



PLANNING AGENDA

Tuesday, 26 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 or 01604 837587

PLANNING COMMITTEE

AGENDA

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

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

Who Can Speak At Planning Committee Meetings?

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

How Do I Arrange To Speak?

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

Methods of Registration:

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

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

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

**NORTHAMPTON BOROUGH COUNCIL
PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.
on Tuesday, 26 July 2016
at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

1. APOLOGIES

2. MINUTES

(Copy herewith)

3. DEPUTATIONS / PUBLIC ADDRESSES

4. DECLARATIONS OF INTEREST/PREDETERMINATION

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

6. LIST OF CURRENT APPEALS AND INQUIRIES

(Copy herewith)

7. OTHER REPORTS

None

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

**(A) N/2016/0664 - INSTALLATION OF A 3.5M HIGH STEEL SCULPTURE
INCORPORATING SEATING AREA, LAND OFF MAIN ROAD, DUSTON**

(Copy herewith)

10. ITEMS FOR DETERMINATION

Addendum

- (A) N/2015/0673 & N/2015/0674 - CONVERSION AND ALTERATIONS OF FACTORY PREMISES TO FORM 103 APARTMENTS WITH ASSOCIATED PARKING BOTH ON-SITE AND ON-STREET; REPLACEMENT OF WINDOWS AND NEW ROOF LIGHTS; PROPOSED INFILL EXTENSION ON DUSTER STREET FACADE INCLUDING NEW ROOF TERRACES; AND LISTED BUILDING CONSENT APPLICATION FOR CONVERSION AND ALTERATIONS TO FORM 103 APARTMENTS INCLUDING REPLACEMENT OF WINDOWS AND NEW ROOF LIGHTS; REMOVAL OF 4 CAST-IRON COLUMNS, INTERNAL WALLS, NORTH LIGHTS, INTERNAL AND EXTERNAL STAIRCASE; MODIFICATION OF DOORS; PROPOSED INFILL EXTENSION ON DUSTER STREET FACADE INCLUDING NEW ROOF TERRACES; PROVISION OF NEW GLASS SCREENS, NEW STAIRCASES, STEEL GUARD RAILS, FIRE EXITS AND LIFT. HAWKINS BUILDING, OVERSTONE ROAD**

(Copy herewith)

- (B) N/2016/0326 - CHANGE OF USE FROM OFFICES (USE CLASS B1) TO A SINGLE DWELLING (USE CLASS C3) WITH A REAR EXTENSION AND A NEW SINGLE STOREY GARAGE IN THE REAR GARDEN, NEW FRONT BOUNDARY WALL AND GATE. 62 BILLING ROAD**

(Copy herewith)

- (C) N/2016/0378 - CHANGE OF USE FROM SINGLE DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR MAXIMUM OF THREE RESIDENTS. 165 LOYD ROAD**

(Copy herewith)

- (D) N/2016/0412 - DEMOLITION OF FARMHOUSE, ASSOCIATED BUILDINGS AND THE RESIDENTIAL PROPERTY OF LITTLE NORWAY. CONSTRUCTION OF TWO WAREHOUSE AND DISTRIBUTION UNITS (USE CLASS B8) WITH ANCILLARY OFFICE ACCOMMODATION, TOGETHER WITH EARTHWORKS, ACCESS, SERVICE YARDS, PARKING ARRANGEMENTS, LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE INCLUDING CREATION OF FOOTPATH. LAND SOUTH OF BEDFORD ROAD, OFF LILIPUT ROAD**

(Copy herewith)

- (E) N/2016/0605 - CREATION OF SHISHA AREA TO REAR INCLUDING COVERED SEATING AREA. 54 WELLINGBOROUGH ROAD**

(Copy herewith)

- (F) N/2016/0660 - VARIATION OF CONDITIONS 3 AND 6 OF PLANNING PERMISSION N/2015/1314 - CHANGE OF USE FROM PUBLIC HOUSE (USE CLASS A4) INTO CONVENIENCE STORE (USE CLASS A1) INCLUDING ALTERATION AND EXTENSIONS, REAR STORAGE AND INSTALLATION OF 2NO SATELLITE DISHES ON ROOF, TO ALLOW FOR EXTENSION OF DELIVERY HOURS AND ADDITIONAL PLANT INFORMATION. THE BARN OWL, OLDEN ROAD**

(Copy herewith)

(G) N/2016/0690 - CONVERSION OF DWELLING TO THREE FLATS. 93 ADAMS AVENUE

(Copy herewith)

(H) N/2016/0703 - PRIOR NOTIFICATION FOR DEMOLITION OF GARAGE BLOCKS. LOCK UP GARAGES , MOAT PLACE, OFF SCARLETWELL STREET

(Copy herewith)

(I) N/2016/0704 - PRIOR NOTIFICATION FOR DEMOLITION OF GARAGE BLOCKS LOCK UP GARAGES AT SWALE DRIVE, DERWENT DRIVE, WEST OVAL AND WITHAM WAY

(Copy herewith)

(J) N/2016/0769 - DEMOLITION OF 43 GARAGES, ERECTION OF 14 DWELLINGS WITH ASSOCIATED GARDENS, PARKING AND ACCESS WAYS. LOCK UP GARAGES, LAND AT ST ANDREWS ROAD AND SCARLETWELL STREET

(Copy herewith)

(K) N/2016/0771 - EXTERNAL ALTERATIONS TO TOWER BLOCK INCLUDING RECLADDING AND ENCLOSURE OF BALCONIES, REFURBISH COMMUNAL AREAS AND GROUND FLOOR EXTENSIONS. ST KATHERINES COURT, CASTLE STREET

(Copy herewith)

(L) N/2016/0772 - DEMOLITION OF EXISTING FLATS AND ERECT THREE STOREY BUILDING WITH NINE FLATS ON GROUND FLOOR AND NINE MAISONNETTES ON UPPER FLOORS. 33 LITTLE CROSS STREET

(Copy herewith)

(M) N/2016/0773 - ERECT SINGLE STOREY BUILDING FOR CONVENIENCE STORE. ST PETERS HOUSE, CASTLE STREET

(Copy herewith)

(N) N/2016/0791 - CHANGE OF USE OF GROUND FLOOR SHOP (USE CLASS A1) TO RESTAURANT (USE CLASS A3) TO BE INCORPORATED INTO NEIGHBOURING RESTAURANT PREMISES. 44-46 ST GILES STREET

(Copy herewith)

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

SUPPLEMENTARY AGENDA

**Exempted Under Schedule
12A of L.Govt Act 1972
Para No:-**

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 14 June 2016

PRESENT: Councillor Oldham (Chair); Councillor Golby (Deputy Chair);
Councillors Birch, Davenport, Haque, Hill, Kilbride, Lane,
McCutcheon, Meredith, Patel and Shaw

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), David Rowen (Development Manager Team Leader),
Nicky Toon (Principal Planning Officer), Theresa Boyd (Planning
Solicitor), Michael Flynn (Democratic Services Officer).

1. APOLOGIES

None.

2. MINUTES

The minutes of the meeting held on the 10th May and 17th May were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED: That under the following items, the members of the public listed below was granted leave to address the Committee:

N/2015/1249

Steve Rockall
John Roberts

N/2016/0139

Cllr Mary Markham
Elizabeth Berrill
Pat Dooley

N/2016/0173

Cllr Penny Flavell

N/2016/0214

Ifty Choudary

N/2016/0326

Mr Alistair Hague
Mr Brian Mutton
Cllr Tony Ansell
Cllr Zoe Smith

N/2016/0350

Lawrence Roberts (c)
Cllr John Caswell
Simon Ackerman

N/2016/0545

Cllr Brandon Eldred
Cllr Phil Larratt
Ron Johnson
Cllr Jonathan Nunn

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Cllr Matt Golby declared a personal interest in item 12a as the Cabinet member for education at Northamptonshire County Council.

Cllr Dennis Meredith declared a personal interest in item 12a as a Northamptonshire County Council member.

Cllr Suresh Patel declared a personal interest in item 12a as a trustee of Wootton Hall Park School.

Cllr Arthur McCutcheon declared a person interest in item 12a as a Northamptonshire County Council member.

Cllr Andrew Kilbride declared a personal interest in item 5 as a Director of NPH.

Cllr Brian Oldham declared a personal interest in item 5 as a Director of NPH.

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

The Chair and Councillor Kilbride left the Committee having declared a personal interest on this item earlier at the meeting.

The Development Manager on behalf of the Director of Regeneration, Enterprise and Planning referred the committee item 5a to the addendum which related to 3 Buttermerek Close. It was advised that this was an application made by Northampton Partnership Homes for a non-material amendment to planning permission N/2015/1110 (single storey extensions) in relation to Eleanore House at 3 Buttermere Close which was approved by the Planning Committee on 17th of December 2015. As the Council has only 28 days to determine the application and the site is owned by the Council, this was raised as a matter of urgency and has been agreed by the Chair as an urgent item. The proposed amendments were considered minor and non-material to the original approval.

RESOLVED

The Committee **APPROVED** the application as the proposed amendments are minor and they would not materially change the development permitted under planning permission reference N/2015/1110, and would have no additional detrimental impact on the character and appearance of the area or on residential amenity.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. She advised Members that the appeal in relation to Milton Ham will now be a public inquiry and the date and venue will be confirmed by the Planning Inspectorate in due course.

RESOLVED: That the report be noted.

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2016/0450 - LISTED BUILDING APPLICATION FOR THE EXTERNAL REPAIRS OF THE LODGE. DELAPRE LODGE, DELAPRE PARK, LONDON ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the application is a listed building application for external repairs to Delapre Lodge comprising of the repair of the slate roof; overboarding of the existing 'Sitex' security shutters to windows and doors to improve the appearance; and stone cleaning, repair and repointing of the elevations. It was advised that the works are required to arrest sources of decay and deterioration prior to looking at long term-plans for the re-use of the building.

The Committee discussed the report.

RESOLVED

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

The proposed works would assist in the preservation, conservation and enhancement of the curtilage listed building and would not lead to any adverse impact on the character, appearance or historic significance of the surrounding listed buildings, conservation area or Registered Battlefield in accordance with the

requirements of Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

10. ITEMS FOR DETERMINATION

(A) N/2015/0872 - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF UP TO 34NO. DWELLINGS, CONSTRUCTION OF PARKING SPACES, AREAS OF STRUCTURAL LANDSCAPING AND ANCILLARY WORKS. ALL MATTERS RESERVED APART FROM ACCESS. DEVELOPMENT LAND, UPTON VALLEY WAY EAST

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that outline planning permission is sought for the erection of up to 34no. dwellings including parking spaces, areas of structural landscaping and ancillary works.

The proposed development would deliver a mix of 3 and 4 bed dwellings. Affordable housing would be provided within the development and would constitute 35% of the total number of dwellings, with 12 affordable dwellings to be provided.

Access to the development site would be taken from Banbury Lane. Off-site highway works would be required to provide bus stops on Upton Valley Way East and a crossing on Banbury Lane.

The scheme proposes to incorporate a sustainable urban drainage system in the form of an above ground swale.

In response to questions from the Committee the Development Management Team Leader stated that once development is completed the area should increase in ecological value.

The Committee discussed the report.

RESOLVED

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

The prior completion of a Section 106 Legal Agreement to secure:

- i) 35 % of the development to be used for affordable housing;
- ii) A financial payment to fund off-site highway improvement works including a Crossing on Banbury Lane between Upton Valley Way East and Lockgate Road and a Cantilever bus shelter on the north side of Upton Valley Way East and its ongoing maintenance;
- iii) A contribution towards Whitefield's Surgery;
- iv) A contribution towards construction futures; and
- v) The Council's monitoring fee.

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

The proposed development, subject to conditions, would represent the satisfactory use of the land and would contribute to the established housing need in Northampton. The proposal demonstrates a satisfactory layout and would not be detrimental to the amenities of surrounding occupiers, highway safety or risk of flooding. The development is therefore considered to be in accordance with Policies H1, H2, S3, S4 S10, BN2, BN7 and INF2 of the West Northamptonshire Joint Core Strategy and Policies E20 and H17 of the Northampton Local Plan and the National Planning Policy Framework.

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

(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

This item was withdrawn from the agenda.

(C) N/2015/1249 - ERECTION OF 64NO DWELLINGS COMPRISING 1-BED FLATS, 2-BED AND 3-BED HOUSES AND ASSOCIATED ACCESS ROADS. ECTON BROOK PLAYING FIELDS, GREAT BILLING WAY

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The addendum was referred to and advised Environmental Health confirmed that the addendum to the noise report, which takes into account the revised layout, is acceptable and that The Local Highway Authority have confirmed formally that the revised layout is acceptable, subject to landscaping being used at plots 10, 11 and 12 to prevent inappropriate parking between designated spaces.

Steve Rockall addressed the Committee on behalf of Billing Parish Council and spoke against the application, although he was not opposed to development he had concerns regarding potential problem with traffic.

John Roberts addressed the Committee as the agent and spoke in favour of the application.

The Development Manager advised the Committee that County Highways would have considered safety and will be carrying out safety audit for the development. She

also referred to condition 14 whereby no development shall take place until the applicant, their agents or their successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation, which has been submitted to and approved in writing by the Local Planning Authority.

RESOLVED

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

1.1.1 The prior completion of a Section 106 Legal Agreement to secure:

- i) 35% of the development to be used for affordable housing;
- ii) A financial payment to fund the provision of primary and secondary school education within the vicinity of the site;
- iii) The provision of on-site construction training and a financial contribution to cover the cost of training monitoring;
- iv) A contribution towards the provision of play equipment in the park neighbouring the development; and
- v) The Council's monitoring fee.

1.1.2 The conditions as set out in the report and addendum and for the following reason:

The principle of residential development has been established by the previous outline permission on this site and the detailed design and layout now proposed is considered to be acceptable, and would provide an acceptable living environment for future residents subject to the proposed conditions. The proposal would have no detrimental impact on the wider highway network or the amenities of neighbouring and nearby occupiers including the adjacent school. The proposed development would therefore be in accordance with Policies Policy H1, H2m S3, S10, and BN2 of the West Northamptonshire Joint Core Strategy and Policies E20, H17 and H32 of the Northampton Local Plan and the National Planning Policy Framework.

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

(D) N/2016/0015 - OUTLINE APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR REMOVAL, LEVELLING AND REMODELLING OF THE EARTH MOUND AND DEVELOPMENT OF THE SITE FOR BUSINESS (USE CLASS B1), GENERAL INDUSTRIAL (USE CLASS B2) AND

STORAGE AND DISTRIBUTION (USE CLASS B8) SITE 7C, EDGAR MOBBS WAY

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the application is in outline form (all matters reserved except access) for removal, levelling and remodelling of the earth mound and the development for business (Use Class B1), general industrial (Use Class B2) and storage and distribution (Use Class B8) of the eastern section of Site 7C, of an area of undeveloped land situated within the Northampton Waterside Enterprise Zone.

In response to questions from the Committee the Principal Planning Officer advised that parking details have yet to be reviewed but would ensure they are appropriate.

The Committee discussed the report.

RESOLVED

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

1.1.1 The prior completion of a Section 106 Legal Agreement to secure a financial payment to fund improvements to the A5076 Upton Way/Edgar Mobbs Way roundabout.

1.1.2 The Conditions contained within paragraph 9 of the report and for the following reason:

The development of the site as proposed is in accordance with the aims and objectives of the Council to promote and develop the Northamptonshire Waterside Enterprise Zone for business and commercial use and would contribute towards the provision of jobs in Northampton. Subject to the conditions and mitigation measures proposed the development would not lead to any unacceptable impacts on existing highway conditions, ecology, contamination or flood risk in accordance with the requirements of Policies SA, S7, S8, S10, C2, E1, BN2, BN7, BN8, BN9, INF1 & 2 of the West Northamptonshire Joint Core Strategy, Policies E18, E19, E20, B13, T4 & T12 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

1.1.3 Agreeing an appropriate drainage condition with the Lead Local Flood Authority if required.

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

(E) N/2016/0139 - EXTENSIONS AND ALTERATIONS TO CREATE 18NO. ONE BEDROOM CLIENT ACCOMMODATION SUITES WITH ANCILLARY OFFICES AND DAY CENTRE; PROVISION OF ADDITIONAL PARKING AND BIN STORE, ERECTION OF BOUNDARY WALLS AND GATE. HARBOROUGH LODGE RENAL UNIT, HARBOROUGH ROAD

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that this application proposes to extend the property and to change the use from a day care renal unit to a unit providing day care for persons with physical and learning disabilities, with additional accommodation for 18 one bed residential care units (Use Class C2). The proposal includes second storey extensions, internal alterations to the building, alterations to the parking layout, the erection of a cycle shelter and the erection of fencing to form an enclosed area.

Councillor Mary Markham addressed the Committee as a resident of Kingsthorpe and on behalf of Nicholas Rothwell house and spoke against the application.

Mrs Elizabeth Berrill addressed the Committee on behalf of St Giles Charity Estates and spoke against the application.

Mr Pat Dooley addressed the Committee as the Agent and spoke in favour of the application.

In response to questions from the Committee the Development Management Team Leader referred to paragraph 7.4 of the report which outlined what the 18 units would be used for.

The Committee discussed the report

RESOLVED

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

The proposal would support the re-use of a vacant building and provide a community facility to support community needs with regards to health and social well-being and subject to planning conditions, it is not considered that the proposal would lead to any significant adverse impacts on adjacent residential amenity or existing highway conditions in accordance with the requirements of Policies S10 and RC2 of the West Northamptonshire Joint Core Strategy, Policies E20, H29 and T22 of the Northampton Local Plan and National Planning Policy Framework.

(F) N/2016/0173 - SINGLE STOREY REAR EXTENSION (PART RETROSPECTIVE) AND REPLACEMENT OF FRONT PORCH. BAY TREE COTTAGE, THE CROSS

The Development Manager submitted report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that permission is sought for the erection of a flat roof single storey rear extension and front porch with hipped roof.

Councillor Penelope Flavell addressed the Committee as Ward Councillor of Great Houghton and spoke against the application.

The Development Manager advised that condition 3 already in place regarding detailed materials.

The Committee discussed the report.

RESOLVED

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

The proposed development, subject to planning conditions, would not have an undue detrimental impact on the appearance and character of the host building, conservation area and neighbour amenity to comply with Policies E20, E26 and H18 of the Northampton Local Plan, S10 and BN5 of the West Northamptonshire Joint Core Strategy, SPD on Residential Extensions and aims of the National Planning Policy Framework.

(G) N/2016/0178 - ERECTION OF A UNIT FOR GENERAL INDUSTRIAL (USE CLASS B2) AND STORAGE AND DISTRIBUTION (USE CLASS B8) INCLUDING MEZZANINE FLOOR, OFFICE ACCOMMODATION (USE CLASS B1), ASSOCIATED CAR PARKING, SERVICE YARD, NEW SPRINKLER TANK AND PUMP HOUSE, EXTERNAL LIGHTING, BOUNDARY TREATMENTS, HARD SURFACING AND LANDSCAPING. SITE 7C, EDGAR MOBBS WAY

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. She also referred to the addendum with the additional comments from the County Ecologist. It was advised that the application proposes the erection of a unit for general industrial (Use Class B2) and storage and distribution (Use Class B8) including a mezzanine floor for ancillary office accommodation (Use Class B1), a new sprinkler tank and pump house and associated car parking and service yard on an area of undeveloped land which forms the western section of Site 7C, situated within the Northampton Waterside Enterprise Zone.

In response to questions from the Committee the Principal Planning Officer advised that a change of use to retail would require planning permission.

The Committee discussed the report.

RESOLVED

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

1.1.1 The prior completion of a Section 106 Legal Agreement to secure a financial payment to fund improvements to the A5076 Upton Way/Edgar Mobbs Way roundabout.

1.1.2 The Conditions contained within paragraph 9 of the report and for the following reason:

The development of the site as proposed is in accordance with the aims and objectives of the Council to promote and develop the Northamptonshire Waterside Enterprise Zone for business and commercial use and would contribute towards the provision of jobs in Northampton. The design and appearance are appropriate to the surroundings and subject to the conditions and mitigation measures proposed, the development would not lead to any unacceptable impacts on existing highway conditions, ecology, contamination or flood risk in accordance with the requirements of Policies SA, S7, S8, S10, C2, E1, BN2, BN7, BN8, BN9, INF1 & 2 of the West Northamptonshire Joint Core Strategy, Policies E18, E19, E20, B13, T4 & T12 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

1.1.3 Agreeing an appropriate drainage condition with the Lead Local Flood Authority if required.

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

(H) N/2016/0214 - CHANGE OF USE OF 2ND FLOOR FROM SHOP (USE CLASS A1) TO DAY CENTRE (USE CLASS D1) INCLUDING DISABLED ACCESS THROUGHOUT AND THE CREATION OF A ROOF GARDEN TO THE REAR. 24 MARKET SQUARE

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the applicant seeks permission to change the use of the second floor to a day centre. This would include a small roof garden on an existing flat roof to the rear of the property. This would be accessed via an existing entrance, which is sited adjacent to the café entrance. No alterations are proposed to the front façade.

Mr Ifty Choudary addressed the Committee and spoke in favour of the application.

The Principal Planning Officer advised that the application would not have passed building regulations without a fire escape.

The Committee discussed the report.

RESOLVED

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

The proposed development would have a neutral impact upon visual amenity, the character and setting of the All Saints Conservation and the adjoining Grade II Listed Building and neighbour amenity. In addition, the development would contribute to the ongoing viability and vitality of the Market Square. As a consequence, the development is in conformity with the requirements of the National Planning Policy Framework; Policies BN5 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 31 of the Northampton Central Area Action Plan.

(I) N/2016/0273 - ERECTION OF CRICKET PAVILION (RESUBMISSION OF PLANNING APPLICATION N/2015/0149). NORTHAMPTON OLD SCOUTS RUGBY FOOTBALL CLUB, RUSHMERE ROAD

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the applicant seeks planning permission to erect a single storey building within the grounds of the Northampton Old Scouts Rugby Football Club that would feature a club room and changing rooms. The building would feature a combination of bricks and wooden cladding and would have a tiled roof.

The Committee discussed the report.

RESOLVED

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

The proposed development would support the continued use of the site for sports purposes whilst having a neutral impact upon the character and appearance of the surrounding area and the amenities of the neighbouring properties. As a consequence, the development is in conformity with the requirements of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan

(J) N/2016/0326 - CHANGE OF USE FROM OFFICES (USE CLASS B1) TO A SINGLE DWELLING (USE CLASS C3) WITH A REAR EXTENSION AND A NEW TWO STOREY GARAGE IN THE REAR GARDEN, NEW FRONT BOUNDARY WALL AND GATE. 62 BILLING ROAD

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. The addendum was referred to and advised that further letters of objection have been received following the submission of revised plans to remove first floor windows from the proposed two storey garage and insert rooflights.

Mr Alistair Hague addressed the Committee as a resident for the area and spoke against the application.

Cllr Ansell addressed the Committee as Ward Councillor and spoke against the application

Cllr Zoe Smith addressed the Committee as Ward Councillor and spoke against the application.

Cllr Lane suggested the application be deferred.

The Head of Planning advised the Committee that their role is to determine applications and it is the role of Officers to deal with design. Deferment is possible however conservation officer had no issues and that bringing the building back into use as a dwelling is beneficial. It was also advised that a deferment is unlikely to change outcome and the role of the committee is not to redesign the scheme.

Cllr Meredith stated that community cohesion is very important and have to ensure residents are happy. He suggested the Officers consult further with the applications and express views of Committee.

The Development Manager advised the Committee that the application expires the following day.

Councillor McCutcheon proposed the recommendations.

The Chair seconded.

Three members voted in favour, eight voted against and one abstained. The Officer recommendations were not approved.

Councillor Lane proposed to defer the application and that the applicant be advised to reduce the height of the garage to single storey only.

Councillor Patel seconded the deferment.

RESOLVED

That the application be **DEFERRED**.

(K) N/2016/0350 - 1.5 STOREY SIDE EXTENSION INCORPORATING EXISTING GARAGE. 63 WRENBURY ROAD

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that permission is sought for the erection of a side extension above and to the rear of the existing garage to provide an annexe for a family member.

Lawrence Roberts addressed the Committee as an adjoining neighbour and spoke against the application.

Councillor John Caswell addressed the Committee as the Ward Councillor and spoke against the application.

Simon Ackerman addressed the Committee as the Agent and spoke in favour of the application.

The Committee discussed the report.

RESOLVED

The Committee **REFUSED** the application for the following reason:

The development proposed would by virtue of its siting, scale and mass, result in an unacceptable impact on the neighbouring property (number 61 Wrenbury Road) in terms of overshadowing and overbearing to the detriment of residential amenity. If permitted this would be contrary to Policies H18 and E20 of the Northampton Local Plan, Policy H5 of the Duston Neighbourhood Plan and the aims and objectives of the National Planning Policy Framework (NPPF).

(L) N/2016/0393 AND N/2016/0395 - CHANGE OF USE FROM OFFICES (USE CLASS B1A) TO 12NO. ONE AND TWO BED FLATS TOGETHER WITH ANCILLARY STORAGE IN THE BASEMENT. INSTALLATION OF METAL STAIRS TO REAR, ALTERATIONS TO EXISTING WINDOWS AND INSERTION OF ROOF LIGHT AND WINDOW AND ASSOCIATED WORKS. LISTED BUILDING APPLICATION FOR INTERNAL AND EXTERNAL ALTERATIONS TO CONVERT BUILDING TO RESIDENTIAL USE INCLUDING REMOVAL AND PART REMOVAL OF INTERNAL WALLS AND DOORS, INSTALLATION OF PARTITION WALLS, INSERTION OF NEW DOORS, INSTALLATION OF BATHROOM EXTRACTION AND DUCTING WITH GRILLE EXTRACTS TO REAR AND SIDE ELEVATIONS, INSTALLATION OF METAL STAIRS TO REAR, INSERTION OF NEW WINDOW AND ROOF LIGHT TO REAR ELEVATION. ALTERATIONS TO EXISTING WINDOWS, INCLUDING REPLACEMENT AND BRICKING UP OF VARIOUS WINDOWS AND REPLACEMENT OF EXISTING METAL WINDOWS WITHIN THE MAIN LISTED BUILDING. 7 SPENCER PARADE

The Principal Planning Officer submitted an application on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that The planning application (N/2016/0393) relates to the change of use of the premises from offices (Use Class B1A) to 4 no. one and 8 no. two bedroom flats together with

ancillary storage in the basement. In addition, the scheme shows the installation of metal stairs to the rear, alterations to existing windows and the insertion of a roof light and window, along with associated works.

