within the street scene.
- The revised plan submitted to the Committee on 16th June 2016 only made cosmetic changes and is still a 4 storey Milton Keynes style block, lacking in sensitivity to the character of the area and totally disregards the wishes of residents.
- A request to meet with the developers was refused which might have come to a satisfactory compromise. This is most regrettable and does not reflect well on the developer.
- The applicant wrote to the Council that if approval is not given, they reserve the right to appeal and application for costs. This appears to be an unreasonable attempt to put undue pressure on officers and the company loses credibility by threatening such action.
- There is insufficient evidence of a public demand for the retail outlet. It will be a distraction on this very busy roundabout and create additional parking problems.
- There are many examples of good design in Northampton, in sympathy with the local environment. To impose a Milton Keynes style 'block' in this area is totally unacceptable.

Further representation received from a **resident of Kingsthorpe Grove** questioning the validity of the shadow analysis and whether proximity to a retail competitor is a material consideration.

**Officer's Response:**

Further clarification has been requested from the applicant's agents, as to the reason for carrying out the shadow analysis on the 22<sup>nd</sup> September. They confirmed that the reason for running the model in September is because it reflected a worst case scenario of the equinoxes (spring and autumn), not because the longest shadows are created in September.

It is therefore recommended that part of paragraph 7.23 of the report "in line with guidance which states that this is the time of the year when the longest shadows are cast" should be replaced by "as it reflected a worst case scenario of the equinoxes (spring and autumn)".

It is confirmed that the proximity of a competitor is not a material planning consideration.

A letter has also been sent by the **applicant's agents** to all Members of the Planning Committee, setting out the background of the application.

**9c**

**N/2016/0016**

**Demolition of garages and erection of detached dwelling with access and parking  
82 Eastern Avenue South**

No update.

**9d**

**N/2016/0455 and N/2016/0456**

**Listed building consent application to strip paint off four internal doors and apply fire retardant paint and fire door seal kits; and change of use from Residential (Use Class C3) to Educational Day Service (Use Class D1)  
Cottage 2 Abington Park , Wellingborough Road**

No update.

## **11. ITEMS FOR CONSULTATION**

**11a**

**N/2016/0788**

**Reserved matters application for landscaping only for Phases 1A and 1B (200no dwellings)  
at Overstone Leys Development  
Overstone Leys, Overstone Road, Overstone**

No update.



**PLANNING COMMITTEE:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2015/0479

**LOCATION:** Community Centre, 35 - 37 St James Mill Road

**DESCRIPTION:** Change of use from offices (use class B1) into Gurdwara and community centre (use class D1) including extensions and alterations

**WARD:** St James Ward

**APPLICANT:** Siri Guru Singh Saba Northampton  
**AGENT:** Resolution Planning

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** Of community interest

**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 be of benefit to the community and, subject to conditions, would have a neutral impact on flood risk, safety, the highway system, neighbour and visual amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and Policies B14 and E20 of the Northampton Local Plan.

1.2 The Council is required to give the Health and Safety Executive advance notice of its intention to grant planning permission against the Health and Safety Executive's advice and to allow 21 days from that notice before issuing a decision notice. This is to enable the Health and Safety Executive to consider whether to request the Secretary of State for Communities and Local Government to call-in the application.

### 2. BACKGROUND

2.1 On 17<sup>th</sup> May 2016, the Planning Committee considered the planning application and resolved that they were minded to grant planning permission, and agreed that an independent assessment of the health and safety impacts of the proposed development be carried out. The report below highlights the findings of the independent assessment.

## **2. THE PROPOSAL**

- 3.1 The applicant seeks planning permission to change the use of the property from offices to a place of worship and community centre. As part of the development, the applicant is proposing extensions to the northern and eastern elevations. A number of alterations to the various elevations of the building are also proposed.

## **3. SITE DESCRIPTION**

- 4.1 The application site currently consists of an office building, which has been vacant since the autumn of 2012. The application site and the surrounding area are allocated as being an existing business area. The surrounding area is characterised by the presence of commercial buildings, which are generally constructed to functional designs. Of further note is that the application site is in close proximity (approximately 100m) of a fuel storage depot.
- 4.2 The site is predominantly level, with the building being surrounded by car parking and vehicle manoeuvring areas. The site is also sited within an allocated flood zone.

## **4. PLANNING HISTORY**

- 5.1 N/2012/0012 – Community Centre including extensions and alterations (Use Class D1) – Approved but has since lapsed.

## **5. PLANNING POLICY**

### **6.1 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. The Council also has a statutory duty under the Town & Country Planning (Development Management Procedure)(England) Order 2015 to consult the HSE on applications above certain thresholds and within the hazardous installations consultation zone.

### **6.2 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.

- 6.3 Paragraph 17 emphasises the importance of good design within the planning process and the need to secure a good standard of amenity for the future occupiers of the development and surrounding properties. In addition, paragraph 35 requires the creation of developments that contribute towards safe road layouts. Paragraph 100 requires that developments are protected from inappropriate flood risk.

- 6.4 Paragraph 194 requires that Local Planning Authorities consult the appropriate bodies when determining applications, for development around major hazards.

## 6.5 **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:

S10 – Sustainable Development Principles

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

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

B14 – Non-business uses

E20 – New development

## 6.7 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

## 6.8 **National Planning Practice Guidance**

The National Planning Practice Guidance (NPPG) states that the Health and Safety Executive's (HSE) role is an advisory one and that it has no power to direct refusal of planning permission or of hazardous substances consent; however, advice from the HSE should only be overridden following the most careful consideration. The guidance states 'There may be particular issues to consider for hotels and similar developments where people may be unfamiliar with their surroundings, or which may result in a large number of people in one place.....In view of its acknowledged expertise in assessing off-site risks presented by the use of hazardous substances, any advice from the HSE that planning permission should be refused for development for ,at or near to hazardous installations or pipeline **should not be overridden without the most careful consideration**'. In instances when a Local Planning Authority is minded to approve the application, the HSE should be re-notified. This provides them with a period of time to consider the Council's proposed reasons for approval and to consider requesting that the application is 'called in' by the Secretary of State. The NPPG advises that such 'call in' powers are only used very selectively.

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

7.1 **Environment Agency** – No objections, subject to a condition relating to the implementation of the recommendation of the submitted Flood Risk Assessment.

7.2 **Highway Authority (NCC)** – Request a condition requiring the submission of a Travel Plan. This is required due to the age of the previous document and the number of people that would be employed within the development.

7.3 **Health and Safety Executive** – Recommend that planning permission is not granted due to the proximity of the development to a fuel storage depot. Whilst it is noted that an evacuation plan has been submitted, implementation of this can degrade over time and events can happen quickly. It is the HSE's general advice that mitigation is best secured through separation distances.

- 7.4 **Northamptonshire Police Crime Prevention Design Advisor** – Make a number of recommendations regarding possible improvements to security at the site, such as door access controls.
- 7.5 **Environmental Health** – Request planning condition to be imposed regarding contamination investigation.

## **7. APPRAISAL**

- 8.1 It is recognised that the proposed development, which is a community use, is not located within a residential area near to local communities. It is also recognised that the quantum of development proposed (being a place of worship, with a variety of other community functions) limits the likely number of buildings in such areas that could accommodate the type of development proposed in this application. It is considered appropriate to site the proposal within a more commercial area as this allows for suitable off-street car parking to be provided. In addition, the application site is reasonably close to St James Road, which is well served by public transport.
- 8.2 It is also considered that the development would be of benefit to the community and it is noted that 20 full time members of staff would be employed, in addition to a number of part time positions. Therefore the scheme would generate community and employment benefits in line with the requirements of Policy B14 of the Northampton Local Plan.
- 8.3 In addition, the application site was most recently used as offices and a canteen. The NPPF advises that such functions should be located within allocated centres in order to promote the viability and vitality of these locations. The proposal would replace a similarly non-conforming land use and, as a consequence, there would be no significant adverse impact upon the viability and vitality of the area or a significant loss of employment opportunities.
- 8.4 By reason of the character of the surrounding area and the application site, it is considered that the revised appearance of the building would have a neutral impact upon visual amenity. In order to provide some certainty of this, a condition is recommended that would ensure that the Council approves construction materials. The separation distances between the development site and the surrounding buildings, combined with the scale of the proposals is sufficient to prevent any significant loss of amenity to surrounding properties in terms of considerations such as light, outlook and privacy.
- 8.5 In line with the advice of the Highway Authority, a condition is recommended that would ensure the submission of an updated Travel Plan. This is needed as the previous document was drawn up in 2012 and due to the passage of time and the increase in the proposed number of staff working at the development.
- 8.6 In order to ensure that the development does not adversely increase flood risk on the site or elsewhere, a condition is recommended to ensure that the development is constructed in accordance with details submitted with the application. This ensures that the proposal would proceed in line with the advice of the Environment Agency.
- 8.7 The comments from Northamptonshire Police's Crime Prevention officer are noted, but it is considered that these are more related to the management of the site, rather than a land use planning matter.

### **Health and Safety issues**

- 8.8 The control of development in the vicinity of existing hazardous sites is informed through statutory consultation with the HSE. Site specific consultation zones are specified by HSE around all sites with hazardous substance consents and consultation with the HSE on planning applications

within these zones is obligatory for all relevant development proposals such as residential development, and large retail, office or industrial developments. Consultation is also required on applications which are likely to result in an increase in the number of people working in or visiting the notified area. The Applicant has stated that the number of employees would be 20 and expects 150 people would attend Sunday events and 300 people would attend special events.