The separate application for Listed Building Consent (N/2016/0395) relates to alterations associated with the change of use.

The Principal Planning Officer advised that Councillor Stone had withdrawn her objections and the Development Manager stated that Members should contact Officers and find out more facts about applications before items being called in, as that would avoid unnecessary delay for applicants.

The Committee discussed the report.

RESOLVED

The Committee **APPROVED** application **N/2016/0393** subject to the conditions as set out in the report and for the following reason:

The proposed change of use of the property from offices (use class B1) to a residential use would support the sensitive re-use of a vacant listed building and provide additional housing without significant harm to the character or appearance of the building, surrounding area, highway safety or the amenity of neighbouring properties. The proposal is therefore in accordance with Policies S10, BN5 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan, Policies 1, 10, 15 and 16 of the Northampton Central Area Action Plan and National Planning Policy Framework.

The Committee **APPROVED** application **N/2016/0395** subject to the conditions as set out in the report and for the following reason:

The proposed works would represent the effective re-use of a vacant listed building without significant harm to the historic and architectural character of the listed building, its setting or the visual amenities of the conservation area. The proposal is therefore in accordance with Policies S10, BN5 and H1 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan, Policies 1, 10, 15 and 16 of the Northampton Central Area Action Plan and National Planning Policy Framework.

(M) N/2016/0490 - INSTALL NEW SHOPFRONT AND ERECT METAL RAILINGS TO PROVIDE EXTERNAL SEATING AREA. 12-14 GOLD STREET

The Development Management Team Leader submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the application seeks planning permission to install a new shop front to the property and to enclose the covered forecourt with railings to create an outdoor

seating area. Elements of the existing building would be clad as part of the proposals.

In response to questions from the Committee the Development Management Team Leader advised that condition 3 on page 131 requested details of railings.

The Committee discussed the report.

RESOLVED

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

The development would be sympathetic to the existing building and would have no adverse impact on the conservation area or the setting of the adjacent listed building. This would be in accordance with Policies S10 and BN5 of the Joint Core Strategy, Policy 1 of the Central Area Action Plan, Policy E26 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

(A) N/2016/0545 - ERECTION OF TEMPORARY MODULAR UNITS AND ASSOCIATED ALTERATIONS FOR EDUCATIONAL USE FOR A TEMPORARY PERIOD OF THREE YEARS. WOOTTON HALL POLICE HEADQUARTERS WOOTTON HALL PARK, MEREWAY

Councillors Meredith, Patel, Golby and McCutcheon left the committee having declared a personal interest on this item earlier in the meeting.

The Development Manager elaborated on the report on behalf of the Director of Regeneration, Enterprise and Planning. She referred to the additional information contained in the addendum. She also stated that the comments from the resident of 18 Sherborne Way was forwarded to Northamptonshire County Council for their consideration. It was advised that this is an application for the erection of temporary modular units (some two storey) and associated external alterations for educational use (Use Class D1) for a temporary period of three years (September 2016 – August 2019) on part of the sports ground at Wootton Hall Park. The Development Manager stated that Amended plans have been received by Northamptonshire County Council which alter the red line on the site plan denoting the application site outlined in the report. The red line on the site plan now includes three access routes on the north side of the site:

1. Access to the car parking area adjacent to the club, providing 60 x staff and parent parking spaces, and drop-off zone;
2. Access for construction vehicles; and

3. Pedestrian / cycle route.

The temporary construction route across the playing fields is required in order to avoid damage to the existing trees adjacent to the proposed temporary cabins site and nearby fibre optic cable and prevents disruption to the Police Headquarters during the construction period.

It was reported that Northampton Borough Council are only consultees on the application and that Northamptonshire County Council will determine the application on the 28th June 2016.

Councillor Brandon Eldred addressed the Committee as Ward Councillor for East Hunsbury and spoke against the application.

Councillor Phil Larratt addressed the Committee as Ward Councillor for East Hunsbury and spoke against the application.

Mr Ron Johnson addressed the Committee and spoke against the application.

Councillor Jonathan Nunn addressed the Committee as a member of Wootton and East Hunsbury Parish Council and spoke against the application.

The Committee expressed their concerns regarding lack of consultation with the Parish Council and residents . and the short notice of the revised plans.

In response to questions from the Committee the Development Manager advised that NBC were informed of changes to the application on the 9th June 2016 and the County Council will have to consult Sports England.

The Committee discussed the report

RESOLVED

The Committee raised **NO OBJECTIONS** to the proposed development, subject to the issues outlined below being addressed by Northamptonshire County Council:

- there should be no objections received from the Highway Authority in respect of the impact on the local road network;
- conditions should be added to ensure that the land is restored to open space after construction work has finished, and in a timely manner;
- provision to be made for adequate tree protection measures and replacement tree planting to mitigate for the tree loss necessitated by this development;
- suitable drawings of the site to be provided;
- the concerns of East Hunsbury Parish Council to be addressed;
- the proposed foot path/cycleway should not impact upon football pitches;
- a Management Plan to be submitted regarding impact on the social club, and football/cricket pitches;
- Sports England and other relevant sports bodies, such as the Northamptonshire Football Association, should be consulted; and
- the views of local residents to be considered.

The meeting concluded at 21:30

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 5 July 2016

PRESENT: Councillor Oldham (Chair); Councillor Golby (Deputy Chair);
Councillors Birch, Haque, Hill, Lane, McCutcheon, Meredith, Patel
and Shaw

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Toon (Principal Planning Officer), Andrew Holden
(Principal Planning Officer), Rory Mckenna (Planning Solicitor),
Michael Flynn (Democratic Services Officer).

1. APOLOGIES

Apologies were received from Councillor Kilbride and Councillor Davenport.

2. DEPUTATIONS / PUBLIC ADDRESSES

N/2015/0479

Amarjit Atwal

N/2015/1228

Brian Burnett
Richard Lyons
Cllr Birch
Duncan Chadwick
Simon Stringer

3. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Birch declared a personal interest in item 8a as a Trustee of Mount Leisure Centre.

Councillor Birch declared a personal interest in item 9b as Ward Councillor for Trinity Ward.

Councillor Golby declared a personal interest in item 8a as a Trustee of Mount Leisure Centre.

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

None.

5. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon.

RESOLVED

That the report be noted.

6. OTHER REPORTS

None.

7. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2016/0482 - LISTED BUILDING CONSENT FOR INTERNAL ALTERATIONS TO BUILDING. MOUNTS BATHS, UPPER MOUNTS

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that the applicant has applied for Listed Building Consent in order to carry out internal alterations to provide improved changing facilities.

The Committee discussed the report.

RESOLVED

The Committee **APPROVED** the application subject to the conditions as set out in the report 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.

(B) N/2016/0507 - NORTHAMPTON WATERSIDE ENTERPRISE ZONE PROMOTIONAL SIGN. WESTBRIDGE DEPOT , 9 - 13 ST JAMES MILL ROAD

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that

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

The Committee discussed the report.

RESOLVED

The Committee **APPROVED** the application subject to the conditions as set out in the report 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

9. ITEMS FOR DETERMINATION

(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

The Principal Planning Officer submitted the report on behalf of the Director of Regeneration Enterprise and Planning and elaborated thereon. He also referred to the additional information contained in the addendum. It was advised that 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.

Mr Amarjit Atwal addressed the Committee as the Sheikh Community Leader and spoke in favour of the application.

In response to questions from the Committee it was advised that applicant understand safety of people attending the community centre and that the building is designed to provide quick easy exit.

The Chair referred to paragraph 6.8 of the report which refers to National Planning Practice Guidance and agreed with Members that most careful consideration of the proposal were given.

The Development Manager advised that it would not be appropriate to put in a condition regarding signage as it would be covered by other legislations.

The Committee discussed the report

RESOLVED

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

The proposed 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.

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.

(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

The Principal Planning Officer submitted a report on behalf of the Director or Regeneration, Enterprise and Planning and elaborated thereon. The addendum was referred to which detailed representations received from Councillor Russell and Queen's Park Residents' Association. He also referred to the Officer response in regards to the shadow analysis which was carried out. The Principal Planning Officer outlined the scheme and stated there would be a separate site for parking.

Councillor Birch addressed the Committee as the Ward Councillor for Trinity and spoke against the application. She was concerned that the development not adequately reflect the character of the area and that the impact in terms of loss of light, noise, size of development would impact on residential amenity.

Once Councillor Birch had addressed the Committee she left the room having declared an interest in the item earlier at the meeting.

Mr Brian Burnett addressed the Committee as the Chair of Queens Park Residents Association and spoke against the application. He confirmed that he was not opposing to housing but the design and appearance of the development was an incongruous feature. The development did not reflect the character of the area and the retail unit would be a distraction to drivers. He also referred to examples of Grafton Street and Upton development.

Mr Richard Lyons addressed the Committee as a resident of Kingsthorpe Grove and spoke against the application. He stated that the development would overbear and overshadow neighbours. The shadow analysis was incomplete and not in accordance with BRE Standards. He questioned the reliability of the sequential test and why 13 parking spaces were required for a local shop. No crossing was proposed for the separate parking area.

Mr Duncan Chadwick addressed the Committee as a partner of David Locke associates planning consultancy and spoke in favour of the application. He said the officer report is fair and NPPF said Council should provide 5 year housing land supply. The development will regenerate the site with an attractive building. The retail unit would create jobs and activities.

Mr Simon Stringer addressed the Committee on behalf of the applicant and owner and spoke in favour of the application. He confirmed that the development would be of high standard and that pre-app was started with officers back in 2014.

In response to questions from the Committee the Principal Planning Officer advised that the application was not refused at the previous Committee but recommended for refusal. With regards to overshadowing the Principal Planning Officer stated that the previous scheme had a different design and the area has been assessed regarding overshadowing.

The Development Manager advised the Committee that design is a subjective matter and that the urban designer advised that the design is acceptable in this location. Although the building is high it is more of a landmark feature and the overshadowing issue is detailed in the report.

The Chair referred to 8.2 in the conclusion of the report which details design of the building.

The Committee discussed the report.

RESOLVED

That the application be **APPROVED 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 in the report 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, Policies 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.

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

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that Outline permission is sought for a new dwelling, together with new parking arrangements, with only access and layout to be considered at this stage. 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.

The Committee discussed the report.

RESOLVED

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

The 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.

(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

The Principal Planning Officer submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that there were two applications to consider.

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.

The planning application (N/2016/0456) seeks permission for the change of use of the building from residential to Educational Day Service use.

The Committee discussed the report.

RESOLVED

- 1.1 The Committee **APPROVED** application **N/2016/0455** subject to the conditions as set out in the report 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.

- 1.2 The Committee **APPROVED** application **N/2016/0456** subject to the conditions as set out in the report 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.

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

The Development Manager submitted a report on behalf of the Director of Regeneration, Enterprise and Planning and elaborated thereon. It was advised that Planning Committee were recommended to raise no objection subject to 1.1 of the report. The Development Manager also highlighted the ward boundary.

RESOLVED

Northampton Borough Council **RAISED 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.

The meeting concluded at 7:32pm

Directorate: Regeneration, Enterprise and Planning
Director: Steven Boyes



List of Appeals and Determinations – 26th July 2016

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2015/0949 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	AWAITED
N/2015/0950 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	AWAITED
N/2015/1067 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).	AWAITED
N/2015/1078 APP/V2825/W/16/3144604	PC	Change of use from dwelling (use Class C3) to five person house in multiple occupation (Use Class C4) at 74 Military Road	ALLOWED
N/2015/1349 APP/V2825/D/16/3147347	DEL	New front boundary wall/fence and pedestrian/vehicular gate at 14 Woodland Avenue	AWAITED
N/2015/1496 APP/V2825/D/16/3152771	DEL	Erection of summer house in rear garden (part retrospective) at 35 Windrush Way	AWAITED
N/2016/0039 APP/V2825/D/16/3149285	DEL	Single storey front extension (resubmission of planning application N/2015/1105) at 7 Manor Road	DISMISSED
N/2016/0203 APP/V2825/D/16/3149992	DEL	Vehicular crossover at 561 Harlestone Road	AWAITED

Public Inquiry

N/2013/1035 APP/V2825/W/15/3028151	PC	Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved accept access, land south of Rowtree Road and west of Windingbrook Lane - Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED
N/2013/1063 APP/V2825/W/15/3028155	PC	378 dwellings served by a new access from Windingbrook Lane, and the re-configuration of part of the Collingtree Park Golf Course including a new temporary hole 17 and the demolition of all existing buildings and structures within the site, green infrastructure including formal and informal open space, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements), land south of Rowtree Road and west of Windingbrook Lane - Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED
N/2015/0335 APP/V2825/W/15/3138580	PC	Redevelopment comprising a new distribution centre (Use Class B8) including related service roads, access and servicing arrangements, car parking, landscaping bund and associated works. Land at Milton Ham, Towcester Road Planning Inspectorate will confirm the date of the inquiry in due course.	AWAITED

Hearings

		None	
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Enforcement Appeals

E/2016/0129 APP/V2825/C/16/3152604		Enforcement Notice Appeal for unauthorised erection of single storey rear extension at 69 Raeburn Road	AWAITED
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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.co.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: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0664

LOCATION: Land off Main Road, Duston

DESCRIPTION: Installation of a 3.5m high steel sculpture incorporating seating area

WARD: Old Duston Ward

APPLICANT: Northampton Borough Council
AGENT: Northampton Borough Council

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development would have no detrimental impact on the amenities of neighbouring occupiers, would enhance the character and appearance of the area, and would represent an appropriate use for the site in both the visual and historical context of the area. The proposed development would therefore comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy H2 of the Northampton Local Plan, Policy H2 of the Duston Neighbourhood Plan and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application relates to a 3000mm diameter tapered bearing ring and tree which is to be constructed in mild steel with a black epoxy coating, with satin finished stainless steel tree with coloured anodised steel leaves mounted on a plinth. The overall height is 3.5m from ground level.
- 2.2 Inserted into the sculpture will be 28 no. 200mm diameter photographic circular panels which have been sourced from Timken and local history groups depicting groups of people working at Timken, special occasions and Duston communities at the annual British Timken show.
- 2.3 Surrounding the sculpture will be a 3600mm diameter, 500mm high and 300mm wide grey granite seating ring with a flat top with inlaid different colour granite to simulate the appearance of bearings.

2.4 Around the base of the sculpture new planting will be provided that will add colour to the sculpture, this is stated as being predominantly orange, being the colour of British Timken.

3. SITE DESCRIPTION

3.1 The sculpture is proposed to be located on an existing highway verge near the junction of Tollgate Way and Main Road in Duston. It is at an entry point to the village and aims to provide a visual point of interest for both road users and pedestrians.

3.2 The area is currently reasonably open although there is some established landscaping and a formed bund on this area of land.

4. PLANNING HISTORY

4.1 The original consent for the redevelopment of the British Timken Factory Site was granted consent in 2007 by the former West Northamptonshire Development Corporation. One of the clauses of the accompanying S106 agreement required a contribution to be paid by the developer towards public art within the development.

4.2 The land is currently highway land and therefore has no specific planning history but in terms of the sculpture, the artist has worked closely with the Parish Council in terms of achieving a design that meets with the design brief provided to him.

5. PLANNING POLICY

5.1 Statutory Duty

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

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 sets out the core planning principles and considers that planning should be a creative exercised in finding ways to enhance and improve the places in which people live their lives.

Paragraph 56 notes that good design is a key aspect of sustainable development and contributes 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 S10 sets out the sustainable development principles and refers to the need to achieve high standards of sustainable design incorporating safety, security considerations and a strong sense of place.

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

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

Policy E20 – New Development – This policy states that new proposals should be of an acceptable design and ensure a neutral impact upon neighbouring properties in terms of light, outlook and privacy.

5.5 **Supplementary Planning Documents**

Duston Neighbourhood Plan

At Full Council on 14th December 2015 Northampton Borough Council made the Duston Neighbourhood Plan. It now forms part of the Development Plan for Northampton. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004).

Policy H2 - Residential development on the former Timken Site (objective 1) relates to the design principles of the approved masterplan and seeks to create a high quality gateway at Main Road/Tollgate Way.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Duston Parish Council** discussed the application at their meeting on 5th July 2016 and raised no matters in respect of the proposal.
- 6.2 **NCC Highways and Access** have been consulted and raised no comments. Prior to the submission of the application discussions took place between the local highway authority and the Borough Council to ensure that the visibility splay at the junction had been maintained and address any potential highway safety issues.

7. **APPRAISAL**

- 7.1 The artist, Tim Ward, has worked closely with the local community and Borough Council to establish opportunities for participation in the design of the sculpture and produced a number of schemes that were considered.
- 7.2 In terms of engagement with the community, consultation took place including public day exhibitions, creative workshops with local schools and online participation. The exercise has been aimed at sharing knowledge of the heritage of the area and promoting a sense of ownership of the artwork.
- 7.3 Prior to the submission of the application, discussions took place with the Highway Authority to establish site lines and ensure that no objections were made in terms of highway safety.
- 7.4 Whilst the area is close enough to residential properties and the highway network to offer natural surveillance to the site, but it is of sufficient distance that privacy and residential amenities will not be affected.

8. CONCLUSION

- 8.1 The public art project will allow Duston's existing and new communities to celebrate its historical connection with British Timken and create a meaningful symbol for Duston.
- 8.2 It is of a contemporary design whilst acknowledging Duston's historical past. The proposal is in accordance with S10 of the West Northamptonshire Core Strategy, E20 of the Northampton Local Plan, Policy H2 of the Duston Neighbourhood Plan and the objective of the National Planning Policy Framework.

9. CONDITIONS

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, block plan, sections TIM6A and elevations TIM6B.

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

10. BACKGROUND PAPERS

- 10.1 N/2016/0685

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: **Main Road, Duston**

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Date: 14-07-2016

Scale: 1:1,250

Drawn by: -----



Addendum to Agenda Items Tuesday 26th July 2016

5. MATTERS OF URGENCY

5a

N/2016/1010

**Non-material amendment to application N/2015/1498 (formation of car parking area) to alter the layout of the car park
Delapre Abbey, London Road**

See report enclosed.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATION

9a

N/2016/0664

**Installation of a 3.5m high steel sculpture incorporating seating area
Land off Main Road, Duston**

No update.

10. ITEMS FOR DETERMINATION

10a

N/2015/0673 and 0674

**Conversion and alterations of factory premises to form 103 apartments with associated parking both on-site and on-street; replacement of windows and new roof lights; proposed infill extension on Dunster Street facade including new roof terraces; and
Listed Building Consent application for conversion and alterations to form 105 apartments including replacement of windows and new roof lights; removal of 4 cast-iron columns, internal walls, north lights, internal and external staircase; modification of doors; proposed infill extension on Dunster Street facade including new roof terraces; provision of new glass screens, new staircases, steel guard rails, fire exits and lift
Hawkins Building, Overstone Road**

For clarification, the principle of double glazing to replacement windows is accepted by Officers in order to provide appropriate living accommodation.

Amendment to Condition 3 of planning application N/2015/0673 and Condition 3 of application for Listed Building Consent N/2015/0674:

Notwithstanding the submitted details, prior to commencement of development, a detailed window condition survey for each window type to be replaced shall be submitted to the Local Planning Authority. A schedule, detailed elevations, profiles, double glazing details, cross sections and material samples of the proposed replacement windows, which shall be, other than in respect of materials, of a type, layout and means of opening which shall match the existing windows to be removed, shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Paragraph 7.15 is amended as follows:

As there are outstanding objections from the Council for British Archaeology and the Victorian Society, the proposal includes the demolition/removal of internal staircases, **and the proposed replacement of all the windows which would retain less than 50% of the surface area of the principal building**, under Sections 12, 15(1) and (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990, should Members be minded to approve the application for Listed Building Consent, the application will require prior referral to the Secretary of State.

Paragraph 7.21:

Members are advised to note that, following further discussion with the Town Centre Manager, whilst there may be potential for parking provision at St. Michael's car park, this cannot be guaranteed.

10b

N/2016/0326

Change of use from offices (Use class B1) to a single dwelling (Use class C3) with a rear extension and a new single storey garage in the rear garden, new front boundary wall and gate

62 Billing Road

No update.

10c

N/2016/0378

Change of use from single dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for maximum of three residents

165 Loyd Road

Revised Condition 4:

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

Reason: In the interests of securing a satisfactory form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

10d

N/2016/0412

Demolition of farmhouse, associated buildings and the residential property of Little Norway. Construction of two warehouse and distribution units (Use Class B8) with ancillary office accommodation, together with earthworks, access, service yards, parking arrangements, landscaping and other associated infrastructure including creation of footpath

Land South of Bedford Road, off Liliput Road

County Councillor P. Larratt – Object to the application on the following grounds:

The whole area of this proposed development has been considered the buffer between the village of Great Houghton and Brackmills for many years, and was identified as such in the original Local Plan. Saved policy E9 of the Local Plan, that allocates the site as green space, is very much a material consideration in relation to this application as the policy applies across the entirety of the site. We have site been through the lengthy and fraught procedure of developing a Joint Core Strategy, and policy BN1 clearly applies across the entire site. Surely you shouldn't be ignoring a policy that has only just been adopted. It is said in the report that the development will represent an ecological improvement of the area. However, it will destroy one of the last features of ridge

and furrow landscape within the Borough. The land should be transferred to the Parish Council as a community asset.

The County Council's Archaeology Advisor objects to the development on the grounds that it will have an adverse impact on heritage assets.

The Borough Council's own Conservation Team states that the development will harm the character and significance of the Great Houghton Conservation Area through the loss of its setting in open countryside and the setting of listed buildings.

Historic England is concerned about the harm to heritage assets, including the Great Houghton Conservation Area and the loss of the ridge and furrow landscape.

As well as destroying the rural setting of Great Houghton, this development will bring industrial activity closer to the village, causing additional noise and air pollution thereby detracting from the village character. Great Houghton already suffers from noise pollution from activity further away on Brackmills, especially from reversing vehicles.

Of course we want businesses such as Decathlon in Northampton, but not at any price. While there may be a lack of industrial land available, more is coming on stream, especially on the A4500 towards M1 J16. Just because this isn't available yet, and while there is land at Swan Valley still to be developed, you should not be compromising the heritage of the town and the villages within it in order to meet needs in the interim by cramming everything in to Brackmills.

This application has no support within the community. Residents and the Parish Council have strongly objected to it, and I support their objections.

Would ask that you refuse this application due to it bringing industrial activity, and all the problems that go with that, closer to Great Houghton village, its adverse effect on the setting of Great Houghton village, the Conservation Area, listed buildings, and loss of the ridge and furrow landscape. This will simply leave the area of the site as open space in accordance with long standing policy and thereby retaining the buffer between the industrial estate and the village as was always intended.

10e

N/2016/0605

**Creation of Shisha area to rear including covered seating area
54 Wellingborough Road**

Additional Condition 6:

The refuse storage and car parking as shown on drawing A425-2b shall be fully implemented prior to the first use of the development hereby permitted and retained thereafter.

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

10f

N/2016/0660

**Variation of Conditions 3 and 6 of Planning Permission N/2015/1314 - Change of use from Public House (Use Class A4) into Convenience Store (Use Class A1) including alteration and extensions, rear storage and installation of 2no Satellite Dishes on roof, to allow for extension of delivery hours and additional plant information and submission of details prior to occupation
The Barn Owl, Olden Road**

No update.

10g
N/2016/0690
Conversion of dwelling to three flats
93 Adams Avenue

No update.

10h
N/2016/0703
Prior notification for demolition of garage blocks
Lock Up Garages , Moat Place, off Scarletwell Street

No update.

10i
N/2016/0704
Prior Notification for demolition of garage blocks
Lock up garages at Swale Drive, Derwent Drive, West Oval and Witham Way

No update.

10j
N/2016/0769
Demolition of 43 garages, erection of 14 dwellings with associated gardens, parking and access ways
Lock up garages, land at St Andrews Road and Scarletwell Street

Comments received from the following consultees:

Arboricultural Officer - The trees proposed to be removed are large mature specimens which appear to be in good condition and are important arboricultural. The proposed removal will have a significant impact on the overall amenity of the area. The application should be refused. However, if consent is granted then information should be provided about which trees, if any, are to be retained and how they will be protected for the duration of the development. Also request that a detailed landscape scheme is conditioned.

Officer Response – As set out in the report to Committee, it is considered that the loss of the trees must be balanced against the fact that the proposal would provide much needed housing and therefore on balance this loss is considered acceptable. Conditions for tree protection and a detailed landscaping scheme are already proposed.

County Archaeologist – The proposed development will have a detrimental impact on archeological deposits. This does not represent an over-riding constraint provided that provision is made for investigation and recording. A condition is recommended to secure a programme of archeological work.

Housing Strategy - The application is supported. It is considered that the application meets identified housing needs and provide a greater housing choice in the area.

Construction Futures – Request construction training provision and a financial contribution.

Officer Response – Given the low level of financial contribution requested and the fact that a Section 106 agreement would not otherwise be required, it is not proposed to require the contribution in this instance.