- 8.9 The site is in close proximity to a fuel storage depot, and 50% of it falls within the development proximity zone (DPZ), where the Health and Safety Executive (HSE) advises against the granting of planning permission for all but “not normally occupied” development. The HSE’s definition of ‘not normally occupied’ is no more than 3 workers to be present at any one time and the total time for people to be present not to exceed 2 hours in any 24 hours. The sensitivity level of the proposed development is categorised as sensitivity level 2. On this basis, the HSE have raised objections regarding the proposed development. It is understood that the crux of these objections is that if there were to be an incident at the fuel storage depot, there may not be sufficient time to allow for the proposed development to be evacuated.
- 8.10 Whilst the site could be returned to use as a commercial/office development without needing planning permission, and therefore would not require HSE consultation, the HSE remain concerned about the nature of the proposed community use and the fact that large events could attract visitors who are not familiar with the buildings, its surroundings and the evacuation plan, and therefore might not be able to safely evacuate the premises in an incident. Therefore the HSE have placed less weight on the evacuation plan that has been prepared by the applicant as events can develop at a fast rate. It is the advice of the HSE that mitigation is more appropriately secured through ensuring separation between various uses.
- 8.11 However, it is also important to consider, among other factors, the views expressed in Chapter 5 of the First Report of the Advisory Committee on Major Hazards (ACMH) and Chapter 4 of the Second Report of ACMH. In these reports it was stated that:  
“... the siting of developments should remain a matter for planning authorities to determine, since the safety implications, however important, could not be divorced from other planning considerations.” and  
“... local authorities are well placed to take proper account of the full range of local factors, including safety issues, which are relevant to a planning decision.”

When assessing the HSE advice and the potential risk to users of the facility, HSE considers the following factors when deciding whether to call applications in;

- The size of the development. Whilst the Community Centre has the potential to attract increased numbers of visitors to the facility, the previous use, as a canteen within the Use Class B1 office element of the Cosworth site, was an unrestricted use in planning terms and could have attracted significant numbers of staff and visitors in its own right. The size of the facility proposed is also not as significant as, for example, a large housing site and therefore is not of a major scale.
- The extent of occupation. The applicant has submitted details of potential use which confirms that whilst the community centre would be open every day, for the majority of the day there would be limited numbers of people on site.
- The frequency of occupation. The information submitted with the application also confirms that the occasions when the facility is likely to have significant numbers of visitors, such as weddings, are very limited.
- The scale of the hazardous substance facility. The fuel storage tanks are large, but the site as a whole is not as significant as, for example, as busy oil refinery, and therefore the potential risk is not of a major scale.

- 8.12 As with any objection, it is necessary to weigh any potential harm against the likely benefits of the development. In this instance, it is considered that the presence of an evacuation plan, which can be secured through a planning condition, carries some weight in the determination of the planning application as this provides some assurances that the proposed development would operate with strategies in place to ensure that any event at the fuel storage depot could be responded to. Furthermore, the development does provide community benefits in the form of an enlarged place of worship, with improved parking facilities when compared to the existing site operated by the applicant. In addition, the development would provide a wide range of other facilities, including classrooms, a computer room, a library and meeting rooms.
- 8.13 It is considered that weight should be given to the fact the proposed development would result in the reuse of a prominent and vacant site, creating a valuable community facility, whilst the proposed works would improve the appearance of the site, which would be beneficial to the visual amenity of the locality.
- 8.14 Therefore, on balance, it is considered that the benefits of the scheme could outweigh the concerns of the HSE and these therefore should not form a barrier to the development proceeding. However, given the technical nature of the issues raised, an independent assessment of the health and safety issues raised has been commissioned and the findings are reported below.
- 8.15 Following the consideration of this report, if members are in agreement that the proposal represents an acceptable form of development, the Council would be required to re-notify the HSE. They would then have a 21 day period to consider requesting that the application be determined by the Secretary of State, which is normally only 'in cases of exceptional concern or where important policy or safety issues are at stake (NPPG, paragraph 072).
- 8.16 As the planning condition requested by Environmental Health has previously been discharged, it is not necessary to impose such a condition in this instance.

#### **Independent assessment of hazardous substance issues**

- 8.17 The Council has commissioned an independent assessment from Amec Foster Environment and Infrastructure Limited ('Amec').
- 8.18 The report has confirmed that the approach taken by the HSE complies with the PADHI procedure, and correctly identifies that the site straddles the DPZ and inner zone, where the advice is normally to advise against development.
- 8.19 Amec have also identified that the HSE are unlikely to attach significant weight to the previous use of the building, given that the proposed use could accommodate an increase in both the number of people on site and the "type" of individuals present, including people unfamiliar with the site and its evacuation procedures, and vulnerable people, including elderly persons, staff living on site and children attending the upper floor crèche.
- 8.20 On the basis of the above, Amec conclude that as the HSE may consider the risks associated with the development to be high, and they may represent a challenge to the land Use Planning methodology they use to comment on applications of this nature, there is a significant potential for the HSE to request a Call-in.
- 8.21 However, Amec also conclude that the Council has been, and continues to seek to take a balanced view of the full range of benefits and impacts associated with the proposal, including health and safety issues associated around Major Accident Hazard sites, as well material planning considerations relating to design and community benefit.



- 8.22 Amec have encouraged further discussions with the HSE. Officers have spoken to the HSE, seeking clarification of the Call-in position, and the results of this will be reported to Committee.
- 8.23 Amec have also suggested that the scheme be redesigned, to locate the building outside the DPZ. However, they recognise that even if it could be modified, it would still be within the Inner Zone, and still be advised against. On that basis, the risk of call in could still be significant.

## **8. CONCLUSION**

- 9.1 It is considered that, on balance, and in light of the independent assessment, the concerns raised by the HSE are outweighed by the securing an evacuation management plan and the benefits of the scheme in terms of creating an additional community facility. As the development would have a neutral impact upon the character and appearance of the area and neighbour amenity, it is considered that the development is acceptable.

## **10. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: AA2093/2006; AA20093/2007; AA2093/2012; AA2093/2013; AA2093/2021; and AA2093/2022

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

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

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

4. The premises shall be used as a place of worship and a community centre and for no other purpose (including any other purpose in Class D1 of the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In order to ensure that the impacts of alternative uses are given full consideration by the Local Planning Authority in accordance with the requirements of the National Planning Policy Framework.

5. The development hereby permitted shall only be carried out in accordance with the approved flood risk assessment (FRA) BCAL Ref. 4492R003A FRA 'revision A' dated 18 January 2012 and the following mitigation measured within it. No ground floor sleeping accommodation as shown on Drawing 10-155-03 Rev. C dated June 10 (appendix B).

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

6. Prior to the first occupation of the premises hereby approved, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented at

all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the reliance on the private car for journeys to work in accordance with the National Planning Policy Framework.

7. The refuse storage as shown on drawing AA2093/2022 shall be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

8. The development hereby permitted shall at all times operate in accordance with the details contained within the submitted Health and Safety Policy, dated January 2016, which shall be updated annually.

Reason: In the interests of ensuring the safety of future users of the development in accordance with the requirements of the National Planning Policy Framework.