Additional Condition 15:

No development shall take place until the applicant or their agents or successors in title, has

secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

As a revised flood risk assessment has not been received, it is therefore recommended that **delegated authority be given to the Head of Planning** to liaise with the Lead Local Flood Authority to address their concerns and to approve the planning application with any additional planning conditions if necessary.

10k

N/2016/0771

**External alterations to tower block including recladding and enclosure of balconies, refurbish communal areas and ground floor extensions
St Katherines Court, Castle Street**

County Archaeologist: the potential for archaeological activity within the site is low and has therefore no comments to make.

Public Protection: no objections subject to conditions relating to contamination, refuse and construction environmental management plan.

Bearing in mind the scale of the development, it is not considered that a Construction Environmental Management Plan is required in this instance.

10l

N/2016/0772

**Demolition of existing flats and erect three storey building with nine flats on ground floor and nine maisonettes on upper floors
33 Little Cross Street**

Housing Strategy - The application is supported. It is considered that the application meets identified housing needs and provide a greater housing choice in the area.

Construction Futures – Request construction training provision and a financial contribution.

Officer Response – Given the low level of financial contribution requested and the fact that a Section 106 agreement would not otherwise be required, it is not proposed to require the contribution in this instance.

Revised plan received with amendments to overcome comments from the Crime Prevention Officer regarding boundary treatment.

As a revised flood risk assessment has not been received, it is therefore recommended that **delegated authority be given to the Head of Planning** to liaise with the Lead Local Flood Authority to address their concerns and to approve the planning application with any additional planning conditions if necessary.

10m

N/2016/0773

**Erect single storey building for convenience store
St Peters House, Castle Street**

No update.

10n

N/2016/0791

Change of use of ground floor shop (Use Class A1) to Restaurant (Use Class A3) to be incorporated into neighbouring restaurant premises

44-46 St Giles Street

Town Centre Conservation Areas Advisory Committee – No objections.

Highway Authority - No objections.



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE:	26 th July 2016
DIRECTORATE:	Regeneration, Enterprise and Planning
DIRECTOR:	Steven Boyes
APPLICATION REF:	N/2016/1010
LOCATION:	Delapre Abbey, London Road
DESCRIPTION:	Non-material amendment to application N/2015/1498 (formation of car parking area) to alter the layout of the car park
WARD:	Delapre & Briar Ward
APPLICANT:	Delapre Abbey Preservation Trust
AGENT:	Katie Mills, NBC
REFERRED BY:	Director of Regeneration, Enterprise and Planning
REASON:	NBC owns the land
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed amendment to the car park layout is considered to be non-material and would have a neutral impact on the character, appearance or historical significance of the listed building, the registered Battlefield and Delapre Conservation Area, neighbour amenity, road safety or drainage as compared with the previous approval.

2. THE PROPOSAL

2.1 This is a non-material amendment application to revise the layout of the new proposed car park within Delapre Park. Previously planning application was granted for the creation of an overspill car park providing a total of 131 general car parking spaces including 11 disabled spaces and 2 coach spaces. The current revised layout provides a total of 129 spaces including 6 disabled spaces and 2 coach spaces.

2.2 As the Council has only 28 days to determine the application and the site is owned by the Council, also there will not be a meeting scheduled until 6th of September, the matter is raised as a matter of urgency and has been agreed by the Chair as an urgent item.

3. SITE DESCRIPTION

- 3.1 The site of this proposal is the existing car park area, which would be reconfigured, and a grassed area adjacent to this, within the grounds of the Abbey. This grassed area is located at the eastern end of the drive, before the main abbey buildings and is adjacent to one residential property (Park Cottage).
- 3.2 The site is within the Delapre Park Conservation Area as well as the registered Battle of Northampton site. The Abbey buildings are Grade II* listed.

4. PLANNING HISTORY

- 4.1 In October 2013 an application was approved for the repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House and change of use to include functions/events, conferences, guided tours, visitor and heritage centre and ancillary retail, offices, café and restaurant, and holiday lets. An associated application for listed building consent for the works required was also approved at that time.
- 4.2 Subsequently applications for associated works have also been approved, mainly for advertisement consent but also for a disabled toilet, café facility and the siting of temporary buildings.
- 4.3 Planning application N/2015/1498 for the provision of an overspill car park was approved by the Planning Committee 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 Northampton Local Plan (1997) saved policies.

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

5.2 National Policies

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

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

Paragraph 126 States that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the

significance of heritage assets and putting them to viable uses consistent with their conservation.

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

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

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

Paragraph 134: Where a development proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy BN5 "The Historic Environment", which sets out that heritage assets will be conserved and enhanced and that where heritage assets are at risk they will be appropriately conserved and managed.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

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

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

Policy E26 "Conservation Areas" which states that development must preserve or enhance the character and appearance of the area, and not include the demolition of

any building which makes a significant contribution to the character or appearance of the area.

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

5.5 Supplementary Planning Documents

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

6. APPRAISAL

6.1 Following planning approval for the proposed car park in March this year, further survey has been carried out and identified details of tree protection areas. In order not to impact on existing trees, it is necessary to revise the layout of the car park.

6.2 The non-material amendments proposed include the reconfiguration of the new car park, to provide a total of 129 spaces including 6 disabled and 2 coach spaces. The surface of the car park will be finished with grassblocks as originally approved. The separation distance of the car park with nearby cottage would remain the same with additional planting area as a buffer.

6.3 It is considered that the proposal is non-material to the original approval and approval is recommended.

7. CONDITION

(1) The development hereby permitted shall be carried out in accordance with the following approved plans: 5489/01, 5489/03, 5489-10 (part not superseded by 5489-28) and 5489-28.

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

10. BACKGROUND PAPERS

10.1 Application files N/2015/1498 and N/2016/1010

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.



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/0673 and N/2015/0674

LOCATION: The Hawkins Building, Overstone Road

DESCRIPTION: Conversion and alterations of factory premises to form 105 apartments with associated parking both on-site and on-street; replacement of windows and new roof lights; proposed infill extension on Dunster Street facade including new roof terraces; and

Listed Building Consent application for conversion and alterations to form 103 apartments including replacement of windows and new roof lights; removal of 4 cast-iron columns, internal walls, north lights, internal and external staircase; modification of doors; proposed infill extension on Duster Street facade including new roof terraces; provision of Knew glass screens, new staircases, steel guard rails, fire exits and lift

WARD: Castle Ward

APPLICANT: Clayson Country Homes
AGENT: Barry Wayne Planning

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

N/2015/0673 – Planning Application

1.1 APPROVAL subject to the conditions as set out in paragraph 9 and for the following reason:

The proposal would bring about the development of a prominent group of disused Grade II listed buildings within the Boot and Shoe Quarter Conservation Area in a residential area on the edge of the town centre, the renovation of which would enhance and make an overall positive contribution to the character and appearance of the Conservation Area. The site is in a sustainable location, with good access to the town centre and public transport, and the conversion to residential use would make a positive contribution to the Council's 5-year housing supply. It is acknowledged that the proposed alterations may cause harm to the historic integrity

of the listed building but this is outweighed by the public benefits identified and ensuring the continued viable use of the buildings. The development would not lead to any unacceptable adverse impacts on the existing highway conditions or residential amenity. It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied, and that, on balance, the lack of contributions would be outweighed by the environmental and social benefits of the proposal. The development is therefore considered in accordance with Policies S3, S10, E1, H1, H2, BN5, BN9, INF1 & N1 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

N/2015/0674 – Application for Listed Building Consent

- 1.2 **APPROVAL IN PRINCIPLE** subject to prior referral to the Secretary of State and the conditions as set out in paragraph 9 and for the following reason:

The proposal would bring about the development of a prominent group of disused Grade II listed buildings within the Boot and Shoe Quarter Conservation Area in a residential area on the edge of the town centre, the renovation of which would enhance and make an overall positive contribution to the environmental character of the Conservation Area. It is acknowledged that the proposed alterations may cause harm to the historic integrity of the listed building but it is considered that this is outweighed by the public benefits identified above and the positive contribution that the residential development of the site would make towards meeting housing need within the area and the Council's 5-year housing supply. The proposal is therefore considered in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy, Policy E26 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The planning application proposes the conversion and alteration of the Hawkins Building, a Grade II listed former factory and Nos. 4-14 Dunster Street, to 105 apartments comprising of 73 one-bedroom and 32 two-bedroom apartments. Amendments to parking layouts as detailed below have increased the original proposal of 103 units to 105 incorporating two additional units at lower ground floor level. External alterations would comprise of an infill extension and two-storey first floor extension on Dunster Street, the replacement of existing windows throughout with double glazed windows, insertion of rooflights, modification of doors and openings and the insertion of Juliette balconies. The proposal includes the provision of a passenger lift serving lower ground floor up to the third floor within the Hawkins building. Bin and cycle storage would be provided at both basement and ground floor level.
- 2.2 The application has been amended removing basement parking providing 13 spaces accessed from Dunster Street due to concerns raised by the Highway Authority regarding the proposed access. Subsequently, the application provides 28 spaces at ground level accessed from Overstone Road. A further 16 spaces would be provide on St. Michael's Road. The existing feeder lane to St Michael's car park situated opposite the site on St Michael's Road would be removed with the two main traffic lanes from the existing pedestrian crossing being diverted to the south side of the carriageway in order to move the traffic away from the building and provide for some additional 16 parking space along St Michael's Road.
- 2.3 The application for Listed Building Consent (N/2015/0634) seeks authorisation for conversion and alterations to form 105 apartments including replacement of windows and new roof lights; removal of 4 cast iron columns, internal walls, north lights, internal and external staircase, modification of doors; proposed infill extension on Dunster Street façade including new roof terraces; provision of glass screens, removal of existing and installation of new staircases and lift, steel guard rails and fire exits.

3. SITE DESCRIPTION

- 3.1 The application site comprises of the former G T Hawkins Factory, a Grade II listed building, Nos. 4-12 Dunster Street of which Nos. 4-6 Dunster Street, known as the former Globe Leather Works, is Grade II listed, and No. 14 Dunster Street. The site forms a prominent group of buildings fronting onto St. Michael's Road, Overstone Road and Dunster Street situated within the Boot and Shoe Quarter Conservation Area on the edge of the town centre. The Hawkins building and Nos. 4-12 Dunster Street range from three to four storeys in height. No. 14 Dunster Street is a single storey gable fronted building.
- 3.2 Surrounding uses and building heights are varied with predominantly terraced residential terraced streets interspersed with some small scale commercial uses. Parking within the vicinity of the site is on street and controlled by permit. St. Michael's car park is situated opposite the site to the south.

4. PLANNING HISTORY

- 4.1 98/0803 – Conversion to 25 flats. Approved November 2002
- 98/0922 – Conversion to 44 flats and fitness club (Hawkins). Approved 9.08.2000
- N/2001/1092 – Creation of 52 flats (Hawkins). Refused 7.11.01
- N/2001/1522 – Conversion of 4-12 Dunster Street to 16 flats. 18.09.02
- N/2002/0083 – Conversion to 52 flats – creation of additional 8 flats (Hawkins). Approved 28.11.02
- N/2005/1492 – Listed Building Consent, 16 flats, 4-12 Dunster Street. Approved 24.04.07
- N/2005/1517 – Listed Building Consent, conversion of factory to flats, new mezzanine floor for car parking between basement and ground floor (Hawkins). Approved 17.04.07
- N/2008/0434 – Conversion of 14 Dunster Street to form 3 storey building comprising one 1-bed and two 2-bed flats. Approved 14.05.08

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:

Paragraph 14 advises at the heart of the NPPF is 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 29 advises that the long term protection of employment sites should be avoided where there is no reasonable prospect of the site being used for that purpose.

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 advises that housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 51 – planning applications for change of use from commercial to residential use should normally be approved where there is an identified need for additional housing in that area, provided there are not strong economic reasons why such development would be inappropriate.

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

Chapter 12: Conserving and enhancing the historic environment – advises on the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social benefits that the conservation of the historic environment can bring and the positive contribution that conservation of the heritage asset can make to sustainable communities.

Paragraphs 132 to 134 advise that great weight should be given to the asset's conservation. Any harm or loss through alteration should require clear and convincing justification. Where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development would lead to less than substantial harm, this harm should be weighed against the public benefits, including securing its optimum viable use.

Paragraph 205 – where obligations are being sought Local Planning Authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

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

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 C2: New Developments – new development will be expected to achieve modal shift targets by maximising travel choice from non-car modes.

Policy E1: Existing Employment Areas – change of use to non-employment generating uses will be resisted unless it can be demonstrated that the site is no longer economically viable for employment purposes, conflict with adjoining uses or its release would offer significant benefits to the local area.

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 BN5: The Historic Environment and Landscape – seeks to ensure designated heritage assets and their settings and landscapes are conserved and enhanced in recognition of their individual and cumulative significance. In environments where valued heritage assets are at risk, the asset and its setting will be appropriately conserved and managed. The retention and sensitive re-use of disused or underused heritage assets and structures is encouraged in order to retain and reflect the distinctiveness of the environment, contribute to the sense of place and promote sustainable and prudent use of natural resources.

Policy BN9: Planning for Pollution Control – new development likely to result in exposure to sources of pollution will need to demonstrate provision of opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development.

Policy INF1: Approach to Infrastructure Delivery – new development will be supported by and provide good access to infrastructure. Where development generates a need for new infrastructure developers will need to demonstrate that provision will be made to meet the necessary requirements arising from that development.

INF2 – Contributions to Infrastructure Requirements – new development will only be permitted if the necessary on and off-site infrastructure required to support and mitigate its impact is already in place or there is a reliable mechanism to ensure it will be delivered.

Policy N1: The Regeneration of Northampton – will be supported by, amongst other things, housing development within the existing urban area through urban capacity infill.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 requires new development to adequately reflect the character of its surroundings and ensure adequate standards of privacy, daylight and sunlight.

E26 requires new development to preserve or enhance the character and appearance of conservation areas.

5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Boot and Shoe Quarter Appraisal and Management Plan (2011)

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Conservation** – consent has been granted in the past for the conversion of the building to residential use establishing the principle of the development. The significance of the buildings relates to their relationship with the boot and shoe industry and its significance to the town, the organic development of the site over time and the individual architectural detailing of the buildings, which can still be appreciated. A significant feature of the buildings is their windows which form a key element of the fenestration and assist in defining the industrial use of the buildings and their building periods. It is difficult to establish the potential impact of the proposed replacement windows from the details submitted. It will be important for the significance of the window fenestration to be respected through the development proposal and the replacement windows should match endeavour to match the profiles of the existing windows and the extent of glazed area closely. Raise concern regarding the glazed link and Juliette balconies and advise rooflights should be fitted flush.

6.2 **Historic England** comment as follows:

- Welcome the principle proposal to refurbish and bring these important listed buildings back into use.
- The proposal entails extension works and alterations including the removal of various architectural components, not least the windows, which contribute to the overall significance of the building, and which is likely to be the most noticeable change in terms of the building's character and appearance.
- No evidence has been provided in the application to suggest the windows are no longer fit for purpose and we would therefore question whether all the windows need to be removed or whether they could be conditioned to retain as much of the original fabric of the building as possible.
- The physical alterations are likely to have at least some impact which will result in some degree of harm to the significance of the heritage asset.
- Recommend guided by in-house conservation staff with regard to the design and finish of architectural detailing, and that any harm is weighed against any public benefit provided by the proposal.

6.3 **The Victorian Society** object as follows:

- Object due to the harm caused by various alterations and urge to refuse.
- Hawkins is nationally important and well preserved complex of historic buildings that evokes Northampton's rich heritage of boot and shoe manufacture.
- Building is "at risk", therefore the principle of restoring and converting the building to a viable new use is welcomed.

- Proposed number of alterations and interventions would be likely to cause varying degrees of harm to the listed building.
- Loss of northlight window would be damaging to integrity and distinctively industrial character; object to its removal.
- General lack of information on significance of the interior and impact of the proposed alterations.
- Implementation of the scheme would cause unjustified harm to the character and appearance of this nationally important building and would have a deleterious impact on the significance of the Boot and Shoe Quarter Conservation Area.

6.4 **The Council for British Archaeology:**

- Support principle of bringing building back into use.
- Concerned regarding lack of description of significance of internal spaces and features in their treatment.
- North light window is a key feature of the building and removal would cause harm which should be justified.
- Replacement windows will harm the building's significance. Sensitive double glazing options are available and any replacement scheme should follow the advice of the Authority's Conservation Officer.
- Authority should be satisfied that the proposals do not harm the significance of the building through loss of industrial legibility and features.
- CBA understands that large fenestration schemes can be costly and affect the viability. There are sensitive double glazing options available and your Authority should be satisfied the proposed scheme is suitable.
- The detailing of the windows is important as it significantly impacts the aesthetics of the listed building and recognition of its industrial heritage.

6.5 **The Association for Industrial Archaeology:**

- Would prefer to see a less dense conversion.
- Regret the loss of north lights and cast iron columns.
- Supportive in principle of re-use but considers every effort should be made to retain features which retain the industrial nature of the building.
- Any features should be recorded.

6.6 **NBC Public Protection** – request conditions relating to the submission, approval and implementation of a noise mitigation scheme to protect any affected habitable rooms/bedrooms or outdoor amenity spaces; air quality mitigation measures to offset the impact of the development; and standard contamination conditions.

6.7 **NCC Highways** – on the revised plans, appreciate that the entrance and exit to the car park has been swapped around, although still concerned that the required pedestrian visibility standards are not met. A physical barrier, such as a kerb is required to narrow the width of the vehicle exit lane to 3m which will at least allow for some pedestrian visibility splay, although it is still recommended that the exit is widened by 1m on each side to achieve the full 2m pedestrian visibility splay. The LHA would object to any gated access within 5.5m of the highway boundary to enable a vehicle to stand clear of the highway before gates are opened and prevent vehicles waiting in and obstructing the road. The measures within the Safety Audit should be conditioned. A condition is required to change the parking restrictions on St. Michael's Road which will involve a Traffic Order change at a cost of £3,100 and further costs for associated signing and lining works.

6.8 **Crime Prevention Officer** – measures should be put in place to reduce opportunities for unauthorised access such as an audio-visual access control system, external letter plates or controlled trade access, controlled access to car park and secure cycle storage.

- 6.9 **NCC Archaeology** – request a condition securing an archaeological programme of works and a condition for building recording to Level 2 as defined by English Heritage: Understanding Historic Buildings (2006).
- 6.10 **Environment Agency** – no objection subject to condition for the provision of mains foul water drainage on and off site in relation to any building works that comprise the erection of a building required to be served by water services.
- 6.11 **Anglian Water** – no objection. Request Surface Water Strategy/Flood Risk Assessment submitted is conditioned.
- 6.12 **NCC Lead Local Flood Authority** – no objection but refer to Standing Advice.
- 6.13 **NCC Development Management** – a development of this size would generate approximately 5 Primary School pupils and 1 Secondary School pupil. The closest Primary School is operating at over-capacity and therefore, contributions towards Primary and Secondary education are requested. In addition, contributions towards fire and rescue infrastructure costs and libraries are requested.
- 6.14 **Construction Futures** – request contributions towards employment training.
- 6.15 **The Town Centre Advisory Committee** comment as follows:
- Welcome that this “at risk” building would be brought back into beneficial use.
 - The changes, including new windows, on balance are considered to be an acceptable compromise, although an assessment of the harm would be required by the Council’s Conservation Officers.
 - Flats are of acceptable size, although the size has reduced and number of 1-bedroom flats increased compared to the previous approval. Better balance of 1 to 2 bed flats would bring about a more diverse and balanced community and result in less strain on infrastructure, particularly traffic and parking.
 - Needs to be joined up approach with development of former Chronicle and Echo/Great Russell Street and other major conversions in town centre with regard to parking.
 - The Royal Appointment Coat of Arms above the entrance should be retained in situ.
- 6.16 **Northampton Hebrew Association** object as follows:
- Lack of parking and impact on members who are pensioners.
 - The synagogue in recent years, parking has been eroded by the issuing of parking permits to residents and a vast reduction in one hour spots around neighbouring streets.
 - To further reduce would discourage dwindling members from attending our regular services leading to the eventual demise of our community after 125 years existence in Northampton.
- 6.17 **Occupier of Basement Flat, 22-26 St Michaels Road** supports the application.
- The building has been empty for years and is depreciating at a rapid rate and is an eyesore.
 - Site is a hazard and magnet for vandals.
- 6.18 **Occupier of 76 Overstone Road** comments as follows:
- Keen to see site developed.
 - Raise concerns regarding noise and building work.
 - Current limited road side parking and poor quality road surfaces. Work traffic and heavy vehicles during construction will add to undesirable situation as will potential 206+ new residents vehicles post construction.

7. APPRAISAL

Principle of the Development

- 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. 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.

The principle of residential use of the Hawkins building (52 units) and Nos. 4-12 Dunster Street (16 units) comprising the application site has previously been established through the grant of planning permission, both of which have subsequently been implemented through the start of groundworks as confirmed by Building Regulations. The current scheme represents an increase in the number of units proposed from the previously approved 71 units, including 3 previously approved at No. 14 Dunster Street, but not implemented, to a proposed 105 units.

The site is in a sustainable location, with good access to the town centre and public transport, the development of which for residential use would make a significant contribution contribute towards the Council's 5-year housing supply and bring an existing prominent derelict building within the Conservation Area back into use. Subject to the considerations discussed within the remainder of this report, the principle of conversion to residential use is considered to remain acceptable.

Impact on Heritage Assets and Design

- 7.2 Since the grant of the previous planning and listed building consents for the site, the NPPF and JCS have come into place.
- 7.3 The NPPF advises on the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social benefits that the conservation of the historic environment can bring and the positive contribution that conservation of the heritage asset can make to sustainable communities. Great weight should be given to the asset's conservation with any harm or loss through alteration requiring clear and convincing justification.
- 7.4 The NPPF further advises that where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development would lead to less than substantial harm, this harm should be weighed against the public benefits, including securing its optimum viable use.
- 7.5 Policy BN5 of the JCS seek to ensure the conservation and enhancement of heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets in order to retain and reflect the distinctiveness of the environment, contribute to the sense of place and promote sustainable and prudent use of natural resources.
- 7.6 The Boot and Shoe Quarter Appraisal and Management Plan (2011) advises that St Michael's Road and Dunster Street were at the heart of the boot and shoe industry in Northampton, with the highest proportion of industrial buildings to domestic properties in the area. This part of the conservation area is dominated by the former G. T. Hawkins boot works, the structural condition of which was identified as potentially 'giving cause for concern' in the Council's 'Buildings at Risk' survey of listed buildings carried out August 1990 and updated in July 2010.
- 7.7 The G T Hawkins factory and the Globe Works building on Dunster Street were listed in December 2003. The significance of the buildings relates to their relationship to the Boot and

Shoe industry and its significance to the town, the organic development over time and the individual architectural detailing of the buildings, which can still be appreciated. A significant feature of the buildings is their windows which form a key element of the fenestration and assist in defining the industrial use of the buildings and their building period.

- 7.8 A significant part of the development would involve the replacement of existing cast iron windows and timber windows throughout the building with a combination of aluminium powder coated and steel windows and this is a particular element of concern raised by a number of heritage bodies and indeed the Conservation Officer.
- 7.9 The revised Heritage Impact Assessment submitted by the applicant acknowledges the impact of the proposed replacement windows to the buildings' significance and external appearance but considers that this would represent 'less than substantial harm' and that the overarching public benefit of securing the optimum viable use of the asset outweighs the loss of the iron and timber fabric. The assessment advises that the existing windows are not fit-for-purpose and that replacement windows throughout are required to achieve adequate draft and sound insulation if the conversion is going to work commercially and provide 'attractive-to-market' flats. The statement further advises that timber windows, in particular on the St. Michael's Road elevation would require maintenance and repainting on a minimum 4-year frequency, with problems of accessibility due to the location and height of the building. This outlay every 4 years would be cost prohibitive to residents.
- 7.10 Considerable discussions and investigations have been ongoing with the applicant and Conservation Officer with regards to obtaining suitable window replacements, where demonstrated that it is required, that would remain sympathetic to the existing character, particularly in terms of size, openings and profiles, which would limit the harm to the appearance and significance of the heritage asset. Discussions with window companies thus far would indicate that suitable replacement windows are achievable. The existing planning and listed building consents are subject to a condition requiring justification for the removal or repair of each individual window and the submission and approval of further window details to ensure the impacts of replacement windows are acceptable. A condition is therefore proposed for current applications for the submission of a window conditions survey and details of replacement windows to be submitted for approval to ensure appropriate justification for any replacement windows is assessed and that where replacements are considered necessary, impacts on the integrity of the listed building are limited and that any replacement windows remain sympathetic.
- 7.11 The principle of subdivision of the buildings, the proposed glazed infill extension and two-storey extension on Dunster Street have been established through the grant of previous planning permissions and listed building consents.
- 7.12 The submitted Heritage Impact Assessment advises that the north lights are not fit-for-purpose and are dangerous and the Conservation Officer does not object to their removal.
- 7.13 The potential replacement of windows throughout the building will impact on the appearance of the listed buildings and proposed alterations will result in a degree of harm to the significance of these heritage assets. However, it is considered that approving suitable replacement windows would assist in ensuring that impacts are less than substantial. This harm must be weighed against the public benefits, including securing its optimum viable use.
- 7.14 The former factory and associated buildings have been vacant for a number of years and are falling into a state of considerable disrepair to the detriment of the listed building, conservation area and overall character of the area. The redevelopment of the site for residential use as proposed would bring this redundant building back into use and lead to the enhancement of these visually prominent Grade II listed buildings with the Conservation Area, which would further enhance the surrounding environment both socially and physically. The conversion to residential

use would also make a significant contribution towards housing need within the area. It is therefore considered, on balance, that the harm to the listed buildings would be outweighed by the public benefits whilst securing the optimum viable use for the building.

- 7.15 As there are outstanding objections from the Council for British Archaeology and the Victorian Society and the proposal includes the demolition/removal of internal staircases, under Sections 12, 15(1) and (5) of the Planning (Listed Buildings and Conservation Areas) Act 1990, should Members be minded to approve the application for Listed Building Consent, the application will require prior referral to the Secretary of State.

Amenity

- 7.16 The proposed development represents an increase in the number of units to that previously approved, however the property is of a suitable size for conversion to the number of flats proposed with each flat having sufficient provision of daylight and outlook.
- 7.17 The site overlooks the rear elevations of Nos. 21 to 25 St. Michael's Road, however the development proposed would not increase the extent of overlooking or overshadowing from that of the existing building or approved under previous consents.
- 7.18 Sufficient refuse storage provision would be available on the ground floor.

Highways & Parking

- 7.19 The existing feeder lane to St Michael's car park situated opposite the site on St Michael's Road would be removed with the two main traffic lanes from the existing pedestrian crossing being diverted to the south side of the carriageway in order to move the traffic away from the building and provide for some additional 16 parking space along St Michael's Road. The Highway Authority has no objection to the proposed alterations which would be subject to a Traffic Regulation Order.
- 7.20 Parking within the vicinity of the site is on-street and controlled by permit parking. The application as submitted proposed basement parking accessed from Dunster Street providing 13 spaces with a further ground floor access from Overstone Road providing under-building parking for a further 28 vehicles. Proposed alterations to St. Michael's Road would provide additional parking for a further 16 vehicles. Due to concerns raised by Highways in relation to the in/out access proposed on Dunster Street, this element of parking has been removed from the scheme. The potential to provide a separate 'out' access would have led to unacceptable adverse impacts on the appearance of the listed building. The proposal therefore provides an overall of 44 spaces.
- 7.21 The applicant has also discussed the availability of parking within St. Michael's car park across the road with the Town Centre Manager and been advised that ample spaces are available on an annual permit basis at fixed rate.
- 7.22 It is acknowledged that parking provision is limited for the site. However, consideration must be given to the previous use of the premises as a factory and the number of employees. In addition, the site is in a sustainable location within close proximity to the town centre and public transport provision. A large proportion of the flats would be one bedroomed, where car ownership is generally lower. Parking within the area is controlled by permits and prospective occupiers would be aware of the restricted parking provision and the availability of parking within the adjacent car park. It is therefore considered, that the benefits of bringing the building back into use would outweigh the limitations on parking which in themselves are not considered to provide sufficient justification for refusing the application.

Affordable Housing, S106 and Viability

- 7.23 National Planning Guidance advises that a site is viable if the value generated by its development exceeds the costs of developing it and also provides sufficient incentive for the land to come forward and the development to be undertaken. A flexible approach should be taken in seeking levels of planning obligations and other contributions to ensure that the combined total impact does not make a site unviable.
- 7.24 Assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the National Planning Policy Framework is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.
- 7.25 Policy H2 of the JCS sets out a requirement for affordable housing at 35% for developments of 15 or more dwellings. This would equate to a requirement of 37 units within the development being affordable.
- 7.26 A viability assessment has been produced on behalf of the applicant assessing the viability of the proposal on the basis of a scheme with 35% affordable housing and a scheme assuming no affordable housing. The appraisal concludes that even without affordable housing or Section 106 developer contributions it would be difficult to achieve viability for the scheme and, if such were to be imposed then the development scheme would not be feasible. The Council's Quantity Surveyor has assessed the submitted viability report and confirmed that the scheme is not viable, and, if anything, cost may be higher than predicted in the assessment.
- 7.27 Based on the assessment, it is considered that would not be reasonable to require any affordable housing provision on the site, which would make the scheme unviable and therefore undeliverable.
- 7.28 The County Council has also requested financial contributions towards the provision of primary and secondary education. There is no policy basis for the County Council's request for financial contributions towards fire and rescue, libraries and broadband and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122. No comments have been received from NHS England in respect of healthcare contributions.
- 7.29 A further requirement is for the provision of construction training, off-site open space and the Council's monitoring fees. These requests would normally satisfy the tests as set out above and the payments as requested would be required to be made, to be secured through a legal agreement.
- 7.30 However, these contributions are also subject to the viability assessment as discussed above. Given the conclusions of the Viability Assessment and the Council's officers, it is acknowledged that the requirement for affordable housing and S106 contributions would result in the development being unviable and the site remaining undeveloped for a further period.

Other Matters

- 7.31 Conditions would be imposed in relation to contamination and noise mitigation to address the requirements of Public Protection. In view of the viability of the scheme it is not considered appropriate to request measures in relation to air quality mitigation. The site is in a sustainable location with good access to local facilities and public transport, which together with the limited parking availability would assist in controlling the level of car use arising from the development.
- 7.32 The site falls within Flood Zone 1 and there is no issue regarding to drainage. No objection has been raised by the Lead Local Flood Authority and the Environment Agency.

8. CONCLUSION

- 8.1 The proposal would bring about the development of a prominent and important group of listed buildings with the Conservation Area and within a residential area, the renovation of which, would enhance and make a positive contribution to the character and appearance of the surrounding area. The site is in a sustainable location with good access to the town centre and public transport and the conversion to residential use would make a significant contribution to the housing need and the Council's 5-year housing supply. The development would not lead to any significant or unacceptable adverse impacts on existing highway conditions or residential amenity.
- 8.2 It is acknowledged that the proposed alterations, in particular, the extent of replacement windows, would harm the appearance of the listed building, however, a condition is proposed to agree the detail of replacement windows and building materials to ensure details are appropriate and sympathetic to the historic integrity of the buildings such that the development would cause less than substantial harm. The benefits of the re-use of the building outlined above and securing an optimum viable use for the building are considered to outweigh this harm.
- 8.3 The redevelopment of the site for residential use as proposed would bring this redundant building back into use and lead to the enhancement of these visually prominent Grade II listed buildings with the Conservation Area, which would further enhance the surrounding environment both socially and physically. The conversion to residential use would also make a significant contribution towards housing need within the area. It is therefore considered, on balance, that the harm to the listed buildings would be outweighed by the public benefits whilst securing the optimum viable use for the building.
- 8.4 It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied. Again, this consideration needs to be weighed against the benefits of bringing a derelict building back into use outlined above. On balance it is considered that the heritage, environmental and social benefits of the proposal outweigh the harm identified above and the application is therefore recommended for approval.

9. CONDITIONS

N/2015/0673 Planning

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. Notwithstanding the submitted detail, prior to the commencement of development, details of all proposed external facing materials including cladding, glazed blockwork, roof slates, replacement doors, 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 the historic integrity of the buildings and to ensure that the development will harmonise with its surroundings in accordance with Policies BN5, H1 & S10 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

3. Notwithstanding the submitted details, prior to commencement of development, a detailed window condition survey for all windows to be replaced or repaired shall be submitted to the

Local Planning Authority. A schedule, detailed elevations, profiles, cross sections and material samples of the proposed replacement windows, which shall be, other than in respect of materials, of a type, layout and means of opening which shall match the existing windows to be removed, shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

4. Rooflights shall be conservation type rooflights and fitted flush to the roof.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. No development shall take place within the application site until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that features of archaeological interest are properly examined and recorded and in the interests of preserving such features in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure that investigation is carried out early.

6. The car parking, cycle and refuse storage provision shall be laid out in accordance with the approved details as shown on drawing nos. 1772/3 and 1772/6 received 19/05/16 prior to occupation of the development hereby permitted.

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

7. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan, drawing nos. 1772/1 to 1772/24 and 1A/FACTORY WALL/2015.

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

8. Prior to the commencement of development, full details of a scheme for surface water drainage 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 flood prevention in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

9. The proposed highway works and parking restrictions to St. Michael's Road as detailed on drawing no. 1772/14 shall be carried and made available for use prior to the occupation of the development hereby permitted.

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

10. The development shall be carried out in accordance with the recommendations of the submitted Stage 1 Feasibility Road Safety Audit received 7 December 2015.

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

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

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

12. Where noise levels in any habitable room or amenity space exceed:
- Indoor areas – Laeq, 16H 35db window open, during the daytime period (07:00 -23:00)
 - Bedrooms – Laeq, 8H 30dB and L AMAX 45 dB (for 2+ events per hour) window open, during the night time period (23:00 – 07:00)
 - Outdoor Amenity Spaces – Laeq, 16H 50 DB

A scheme to protect any affected habitable rooms/bedrooms or outdoor amenity spaces 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 development shall be carried out in accordance with the approved details prior to occupation of the development.

Reason: To ensure a satisfactory standard of amenity for proposed occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

13. Notwithstanding the submitted details and Condition 7 above, no ‘Juliet’ balconies shall be erected in the development hereby permitted.

Reason: To safeguard the integrity of the listed building in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

N/2015/0674 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. Notwithstanding the submitted detail, prior to the commencement of development, details of all proposed external facing materials including cladding, glazed blockwork, roof slates, replacement

doors, 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 the historic integrity of the buildings and to ensure that the development will harmonise with its surroundings in accordance with Policies BN5, H1 & S10 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

3. Notwithstanding the submitted details, prior to commencement of development, a detailed window condition survey for all windows to be replaced or repaired shall be submitted to the Local Planning Authority. A schedule, detailed elevations, profiles, cross sections and material samples of the proposed replacement windows, which shall be, other than in respect of materials, of a type, layout and means of opening which shall match the existing windows to be removed, shall be submitted for approval by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. Pre-commencement condition to ensure materials are appropriate to the integrity of the buildings.

4. Rooflights shall be conservation type rooflights and fitted flush to the roof.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. No alteration or demolition shall take place until a programme of Building Recording to Level 2 as defined in 'English Heritage: Understanding Historic Buildings (2006)' shall be compiled, submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of historic asset research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

6. Any new or replacement rainwater goods shall be in cast iron, of a profile to be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the integrity of the listed buildings in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy.

7. Prior to installation, details of all vent, flues and extractor fans including locations, size, finish and colour shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the integrity of the listed buildings in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy.

8. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block Plan, drawing nos. 1772/1 to 1772/24 and 1A/FACTORY WALL/2015.

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

9. Notwithstanding the submitted details and Condition 8 above, no 'Juliet' balconies shall be erected in the development hereby permitted.

Reason: To safeguard the integrity of the listed building in accordance with the requirements of Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

10. BACKGROUND PAPERS

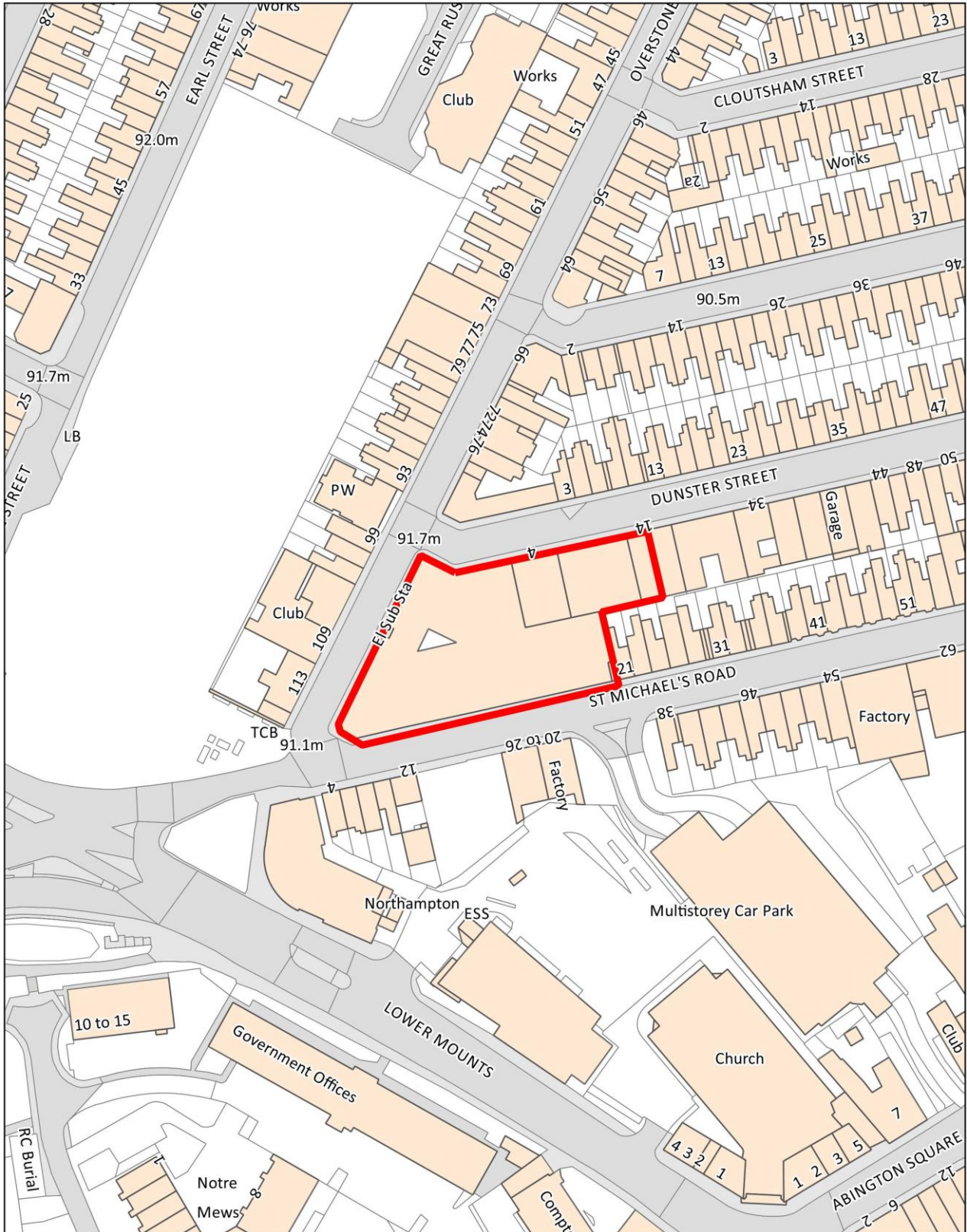
- 10.1 N/2015/0673 & N/2015/0674

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Hawkins Building, Overstone Road</p>	<p>Date: 14-07-2016</p>
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		<p>Drawn by: -----</p>



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0326

LOCATION: 62 Billing Road

DESCRIPTION: Change of use from offices (Use class B1) to a single dwelling (Use class C3) with a rear extension and a new single storey garage in the rear garden, new front boundary wall and gate (as amended by revised plans received on 23rd June 2016)

WARD: Abington Ward

APPLICANT: Danelaw Partners LLP
AGENT: HDA ARCHITECTURE

REFERRED BY: Councillor Zoe Smith
REASON: Concerned about height of garage and impact on residential properties

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development represents an acceptable use of the land and is complementary with the surrounding land uses. The proposed development and amended single storey garage and would not have an undue detrimental impact on the character and appearance of the host dwelling, Billing Road Conservation Area and the amenity of adjoining occupiers in accordance with the requirements of the National Planning Policy Framework; Policies H1, H5, S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policies E20, E26 and H11 of the Northampton Local Plan.

2. Background

2.1 The application was originally presented to Planning Committee on 14th June. Although the proposed change of use of the property to residential and extensions/alterations to the main building were considered acceptable, the Committee were concerned about the detrimental impact the proposed two storey garage to the rear would have on neighbouring and visual amenity. They deferred making a decision on the application to enable negotiations to take place to reduce the garage to a single storey building. Amended plans have now been submitted. The proposed garage will be single storey and has the same footprint but the ridge height has been

reduced from 6.8 metres to 4.8 metres with an eaves height reduced from 4.5 metres to 2.5 metres.

3. THE PROPOSAL

- 3.1 The revised application seeks change of use of offices to a single dwelling. The proposal includes the erection of a rear extension and a single storey garage within the rear garden. The proposal includes the erection of a new front boundary wall and gate and garden landscaping.

4. SITE DESCRIPTION

- 4.1 The application site consists of a three storey mid terraced property, which was originally a dwellinghouse, located on the north side of Billing Road. The site has a front garden and a rear yard that is currently tarmaced and used as a car park. The rear yard is accessed via a shared private road that runs between Upper and Lower Thrift Street. The property was converted to offices in the 1970s and is currently empty. The site is located within the Billing Road Conservation Area and within a primarily residential area as allocated in the Northampton Local Plan.

- 4.2 Adjacent properties are both residential dwellings. No. 61 consists of 3 flats and no. 62a is a single family dwelling. Surrounding properties are all residential in character.

5. PLANNING HISTORY

- 5.1 72/0281 – Change of use of a dwelling to offices – Approved with conditions.
- 5.2 84/0889 – Change of use to include small ground floor flat within the office use of building – Approved with conditions.

6. 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.

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

6.2 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 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 131 and 132 encourage the consideration of the impact on the significance of heritage assets and their settings.

6.3 **West Northamptonshire Joint Core Strategy (2014)**

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

Policy H1 – Housing Density and Mix and Type of Dwellings – states that development should provide for a mix of house types, sizes and tenure to cater for different accommodation needs.

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

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

Policy BN5 – requires that heritage assets and their setting should be conserved and enhanced.

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

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

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

E26 – Conservation Areas – development will be permitted provided it preserves or enhances the character and appearance of those areas.

H11 – Housing development - Planning permission will be granted in primarily residential areas for the development of existing commercial property for residential development, either by conversion or redevelopment, so long as the overall effect would be to maintain or improve the appearance and character of the area.

6.5 **Supplementary Planning Documents**

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

6.6 **Other Material Considerations**

Residential Extensions Design Guide
Billing Road Conservation Area Appraisal

7. **CONSULTATIONS/ REPRESENTATIONS**

Comments relating to the original application are summarised as follows:

- 7.1 **NBC Built Conservation** - No objections. The property was built as a house and conversion back to a residential use will help preserve the character and appearance of the conservation area. The proposed rear extension and garage and the front boundary wall will not harm the appearance of the area.

- 7.2 **Councillor Tony Ansell** – Concerned about the visual impact of the garage/study, the potential infilling of the rear service road and the potential loss of a tree.
- 7.3 **Councillor Zoe Smith** – Pleased to see the property return to residential use but concerned about height of garage and significant impact upon light, privacy and outlook of surrounding properties. Requests that application be called in to be heard by the Planning Committee.
- 7.4 Proposal advertised by press and site notice and nearby occupiers notified. Letters received from the occupiers of **60, 62a, 119 and 121 Lower Thrift Street** who objected as follows:
- Design statement is incorrect and position of garage is unclear
 - Concerned about whether tree in rear garden will be retained
 - Two storey garage will block visual amenity of all surrounding dwellings
 - Concerned about future development infilling rear access road
 - Existing established two storey buildings at 62a and 63 Billing Road should not be used as a precedent
 - Garage will be overwhelming and should be single storey only
 - Considers it is unnecessary for such a large house to need a separate study in the rear garden
 - Construction of 7m high garage will impact on privacy, light and visual amenity
 - Proposed new build will have a larger footprint than the existing coach house at 62a Billing Road and would not be in keeping
 - Questions why the garage needs to be sited at the end of the rear garden.
 - Concerned that if granted a future change of use to a dwelling could be granted with infilling along the service road
 - Building will be overbearing and not in keeping with the type, use and style of surrounding buildings
 - Proposal will involve extra traffic using the service road
 - Concerned that the two storey garage will be used as a dwelling
 - The site has enough floor space for a single storey garage and adjacent study
 - One letter lists names and addresses of additional objectors as – 60, 63, 64 Billing Road and 119, 121 Lower Thrift Street, The Old Dairy, Upper Thrift Street
- 7.5 Amended plans to change the garage to single storey only were received on 23rd June 2016 and re-consultations were carried out. Further comments were received as follows:
- 7.6 **NBC Built Conservation** – No objections. The reduced height of the garage to the rear will reduce the impact of the structure within the conservation area and is acceptable.
- 7.7 **62a Billing Road** – No objections to the revised single storey garage.

8. APPRAISAL

Impact on appearance and character of the host building and conservation area

- 8.1 The proposal is to convert the property back to a dwellinghouse with ground floor living accommodation, 2 bedrooms on the first floor and three bedrooms on the second floor. It is proposed to erect a conservatory extension to the rear and to install new sliding doors and a rooflight to the proposed new kitchen.
- 8.2 To the front of the site a new low wall (0.8 m high) will be constructed across the front of the site in reclaimed brickwork with black copings and a wrought iron gate. Paving in the front garden will be replaced with turf and perimeter planting.

- 8.3 To the rear a new single garage will be constructed with facing bricks and slate roof to match the main house. Access to an upper floor study will be via an internal staircase. The rear tarmaced car park between the house and the proposed garage will be changed to garden with a mixture of hard and soft landscaping.
- 8.4 During the course of the application amended plans have been submitted to rectify discrepancies in the layout, to include a retained tree in the rear garden and to reduce the height of the front wall. As the tree is now shown to be retained separate consent would be required to remove it, given its siting within a Conservation Area.
- 8.5 The Billing Road Conservation Area Appraisal identifies the majority of buildings on the north side of Billing Road as being high quality buildings of local architectural interest and significant due to the contribution they make to the street scene. It states that particular characteristics of the area are boundary walls, railings, entrance gates and piers. The Article 4 Direction protects the Billing Road Conservation Area by restricting any development that fronts a highway.
- 8.6 The change of use of 62 Billing Road from offices to residential will restore the building to its original use and help to preserve the character and appearance of the conservation area. The reinstatement of a landscaped front garden with a boundary wall and gate will enhance the character and appearance of the conservation area.
- 8.7 Development of rear extensions and the land in rear gardens with the loss of ancillary buildings such as coach houses has been identified in the Billing Road Conservation Management Appraisal as being an issue that detracts from the overall character of the Conservation Area. Rear extensions and development of curtilage buildings should be carefully designed to complement the character of an area.
- 8.8 The proposed extension and detached garage/study to the rear will not be visible in the street scene. Their erection will not therefore impact on the character and appearance of the conservation area. The restoration of the rear garden from hardstanding and use as a car park to a landscaped garden, whilst not visible in the street scene, is considered to be an enhancement to the character of the area.
- 8.9 In design terms the proposals are considered to be acceptable. The rear conservatory will infill an area between the side wall of the adjacent dwelling and the existing property with a design in keeping with the sloping roof of the existing rear projection. The proposed garage will be brick built with a sloping slate roof. The eaves height will be 2.5 metres with a ridge height of 4.8 metres. Sited at the rear of the garden (16 metres from the rear of the host property) and set back 3.5 metres from the rear service road, it is not considered that the proposed garage will unduly impact on the character and appearance of the area.

Impact on neighbouring amenity

- 8.10 The change of use back to a residential dwelling will not impact on neighbouring amenity and no objections have been received in this regard. Likewise the proposed rear extension and front garden wall will not impact on neighbouring amenity.
- 8.11 Objections originally received principally related to the erection of the two storey garage building to the rear of the site. Concerns were expressed regarding loss of privacy, light and outlook and also about the future use of the garage and future development along the service road to the rear.

- 8.12 Following receipt of the revised plans no objections have been received. It is considered there will be no detrimental impact on neighbouring amenity in terms of overlooking, overshadowing or overbearing.
- 8.13 In order to provide certainty regarding the future use of the garage, conditions are recommended to ensure the garage remains ancillary to the use of the dwellinghouse and to control the introduction of future windows. With regard to concerns about the service road being infilled with development, it should be noted that any future applications for development at adjacent sites would be dealt with on their own merits.
- 8.14 The proposed garage would not adversely impact on highway safety, bearing in mind the rear yard was used as a car park to serve the previous offices on site.

9. CONCLUSION

- 9.1 It is considered that the proposed development is acceptable and would not harm the character or appearance of the Conservation Area and, subject to conditions, would not unduly impact on neighbouring amenity.

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: 6008/1C, 6008/2 (existing layout), 6008/3 (proposed plans), 6008/4B (section and elevations received 26/4/16), 6008/5E (site plan and garage).

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

3. The garage hereby permitted shall be used as a garage ancillary to 62 Billing Road and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt as a separate planning unit would be undesirable in this location in accordance with Policy E20 of the Northampton Local Plan.