## **11. BACKGROUND PAPERS**

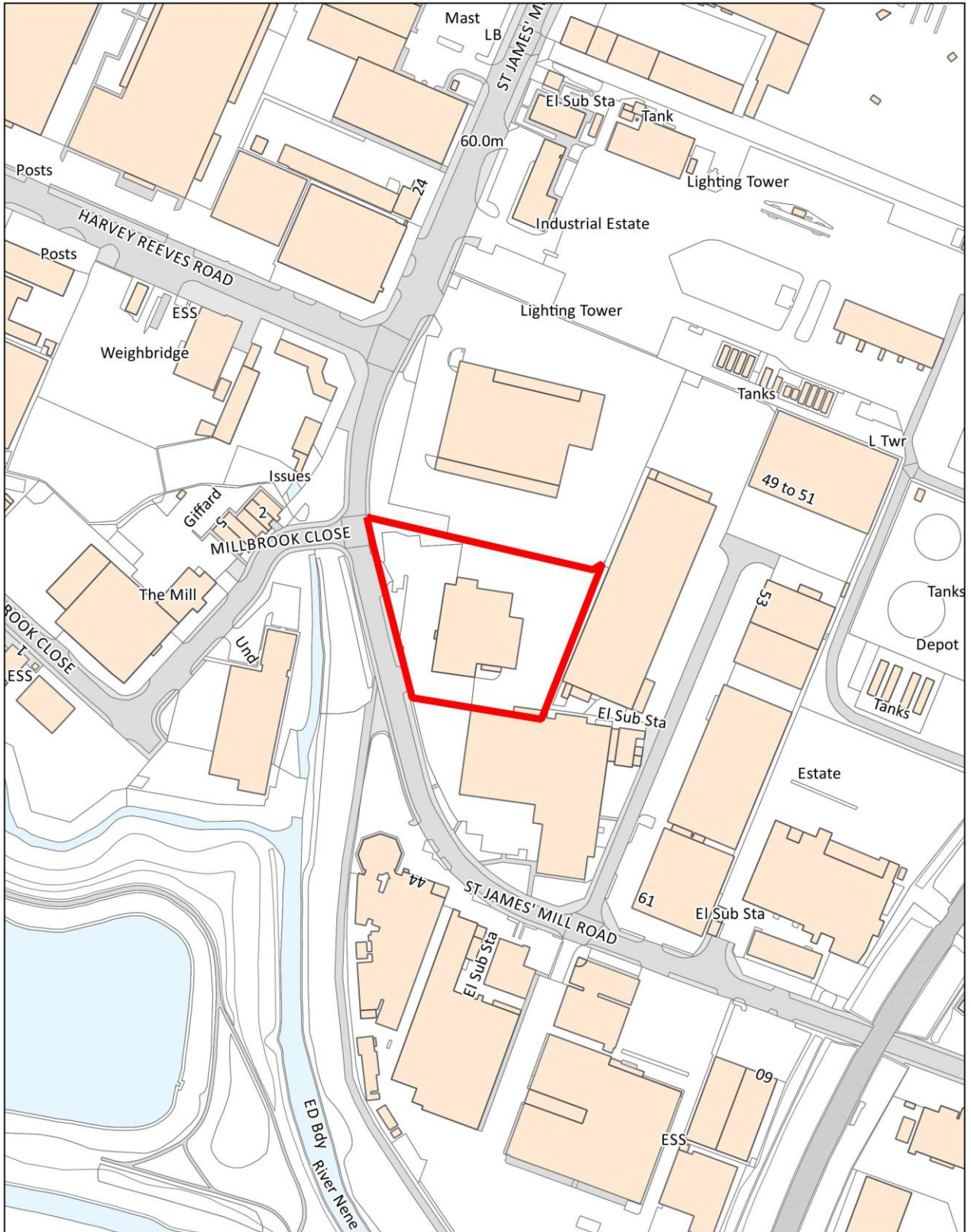
- 11.1 N/2015/0479


## **12. LEGAL IMPLICATIONS**

- 12.1 None

## **13. SUMMARY AND LINKS TO CORPORATE PLAN**

- 13.1 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><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>35 St James Mill Road</b></p>	<p>Date: 27-06-2016</p>
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**PLANNING COMMITTEE:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2015/1228

**LOCATION:** 194 - 200 Kingsthorpe Grove

**DESCRIPTION:** Demolish former car showroom and erect building with retail (Use Class A1) on ground floor and 14no flats including new access and ancillary development, and creation of residential car parking area

**WARD:** Trinity Ward

**APPLICANT:** Venulum Trinity Limited  
**AGENT:** David Lock Associates

**REFERRED BY:** Councillor J Birch  
**REASON:** Overdevelopment of the site

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

- (1) Prior finalisation of a S106 legal agreement to secure permanent retention of the parking area on the satellite site at Trinity Avenue to serve the proposed apartments;
- (2) Financial contribution towards construction training; and
- (3) Planning conditions below and for the following reason:

The proposed development would have no significant detrimental impact on the amenities of neighbouring occupiers, would be an appropriate development in the context of the site, producing a landmark feature which would not be out of keeping with the character and appearance of the area, and would represent an appropriate use for the site in respect of both the retail and residential elements of the proposal. The proposed development would therefore comply with Policies S2, S3, S9, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy, Polices H6, H17, H32, E20, E40 of the Northampton Local Plan and the National Planning Policy Framework.

**1.2** It is also recommended that in the event of the Legal Agreement not being completed within three calendar months of this Committee meeting, the Director of Regeneration, Enterprise and

Planning be given delegated authority to either refuse or finally dispose of the application, at his discretion.

## **2. THE PROPOSAL**

- 2.1 The proposal includes the demolition of the vacant former car showroom on the main part of the site at the corner of Kingsthorpe Grove and Stanhope Road and the erection of a two to four storey building, comprising 14 flats and a retail unit. Parking would be provided both on site and on a separate site off Trinity Avenue.
- 2.2 The residential accommodation comprises 14 flats, one on the ground floor and the remainder on the first to third floors, comprising 5 no. 1 bed and 9 no. 2 bed apartments. The ground floor retail unit would have a floorspace of 304m<sup>2</sup>.
- 2.3 Parking would be provided adjacent to the proposed building for the retail unit (13 spaces with 1 disabled parking space) with access from Stanhope Road, with a further car parking area with 14 spaces to be provided on the separate site accessed from Trinity Avenue.
- 2.4 This application was originally on the agenda of the Planning Committee for 12<sup>th</sup> April 2016, with a recommendation for refusal. However, the application was withdrawn from that agenda to allow amendments to be made to the scheme.
- 2.5 After receipt of these amendments the application was then scheduled to be considered by the Planning Committee on 14<sup>th</sup> June 2016. However, the application had to be withdrawn from that agenda due to a procedural matter. This has now been overcome by a small reduction in the application site area.

## **3. SITE DESCRIPTION**

- 3.1 The premises on Kingsthorpe Grove are now vacant, having previously been in use as a car dealership with associated vehicle workshop, whilst the Trinity Avenue site, which is also vacant, was used as a car storage area for this use. Apart from the nearby Romany Public House, its car wash and one retail unit (hairdresser), the area is generally residential in character, with the form of existing development comprising predominately two and three storeys traditional terraced properties but also featuring two storey flat roofed flats opposite the site. Across Kingsthorpe Grove is an area of open space forming part of the Kingsthorpe Golf Course and allotments.

## **4. PLANNING HISTORY**

- 4.1 The only relevant planning history is application reference N/2007/1344 for the demolition of the existing buildings and erection of 19 apartments which was approved in principle by the Planning Committee in May 2008, but as the associated Section 106 agreement was never signed, the application was finally disposed of in 2013.

## **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:

The NPPF has a presumption in favour of sustainable development.

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 25 requires that a sequential test should be applied to applications for main town centre uses that are not in an existing centre. Such uses should be located in town centres and then edge of centre locations and only if suitable sites are not available should out of centre sites be considered.

Paragraph 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

Paragraph 49 – housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 56 – good design is a key aspect of sustainable development and should contribute to making places better for people.

## 5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S1 – The distribution of development - in assessing the suitability of sites for development priority will be given to making best use of previously developed land and vacant and under-used buildings in urban or other sustainable locations contributing to the achievement of a West Northamptonshire target of 30% of additional dwellings on previously developed land or through conversions.

Policy S2 – Hierarchy of Centres - The vitality and viability of centres must be maintained and enhanced commensurate with their role and function.

Policy S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings in the plan period 2011 to 2029.

Policy S9 – Distribution of Retail Development - proposals for new retail development which cannot be accommodated within the town centres will be subject to a sequential approach where first preference is given to well-connected edge of town centre sites, and then sites within district / local. Only if sequentially preferable sites are not suitable and available should out of centre sites be considered.

Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations, be located where services and facilities can be easily reached by non-car modes; protect, conserve and enhance the built environment; minimise pollution from noise, air and run-off.

Policy H1: Housing Density and Mix and Type of Dwellings – new housing development will provide for a mix of house types, sizes and tenures having regard to the character of the area; accessibility to services and facilities and public transport; living conditions of future residents and impact on amenity of occupiers of neighbouring properties.

Policy H2: Affordable Housing – required to be provided at 35% on sites of 15 dwellings or more.

Policy BN9 - Planning For Pollution Control - proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities.

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

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

Policy E20 – the design of new development should adequately reflect the character of the surrounding area and be designed and located to ensure adequate standards of privacy, daylight and sunlight.

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

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

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

Comments received are summarised as follows:

- 6.1 **Environmental Health** – No objections, conditions required regarding contaminated land, noise and refuse storage. No further comments on amended plans.
- 6.2 **Construction Futures** – Financial contribution and training weeks will be required.
- 6.3 **Surface Water Drainage** – *Initial comments:* Insufficient detail provided. *Response to revised plans:* The impacts of surface water drainage will be adequately addressed, subject to conditions requiring a surface water drainage scheme for the site and the maintenance of the scheme.
- 6.4 **Local Highway Authority** – *Initial comments:* Amendments required to car park access, access gradients and surfacing. *Comments on revised plans:* Happy with revised layout, conditions will be required for visibility splays, positive means of drainage and construction management plan.
- 6.5 **Police Crime Prevention** – Security measures required.
- 6.6 **Anglian Water** – no objection; requesting a planning condition requiring the submission of a surface water strategy.
- 6.7 **Councillor Jane Birch** – Concerned over scale of development, parking, overshadowing of neighbouring properties, design of the building which is not in keeping with the area and the potential for anti-social behaviour.

6.8 *Comments on amended plans:* Acknowledge many objections have been addressed, however the design and mass of the proposed building, remains unacceptable to local residents. The corner remains four storeys high and as such is the only building of that height on the estate. The proposed shop is not needed. Signage and advertising will be a distraction. Customer footfall will cause disturbance to residents. Deliveries will cause unacceptable traffic congestion and noise. Strongly request that the applicant revisits the proposal, and a design which is more in keeping and acceptable to the residents of the area is developed.

6.9 **Councillor Sarah Uldall** - Concerned about traffic impact and scale and design of the building.

6.10 **Councillor Sally Beardsworth** - Concerned about the impact on the road network and the size and scale of the development.

*Comments on revised plans:* Revised plans not in keeping with the street scene and over-dominant. Building is forward of the established building line. Over-development of the site. Will impinge on residential amenity, will prevent any sunlight reaching the gardens. Customer car park will result in noise nuisance. Retail use is contrary to policy. Sequential test is inadequate. Principle of approving advertisement consent would be established. Will create more traffic and will be a potential distraction to drivers. Shop will not just cater for pedestrian shoppers and will contribute to road safety issues.