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

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

5. The external walls and roof of the proposed garage shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

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

6. The external walls of the proposed conservatory shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

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

11. BACKGROUND PAPERS

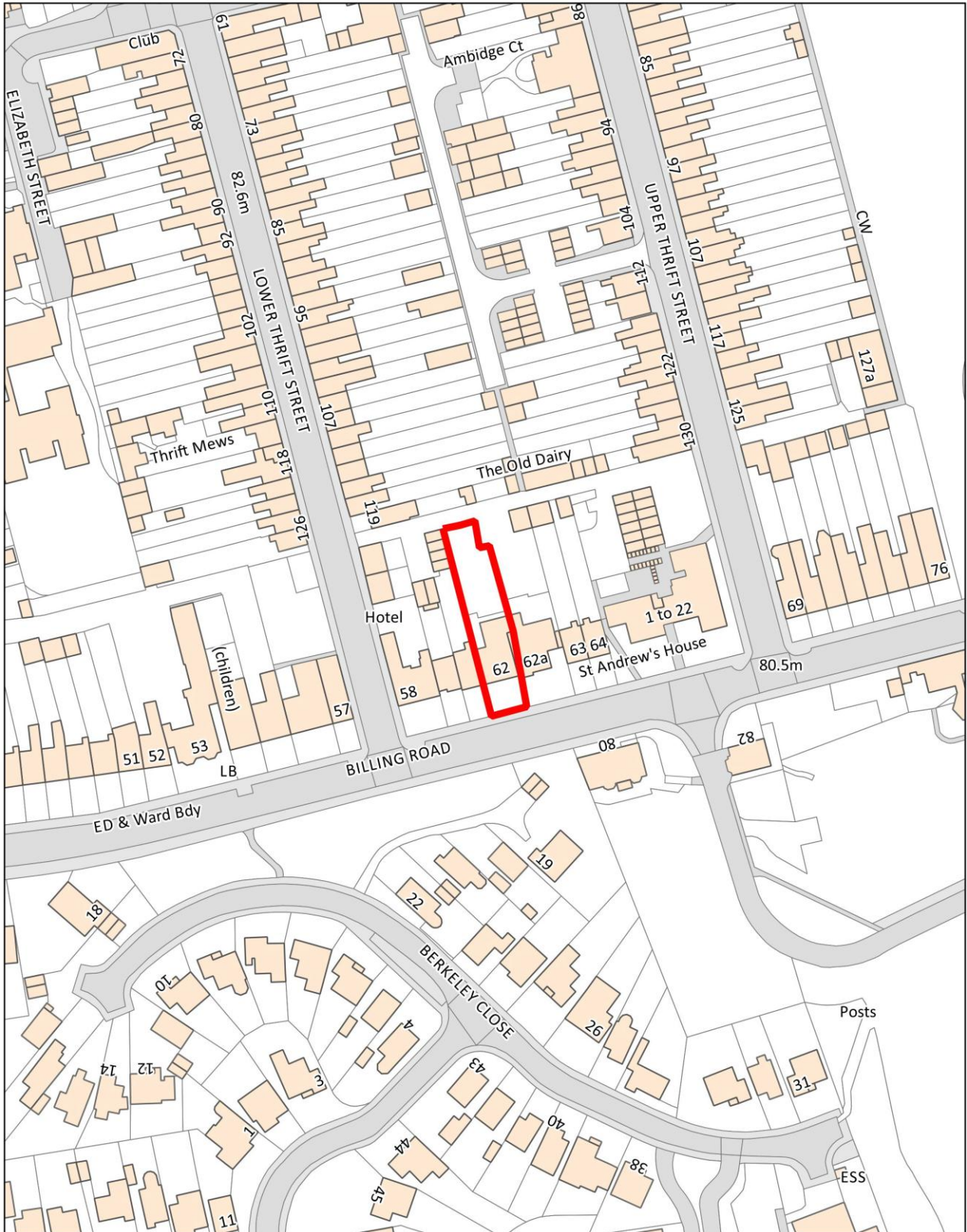
11.1 N/2016/0326.

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.



Title: **62 Billing Road**

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Date: 14-07-2016

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0378

LOCATION: 165 Loyd Road

DESCRIPTION: Change of use from single dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for a maximum of three residents

WARD: Abington Ward

APPLICANT: Mr Dominic Nigliazzo
AGENT: Skaino Services

REFERRED BY: Councillor Zoe Smith
REASON: Parking issues and loss of a family dwelling

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

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

2. THE PROPOSAL

2.1 Permission was originally sought to change the use of the property from a single dwellinghouse to a house in multiple occupation for 4 people, however, the plans submitted with the application showed four self-contained units. Revised plans have subsequently been submitted. Self-contained units have been replaced with shared accommodation and the number of bedrooms reduced to 3 only.

- 2.2 There will be one bedroom and shared lounge and kitchen on the ground floor with additional lounge in the basement and shower facility, two bedrooms with en-suite facilities on the first floor with another lounge.

3. SITE DESCRIPTION

- 3.1 The application site consists of a two storey mid-terrace Victorian dwelling (with basement) located within a residential area as designated in the Northampton Local Plan. The area is covered by an Article 4 Direction which has removed permitted development rights for change of use to house in multiple occupation.
- 3.2 The property fronts directly onto the street and has a short rear garden, with no car parking spaces provided on site. The site is in a residential area of similar style housing. Opposite the site on the corner of Christchurch Road and Loyd Road is a residential care home.
- 3.3 The premises are currently vacant but have been used as a rental property for the last 15 years. The applicant has confirmed that during that time the property has been occupied by between three and four occupants. Works are being undertaken to repair and refurbish the property following problems with subsidence.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

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

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

5.3 West Northamptonshire Joint Core Strategy (2014)

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

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

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

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

5.4 Northampton Local Plan 1997 (Saved Policies)

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

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

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

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

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

Proposals for HIMOs should:

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

6. CONSULTATIONS

Comments received are summarised below and as a result of consultation on the original plans:

- 6.1 **NCC Highways** - advises that the applicant undertakes a parking beat survey due to the known pressure in the area for on street parking and the expectation that the change of use could result in increased on-street parking.
- 6.2 **NBC Private Sector Housing** – the dwelling will not be subject to licensing under to current additional licensing scheme which only applies to properties occupied on the ground and first floors. The use of the basement for habitable purposes takes the dwelling outside the provisions of the scheme. Neither is it subject to mandatory licensing since it will only be occupied by 4 persons.
- 6.3 **Councillor Zoe Smith** – would like to refer the matter to the Planning Committee on the basis that it would exacerbate parking issues and run the risk of increasing anti-social behaviour in the area.
- 6.4 **163 Lloyd Road** – objects due to impacts on parking, noise, number of occupants and their potential visitors, increase in rubbish, future maintenance of the property, change from single family occupancy impacting on character of the area and setting a precedent for further changes.
- 6.5 **167 Lloyd Road** – states that the property has been previously rented and that refurbishment commenced in February/March. Concerned that occupiers and visitors will rely on cars and add pressure to an already crowded road. States that parking for a nearby home for brain injured people and a supermarket on Wellingborough Road have added significantly to on street parking. Expresses concerns about refuse, noise, property maintenance and impact on character of the street.

Comments received following consultation on amended plans:

- 6.6 **NCC Highways** – no objection; need to ensure that outward opening windows, fenestrations or anything else attached to the building do not encroach upon or overhang the highway.
- 6.7 **NBC Private Sector Housing** – no further comments to make on the revised application.
- 6.8 **Councillor Zoe Smith** – would like to refer the matter to the Planning Committee on the basis that it would exacerbate current parking issues and remove a dwelling from family use altering the nature of the area.
- 6.9 **163 Lloyd Road** – maintains objections regarding increases in parking, visitors to the site, maintenance of the property, impact on character of the street and setting a precedent for further changes.
- 6.10 **167 Lloyd Road** – states that the Local Plan states that there should be no development without provision for additional parking. Refer to existing pressures with on-street parking and consider change of use will lead to a greater demand for on-street parking. Consider that the increase in the number of people and visitors at the site will mean unacceptable increase in noise. Consider that the location of living rooms and en-suite bathrooms adjacent to neighbours bedrooms will create an unacceptable increase in noise levels. Express concerns about increased refuse and a change in the character of the area.

7. APPRAISAL

Principle of the development

- 7.1 The conversion of an existing dwelling to a HIMO is considered to be in accordance with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where they would not

adversely affect the character and residential amenity of an area. In principle, houses in multiple are considered to be acceptable in a residential area.

Size of property

- 7.2 The plans indicate a living room and cloakroom in the basement, a living room kitchen and bedroom on the ground floor and two en-suite bedrooms and a lounge on the second floor. It is considered that room sizes are sufficient and that there are adequate facilities for the proposed occupancy. The application therefore complies with Principle 2 of the Council's adopted Planning Policy Statement on HIMOs.

Area Concentration

- 7.3 It would appear from Council records that there is not a significant concentration of HIMOs in the surrounding area with 2 other HIMOs within a 50 metre radius of the property. This would clearly fall within the 15% recommended by the Council's adopted interim Planning Policy Statement in relation to HIMOs.

The premises could be conditioned to restrict the use of the premises to a maximum of 3 occupants, the impact of which would not be significantly different to that of a conventional family home. It is therefore considered that the proposal would not lead to an over concentration of HIMOs within the locality and that there would not be significant impact on the character and amenity of the area as a result.

Parking

- 7.4 No parking beat survey was required following the submission of the revised scheme to reduce the proposal to accommodate 3 residents only. No off-street parking is provided, however, the plans indicate that bicycle storage space will be provided in the rear garden. Also the site is within walking distance (approx. 105 metres) of shops and bus routes on Wellingborough Road. This complies with Principle 3 of the Council's adopted Planning Policy Statement on HIMOs. The Highway Authority has made no objection on parking grounds to the revised plans.

Refuse storage

- 7.5 The plans and design and access statement indicate an area at the rear of the property for the storage of refuse and recycling and is therefore considered to comply with Principle 4 of the Council's adopted Planning Policy Statement on HIMOs. A planning condition will be imposed to ensure the facility is provided.

Amenity

- 7.6 The proposed use falls within Class C4 of the Use Classes Order, which in effect categorises this as a residential use which would not generate amenity impacts such as noise or anti-social behaviour on local residents over and above those created by a more conventional C3 dwelling. Without the Article 4 Direction, planning permission would not have been required for the change of use. Consequently it is not considered that any refusal of planning permission or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

8. CONCLUSION

- 8.1 Taking the above into account it is considered that the use of the property as a house in multiple occupation for 3 residents is in compliance with policy requirements and is therefore recommended for approval.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan, DM0271 01, DM0271 02, DM0271 03D, DM0271 04D.

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

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

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

4. The bin storage and cycle storage provision as indicated in the design and access statement and on the approved plans shall be provided prior to the occupation of the property and retained thereafter.

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

10. BACKGROUND PAPERS

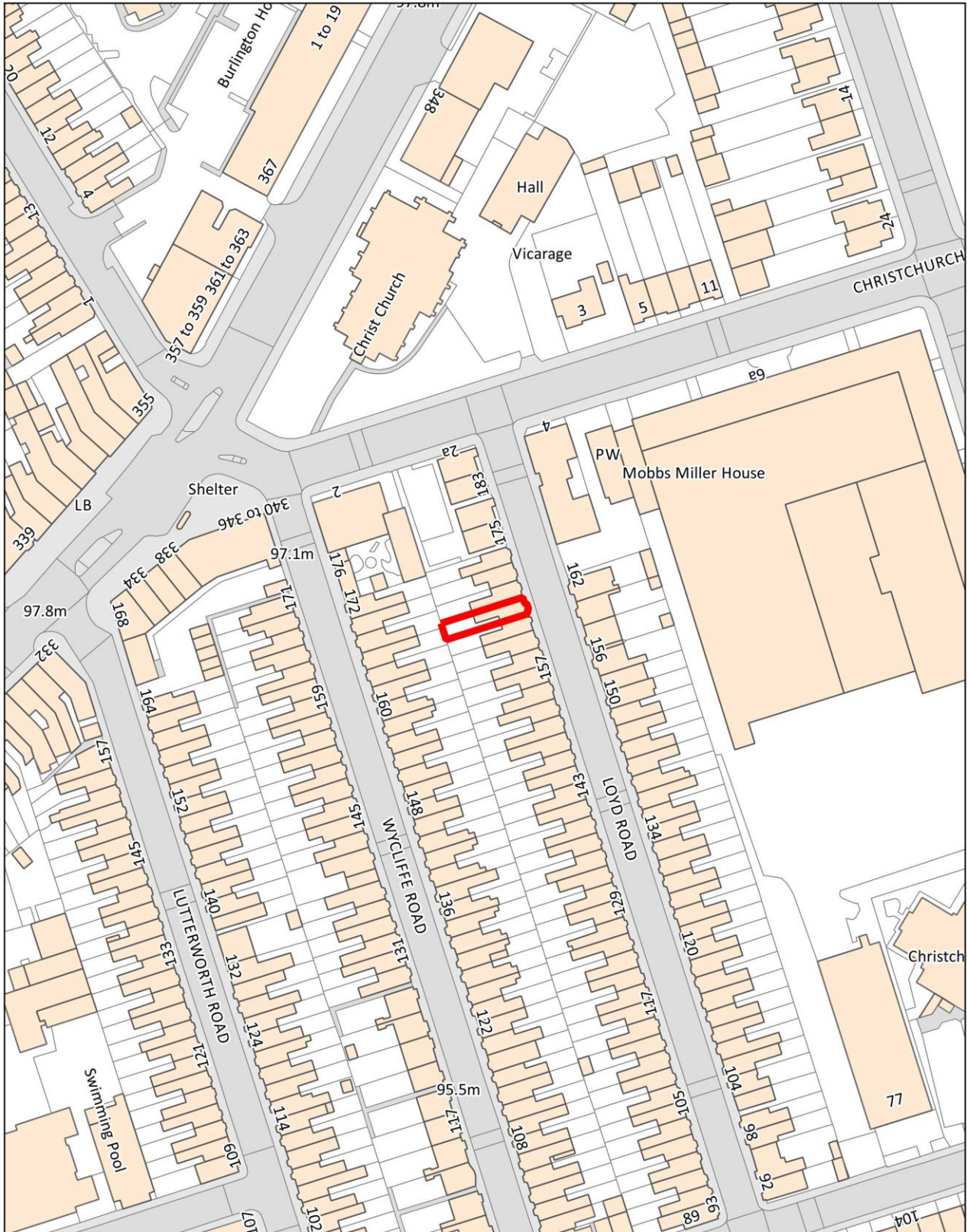
10.1 N/2016/0378.

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: **165 Loyd Road**

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Date: 14-07-2016

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Drawn by: -----



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0412

LOCATION: Land South Of Bedford Road, off Liliput Road

DESCRIPTION: Demolition of farmhouse, associated buildings and the residential property of Little Norway. Construction of two warehouse and distribution units (Use Class B8) with ancillary office accommodation, together with earthworks, access, service yards, parking arrangements, landscaping and other associated infrastructure including creation of footpath

WARD: Rushmills Ward

APPLICANT: Roxhill Developments Limited
AGENT: Oxalis Planning Limited

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

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

1.1.1 The prior completion of a S106 Agreement to secure:

- i) The submission of a management plan to secure the implementation of the proposed landscaping and a strategy for its ongoing maintenance throughout the life of the development;
- ii) A payment to enhance the bus services serving the site where 50 or more staff starting or finishing a shift are not within 15 minutes of an existing service to the Town Centre;
- iii) Two bus shelters at existing stops on Liliput Road near Scotia Close;
- iv) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and
- iv) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

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

The development would support the continued economic growth of Northampton and would provide additional employment opportunities. These benefits would outweigh any harm to heritage assets within the vicinity of the site. Furthermore, subject to conditions and the legal agreement, the development would have a neutral impact upon the landscape and natural environment, residential and visual amenity, the highway system and flood risk. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies BN2, BN5, S1, S7, S8 and S10 of the West Northamptonshire Joint Core Strategy; and Policies E9 and E20 of the Northampton Local Plan.

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

2. THE PROPOSAL

- 2.1 The application seeks planning permission to erect two warehouse buildings, which would be accessed via an extended Thomas Dachser Way. The first of these would be located to the north east of the site and would have a maximum height of 14.9m and a floor space of approximately 35,840 square metres. This building would be served by 286 car parking spaces (including 14 spaces for use by those with disabilities), parking for 72 lorries and storage for 40 bicycles. The warehouse would also include ancillary office accommodation and a gatehouse. The second warehouse would be sited to the south west of the site and would have a similar height to Unit 1. This element of the development would also feature an ancillary office building in addition to parking for 100 cars (including five spaces for use by those with disabilities), parking for 18 lorries and storage for 20 bicycles. The floor space of this particular unit would 11,176 square metres.
- 2.2 Both warehouses would feature a variety of ancillary structures typically associated with commercial developments, including smoking shelters, electrical substations and security fencing.
- 2.3 It is proposed that bunding be constructed between the buildings and the northern, eastern and south eastern boundaries of the site in order to provide some screening from the highway and Great Houghton village. The bunding has a varied height of between 8m and 13m. In addition, the bunding would have a varied form in terms of the top ridge and the gradient. The bunding would be supplemented by additional landscaping.
- 2.4 The positioning of the bunding is such that the aforementioned footpath would need to be diverted. Assuming this application is successful, a further application would need to be made pursuant to Section 257 of the Town and Country Planning Act in order to formally achieve this; however, it is necessary as part of this application to consider the merits of the diversion in terms of the impacts on accessibility and amenity.
- 2.5 In order to facilitate the development, the existing buildings at Little Norway and Martins Farm would be demolished.

3. SITE DESCRIPTION

- 3.1 The site is located to the south eastern side of Northampton and has an area of approximately 18.8 hectares in area and is adjacent to the allocated commercial area of Brackmills, although the

site is predominantly in use for agricultural purposes. The agricultural land serves Martins Farm, which is sited to the north east of the site. Should the development proceed, the farm would be demolished. A further dwelling, Little Norway, sited to the south west of the site would also be demolished.

- 3.2 The topography of the site typically slopes and falls from its south-eastern side down to its north-western boundary that abuts the current industrial estate. The difference in ground levels at alternate ends of the site equates to as much as 19m. The area constitutes a broad river valley landscape with gently undulating valley slopes. The Brackmills Estate, to the northern-western side of the site, occupies a low-lying position in a natural, shallow bowl.
- 3.3 Great Houghton village is located to the eastern side of the site. Part of the boundary of the Great Houghton Conservation Area runs adjacent to the eastern boundary of the site for a distance of approximately 77m.
- 3.4 In terms of the site's relationship with the surrounding road network, Bedford Road (the A428) runs to the north of the site, although there would no direct access to the site from this highway. The development would be served by an extension to Thomas Dacsher Way, which is a relatively new road, which links Liliput Road (one of the main entrances to Brackmills from Bedford Road) to recently constructed commercial buildings.
- 3.5 Public Footpath KU9, which links Great Houghton to Bedford Road at the edge of the Brackmills Estate, runs through the application site from its southeast corner to the northern boundary. A dismantled railway line, which now serves as a footpath and cycle route (National Cycle Route 6), runs the southern boundary of the site and is lined with trees and shrub vegetation. A further public right of way runs along the north-western boundary of the site and provides a footway/cycleway connection between Bedford Road and the Brackmills Industrial Estate.

4. PLANNING HISTORY

- 4.1 N/2014/0068 – Demolition of farm house, associated farm buildings and two semi-detached industrial units. Erection of a strategic warehouse and distribution unit with ancillary outbuildings (totalling 60,108sq.m of floorspace), car parking, new site access off Liliput Road, attenuation ponds, infrastructure and landscaped bunding – Withdrawn
- 4.2 The above application was due to be reported to the Council's Planning Committee in July 2014, with a recommendation to approve; however, the application was withdrawn in advance of the committee meeting. The development proposed within this application is of a smaller scale.

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

5.3 National Policies

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

- 5.4 Paragraph 14 of the NPPF states that the planning decisions should result in the approval of planning applications, where they conform with the requirements of the development plans and in cases where the development plan is absent, silent or out of date, the application should be approved provided that the benefits significantly and demonstrably outweigh any adverse impacts unless the development is contrary to the requirements of the NPPF.
- 5.5 Paragraph 17 sets out the overarching aims of the planning system and in particular identifies that there is a need to take into account the different roles and characters of areas, whilst recognising the intrinsic character of the countryside. In addition, it is necessary to secure high quality design and a good standard of amenity. It is also a requirement to proactively drive and support sustainable economic growth in order to deliver the needed business and industrial developments.
- 5.6 This requirement is elaborated within paragraph 18 where it is stated that there is a commitment to securing economic growth through the creation of jobs, whilst in paragraph 20 it is noted that there is a requirement for Local Authorities to support development which meets the needs of modern businesses.
- 5.7 Paragraph 35 requires that new developments accommodate the efficient delivery of goods and supplies, whilst creating safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- 5.8 Of further relevance is paragraph 109, which requires the protection and enhancement of landscapes in addition to minimising impacts on biodiversity and providing net gains in biodiversity where possible. Planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development in accordance with Paragraph 123 and should limit the impact of light pollution in accordance with Paragraph 125.
- 5.9 Paragraph 131 states that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (paragraph 132); consent should be refused when substantial harm to or total loss of significance would be caused unless substantial public benefits would be achieved (paragraph 133). The effect of an application upon the significance of a non-designated heritage asset shall be taken into account with balanced judgement being required in decision-making as regards the scale of any harm or loss to its significance (paragraph 135).

5.10 **West Northamptonshire Joint Core Strategy (2014)**

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

- 5.11 Policy S1 – 'The Distribution of Development' requires that development be concentrated primarily in and adjoining the principal urban areas of Northampton.

- 5.12 Policy S7 – ‘Provision of Jobs’ requires that provision will be made for a minimum net increase of 28,500 jobs in the period 2008-2029 in order to maintain a broad balance between homes and jobs and to maintain a diverse economic base.
- 5.13 Policy S8 – ‘Distribution of Jobs’ requires the majority of new job growth to be concentrated within the principal urban area of Northampton.
- 5.14 Policy S10 – ‘Sustainable Development Principles’ requires development to achieve the highest standards of sustainable design.
- 5.15 Policy BN1 – ‘Green Infrastructure’ requires that measures to enhance existing and provide new green infrastructure provision be designed and delivered sustainably.
- 5.16 Policy BN2 – ‘Biodiversity’ requires that the ecological assessment of sites be carried out where development has the potential to harm sites of ecological importance and states that development will be supported when a net gain in biodiversity is achieved.
- 5.17 Policy BN4 – ‘Upper Nene Valley Gravel Pits Special Protection Area’ requires that new development will need to demonstrate that there will be no significant adverse effects upon the integrity of the Special Protection Area.
- 5.18 Policy BN5 – ‘The Historic Environment and Landscape’ requires that the settings and landscapes of designated and non-designated heritage assets will be conserved and enhanced in recognition of their individual and cumulative significance. Heritage and landscape features, such as conservation areas and significant historic landscapes, that contribute to the character of an area should be sustained and enhanced.
- 5.19 Policy INF2 – ‘Contributions to Infrastructure Requirements’ requires that development will only be permitted if the necessary on and off-site infrastructure that is required to support it, and mitigate its impact, is either already in place, or there is a reliable mechanism in place to ensure that it will be delivered

5.20 Northampton Local Plan 1997 (Saved Policies)

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

- 5.22 E9 – ‘Locally Important Landscape Areas’ requires special importance to be attached to the effect of proposed development upon the landscape.
- 5.23 E20 – ‘New Development’ requires the design of any new built development to adequately reflect the character of its surroundings and to ensure adequate standards of privacy, daylight and sunlight.
- 5.24 E26 – ‘Conservation Areas’ requires development to either preserve or enhance the character and appearance of designated conservation areas.

5.25 Supplementary Planning Documents

Developer Obligations

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Archaeology Advisor (NCC)** – Object to the development on the grounds that it would have an adverse impact on heritage assets; however, if permission is forthcoming, it should be subject to a condition requiring archaeological investigation prior to development commencing.
- 6.2 **Conservation (NBC)** – The proposed development would harm the character and significance of the Great Houghton Conservation Area through the loss of its setting of open countryside and the setting of listed building. The harm would be significant and would be substantial. In line with planning policy, permission should be refused unless it can be demonstrated that the harm is outweighed by substantial public benefits.
- 6.3 **Ecology Advisor (NCC)** – Broadly satisfied with the submitted information in respect of ecology matters.
- 6.4 **Environmental Health (NBC)** – In the event of permission being granted, it is recommended that conditions are imposed in respect of contamination investigation, unexpected contamination, noise controls and lighting.
- 6.5 **Highways Agency** – No objections.
- 6.6 **Highway Authority (NCC)** – In the event of an approval, planning conditions are required in order to secure precise details relating to the proposed highway works, a travel plan and a Construction Environment Management Plan and a legal agreement to secure works to encourage more sustainable means of travel.
- 6.7 **Lead Local Flood Authority (NCC)** – No objections, subject to conditions relating to the submission of a drainage strategy and the agreement of a strategy for maintaining the drainage system.
- 6.8 **Natural England** – There are no objections in terms of the impacts on the Upper Nene Valley Gravel Pits and the inclusion of green infrastructure within the development is welcomed. In addition, the retention of matters such as boundary trees, along with the creation of new habitat areas and tree planting would help to retain and enhance important links to the wider countryside for a variety of species. The development may provide opportunities to include features that are beneficial to wildlife, such as nest boxes.
- 6.9 **Northamptonshire Police Crime Prevention Design Advisor** – In order to minimise opportunities for crime, it is recommended that a gate is installed at the rear path to Unit 2.
- 6.10 **Historic England** – Planning permission should only be granted unless the Council is fully satisfied that the harm to heritage assets, including the Great Houghton Conservation Area and the loss of the ridge and furrow landscape is outweighed by substantial public benefits.
- 6.11 **Great Houghton Parish Council** – Object due to the detrimental impact that the development would have on the rural setting of Great Houghton and its conservation area. The development would also have a significant detrimental impact upon the amenities of residents. This land is wholly unsuitable for a development of this scale and type. It is considered that the applicant's assessment regarding the weight that can be given to Policy E9 of the Local Plan is unconvincing. The development fails to comply with the requirements of National and Local Planning Policies.
- 6.12 **Hardingstone Parish Council** – No objections.
- 6.13 13 letters of objection have been received. Comments can be summarised as:
- The proposal does not represent sustainable development
 - The development has limited economic and social benefits to the community

- There would be a detrimental impact on residential amenity, the natural environment and the historic environment.
- The economic impacts of the proposal are overstated.
- The development represents the loss of open countryside and is a locally important landscape
- The scale of the proposed green area is small.
- The Local Plan is still a material consideration and should be given significant weight.
- The development would have an adverse impact upon the highway system
- There are no improvements to the wider cycle network.
- The diverted footpath would increase distances for pedestrians
- Excessive noise would be generated, particularly as there would proposal would operate on a continual basis.
- Increased air and light pollution would occur.
- The development would have an adverse impact upon wildlife.
- The ongoing maintenance of the landscaping is questioned.
- The development could be accommodated within existing units in Brackmills.

7. APPRAISAL

Principle of the development

- 7.1 It is recognised that the development is allocated as green space within the Local Plan; however, the relevant policy has since been superseded by the West Northamptonshire Joint Core Strategy (JCS). Policy BN1 identifies the site as forming part of a Green Infrastructure Corridor and requires that such corridors are incorporated into proposed development and that long term strategies for the management of green infrastructure are delivered. In the case of this particular proposal, the loss of trees on site (which are not of particularly significant species) would be replaced by good quality trees, which would represent an ecological improvement. Furthermore, the general poor quality grasslands would be replaced by species that are of a good ecological quality and would be of a type that could be characterised by old meadow and pasture types that have seen a reduction in occurrence since the 1960s due to changes to drainage, ploughing and re-seeding and from the use of high rates of fertilisers. In addition to these physical works, the developer would enter into a Section 106 Legal Agreement which would require the submission and agreement of a management strategy for the site's green infrastructure and for this to be retained throughout the life of the development.
- 7.2 Therefore, whilst the specific allocation of the Local Plan is noted, the more recent JCS should carry the greatest weight. It is notable that the Policy BN1 doesn't form a bar to development; however, seeks improvements and maintenance where that development takes place. In this specific instance, the current ecological value of the greenspace is limited and if this development were to proceed, enhancements would be secured as would the ongoing maintenance of this green space. This represents an improvement over the existing situation and in light of this conclusion, it is considered that the breach of the Local Plan allocation should not warrant a refusal of this planning application.
- 7.3 Policy E9 of the Northampton Local Plan is material to the consideration of the application. This policy allocates the area north of the disused railway line and south of Bedford Road as being a locally important landscape area. This area expands to the east of the application site. The reason for the allocation is summarised as the space delineating the boundaries of Great Houghton and Brackmills in addition with the fields marked by hedges. The site also represents one of the few sites within the current Borough which features evidence of ridge and furrows.
- 7.4 Whilst this policy is material to the consideration of the planning application, the enhanced landscaping as described previously would provide some screening of the development and

provide a notable buffer between Brackmills and Great Houghton. As a result of this, the distinct identity of Great Houghton would be retained. In addition to this point, it is noted that it would appear that the traditional hedge layout on the specific application site has already seen a number of alterations and given the proposal to retain planting on the site boundaries, it is considered that the harm generated by the proposal would be less than substantial in this regard. Whilst the development would result in the loss of ridge and furrows, as the varying levels on the site, requires re-levelling in order to facilitate the proposed development. The main significance of the ridge and furrows arises from their limited occurrence within the current boundaries of the Northampton Borough. As a result of these conclusions, it is considered that the harm arising from the breach of this particular planning policy is also limited and therefore should not be used as a reason for refusing planning permission.

- 7.5 In addition to these factors, there is a national and local planning policy requirement to provide new developments in order to meet the changing needs of businesses and to facilitate new economic and employment opportunities. As a result, the proposed development is in conformity with these requirements, which carries significant weight in the determination of the planning application.
- 7.6 It is recognised that the development would result in the loss of two dwellings at Martins Farm and Little Norway. Whilst there is a need for residential accommodation within the Borough, there is also a need to generate employment opportunities and economic growth, which outweighs the loss of residential accommodation.
- 7.7 On account of the nature of the site, conditions are recommended that would require the submission of an investigation into the potential for contamination and, if appropriate, a strategy for its mitigation. A separate condition should also be utilised that would cover the possibility of unexpected contamination being discovered during the construction process.

Design and appearance

- 7.8 The proposed warehouses have a functional design; however, attempts have been to reduce the impacts of the proposals. In particular, the buildings would feature a curved roof, which serve to reduce the overall massing of the building and provide some interest in the general form. In addition, the application identifies a materials palette that includes the use of graded colours on the elevations, which serves to reduce the overall visual impact of the scheme and minimises the impacts of the height of the proposed development. In order to secure a satisfactory form of development, a condition is recommended that would enable the Council to approve building materials prior to construction works taking place. This matter is of particular significance due to the relative prominence of the site.
- 7.9 By reason of the positioning of the development it is considered that there would be no significant adverse impact upon the amenities of the residential properties in terms of considerations such as light, outlook and privacy.
- 7.10 The development includes ancillary offices and gate houses, which are of a functional appearance. This is considered appropriate given the nature of the proposed development. A condition is recommended that would ensure that the offices are used for ancillary purposes only and do not form separate planning units. This would be for the avoidance of doubt and to ensure that a sustainable development is created.
- 7.11 The application has been reviewed by Northamptonshire Police's Crime Prevention Design Advisor, who has requested that the rear path leading to the staff car park from unit 2 is fitted with gates in order to provide a safe and secure form of development. This would be secured via a condition, in addition to a more general condition relating to boundary treatments, which would be provide security and maintain visual amenity.

- 7.12 Bunding is to be provided on the periphery of the development. It is accepted that this would represent a new feature within the landscape; however, it has been designed in such a way so as to provide variations in terms of height and gradient. This varied form therefore creates a more natural form of development, which prevents the bunding from forming an incongruous feature whilst also assisting in mitigating the general height and form of the proposed development.

Impact on residential amenity

- 7.13 The site is in close proximity with the village of Great Houghton; however, the development has been designed in such a way so that the buildings and bunding would provide some screening of noise arising from the operation of the development. Notwithstanding this conclusion and given that the development would potentially operate on a continual basis it is recommended that should the application be approved, it be subject to a condition requiring the submission of a scheme of a strategy for noise attenuation and for the development to operate in accordance with this agreed strategy. This is in line with the advice that has been received from the Council's Environmental Health section. For the avoidance of doubt, this scheme should include, but not be limited to, equipment such as air conditioning units, vehicle movements and reversing sirens.
- 7.14 Given the pattern of usage of the development, it is likely that lighting would be installed at the development, such as in the car parks and vehicle manoeuvring areas. As this has the potential to impact upon the amenity of residential properties, a condition is recommended that would require the submission and agreement of a lighting scheme. This lighting scheme would establish the maximum levels of illuminance and provide certainty that these would be maintained in the future.
- 7.15 It is recognised that the construction of the development has the potential to create adverse impacts upon residential amenity. In order to provide mitigation of this, a condition is recommended that would ensure that a Construction Environment Management Plan (CEMP) is submitted and agreed by the Council. The CEMP would therefore include matters such as the hours in which buildings works would take place and strategies for dust control during the construction works.

Air quality

- 7.16 The CEMP referenced above would include measures for dust suppression during the construction process. In addition, the proposal includes the provision of electric charging points for vehicles (which would be secured by condition), which would serve to encourage the use of less polluting vehicles. Furthermore, the Section 106 Agreement would include mechanisms for improving the attractiveness of more environmentally sustainable means of transport.

Highway impacts and access

- 7.17 The impacts of the development have been assessed by the Highway Authority and in principle they have no objections to the development proceeding. If the application is approved, it would be subject to conditions requiring the provision of the access, vehicle movement spaces and parking to be provided prior to the first occupation of the development and for this to be retained thereafter. A further condition is recommended that would ensure that these spaces are not used for open storage, which may compromise the overall success of the development. These conditions are considered necessary and reasonable in order to ensure that the proposal does not impact on the surrounding road network, where additional on street parking would be undesirable.
- 7.18 By reason and the nature and scale of the development, it is likely that the usage of Bedford Road and the access roads within Brackmills would increase. In order to counteract this, the

developer is proposing upgrades to the highway network, which have been agreed with the Highway Authority. In particular, the Rushmills roundabout within Bedford Road would be altered so that the two exits onto the A428 would feature two lanes. In addition, the Barnes Meadow roundabout with the A45 would be altered to increase the number of lanes on exit to Bedford Road to two. These measures would increase the capacity of the highway network. In order to secure a satisfactory form of development, a condition is recommended that would ensure that the final specifications of these alterations are agreed by the Council, in consultation with the Local Highway Authority.

- 7.19 It is recognised that there is a need for new developments to promote more sustainable means of travel. To this end, the applicant has prepared a framework Travel Plan, which sets out means by which this would be achieved (such as promoting sustainable transport measures to staff, financial incentives to travel sustainably and the setting up of programmes, such as car sharing). The implementation of this plan would be secured via a condition. In addition, to these requirements, and in line with the advice of the Highway Authority, the applicant would enter into a Section 106 Agreement that would require the provision of new bus shelters within Liliput Road (near to Scotia Close), which would serve to make travelling by public transport to be more attractive. Furthermore, the Section 106 Agreement would secure improvements to bus provision on routes between the application site and the town centre when there is a shift change of more than 50 people. As a consequence of these measures, it is considered that adequate consideration has been given to means of encouraging more sustainable means of travel as required by national and local planning policies.
- 7.20 As outlined previously in paragraph 3.5, the site features a pedestrian/cycleway between the Bedford Road and Thomas Dacsher Way. The development proposes that this would be retained and would be hard surfaced to a width of 3m in line with the requirements of the Highway Authority. This would be secured through a condition and would be carried out prior to the first occupation of the development. In addition, bollards would be placed at either end of this route in order to prevent the unauthorised use by vehicles.
- 7.21 On a related point, no objections have been received from the Highways Agency with regards to the impacts upon the strategic road network.
- 7.22 Should planning permission be granted, the Council would receive an application pursuant to Section 257 of the Town and Country Planning Act to divert the footpath. The primary test within such an application is whether it is necessary to divert the footpath in order to implement any planning permission. In this case, the path would be built on through the provision of bunding. This is necessary to ensure that the visual impacts of the proposal are adequately mitigated and that suitable landscaping and green infrastructure is provided in line with planning policy. As also described, the bunding would provide some mitigation in terms of noise attenuation.
- 7.23 In addition, it is noted that the existing route of the footpath has a distance of approximately 315m which would be increased to approximately 380m if the diversion were to take place. Given this comparatively limited increase and the fact that improvements could be secured in the form of hard surfacing, it is concluded that users of the footpath would not be unduly disadvantaged through the diversion of the path. In addition, the proposed route of the path is relatively straight and as a consequence users of the path would have a clear line of sight, which reduces the opportunity for users to be adversely affected by anti-social behaviour. There would also be no significant changes in the level of natural surveillance that the path currently experiences.
- 7.24 The required CEMP would include details of the routing of construction traffic, delivery times and measures to prevent dust and other materials from being dragged onto the highway.

Impact on heritage assets

- 7.25 As set out previously, the site is in close proximity to Great Houghton and the Conservation Area. Whilst part of the Borough, the character of this area is different from other areas of Northampton due to its semi-rural character. In addition, Great Houghton is sited on more elevated land, which highlights the differences in this character as well as providing views from the Nene Valley. Although a number of developments have taken place within the wider area, this geographical distinction has been maintained and is significant.
- 7.26 Within Great Houghton there are a number of buildings of historical and architectural significance. The most notable include the St Mary's Church (Grade A Listed) and the adjacent former Rectory. Views westwards from the church yard include undeveloped land, which contributes to the setting of these heritage assets. In addition, views of the spire are also an important characteristic in terms of assessing the building's setting.
- 7.27 Given the nature of the proposed development, it is apparent that a number of these characteristics would be eroded as, in places; it would no longer being possible to view a more rural landscape. In addition the proposed development is likely to reduce the views from the north west of Great Houghton towards the church spire, which is visible from some of these areas.
- 7.28 Paragraph 132 of the NPPF states that the significance of a heritage asset can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. In this case, the relationship between the application site and the heritage assets is variable. This is because the views of the development site are generally made through gaps in between buildings or trees. As such, the prominence of the proposed buildings and landscaping would be variable depending on season. Furthermore, although some views of the church spire may be removed, it would not be correct to state that this applies to all such views. As a result of this, it is concluded that although harm to heritage assets would arise from the proposed development, this harm is less than substantial.
- 7.29 As a consequence of these conclusions, this harm has been minimised and therefore can be justified in the context of paragraph 132 of the NPPF.
- 7.30 In this particular case, it is noted that an occupier has been identified for the larger warehouse of the two, which is also the closest to the Conservation Area and Listed Building and it has been confirmed that Decathlon has entered into a lease to occupy the building upon its completion.
- 7.31 Decathlon a company specialising in sports retail and operate in a significant number of countries. The company has plans to expand their presence within the UK and wishes to construct a new distribution facility in order to support this growth. Whilst this company is already present on Brackmills, it has outgrown its facility. It is therefore a possibility that if this development were not to precede it would need to look at sites outside of the Borough in order to assist in the delivery of this growth. As a consequence, the development would facilitate further economic growth in terms of generating additional jobs and business activity as the occupier has plans to at least double their size, as well as safeguarding existing jobs. Further to this, the existing Decathlon site would then become available for an alternative occupier, which is of benefit in terms of promoting further economic growth.
- 7.32 These benefits are therefore substantial and are of benefit to the wider public and would support the future growth of Northampton. This is of particular relevance as the likely increase in population in the future requires employment opportunities to be generated in tandem. Having applied the relevant test as described in paragraph 134 of the NPPF, it is concluded that the less than substantial harm is outweighed by the employment activities and economic development as described previously.
- 7.33 As discussed previously, the application site feature a ridge and furrow landscape that would be lost should the development take place. It is first important to note that this feature constitutes a non-designated heritage asset and therefore is not selected as being nationally important as the

significance derives more from offering interpretation as to historical architectural practices within the area. Although its loss would be regrettable it is not considered that there would be a significant adverse impact upon the village of Great Houghton. In addition, Great Houghton exhibits a historical settlement pattern developed over time along a straight axis. In this context the agricultural setting of the village plays a lesser role in interpreting the pattern of development within the vicinity.

- 7.34 Due to these conclusions, it is considered that the benefits of the development as described previously outweigh the harm caused through the loss of the non-designated ridge and furrow landscape.
- 7.35 Due to the pattern of development within the wider area and the fact that the bulk of the application site has not been built upon a condition requiring the undertaking of an archaeological investigation in necessary and reasonable.

Ecology

- 7.36 Given the currently undeveloped nature of the site, there is the possibility that portions of the site would be utilised as habitats for wildlife. In respect of bats, the applicant would provide boxes, which would be of benefit to the population. Furthermore, the loss of foraging habitat would be compensated through the creation of woodland, grassland and wetland habitats within the landscaped sections of the development. This habitat creation would also be of benefit to the local bird population. The applicant has also made a commitment to avoiding the removal of existing habitats within the nesting season, which would further reduce the impacts on birds.
- 7.37 As the application site contains a pond that has been used as a habitat for Great Crested Newts, two additional ponds would be implemented and managed in order to provide additional habitats for this species. These areas would include suitable planting to improve this type of habitat. The risk of mortality to Great Crested Newts during the construction process would be mitigated through translocation.
- 7.38 The habitat creation scheme would include a more varied mosaic of woodlands, scrub, grasslands and wetlands habitats, which would be maintained in the future. This would therefore provide a small improvement for invertebrates over the current situation.
- 7.39 In respect of badgers, the applicant has identified two setts on the site; however, the application site is likely to represent a portion of the foraging habitat for the badger population. The setts would be retained following the implementation of the proposed development and steps would be taken during the construction process to avoid any disruption to the badger population (such as capping pipes during the construction process to prevent access to the development and covering trenches overnight), in addition to a further survey being carried out in advance of the construction work commencing to ascertain that there have been no changes in the extent of the badger population.
- 7.40 In addition to these measures, the landscaped sections of the development would feature plants such as crab apple, hawthorn, rowan and wild cherry which would represent an improved foraging resource for badgers.
- 7.41 On account of the relatively small scale of the application and given the proposed mitigation measures as described above, it is considered that there would be no significant detrimental impact upon the Nene Valley Gravel Pits Special Protection Area.
- 7.42 The application has been reviewed by Natural England and the County Council's Ecology Advisor, who have raised no objections in principle to the proposed development.

Flooding

- 7.43 It is accepted that the proposal would result in construction works on a hitherto undeveloped site, which reduces the capability for natural run off. As a result of this and in line with the advice of the Lead Local Flood Authority, conditions are recommended that would ensure that a drainage scheme is submitted to and approved by the Council prior to the development commencing and that a management strategy is also submitted and agreed. These measures therefore provide confidence that there would be adequate level of drainage and this would be retained throughout the life of the development. As a result of these conditions, it is considered that the development would not increase flood risk either on the site or elsewhere in line with the requirements of the NPPF.

Legal obligations

- 7.44 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.

- 7.45 In addition to the highway infrastructure and maintenance strategy for the green space as described previously, financial contributions would also be secured for the provision of off-site open space and for construction worker training opportunities. This ensures compliance with the requirements of the Council's Developer Obligations Supplementary Planning Document.

8. CONCLUSION

- 8.1 It is considered that the principle of the development would have an adverse impact upon the heritage assets of Great Houghton; however, planning policies require that this harm is balanced against the benefits of the development. Given that the development would generate additional employment opportunities and would contribute to economic growth, it is considered that the harm is outweighed. Furthermore, subject to conditions and the proposed legal agreement, the impacts of the development can be satisfactorily mitigated and a neutral impact upon amenity can be secured.

9. CONDITIONS

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

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

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

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

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

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

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

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This condition is required in order to agree such details in a timely manner.

5. The boundary treatments as shown on drawing SK032 Rev. P4 shall be fully implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

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

6. Full details of gates to serve the rear pathway to Plot 2 as shown on drawing SK023 Rev. P19 shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the Plot 2 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.

7. Full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

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

8. Prior to the commencement of development, full details of all external lighting shall, which shall include data of all predicted light level, including the vertical illuminance levels at all sensitive properties shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with the National Planning Policy Framework. This condition is required to ensure the agreement of such details in a timely manner.

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

Planning Authority within two weeks of completion (or within two weeks of completion of each respective phase).

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

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 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.

11. Notwithstanding the details submitted, full information relating to the provision of electric vehicle recharging facilities shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

12. A scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment, vehicle reversing sirens or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

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

13. Prior to commencement of development a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for agreement in writing, The CEMP should include (but not be limited to):

- i) Hours in which construction work would take place;
- ii) Methods for the suppression of dust;
- iii) Details of the proposed construction access to the site;
- iv) Details of routing to/from the site of construction traffic;
- v) Details of hours delivery times; and
- vi) Details of any wheel washing and other measures to prevent the discharge of dust and other materials on to the public highway.

Development shall be carried out in accordance with the approved details.

Reason: In order to ensure a neutral impact upon amenity and highway safety in accordance with the requirements of the National Planning Policy Framework. This condition is required in order to agree such details in a timely manner.

14. Prior to the first occupation of any unit of the proposed development the applicant shall provide a full Travel Plan for written agreement by the Local Planning Authority, in accordance with the agreed Framework Travel Plan dated 18/03/2016 submitted with this application. The measures identified shall thereafter be carried out in accordance with a timetable to be included in the full Travel Plan and shall be retained thereafter.

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

15. Notwithstanding the details submitted and prior to the commencement of development, full details of the engineering and construction details of the road improvement works as shown on drawing ADC1295/001 and ACD1295/002 in respect of the A428 Bedford Road/Rushmills/Waterside Way roundabout and the A45 Barnes Meadow shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

16. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance the National Planning Policy Framework. This condition is required in order to agree such details in a timely manner.

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

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

18. All trees shown to be retained on drawing 4567-A-03 Rev. A shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

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

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

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

20. 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 1 in 100 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 before the development is completed. The details of the scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins; and
- ii) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydro brakes and any other flow control devices.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 13 of the West Northamptonshire Joint Core Strategy by ensuring the satisfactory means of surface water attenuation and discharge from the site. This condition is required to ensure the agreement of such details in a timely manner.

21. No development shall take place until a detailed scheme for the maintenance and upkeep of 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. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system in accordance with the West Northamptonshire Joint Core Strategy.

22. The access ways, parking spaces and vehicle manoeuvring areas as shown on drawing SK023 Rev. P19 shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

23. The car parking spaces and vehicle manoeuvring spaces as shown on drawing SK023 Rev. P19 shall at all times be reserved for the movement and parking of vehicles only and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure the provision of adequate facilities and a neutral impact on highway safety in accordance with the requirements of the National Planning Policy Framework.

24. Notwithstanding the details submitted, full information of the surfacing and bollards to be installed on the public right of way running to the west of the site shall be submitted to and approved in writing. Development shall be carried out in accordance with the details submitted, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

25. Notwithstanding the details submitted, full details (including siting) of new bat and bird nesting boxes shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first use of the development hereby permitted and shall be retained thereafter.

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

26. The development hereby permitted shall be carried out in accordance the recommendations of paragraphs 9.7.24 and 9.7.27 of the Environment Assessment in respect of Great Crested Newts.

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

27. The office buildings as shown on drawing SK023 Rev. P19 shall be ancillary to the warehouses hereby permitted and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt and to secure a sustainable development in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

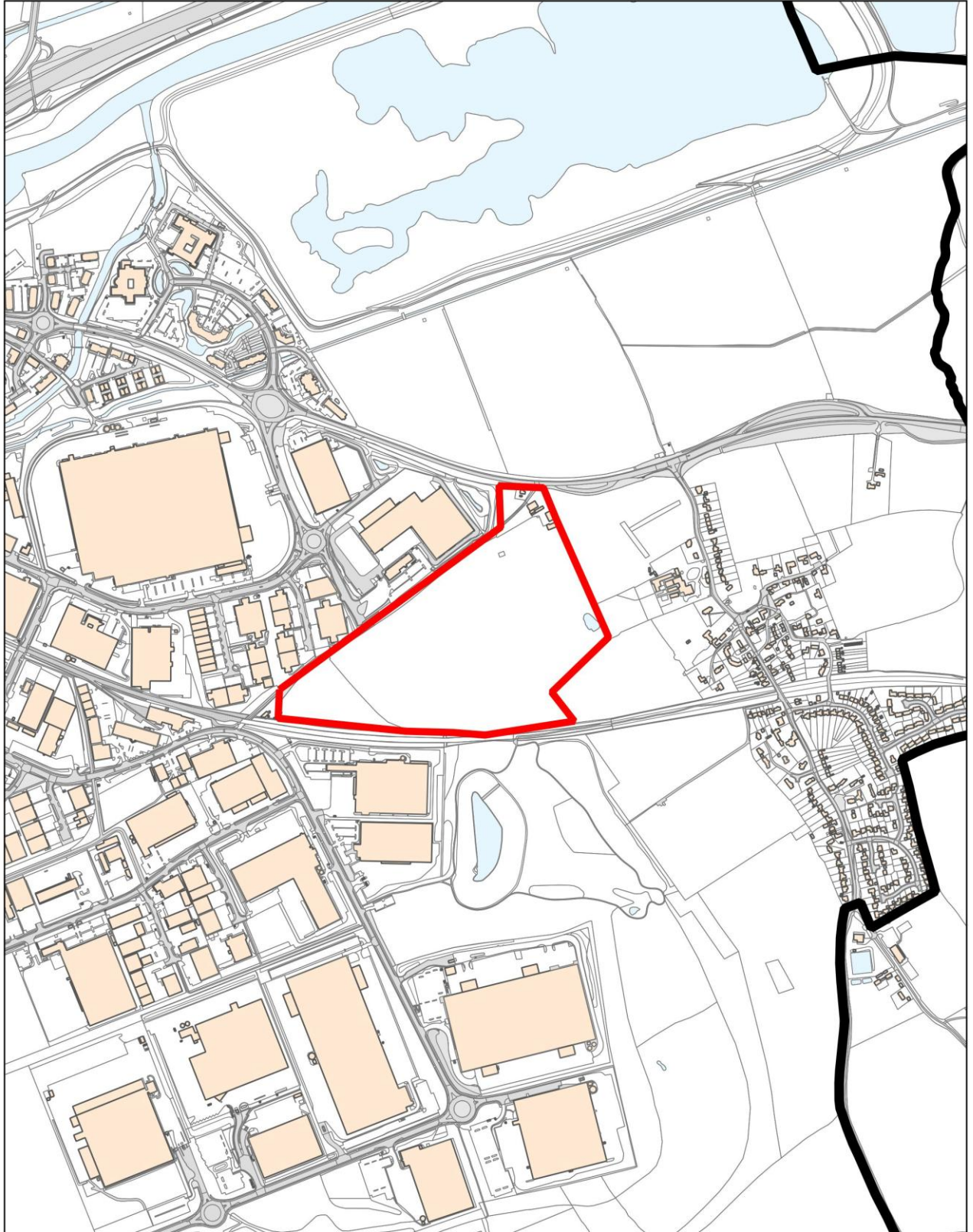
10.1 N/2016/0412


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.



 NORTHAMPTON BOROUGH COUNCIL	Title: Development Land South of Bedford Road Off Liliput Road	Date: 14-07-2016
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PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0605

LOCATION: 54 Wellingborough Road

DESCRIPTION: Creation of Shisha area to rear including covered seating

WARD: Castle Ward

APPLICANT: Mr J MAHMOOD
AGENT: Design Board-Architectural Services

REFERRED BY: Councillor D Stone
REASON: Concerned about refuse storage, neighbour amenity and health issue

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, as a temporary measure and subject to conditions, would have a neutral impact upon the character and appearance of the surrounding area, the Boot and Shoe Quarter Conservation Area and neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies BN5 and S10 of the West Northamptonshire Development Corporation and Policy 1 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant seeks permission for the erection of a covered canopy to the rear of the site, which would be utilised as a shisha area.

3. SITE DESCRIPTION

3.1 The application site consists of a commercial property located within the town centre as defined by the Northampton Central Area Action Plan. The site also falls within the Boot and Shoe Quarter Conservation Area.

3.2 The building itself is of substantial proportions and features a large area to the rear, which is currently used for car parking and refuse storage. This includes direct access from St Edmunds

Road, which runs to the south of the site. This rear area features substantial walls as boundary treatments, which have a height of approximately 1.8m.