6.11 **Queen's Park Residents Association** – Object to this application and the revised plans. The design and appearance still represent poor quality and an incongruous feature in a prominent position. The minimal alterations made not change this position. Little local support for the retail outlet and the shop front will be a distraction to drivers. The deed of covenant restricting the height of buildings seems to have been ignored and there are many reasons for objection to this from residents, especially those whose privacy will be infringed. There are many other reasons for objection to this development in its current form which have been listed by others. There is support for the development of this site to provide the need for more housing in this area but developers need to take account of the views of residents who actually live in the area.

6.12 80 representations received in response to the original and revised plans, together with a 77 signature petition, as well as a representation from **Michael Ellis MP**, making the following points in summary:

- Would increase traffic and reduce available parking.
- Parking is not adequate.
- Remote parking area would not be used, should be on site.
- Delivery bay would reduce parking.
- Would increase air pollution.
- No need for a further shop.
- Retail use would increase anti-social behaviour, noise and disturbance and litter.
- Parking for shop would cause disturbance to neighbours. There was previously no parking adjacent to neighbours and no disturbance.
- Retail assessment not correct, there is a local facility within 400m. Facilities within 800m should be taken into account as this is the standard for walkable developments.
- Building is too high and out of keeping with the area.
- Building is over-dominant and outside established building lines.
- Will overshadow and overlook neighbouring property.
- Agree building has fallen into disrepair, however should be redeveloped in a more sympathetic style.
- Retail should be removed and residential parking provided on site.



- Concerned that the data used in the Transport Assessment was not representative. (*A response to this representation was sent by the Highway Authority confirming that flaws in the data had been taken into account in their response*).

## 7. APPRAISAL

### Principle of Residential Use

- 7.1 The NPPF has a presumption in favour of sustainable residential development and encourages the use of brownfield sites and the re-use of commercial buildings for residential use, where there is an identified need for additional housing in the area and no strong economic reasons as to why development would be inappropriate.
- 7.2 The application site is allocated as being within a Primarily Residential Area in the Local Plan and is within an area which consists primarily of residential accommodation, within which the former use represented a non-conforming commercial use, as a car showroom and vehicle repair workshop.
- 7.3 The proposal would remove this non-conforming use, and would replace it with residential and retail development. The residential element of the use is considered to be acceptable in principle given the policy allocation. Furthermore, the site is considered to be in a sustainable location with good access to public transport and local facilities. The development of the site for residential use would contribute towards the Council's 5-year housing supply and enable the re-development of what has now become a semi-derelict building and would enhance the area. As the proposal is for 14 dwellings, there would not be a requirement for the provision of affordable housing.

### Principle of Retail Use

- 7.4 The proposal also includes a retail element, with 304m<sup>2</sup> of retail floorspace proposed to be provided. This is stated as being intended as a shop to serve local needs.
- 7.5 In order to consider the acceptability of this in respect of adopted Policy, reference must be made to Policies S2 and S9 of the West Northamptonshire Joint Core Strategy (JCS).
- 7.6 Policy S2 sets out the hierarchy of centres, with Northampton town centre identified as the Regional Town Centre and therefore taking precedence, followed by District Centres at Weston Favell and Kingsthorpe, then followed by Local Centres, the nearest of these to the site being at Kettering Road (Kingsley).
- 7.7 Policy S9 of the JCS deals with the distribution of retail development in respect of the hierarchy identified by Policy S2, stating that new retail development should be located within the town centre and if that is not possible, within district or local centres and that only if sequentially preferable sites are not suitable and available should out of centre sites be considered.
- 7.8 A sequential analysis was produced on behalf of the applicants, which considered the availability of alternative premises and ultimately concluded that there were no sequentially preferable premises available, based on a number of criteria. It is considered that this represents a sound analysis.
- 7.9 However, notwithstanding the results of this sequential test, in this case the proposal is for a shop intended to serve local needs. The sites identified in the sequential test are at least 1.2km from the site, with most being significantly further away. Therefore the requirement for a local shop to serve the area around the application site would not be met by these sites.

- 7.10 On this basis, it is considered that the provision of a retail unit in this location to serve local needs would comply with Policies S2 and S9 of the JCS.
- 7.11 The need for the unit has been called into question by some of the objectors to the application, and in this respect it can be noted that there is an existing convenience store within a designated local centre in the Local Plan, just over 400m away from the site on corner of Cecil Road/Balmoral Road. However, the presence of this unit does not rule out a second unit, which would provide more choice. In any event the need or otherwise for the unit is not a planning consideration, this would be a commercial decision and it is only necessary to demonstrate that there is not a sequentially preferable site.
- 7.12 Due to the small size of the unit i.e. well under the threshold 1,000 square metres, a retail impact assessment is not required to be carried out and it can be concluded that no undue detrimental impact on other centres would be likely to occur.

### **Impact on the street scene and the character and appearance of the area**

- 7.13 In respect of the existing street scene and character of the area, the existing car showroom building on the site is single storey, although at its highest, it is almost as high as a two storey house. This existing building is of a functional design and is not considered to be in keeping with the wider character of the area. Neighbouring properties along Stanhope Road and Kingsthorpe Grove are generally two storeys in height, the exception to this being two three storey buildings on Stanhope Road.
- 7.14 On the opposite side of Stanhope Road to the site are a number of flats in two, two storey blocks, dating from the 1970s. Whilst now somewhat dated, these are a feature of the area.
- 7.15 The other notable feature of the area is the Romany public house, a prominent building on the opposite corner site and which differs in design from anything else in the vicinity.
- 7.16 The building as proposed for the application site was the result of pre-application discussions with the intention of providing a landmark feature for the site. The design has nevertheless subsequently been amended in response to concerns raised. The main alterations proposed in the amended plans have been a reduction in the height of the building, in particular adjacent to the neighbouring property at 192 Kingsthorpe Grove, the removal of a "colonnade" feature to the front of the retail unit, whereby the frontage of the shop unit was set back from the edge of the building, and the removal of an external staircase on the front elevation of the building fronting Kingsthorpe Grove, leading to the first floor of the building.
- 7.17 The building now proposed would step up in height from the adjacent two storey buildings on either side, from two to four storeys in height, starting at two storeys high adjacent to 192 Kingsthorpe Grove. The building would step up to three storeys in the next part of the building which features front dormers. This step up in height continues to the four storey element at the corner of the site, which further increases in height due to a parapet feature on the corner, although this is still below the previously proposed height. The building then steps down again along Stanhope Road, with the parapet feature ending and the building then having three storeys with a flat roof and then a pitched roof. This part of the building is then separated from the neighbouring property at 129 Stanhope Road by a distance of 25m, meaning that a further step down to two storeys is not necessary.
- 7.18 The two and three storey elements of the building would have pitched roofs and the four storey element would be flat roofed.
- 7.19 In place of the previously proposed colonnade feature, the shop front would now be level with the front of the building, whilst in place of the external staircase the building has been given a more

“active frontage”, with the inclusion of ground floor flat windows, and also tax windows to the otherwise blank wall of the retail unit.

- 7.20 With both the original and revised design, the intention is to make more of a positive visual impact on this prominent corner position in comparison to the current building, taking into account of the sloping nature of the site.
- 7.21 Overall, it is considered that this design approach would result in a much more appropriate building for this location as compared with the existing building, and that the increase in height to three and four storeys would provide a landmark feature on this prominent site. Whilst the design of the building does differ from the largely Victorian architecture of the area, it is considered that some variation in the street scene, rather than attempting to mimic the past, will enhance the character of the area.

### **Impact on the amenities of adjoining and nearby occupiers**

- 7.22 The two storey element of the proposed building would not project beyond the rear of the immediate neighbour at 192 Kingsthorpe Grove at ground floor level, and by only 0.6m at the first floor, meaning there would be no detrimental overshadowing impact from this nearest part of the building. Whilst other parts of the building would project further beyond the rear wall of this neighbour, there would be a separation distance of at least 7 metres. This distance would be increased by the distance of intervening gardens, in respect of the neighbours beyond no. 192. The other immediate neighbour at 129 Stanhope Road would be separated from the building by a distance of 25m. It is therefore not considered that the impact in terms of overbearing and overshadowing would be unacceptable.
- 7.23 Furthermore, a shadow analysis has been produced by applicants. This shows that shadows would not fall onto neighbouring properties from direct sunlight creating unacceptable impact. This analysis was conducted as of the 22<sup>nd</sup> September in line with guidance which states that this is the time of the year when the longest shadows are cast.
- 7.24 In respect of overlooking, the building has been designed with most of the windows to habitable rooms being on the front of the building, with only three bedrooms on each of the first and second floors having rear facing windows. These would not face directly towards any neighbouring properties and only two bedrooms overall would have windows which would allow partial overlooking of the garden areas of some of the nearest neighbours, but these would be at an oblique angle and would be similar to the relationship which generally exists between neighbouring properties. It is considered that such a relationship is acceptable.
- 7.25 A roof terrace was originally shown on the revised plans, at third floor level. However following concerns being raised as to the impact of this on neighbouring occupiers as a result of overlooking, the terrace has been deleted from the plans.
- 7.26 In respect of the potential impact of the retail use on neighbouring occupiers, the amendment to the retail unit comprising the removal of the “colonnade” feature would significantly reduce the potential for anti-social behaviour from persons congregating outside the premises. Regarding the potential impact from parking for the retail unit adjacent to residential gardens, Environmental Health officers have been consulted on this specific point and confirm that this would not be a concern, subject to a condition limiting the opening hours and delivery times of the shop premises.