- 3.3 As a consequence of the town centre location, a number of the surrounding properties are in use for commercial purposes. This includes restaurants and public houses, which contribute to a general character of evening/late night activity. Notwithstanding this, there are number of residential properties in the form of flats above commercial units within the vicinity, whilst St Edmunds Road is more residential in character.

4. PLANNING HISTORY

- 4.1 N/2016/0308 – Change of use of shop to restaurant – Approved

5. PLANNING POLICY

5.1 Statutory Duty

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

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

5.3 National Policies

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

- 5.4 Paragraph 17 states that planning seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and to conserve heritage assets in a manner appropriate to their significance. Paragraph 129 also requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

5.5 West Northamptonshire Joint Core Strategy (2014)

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

- 5.6 Policy S10 (Sustainable Development Principles) requires that developments be of a good design and the occupiers of neighbouring properties are not unduly impacted through noise.
- 5.7 Policy BN5 also requires that heritage assets are conserved in manner that it consistent with their significance.

5.8 Northampton Central Area Action Plan 2013

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

- 5.9 Policy 1 (Promoting Design Excellence) requires that developments be of a good design and makes efficient use of the land, whilst providing a wider range of choice for users.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Conservation** – No objections.
- 6.2 **Environmental Health** - Concerns are raised about noise and disturbance, even though a noise assessment has been submitted and it is recommended that temporary consent is granted for the development only. Furthermore, it is suggested that concerns are attached to any approval relating to access arrangements, hours of usage, controls over music and maximum numbers of people that can use the shelter at any one point.
- 6.3 **Cllr. D. Stone** – Requesting that the application be determined by the Planning Committee on the grounds that the development would make waste storage difficult and the development would have an adverse impact upon neighbour amenity. Concerns are also raised regarding the impacts on health.

7. APPRAISAL

- 7.1 The physical development consists of the erection of a flat roofed, wooden structure with open sides that would be constructed within the rear area of the property. As this structure exceeds the height of the existing boundary treatment by a limited amount, the overall impact upon the visual amenity of the locality and the character and appearance of the Boot and Shoe Quarter Conservation Area would be neutral. In addition, the limited proportions of the structure also sufficient to prevent any significant loss of amenity of the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy.
- 7.2 It is recognised that the proposed development has the potential to create some noise. The applicant has submitted a noise assessment, which concludes that the development is unlikely to cause a significant adverse impact upon the occupiers of neighbouring properties in terms of noise and disturbance. In order to provide certainty of these impacts, it is recommended that a condition is imposed that limits the hours of the usage of the shelter and preventing the use of amplified music within the confines of the development.
- 7.3 Notwithstanding these measures, it is noted that there are relatively few developments of the type proposed currently within the Borough. Therefore in order to enable the Local Planning Authority to monitor the impacts of the development and potentially revisit the above recommended conditions if needs be, it is recommended that a temporary consent is granted. This would run for a period of 18 months and would mean that if there was an intention to continue the development beyond this period a fresh planning application would be required.
- 7.4 It is noted that the Council's Environmental Health section have requested a condition that establishes a maximum number of people that can use the shelter at one time. In response to this, it is considered that such a condition would not be enforceable and would therefore not be reasonable as required by Government legislation. Notwithstanding this conclusion, it is considered that the aforementioned conditions and the temporary nature of any permission are sufficient to prevent any significant detrimental impact upon the amenities of surrounding properties.

- 7.5 Representations have been received which comment upon the impacts of smoking upon health levels. In response, it should be recognised that planning policies relating to health matters focus on the provision of opportunities to undertake a healthier lifestyle. Planning policies at neither national nor local level are structured in such a way so as to resist a development that may be used for an activity that is not necessarily healthy, but is legal and ultimately the responsibility of the individual concerned as to whether they participate in the activity. As a result of this, the impacts of the development upon health levels are not a matter that can be given a significant amount of weight within the determination of this planning application.
- 7.6 During the course of the application process, the applicant has provided clarification that an appropriate amount of refuse storage can be accommodated between the proposed shelter and the site's car parking. Given this situation and the fact that it can be secured by a condition, it is considered that the development would not cause an acceptable detrimental impact upon amenity arising from poor refuse storage.
- 7.7 It would be anticipated that the propose smoking area would operate in tandem with the restaurant that has previously gained planning permission, which when combined with the sustainable nature of the site's proposed location and the retention of three parking spaces, which is an appropriate number given the scale, use and location of the site. The existing yard is currently used for car parking and outside storage. As a consequence, the proposed development would not impact on deliveries made to the property. These circumstances when combined are sufficient to prevent any significant adverse impact upon the highway system.

8. CONCLUSION

- 8.1 It is considered that the proposed development, subject to conditions, would have a neutral impact upon amenity and the surrounding area. Furthermore, appropriate refuse storage would be provided and as a consequence, the development would be in conformity with national and local planning policies. In addition to these factors, a temporary consent would enable the Council to assess the development in situ and potentially revisit the decision in due course.

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 removed and the land restored to its original condition within 18 calendar months of the development first coming into use. The Local Planning Authority shall be notified in writing of this date at least 14 days in advance of the first use of the development hereby permitted.

Reason: In order to allow the Local Planning Authority to assess the impacts of the development in situ in accordance with the requirements of the National Planning Policy Framework.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: A425-SLPb; and A425-2b.

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

4. Notwithstanding the details submitted, no live or amplified music shall be played within the development hereby permitted.

Reason: In the interests of the amenities of surrounding properties in accordance with the requirements of the National Planning Policy Framework.

5. The development hereby permitted shall only be used between the hours of 11am and 10pm on any one day on Mondays to Fridays and 11am and 11pm on Saturdays, Sundays, Bank Holidays and Public Holidays.

Reason: In the interests of the amenities of surrounding properties in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

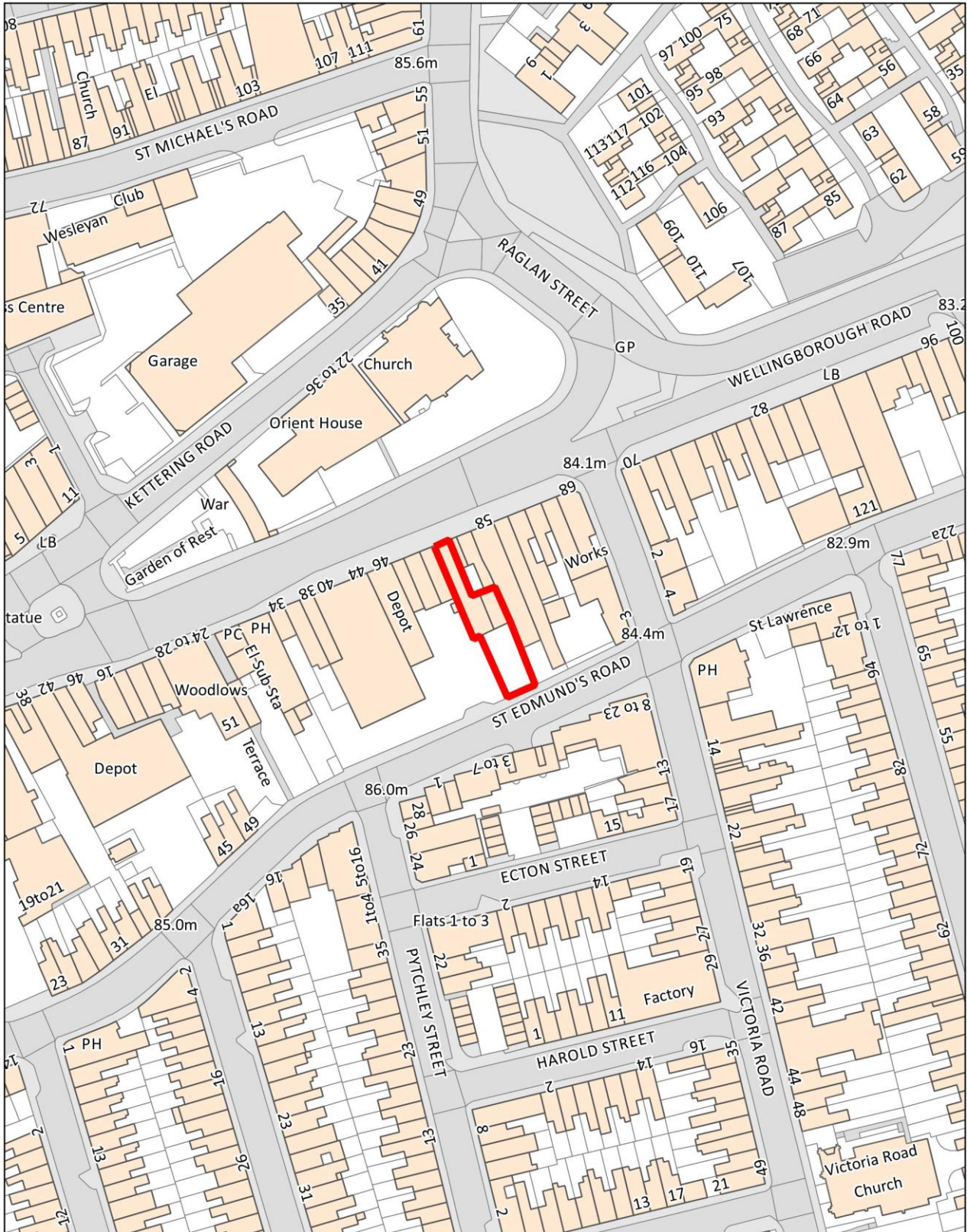
10.1 None


11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 54 Wellingborough Road</p>	<p>Date: 14-07-2016</p>
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		<p>Drawn by: -----</p>



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0660

LOCATION: The Barn Owl , Olden Road

DESCRIPTION: Variation of Conditions 3 and 6 of Planning Permission N/2015/1314 (Change of use from Public House (Use Class A4) into Convenience Store (Use Class A1) including alteration and extensions, rear storage and installation of 2no Satellite Dishes on roof) to allow for extension of delivery hours, additional plant information and submission of details prior to occupation

WARD: Rectory Farm Ward

APPLICANT: Hawthorn Leisure Ltd
AGENT: PLC Architects

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Previous application was determined by Committee

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 variation of conditions, as amended, would not adversely impact on adjacent amenity and the principle of the change of use and proposed alterations remains acceptable and in accordance with Policies S9, S10 & RC2 of the West Northamptonshire Joint Core Strategy, Policies E20, E28 & T12 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The application seeks to vary Conditions 3 and 6 of planning permission N/2015/1314 which granted permission for a change of use from a public house (Use Class A4) into a convenience store (Use Class A1), including alterations and extensions.

2.2 Condition 3 requires the submission of details prior to commencement of the permitted use that demonstrate any new plant or equipment will achieve the agreed target noise level limits for both daytime and night time. The current application seeks to vary this condition to agree the details prior to occupation to allow equipment to be tailored to the proposed occupier's needs.

- 2.3 Condition 6 relates to the control of delivery hours to the store, the existing permission currently restricting delivery times to between the hours of 07:30 and 19:30 hours only. The application seeks to extend these times to between the hours of 07:00 and 20:00 hours.

The application has subsequently been amended to reduce the proposed delivery times to between 07:30 to 20:00 hours following concerns raised by Environmental Health.

- 2.4 Members are advised that the Council can only consider the Conditions which are the subject of this Application and it is not a complete re-consideration of the original Application which will continue to subsist whatever the outcome of this Application.

3. SITE DESCRIPTION

- 3.1 The application site comprises of a part two-storey, part single storey public house with ancillary residential accommodation above. It is located within a predominantly residential area but with community uses within the immediate surrounding area comprising of a convenience store and Rectory Farm Community Centre, located to the west of the site, and a primary school and community church to the north west. A public car park is located to the front and side of the site. Access to the site is via Olden Road. Residential properties are located to the immediate rear and side of the site.

4. PLANNING HISTORY

- 4.1 N/2015/1314 - Change of use from public house (Use Class A4) into convenience store (Use Class A1) including alteration and extensions, rear storage and installation of 2no satellite dishes on roof. Approved 13.04.16.

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:

The overarching presumption in favour of sustainable development.

Paragraph 17 which advises on core principles that should under-pin decision taking including proactively driving and supporting sustainable economic development whilst securing high quality design and a good standard of amenity.

Paragraph 19 places great weight on the need to support sustainable economic growth with planning encouraging rather than acting as an impediment to growth.

Paragraph 70 advises that planning should plan positively for the provision and use of community facilities, such as local shops, public houses and other local services to enhance the sustainability of communities and residential environments and of the need to guard against unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day to day needs; ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.

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 BN9: Planning for Pollution Control – seeks to ensure that development proposals demonstrate that they provide opportunities to minimise and where possible reduce pollution issues, such as the impacts of noise, that are a barrier to 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:

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Environmental Health** – following amendments to the proposed delivery removing the additional half hour requested in the morning, no objection to the proposed delivery hours or the amendment to Condition 3.
- 6.2 **NCC Highway Authority** – no comments.
- 6.3 Two objections have been received from residents raising the following concerns:
- Not enough information on the nature of the shop or community room, existing residential premises, parking.
 - Poor condition of Olden Road.
 - Insufficient environmental impact reports.
 - As the area is residential, deliveries should only be undertaken during normal work hours 0800-1700 hours so that noise and endangerment to the community is kept to an absolute minimum.

7. **APPRAISAL**

- 7.1 The main issues for consideration are the impact of the proposed changes on adjacent residential amenity.
- 7.2 The application site and, in particular, the service yard area, are located within close proximity to residential properties on Riley Close. The conditions on the original consent were therefore imposed in the interests of protecting the amenity of these residential properties and the surrounding area.
- 7.3 The amendments to the proposal would retain the earlier delivery hours of 07:30 hours as originally permitted. The additional half hour in the evening extending delivery times to 8pm is

not considered to be of such detriment to adjacent residential amenity to warrant refusal and Environmental Health has no objection.

- 7.4 The submission of details in relation to noise requirements prior to occupation would still ensure appropriate details are approved prior to the business coming into operation.

8. CONCLUSION

- 8.1 The proposed variations are considered acceptable and would not lead to any unacceptable increased impact on residential amenity to that approved under the permitted application.

9. CONDITIONS

1. The development hereby permitted shall be begun before 13 April 2019.

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

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

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

3. Notwithstanding the submitted Acoustic Report by Airtight and Noisecheck Limited dated 8/9th June 2015 prior to occupation details shall be submitted to the Local Planning Authority for agreement in writing that demonstrate any new plant or equipment will achieve a Target Noise Level Limit at Facade 6 dB(A) below the background levels for daytime and night time as detailed in the submitted report. The development shall be carried out in accordance with the approved details and maintained as such throughout the life of the development hereby permitted.

Reason: In the interests of adjacent residential amenity in accordance with the requirements of Policy BN9 of the West Northamptonshire Joint Core Strategy. The condition is pre-commencement to ensure potential noise impacts are sufficiently mitigated in the interests of adjacent residential amenity.

4. Prior to occupation of the development hereby permitted a scheme identifying external lighting provision for site shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: In the interests of adjacent residential amenity in accordance with the requirements of Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

5. The premises shall be open only between the hours of 07:00 and 23:00 hours.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

6. Deliveries to the premises shall occur between the hours of 07:30 and 20:00 hours only.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy E20 of the Northampton Local Plan, Policy BN9 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

7. The development hereby permitted shall be carried out in accordance with the following approved plans: 15.2105.115.P2, 15.2105.110.P4, 15.2105.113.P4, 15.2105.114.P2, 15.2105.111.P2 & 15.2105.112.P3.

10. BACKGROUND PAPERS

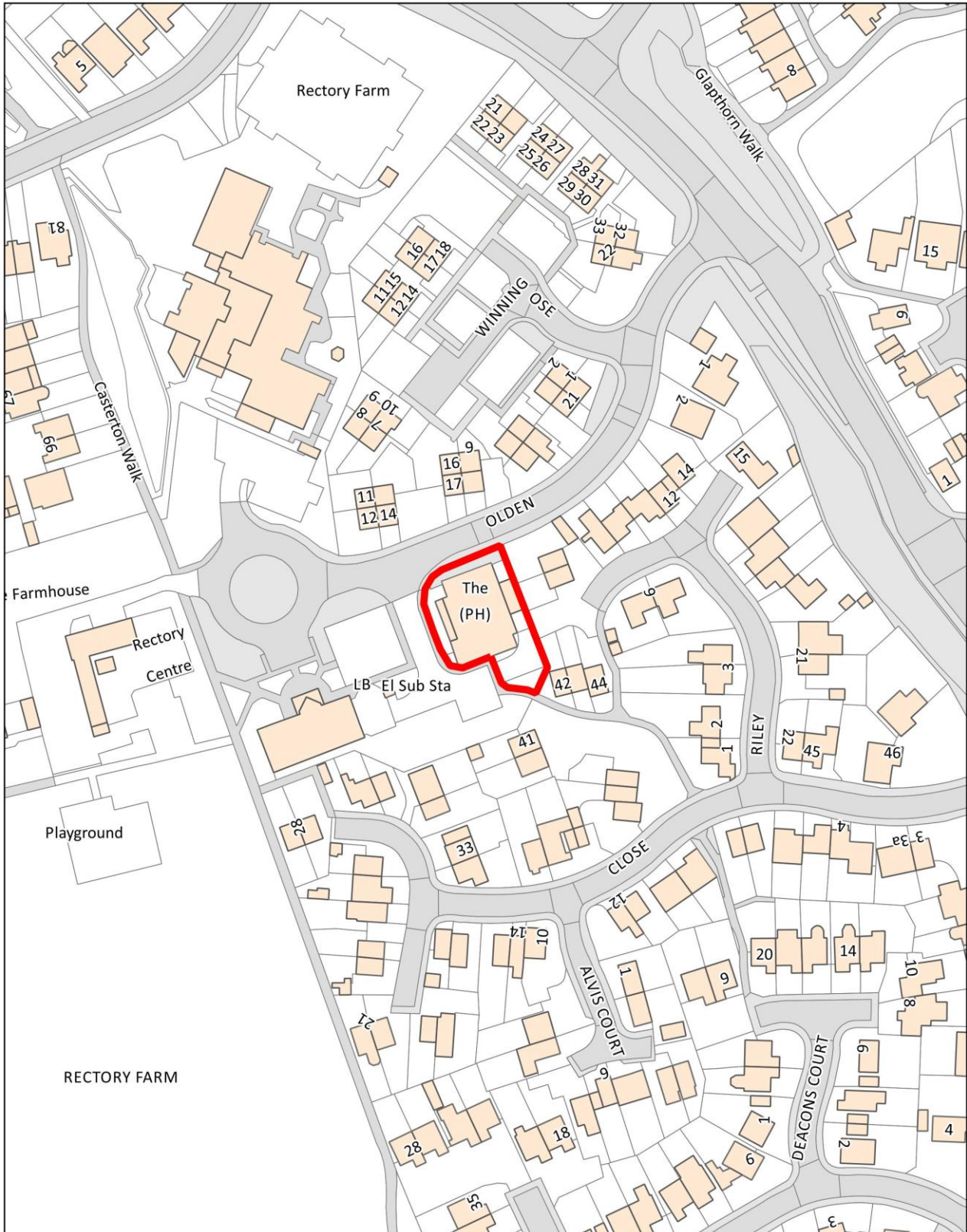
- 10.1 N/2016/0660

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: **The Barn Owl, Olden Road**

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Date: 14-07-2016

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0690

LOCATION: 93 Adams Avenue

DESCRIPTION: Conversion of dwelling to three flats

WARD: Abington Ward

APPLICANT: Mr Mohammed Ali
AGENT: Mr Mohammed Ali

REFERRED BY: Councillor Zoe Smith
REASON: Concerned about parking

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 conversion to three flats is acceptable in a residential area and would not adversely affect highway safety and residential amenity, in accordance with Policies H21, H23 and E20 of the Northampton Local Plan, Policies S10, and H1 of the West Northamptonshire Joint Core Strategy, and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for the conversion of a single dwelling into three, one-bedroom flats, one at the front incorporating ground and first floors, and two at the rear of the property. No external alteration is proposed apart from the installation of a shower room window on the ground floor.

3. SITE DESCRIPTION

3.1 A late Victorian terraced dwelling with small front garden and bay window, in a street of similar dwellings. The property has a cellar, a lounge, dining room, kitchen and sun room on the ground floor, and three bedrooms and a bathroom on the first floor. The property has no on-site parking facility.

4. PLANNING HISTORY

4.1 None.

5. PLANNING POLICY

5.1 Statutory Duty

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

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:

Paras.47 – 51: deliver a wide choice of high quality homes, and create sustainable communities; local authorities should bring back into residential use empty buildings and should normally approve applications for change to residential use where there is an identified need for housing.

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 relevance are:

Policy S10 – Sustainable Development Principles: achieve the highest standards of sustainable design incorporating safety and security considerations.

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 H21 – Conversion to flats: subject to compliance with other policies of the Local Plan, permission will not be granted for the conversion of a house into flats where it is considered that the introduction of or increase in the number of conversions would prejudice the character or amenity of a particular locality, irrespective of whether or not the house is suitable for conversion.

Policy H23 – Conversion to flats: subject to compliance with other policies of the Local Plan, planning permission will not be granted for the conversion to flats of a dwelling with a combined ground and first floor area (measured internally) of 100 square metres or less and with a frontage (measured internally) of less than 4.7 metres.

Policy E20 – New Development (design): 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

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Ward Councillors:** Cllr. Zoe Smith called in the application as there is no off-street parking provision, stating that parking is already at a premium on Adams Avenue and evidence has been provided by residents that shows the parking problems are creating dangerous parking. The conversion of one property to three would exacerbate this.
- 6.2 **Highway Authority:** Whilst it has been shown that parking is at a premium in the vicinity and there is no residual capacity for on-street spaces, the LHA does not believe that the potential parking demand for a conversion to three flats would exceed the maximum demand generated by the existing use.

7. APPRAISAL

Principle of development

- 7.1 Being situated in a residential area, it is considered that the use of this property as flats is acceptable, and the development would contribute to the Borough's five year housing land supply.
- 7.2 The plans indicate that the internal measurement of the frontage is 4.7m, and the internal floor area is approx. 110m², which complies with the size requirements of Policy H23.
- 7.3 Policy H21 of the Local Plan states that permission will not be granted for the conversion of a house into flats where it is considered that the introduction of or increase in the number of conversions would prejudice the character or amenity of a particular locality.
- 7.4 In regard to this policy and the issue of concentration of higher density housing in an area, Council records indicate that the majority of properties in Adams Avenue are single family dwellings. There are approx. 111 properties in the street, 15 of which are HIMO's, and 6 have been converted to flats. Therefore, approx. 19% of the properties along Adams Avenue are providing higher density accommodation in a sustainable location.
- 7.5 This is an established character of many such streets in the central area, and it is therefore considered that this application would be in keeping with the existing character and density of the local area, and therefore complies with Policy H1 of the Joint Core Strategy and Policy H21 of the Northampton Local Plan.

Amenity

- 7.6 It is considered that the use of the property as three 1-2 person flats would not be substantially more intensive than that of a single dwelling, and therefore the use would not have significantly greater impacts to the residential amenity of neighbouring occupiers. No objections have been received.
- 7.7 Refuse storage areas have been provided for each flat, however, the communal front garden would also afford space for refuse storage.

- 7.8 Only Flat 2 would have access to the rear garden area, however, lack of private amenity space for flats is not uncommon, and it is noted that both The Racecourse, and Abington Park are less than 1km away.

Parking

- 7.9 No off-street parking is provided, and Cllr. Smith has raised concerns over this issue. However, the Highway Authority has no objections to the lack of off-street parking provision, on the basis that the potential parking demand for three flats would not exceed the maximum demand generated by the existing use as a single dwelling.
- 7.10 Other material factors on this issue are considered to be the site's sustainable location (close to the Wellingborough Road Local Centre and bus routes), and the provision of space for bicycle storage for each flat. There is also unrestricted on-street parking available, and it is considered that this acceptably mitigates for the lack of off-street parking provision.

8. CONCLUSION

- 8.1 Being mindful of the issue of concentration of higher density housing types, and the somewhat cramped accommodation that would be afforded, it is considered that, on balance, this application accords with Development Plan Policy and is therefore recommended for approval.

9. CONDITIONS

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: location plan, site plan, 15/2073/01, 15/2073/02.

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

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

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

- (4) The cellar shall at no time be used for habitable accommodation.

Reason: For the avoidance of doubt and in the interests of amenity in accordance with the National Planning Policy Framework.