## **Parking and Highway Issues**

- 7.27 Parking for the retail unit would be provided on the same site as the flats, in the form of 13 spaces including one disabled space, with a further 14 spaces provided for the residential element on a separate site on Trinity Avenue.
- 7.28 The provision of 14 residential parking spaces represents one space per dwelling. Whilst some of the flats have two bedrooms and therefore occupants would potentially have more than one car, the site is within what could be considered a reasonably sustainable location, being served by public transport and within walking distance of some local facilities, which would include the proposed retail unit. On this basis occupants of the flats would not necessarily need to have cars and it is considered, therefore, that level of parking proposed is acceptable.
- 7.29 As this area of parking would be detached from the site of the flats, it is necessary to ensure that it remains available for parking for so long as the flats remain in use. As this is a separate piece of land this could not be secured by means of a planning condition. It is therefore recommended that the application should be subject to a legal agreement, requiring that this site continues to be made available for parking.
- 7.30 In terms of the servicing and parking arrangements for the retail unit, 12 spaces and one disabled space would be provided adjacent to the flats. A dedicated delivery bay was also proposed to be provided on the road, but this was removed from the plans at the request of the Local Highway Authority, who did not consider this to be necessary. It is considered, following amendments, that the access is acceptable and this is confirmed by the response received from the Local Highway Authority. The provision of parking spaces for the proposed retail unit complies with the maximum provision as set out in the current adopted parking standards and the Local Highway Authority is satisfied with the level of parking proposed.
- 7.31 Concerns have been raised by some objectors that the residential parking may not be used by future residents, due to the inconvenience of having to walk to and from a second location, and due to fears of security and remoteness of the car park. However, the parking is approximately 100m away from the flats, which would represent a walking time of less than one and a half minutes. Given the congested nature of parking in the area, it is considered that many of the future residents of the development would be likely to use the proposed parking spaces rather than risk trying to find a space on the street.
- 7.32 As regards security, comments from the Police Crime Design Adviser indicate the need for security measures to be incorporated into the satellite parking area, as well the development overall, and a condition requiring details of security measures including lighting is proposed. A further condition would require details of boundary treatments to both the main site and the satellite parking area.
- 7.33 Reference has been made in objections to signage for the shop being distracting to passing motorists. Whilst this may be a legitimate concern and advertisements to the shop unit would require a further application for advertisement consent, this matter would be considered in the course of such an application.

## **Other Matters**

- 7.34 The retail unit would be located below the residential element of the scheme, and concerns have been raised by Environmental Health Officers that the flats may be affected by noise. A condition is proposed which would require details of appropriate sound mitigation. As referred to above conditions are proposed which would limit the opening hours and delivery times of the shop premises.

- 7.35 In respect of other matters raised by objectors, reference has been made to a deed of covenant which would prevent the construction of a four storey building. Whilst this may be the case, this does not represent a material planning consideration but would be a separate legal matter, which may nevertheless prevent the development taking place, if invoked.
- 7.36 In respect of matters raised in consultations, a consultation response has been received from Construction Futures, requesting training weeks and a financial contribution. This will be secured by the S106 agreement.

## **8. CONCLUSION**

- 8.1 In considering this application, there is a balance to be struck between the concerns of neighbouring residents and the need to secure appropriate development of the site.
- 8.2 The proposed development would bring about the regeneration of a prominent disused and now semi-derelict site/building of a poor quality of design. The replacement building has been designed with the aim of making a positive visual impact on the character of the area and rather than being out of character, it is considered that the proposal would result in a landmark feature which would enhance the area.
- 8.3 The retail element of the proposal is considered to be acceptable as it has been demonstrated that there are no sequentially preferable locations for this. The proposed convenience store would also have the benefit of enhancing local facilities, whilst being of a small enough scale to not have an impact on existing centres.
- 8.4 The proposal overall would have no undue adverse impact on the amenities of existing neighbouring residents and would be acceptable in respect of the impact on the highway network and the level of parking provided.
- 8.5 The 14 dwellings proposed would make a positive contribution to the Council's 5-year housing supply.

## **9. CONDITIONS**

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: VTL001-002, 997 – 001C, 997 – 002J, 997 – 003F, 997 – 004C, 997 – 010H, 997 – 011G, 997 – 012E.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies E20 and H6 of the Northampton Local Plan.

(4) Notwithstanding the submitted plans, details of visibility splays for the access entrance to the proposed Trinity Avenue car park shall be first submitted to and approved in writing by the Local

Planning Authority. The visibility splays shall be provided in accordance with the approved details prior to the car park on Trinity Avenue being brought into use and retained thereafter.

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

(5) Prior to the commencement of any part of the development, a Construction Environmental Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The Construction Environmental Management Plan shall include and specify the provision to be made for the following:

- Dust mitigation measures during the construction period;
- Control of noise emanating from the site during the construction period;
- Hours of construction work for the development;
- Arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways;
- Routing agreement for construction traffic
- Details of any temporary site construction access; and
- Loading and unloading arrangements for any large vehicles.

The construction of the development shall be carried out in accordance with the approved Construction Environmental Management Plan unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect the amenities of adjoining premises and to minimise the impact on the highway network, in accordance with the National Planning Policy Framework. This is a pre-commencement condition as it is essential that the plan is agreed prior to construction commencing.

(6) Full details of the security measures including lighting to be incorporated into the development, including the car park on Trinity Avenue, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures, which shall be in place before the commencement of the commercial use and the occupation of the residential accommodation.

Reason: To ensure a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(7) No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1in100 year critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details and no hard standing areas shall be constructed until the works have been carried out in accordance with the surface water strategy so approved.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 13 (q) of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site. This is a pre-commencement condition as it is essential that the surface water drainage strategy is agreed in advance of construction work.

(8) Prior to the occupation of the building for the uses hereby approved, 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 thereafter.

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

(9) No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval. Any site investigation found to be required under shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval. All remedial works found to be required 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). In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that any contaminants are identified early.

(10) Prior to development commencing, the applicant shall submit to the Local Planning Authority an assessment of the noise exposure of each habitable room due to transportation noise and noise from any external plant from the proposed retail unit. This must take into account, the likely growth of traffic over the next 15 years. Noise levels shall be assessed in line with the standards set out in Table 1 of Northampton Borough Council's Planning Practice Guidance for noise sensitive developments affected by noise from transport sources

Where noise levels in any habitable room may exceed:

- Indoor habitable areas – LAeq,16H 35 dB window open, during the daytime period (07:00 – 23:00)
- Bedrooms – LAeq,8H 30 dB and LAMAX 45 dB (for 2+ events per hour) window open, during the night time period (23:00 – 07:00)

Or where the assessment identifies that whole or part of the development will fall within the LOAEL or SOAEL category, a scheme to protect any affected habitable rooms/bedrooms shall be submitted to the Local Planning Authority for written approval. For habitable rooms/bedrooms this will require the provision of a ventilation, or heat control system that enables the windows to be kept closed in warm weather. The approved scheme shall be implemented prior to the properties being occupied and retained thereafter.

Reason: In order to safeguard the amenities of future occupiers in accordance with Policy S20 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that these details are agreed before construction can commence.

(11) Before the development hereby permitted commences, a scheme shall be agreed with the Planning Authority that specifies the external sources of noise on the site and the provisions to be made for its control (*this might include air conditioning units and extract fans*). The scheme agreed shall be implemented prior to the development coming into use and shall be retained thereafter and the applicant shall demonstrate that the scheme agreed has achieved its design criteria.

Reason: In order to safeguard the amenities of adjoining/nearby occupiers and in accordance with Policy S20 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is essential that these details are agreed before construction can commence.

(12) Before the development hereby permitted commences, details of the provision for the storage and collection of refuse and materials for recycling shall be submitted to the Local Planning Authority for approval. The scheme agreed shall be implemented prior to the development coming into use and shall be retained thereafter.

Reason: In order to safeguard the amenities of adjoining/nearby occupiers, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition as it is essential that these details are agreed before construction can commence.

(13) The retail unit on the ground floor of the development hereby approved shall not remain open to the public between the hours of 10pm and 8am on any day.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(14) Deliveries to or collection from the retail premises shall not take place before 08:00 or after 20:00 on Mondays to Saturdays or at any time on Sundays or Bank Holidays.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(15) Full details of the method of the treatment of the external boundaries of the site, including the boundary of the satellite parking area on Trinity Avenue, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

## **10. BACKGROUND PAPERS**

10.1 N/2015/1228.

## **11. LEGAL IMPLICATIONS**

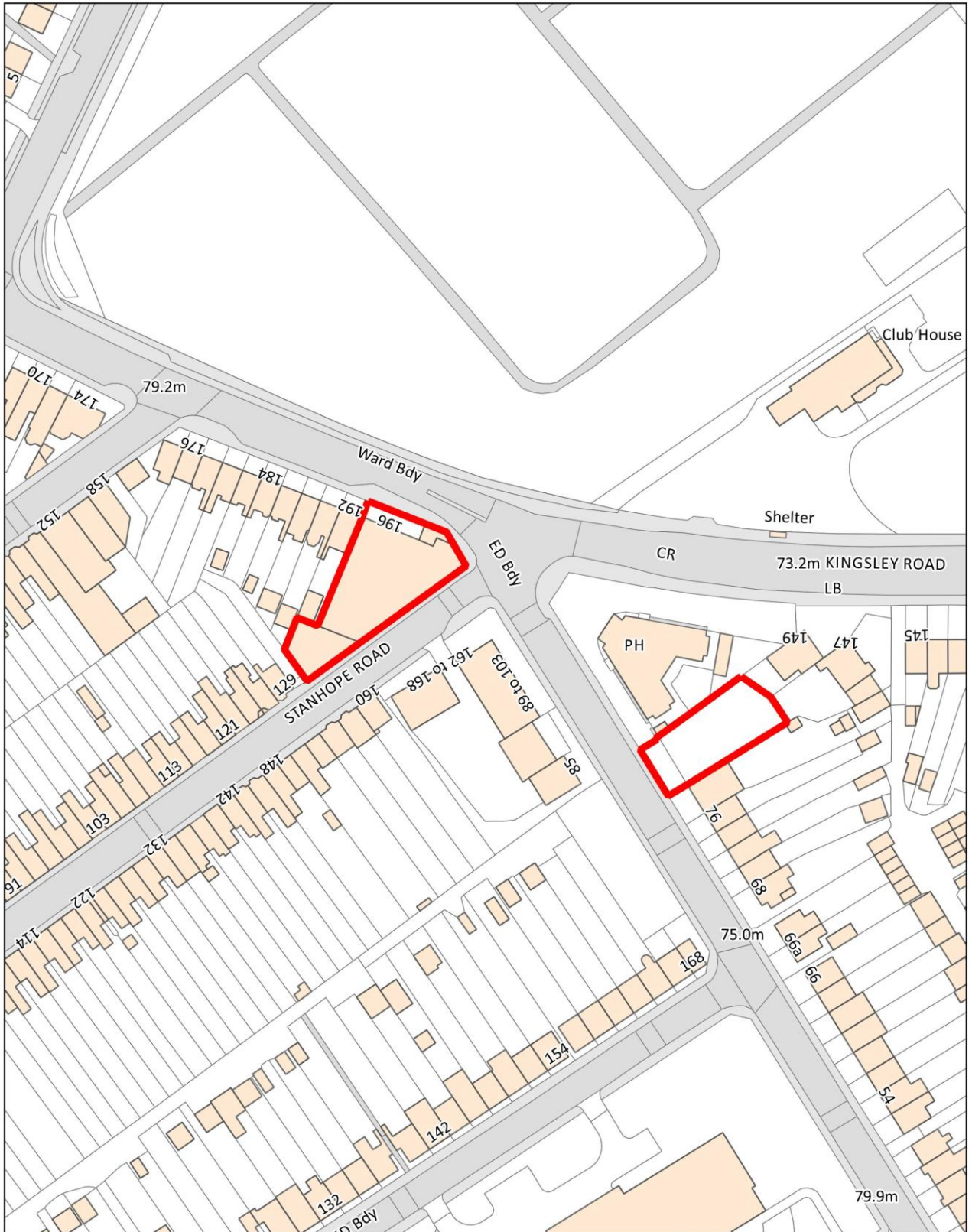
11.1 None.


## **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><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>194-200 Kingsthorpe Grove</b></p>	<p>Date: 27-06-2016</p>
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**PLANNING COMMITTEE:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0016

**LOCATION:** 82 Eastern Avenue South

**DESCRIPTION:** Demolition of garages and erection of detached dwelling with access and parking

**WARD:** St Davids Ward

**APPLICANT:** Mrs Maureen Robinson  
**AGENT:** Roger Coy Partnership

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

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposal would, subject to details to be submitted at reserved matters stage, have no undue impacts upon the street scene, the amenity of adjoining occupiers, or highway and pedestrian safety. The proposal thereby complies with Policy H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

**2. THE PROPOSAL**

- 2.1 Outline permission is sought for a new dwelling, together with new parking arrangements, with only access and layout to be considered at this stage.
- 2.2 Alterations to no.82 will also be required, to remove the existing side bay window which would encroach upon the side walkway of the plot for the new dwelling.

**3. SITE DESCRIPTION**

3.1 The site comprises two garages and the garden area on the east side of 82 Eastern Avenue South.

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

##### 5.2 National Policies

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

Para. 17 - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Para. 35 - create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

##### 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 S10 – Sustainable Development Principles** – development will achieve the highest standards of sustainable design, incorporating safety and security considerations and a strong sense of place.

**Policy H1 – Housing Density and mix and type of dwellings:** new housing will 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 of the site, existing character and density of the local area, accessibility to services and facilities, implications of density for affordability and viability; living conditions for future residents, and the impact on the amenities of occupiers of neighbouring properties.

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

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

**Policy E20** – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

- 5.5 **Supplementary Planning Documents**  
Northamptonshire County Parking Standards SPG 2003  
Planning out Crime in Northamptonshire SPG 2004

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Local Highway Authority** – following a review of the revised plans, the LHA is content with the improvement proposed to the access.
- 6.2 **NBC Public Protection** – contaminated land conditions required.

## 7. **APPRAISAL**

- 7.1 The issues to consider are the suitability of the site for the proposed dwelling, and the impact of the proposed dwelling on the street scene and on the amenities of adjoining occupiers, as well as the amenities of the future occupiers of the dwelling.
- 7.2 The site is located to the side of the existing two storey house in a residential area, and would replace the two existing garages. It is considered that a new dwelling would be appropriate in this location, and that the site could adequately accommodate the proposed new dwelling.
- 7.3 The application is made in outline only, however subject to a suitable design it is considered that this could be in keeping with the street scene.
- 7.4 In terms of the impact on adjoining occupiers, as the building would be adjacent to the blank side wall of no. 82, with open space to the other side, it is considered that no adverse impact would result.
- 7.5 In terms of parking, two spaces are indicated, for both the existing house and the new house, which would accord with Highway Authority requirements.
- 7.6 In terms of access, the host dwelling is located on a private drive (Council owned), which already serves three dwellings and a total of eight garages, six of which would remain.
- 7.7 Following comments from the Local Highway Authority that the private drive should be widened at its junction with the adopted highway, a revised plan to indicate such an amendment has been received. The LHA is now content with the improvement to the proposed access. A condition has been added to secure the necessary highway widening prior to development proceeding.
- 7.8 A condition has also been added requiring details for the required alterations to No.82 (removal of the side bay window).
- 7.9 Public Protection has requested conditions requiring contaminated land investigation, and the required conditions have been added.

## 8. **CONCLUSION**

- 8.1 The application is considered to be in accordance with policy and would add to the Borough's housing land supply, and is therefore recommended for approval with the following conditions.

## 9. CONDITIONS

- (1) Approval of the details of the appearance, landscaping, 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) The development hereby permitted shall be carried out in accordance with the following approved plans: 3700-00-B, 3700/01/A, 3700/21/B.

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

- (5) Before the first occupation of the dwelling hereby permitted, improvements to the access drive shall be carried out in accordance with drawing 3700/21/B.

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

- (6) No development shall take place until details of the works to the side of no.82 Eastern Avenue South have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented prior to the first occupation of the development hereby permitted.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure details are submitted in a timely manner.

- (7) No development shall take place until a desk top study, including a site walk over, in respect of possible contaminants within the site is completed and the need for a site investigation has been determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition in order that investigation is carried out before development commencing.

- (8) Any site investigation found to be required under Condition 7 shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval.

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

- (9) All remedial works found to be required under Condition 8 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.

- (10) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 8 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Contaminated Land Condition 8, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Contaminated Land Condition 9.

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.

## **10. BACKGROUND PAPERS**

- 10.1 N/2016/0016.

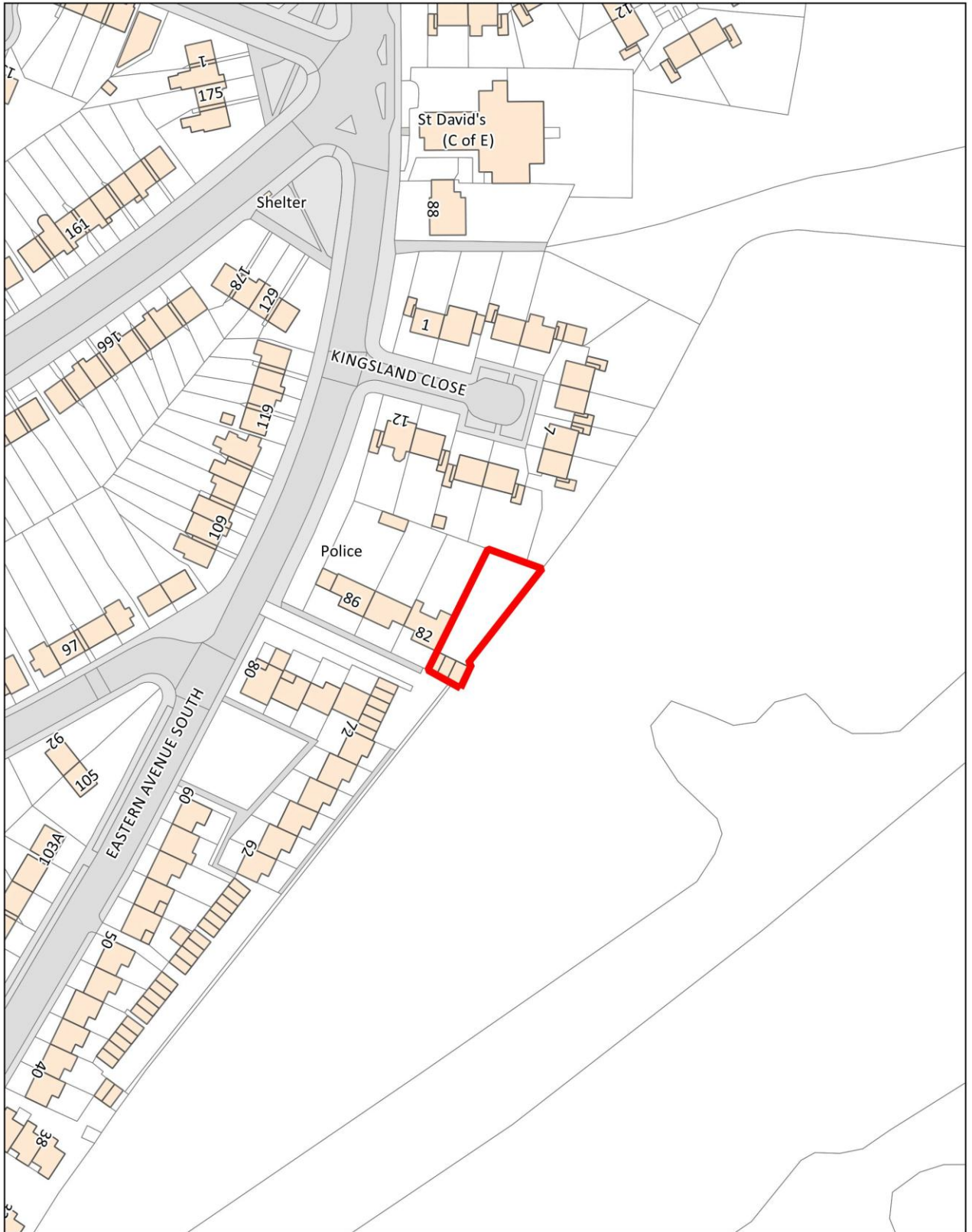
## **11. LEGAL IMPLICATIONS**

- 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: **82 Eastern Avenue South**

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Date: 27-06-2016

Scale: 1:1,250

Drawn by: -----





**PLANNING COMMITTEE:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0455 & N/2016/0456

**LOCATION:** Cottage 2 Abington Park , Wellingborough Road,

**DESCRIPTION:** Listed building consent application to strip paint off four internal doors and apply fire retardant paint and fire door seal kits; and  
 Change of use from Residential (Use Class C3) to Educational Day Service (Use Class D1)

**WARD:** Abington Ward

**APPLICANT:** Olympus Care Services Ltd  
**AGENT:** Olympus Care Services Ltd

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

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

**N/2016/0455 – Application for Listed Building Consent**

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

The proposed works will not unduly affect the character, appearance or special interest of the Listed Building and are in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

**N/2016/0456 – Planning Application**

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

The proposed change of use from residential (use class C3) to Educational Day Service (use class D1) would be an appropriate use of the building, and would not unduly affect the character of the park or the Conservation Area. The proposal is therefore in accordance with Policies E9 and E26 of the Northampton Local Plan, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, and the National Planning Policy Framework.

## **2. THE PROPOSAL**

- 2.1 The application for Listed Building Consent (N/2016/0455) seeks authorisation for the removal of paint from four internal doors, with the application of fire retardant paint and fire door seal kits.
- 2.2 The planning application (N/2016/0456) seeks permission for the change of use of the building from residential to Educational Day Service use.

## **3. SITE DESCRIPTION**

- 3.1 Cottage 2 is a semi-detached stone cottage (attached to Cottage 1) with a thatch roof within Abington Park, with a kitchen and living room on the ground floor and two bedrooms and a bathroom upstairs. The site is adjacent to the NBC maintenance yard, and is in close proximity to the tennis courts and bowling greens. The property is a Listed Building within the Abington Park Conservation Area, and dates from the late 17<sup>th</sup> century.
- 3.2 The building is owned by the Borough Council.

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

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

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

### **5.2 National Policies**

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

**Chapter 12 – Conserving and Enhancing the historic environment.**

Para.6: the planning system should support community health, social and cultural well-being.

Para.17: take account of and support local strategies to improve health, social and cultural wellbeing for all.

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

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

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

**Policy H5 – Managing the Existing Housing Stock:** the policy states that the existing housing stock will be managed and safeguarded by:

- Restricting the loss of existing dwellings to other uses.
- Securing the re-use of empty dwellings for residential use.
- Allowing houses in multiple occupation (HIMOS) where they would not adversely affect the character and amenity of existing residential areas.

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

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

**Policy E26 –** new development shall preserve or enhance the character and appearance of the Conservation Area.

**Policy E9 –** special importance will be attached to the effect of development upon the character of locally important landscape areas.

### 5.5 **Other Material Considerations**

Abington Park Conservation Area Assessment 2005

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Conservation Section –** the proposed treatment of the doors is considered to be a sympathetic approach to upgrading the property.

6.2 **Friends of Abington Park/Abington Conservation Society –** raised questions as to proposed use, operating hours, and terms of tenancy agreement.

6.3 **NCC Highways –** No objections

## 7. **APPRAISAL**

7.1 The applications are made by Olympus Care Services Ltd. (wholly owned by Northamptonshire County Council), which provides Adult Social Services care. Daytime support is given to adults who have a learning disability, and the group (up to 15 people) volunteer alongside park rangers to maintain the grounds of Abington Park.

- 7.2 Currently the group uses an outbuilding within the adjacent NBC yard. This is an informal arrangement in exchange for the volunteer services they provide at the park. Enterprise and the Park Rangers are also based at the yard. If the applications are successful, the group will likely continue to store tools, etc. at the outbuilding, but will have their main base at Cottage 2, for which a rent will be paid. Currently their base is at 2a Allen Road.
- 7.3 The plans indicate that the kitchen will be retained, with the lounge and bedrooms to be used as activity rooms.
- 7.4 Cottage 2 has been vacant since early 2012, and Cottage 1 has been vacant since early 2015. Both were previously let for residential use.
- 7.5 The main issues are whether the proposals will adversely affect the character/setting of the park and listed building; and whether the loss of a residential unit is acceptable.
- 7.6 The proposals are considered to be compliant with policy, in that the character/setting of heritage assets would be preserved, and enhanced by the bringing back into use of a listed building.
- 7.7 It is considered that the proposed use of the cottage is appropriate within its setting. Existing activities within the park would merely be relocated, and it is considered desirable to bring a listed building back into use.
- 7.8 The proposed upgrading of internal doors will bring the building into required compliance with Fire Regulations for D1 use. The proposed upgrading follows pre-application advice given by the Conservation Officer, who has no objections to these applications.
- 7.9 The Council's Asset Management team has indicated that they no longer wish to let the cottage for residential use, due to its isolated location and for operational reasons. It is acknowledged that this conflicts with Policy H5 of the Joint Core Strategy (Managing Existing Housing Stock – restricting the loss of existing dwellings to other uses), however, it is considered that the benefit that this proposal would afford to a community group and the listed building, would outweigh the loss of one residential unit.
- 7.10 It is considered necessary, however, to place a condition restricting the use within Use Class D1 to 'non-residential education and training centres', and also to remove any permitted development rights that may apply.

## **8. CONCLUSION**

- 8.1 The principle of the development is acceptable and provides an appropriate use for the listed building within the park. The loss of a residential unit is outweighed by the benefits to a community group, and by the benefits of bringing a listed building back into use. The proposal would not cause any harm to the heritage asset and the setting of the conservation area.
- 8.2 Accordingly, the applications are recommended for approval with the following conditions:

## **9. CONDITIONS**

### **9.1 N/2016/0455 – Application for Listed Building Consent**

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

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

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

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

- (3) The doors shall be treated in accordance with the approved specification of works submitted with the application.

Reason: To protect the integrity and special interest of the Listed Building in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

## 9.2 **N/2016/0456 – Planning Application**

- (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 in accordance with the following approved plans: location plan, floor plans.

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

- (3) The premises shall be used as a non-residential education and training centre only and for no other purpose (including any other purpose in Class D1) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- (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 temporary changes of use to Use Classes A1, A2, A3 or B1 shall be permitted.

Reason: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

- 10.1 N/2016/0455 and N/2016/0456.

## **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><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Cottage 2, Abington Park</b></p>	<p>Date: 27-06-2016</p>
	<p>© Crown copyright and database rights 2016 Ordnance Survey licence no. 10019655</p>	<p>Scale: 1:2,000</p>



**PLANNING COMMITTEE:** 5<sup>th</sup> July 2016  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**DIRECTOR:** Steven Boyes

**APPLICATION REF:** N/2016/0788

**LOCATION:** Overstone Leys, Overstone Road, Overstone

**DESCRIPTION:** Reserved matters application for landscaping only for Phases 1A and 1B (200no dwellings) at Overstone Leys Development

**WARD:** N/A

**APPLICANT:** Barratts Development PLC  
**AGENT:** Pegasus

**REFERRED BY:** Director of Regeneration, Enterprise and Planning  
**REASON:** The outline applications were considered by the Committee

**DEPARTURE:** No

## CONSULTATION BY DAVENTRY DISTRICT COUNCIL:

### 1. RECOMMENDATION

- 1.1 That Northampton Borough Council **RAISES NO OBJECTION** subject to the following issues being addressed by Daventry District Council:

Northampton Borough Council wish to encourage future discussions in respect of the enhancement of Billing Brook which runs through the south of the site and within the Growing Together Neighbourhood Plan area and is part of the Local Green Infrastructure Network, to ensure that the importance of this urban brook corridor are recognised and managed within the wider scheme of this development.

### 2. THE PROPOSAL

- 2.1 The reserved matters application seeks consent for the landscaping details in relation to the first phases (1A and 1B) of the Northampton North Sustainable Urban Extension (SUE).

### 3. SITE DESCRIPTION

- 3.1 At present the application site is an undeveloped green field immediately to the north of the Borough boundary. To the south of the site is the Round Spinney Industrial Estate, with land to the north forming the SUE site.
- 3.2 Phases 1a and 1B are located on the North West edge of the development which fronts the A43 (Park View) and The Avenue (the road leading from the A43 to Overstone village). This part of the development does not abut the administrative boundaries of Northampton Borough.



#### **4. PLANNING HISTORY**

- 4.1 August 2015 - Outline planning permission granted by Daventry DC for up to 2,000 dwellings and related works, including drainage features. This Council's Planning Committee resolved to raise no objections to this application in July 2014.
- 4.2 March 2016 - Surface water attenuation scheme in relation to Phase 1A and B of Overstone Leys development, including re-profiling of existing ditch and balancing pond. This Council's Planning Committee resolved to raise no objections to this application in March 2016.

#### **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 Daventry 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 47 of the NPPF relates to the need to boost the supply of housing to meet local need. Paragraph 114 then adds to this by requiring the creation, protection and management of green infrastructure. Paragraph 73 adds further to the promotion of a healthy community by seeking the creation of open spaces which can provide opportunities for sport and recreation within developments.

##### **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:

The specific policy which relates to this development is Policy N3. This sets out the expectations of the development, through a masterplan approach, in terms of quantum of development and the need to include structural greenspace.

Policy S4 relates to the Northampton Related Development Area and identifies the need for development to support the needs of Northampton in terms of housing and employment. Policy S5 relates to Sustainable Urban Extensions and is the policy basis for the original decision.

Policy S10 sets out the sustainable development principles which in this instance is relevant in terms of the need to protect, conserve and enhance the natural and built environment and create a green infrastructure network.

Policy BN1 specifically relates to green infrastructure connections and in this instance the overall development gives the opportunity for the formation of new links and networks between the new and the existing developments.

#### **5.4 Daventry 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 GN1 relates to the general principles of development within Daventry District and supports development closely associated with large or small towns. Policy GN1 sets out the design criteria for new development and the need to protect the amenities of an area.

Policy EN25 requires a comprehensive landscaping scheme to be submitted as part of detailed proposals for planning permission. This requires new planting to take account of local distinctiveness, as well as seeking the protection of existing trees and shrubs. Linked with these policies, Policy RC1 sets out the standards for the provision of open space in new developments.

#### **5.5 Green Infrastructure Plan**

The Green Infrastructure Plan (GIP) forms part of the evidence base for the emerging Northampton Local Plan and is specific for the Northampton Related Development Area (NRDA), which includes the whole of Northampton Borough plus the area allocated for SUEs which cross the administrative boundaries into Daventry and South Northamptonshire.

In respect of the Overstone Leys SUE, the GIP seeks the retention of existing vegetation and provision of new open space (including playing fields), landscaping and bio-diversity features. Greenspace will provide separation between the new residential development and existing industry at Round Spinney.

#### **5.6 Growing Together Neighbourhood Plan**

Whilst the application site lies outside the defined plan area, there are elements of the green infrastructure and landscaping which flows through this development and into the existing developed areas.

The consultation to the pre-submission draft of the Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) has been completed and preparations are underway for submission. This Plan currently carries limited weight.

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

6.1 Consultation has taken place with the Planning Policy team in respect of the GIP and their comments have been incorporated into this report.

### **7. APPRAISAL**

7.1 The application site is not directly linked to Northampton Borough, but as the development progresses, it is important to take account of other projects within the area. In this context it is important for the development to take account of the GIP and the aspirations of the Growing Together Neighbourhood Plan.

7.2 Prior to the submission of the application, the applicants sought advice from the Landscape Planning Officer at Daventry District Council (DDC) and have made amendments in line with his advice.

- 7.3 The landscaping proposals includes areas of open space and indicates a green buffer comprising a native mix of species on the boundary with the A43, which will provide an element of noise mitigation for the residents on this part of the site as well as reducing the visual impact.
- 7.4 The area of greater interest in terms of Northampton Borough will be a later phase of the development. Discussions are already taking place in respect of the enhancement of Billing Brook (urban brook corridor) which runs through the south of the site and within the Growing Together Neighbourhood Plan area and is part of the Local Green Infrastructure Network.

## **8. CONCLUSION**

- 8.1 It is considered that the landscaping details as submitted are acceptable and meet the requirements of national and local policy. Furthermore it is considered that the landscaping will have not have an adverse impact on land or property within Northampton Borough.
- 8.2 It is suggested that in the response to DDC, reference is made to the significance of improvements to Billing Brook and that the developers and DDC are encouraged to work with Borough Council Officers in respect of this phase of the development at the appropriate time.

## **9. BACKGROUND PAPERS**

- 9.1 N/2016/0788

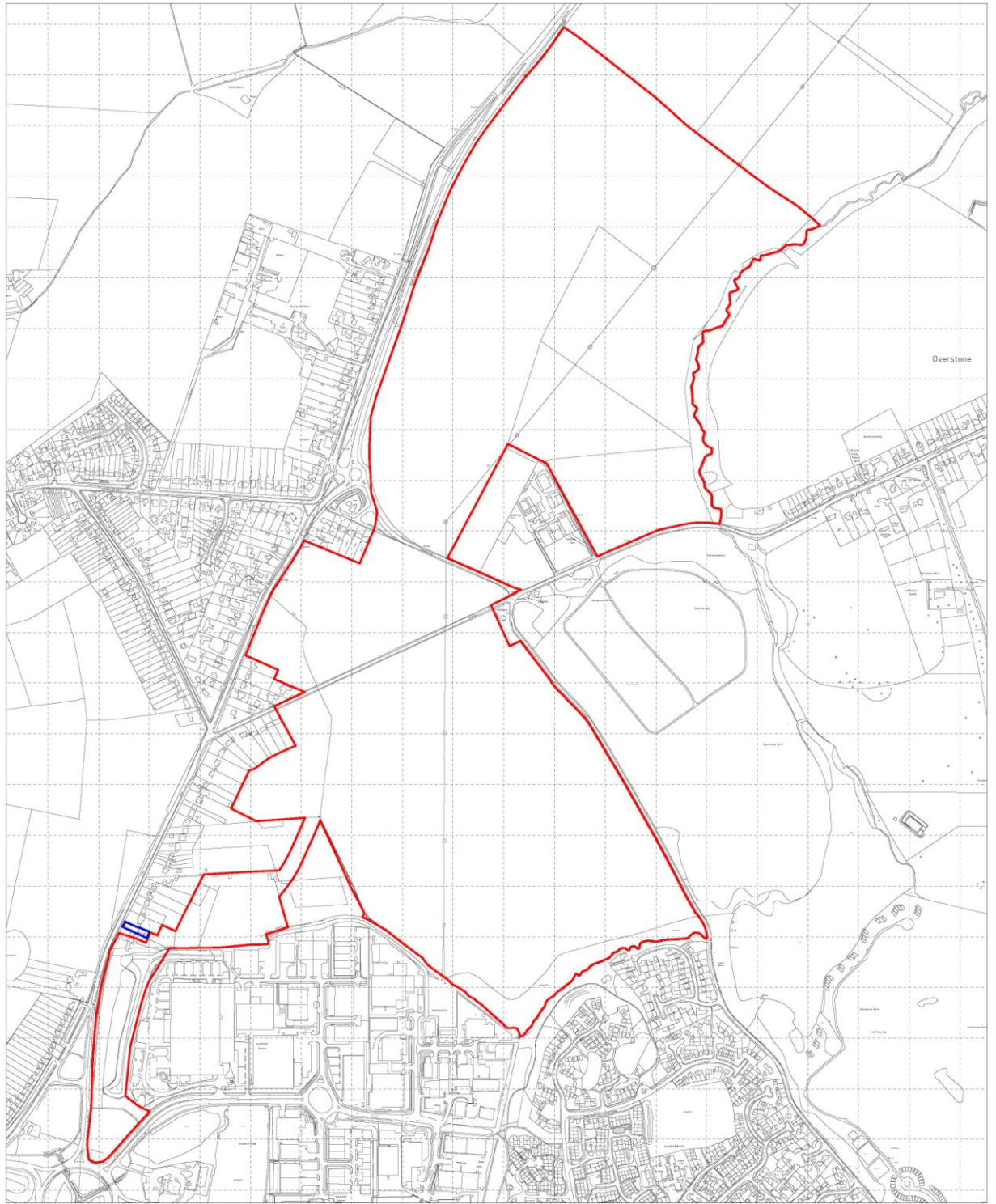
## **10. LEGAL IMPLICATIONS**

- 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.

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-  Site Boundary
-  Land within applicant's ownership