10. BACKGROUND PAPERS

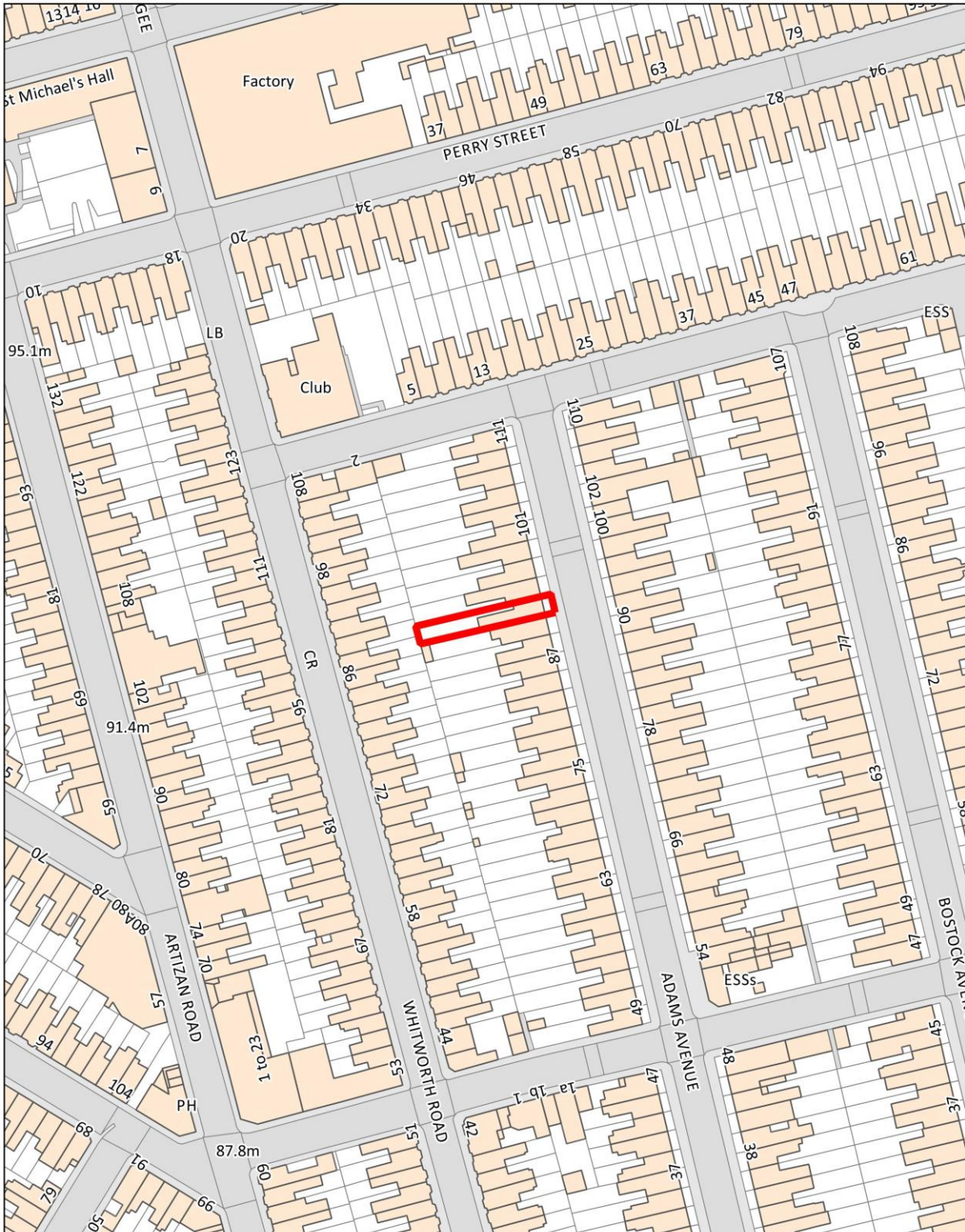
- 10.1 N/2016/0690.

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: **93 Adams Avenue**

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Date: 14-07-2016

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0703

LOCATION: Lock Up Garages , Moat Place, off Scarletwell Street

DESCRIPTION: Prior notification for demolition of garage blocks
WARD: Castle Ward

APPLICANT: Northampton Partnership Home
AGENT: -

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 That the Authority's **PRIOR APPROVAL WILL NOT BE REQUIRED** for the method of demolition and proposed restoration of the site for the following reason:

The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 This application is for prior notification of the proposed method of demolition of lock up garages.

3. SITE DESCRIPTION

3.1 The application relates to 4 blocks of lock up garages situated to the south of the junction of Scarletwell Street with St. Andrews Road.

4. PLANNING HISTORY

4.1 N/2016/0769 - Demolition of 43 garages, erection of 14 dwellings with associated gardens, parking and access ways. This application is to be considered by the Planning Committee in the same agenda.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013) and Spring Boroughs Neighbourhood Plan.

5.2 National Policies

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

Section 6 – Delivering a wide choice of high quality homes.

Section 7 – Requiring good design.

Section 8 – Promoting healthy communities.

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:

H1 – Housing.

S10 – Sustainable development principles.

5.4 Northampton Central Area Action Plan 2013

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

Policy 1 – Promoting Design Excellence.

Policy 24 – Spring Boroughs. This policy supports the regeneration of the area in circumstances where much of the housing stock in the borough is of poor quality and there is need to improve inadequate standards of amenity for residents.

5.5 Other Material Considerations

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton. The Plan seeks to support proposals which improve the quality of the environment, community facilities, infrastructure, security and connectivity.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 None. A site notice was erected by the applicant.

7. APPRAISAL

- 7.1 This application relates to prior notification for the demolition of 43 garages in connection with the redevelopment of the site for 14 family dwellings. The site comprises one of four areas in the locality where lock up garages are to be redeveloped for housing. The redevelopment proposals for this site are subject of a separate application for planning permission (N/2016/0769).
- 7.2 The matters for consideration in applications of this type are the proposed method of demolition and the method the site's restoration.
- 7.3 In respect of the proposed demolition, the application states that the garages would be demolished by excavator, and due care will need to be taken to protect the amenities of the occupiers of neighbouring dwellings, and that demolition will be carried out in compliance with Health and Safety Executive directives. Demolished materials will be sorted and salvaged. The site will be restored through redevelopment. It is considered that the proposed method of demolition is acceptable and prior approval is not required.

8. BACKGROUND PAPERS

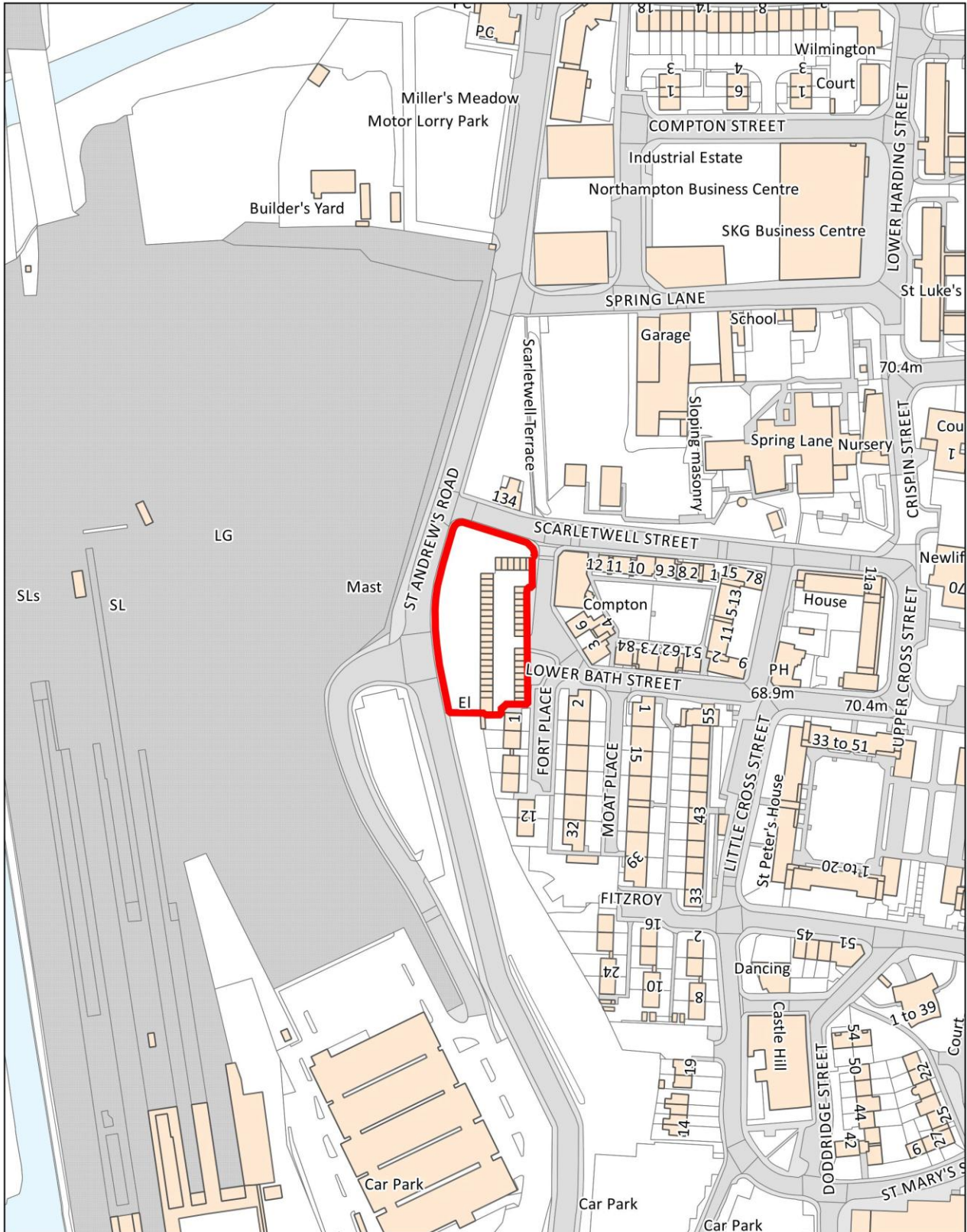
- 8.1 Application File N/2016/0703.

9. LEGAL IMPLICATIONS

- 9.1 None.

10. SUMMARY AND LINKS TO CORPORATE PLAN

- 10.1 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: **Moat Place**

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Date: 18-07-2016

Scale: 1:2,000

Drawn by: -----



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0704

LOCATION: Lock Up Garages at Swale Drive, Derwent Drive, West Oval and Witham Way

DESCRIPTION: Prior notification of proposed demolition of garage blocks

WARD: Kings Heath Ward

APPLICANT: Northampton Partnership Homes
AGENT: -

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 That the Authority's **PRIOR APPROVAL WILL NOT BE REQUIRED** for the method of demolition and proposed restoration of the sites for the following reason:

The means of demolition and the proposed restoration of the sites are considered to be acceptable and would be consistent with the aims and objectives of policies of the West Northamptonshire Joint Core Strategy and National Planning Policy Framework

2. THE PROPOSAL

2.1 This application is for prior notification of the proposed method of demolition of lock up garages at 4 sites including Swale Drive, Derwent Drive, West Oval and Witham Way within Kings Heath.

3. SITE DESCRIPTION

3.1 The application relates to blocks of lock up garages situated behind mainly residential properties in Kings Heath.

4. PLANNING HISTORY

4.1 None.

5. PLANNING POLICY

5.1 **Statutory Duty**

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

5.2 **National Policies**

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

Section 6 – Delivering a wide choice of high quality homes.

Section 7 – Requiring good design.

Section 8 – Promoting healthy communities.

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:

H1 – Housing.

S10 – Sustainable development principles.

5.4 **Other Material Considerations**

None.

6. **CONSULTATIONS/ REPRESENTATIONS**

6.1 None. Site notices were erected by the applicant.

7. **APPRAISAL**

7.1 This application relates to prior notification for the demolition of garages blocks in 4 separate locations, in connection with the future redevelopment of the site for family dwellings. The redevelopment proposals for these sites will be the subject of separate applications for planning permission which will be referred to a future meeting for decision.

7.2 The matters for consideration in applications of this type are the proposed method of demolition and the method the sites' restoration.

7.3 In respect of the proposed demolition, the application states that the garages would be demolished by excavator, and due care will need to be taken to protect the amenities of the occupiers of neighbouring dwellings, and that demolition will be carried out in compliance with Health and Safety Executive directives. Demolished materials will be sorted and salvaged. The site will be restored through redevelopment. It is considered that the proposed method of

demolition is acceptable and prior approval is not required.

8. BACKGROUND PAPERS

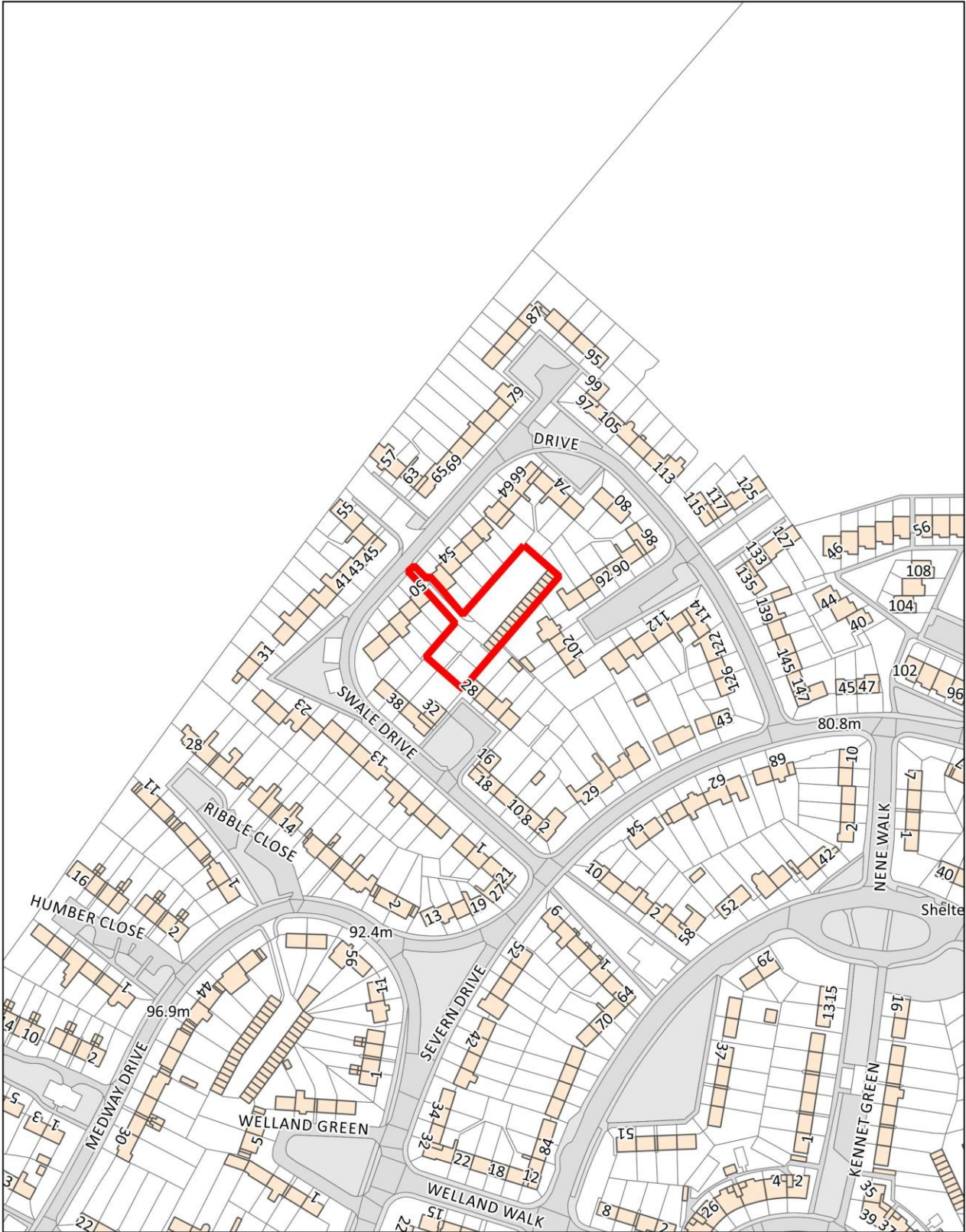
8.1 Application File N/2016/0704.

9. LEGAL IMPLICATIONS

9.1 None.

10. SUMMARY AND LINKS TO CORPORATE PLAN

10.1 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.



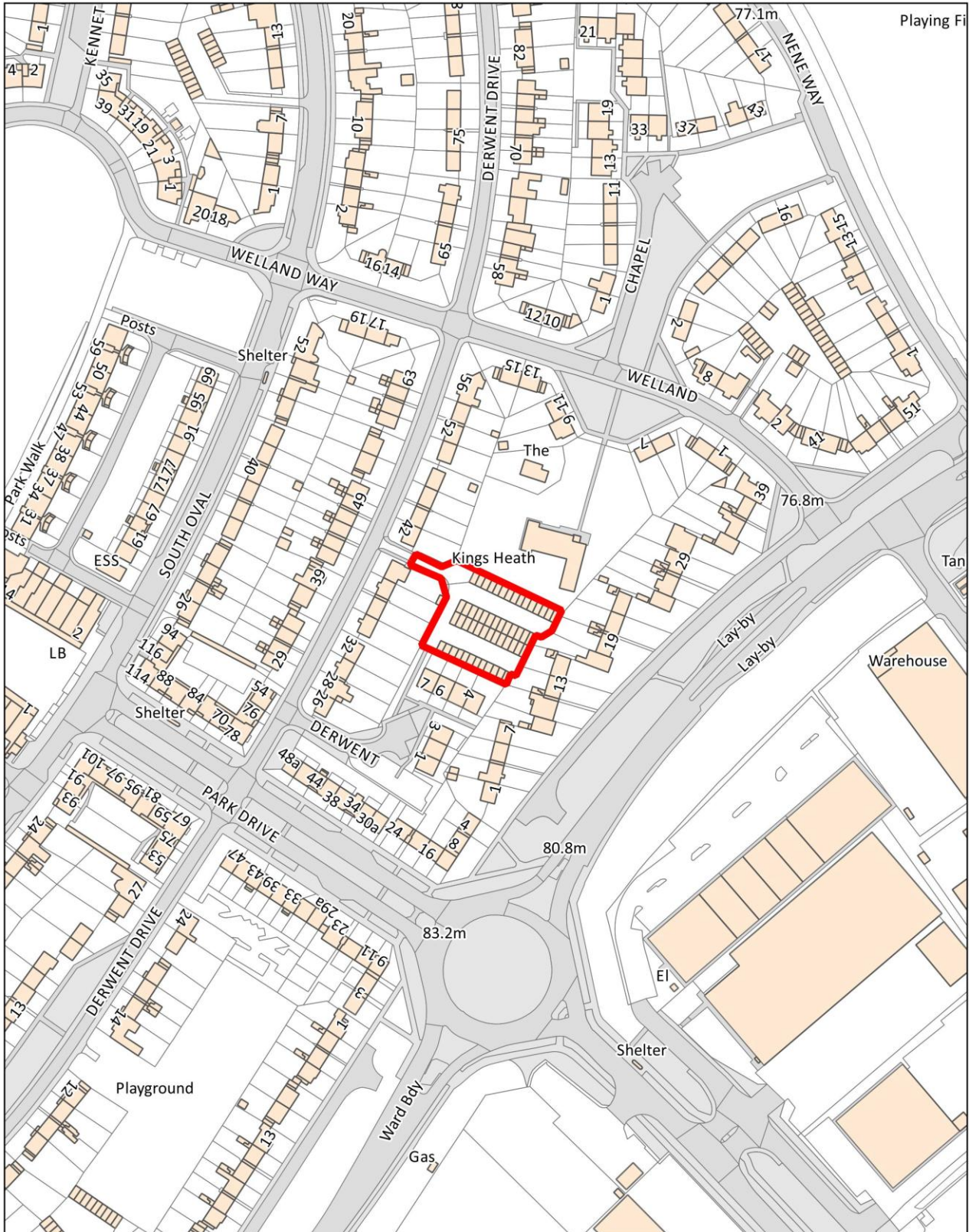
Title: **Swale Drive**


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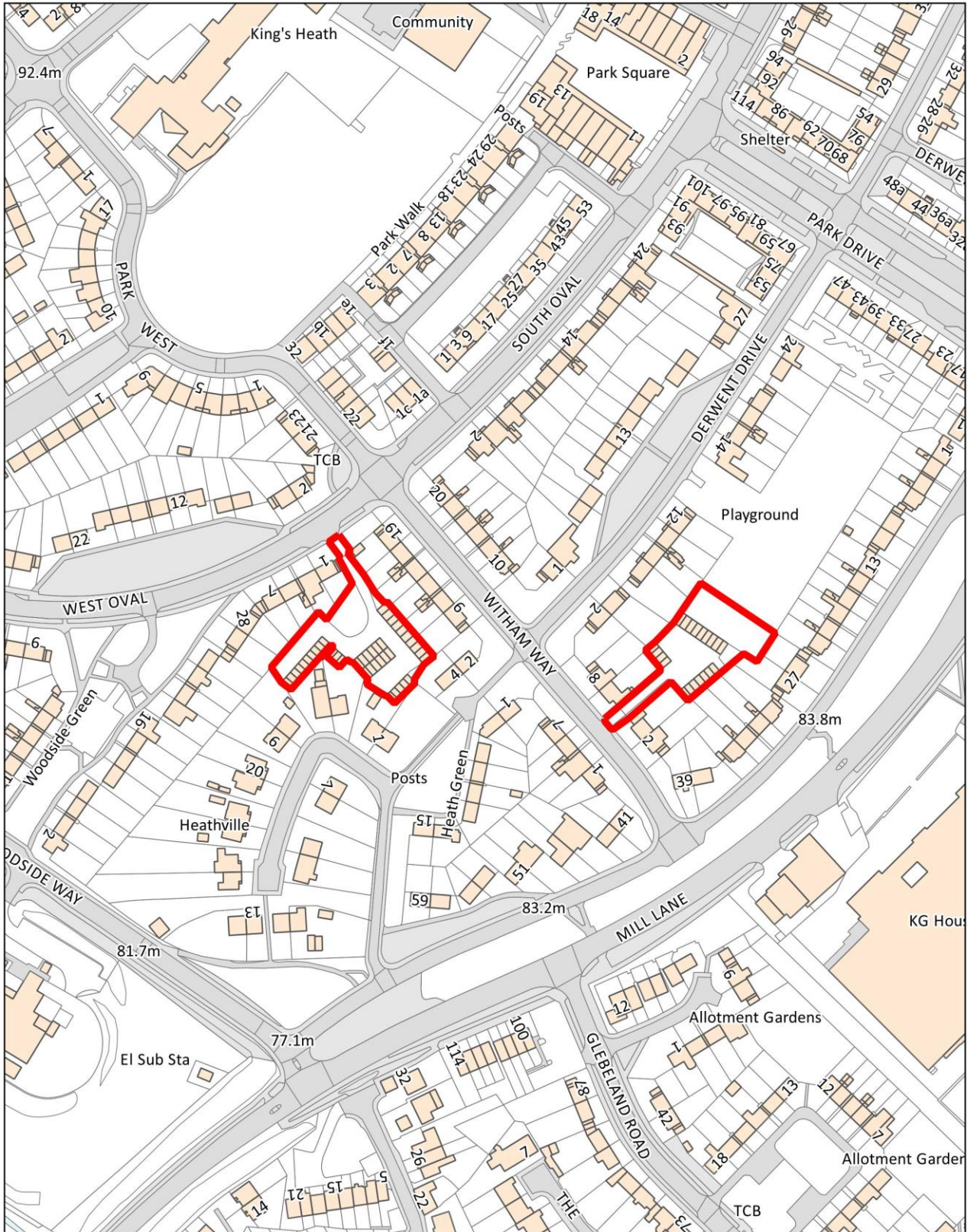
Date: 18-07-2016


Scale: 1:2,000

Drawn by: -----



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Derwent Drive</p>	<p>Date: 18-07-2016</p>
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 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: West Oval & Witham Way</p>	<p>Date: 18-07-2016</p>
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		<p>Drawn by: -----</p>



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0769

LOCATION: Lock up garages, land at St Andrews Road and Scarletwell Street

DESCRIPTION: Demolition of 43 garages, erection of 14 dwellings with associated gardens, parking and access ways
WARD: Castle Ward

APPLICANT: Northampton Partnership Homes
AGENT: rg+p Ltd

REFERRED BY: Director of Regeneration, Enterprise and 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 proposed development, on balance, would have no significant detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area, and would represent an appropriate use for the site and would provide for the housing needs of the area. The proposed development would therefore comply with Policies S2, S3, S9, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy, Policy 24 of the Central Area Action Plan, Policies H6, H17, H32, E20, E40 of the Northampton Local Plan Policies OP1, OP2 and AB2 of the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the construction of 14no. 2-storey 3-bed dwellings with gardens and associated landscaping. The site is divided into two parts with access from Scarletwell Street off St Andrews Road. The site to the south contains 10 new dwellings and 23 parking spaces; the site to the north contains 4 new dwellings and 8 parking spaces.

2.2 Apart from one tree nearer to the highway boundary fronting St Andrews Road, the majority of the existing trees on site will be removed to give way for the development.

3. SITE DESCRIPTION

- 3.1 The site at present comprises an area of garage blocks and two areas of open space with mature existing trees. The site is located immediately opposite to the entrance to the Castle Station on St Andrews Road.
- 3.2 The site is reasonably levelled on the northern part and sloping upwards towards the southern side, with residential properties located to the east and south. Number 134 Scarletwell Street is located immediately adjoining the northern portion of the application site.

4. PLANNING HISTORY

- 4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013) and Spring Boroughs Neighbourhood.

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

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.

5.4 **Northampton Central Area Action Plan 2013**

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

Policy 24 – Spring Boroughs: Spring Boroughs will be regenerated consistent with encouraging a more balanced community in terms of: age, wealth, household size and reducing the turnover of residents.

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

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

Policy E20 – 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.

5.6 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

5.7 **Other Material Considerations**

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton.

The following policies are relevant to the determination of this proposal:

Policy OP1 – Sustainable Development Principles: New and affordable homes related to local housing demand and the needs of the community; High quality environment for residents,

visitors, community groups and businesses; Infrastructure to support improved leisure, recreational and social facilities; Better connections to adjoining areas: Security for occupiers and users through the use of design principles from “Secured by Design”.

Policy OP2 – Family Housing: Proposals for housing developments within Spring Boroughs will be supported if they contribute toward rebalancing the housing stock to ensure Spring Boroughs offers a range of dwelling types, sizes and tenures to meet local housing needs; Achieve the design principles set out in Policy OP1 including using “Secured by Design”. Proposals for affordable family housing with private outside space will be particularly encouraged.

Policy AB2 – Central Spring Boroughs: Develop central housing area of Spring Boroughs as new residential to include a high proportion of affordable housing suitable for families. The area will include a high proportion of affordable family housing with gardens.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Environment Agency** – No objection subject to a condition requiring details of sewerage infrastructure.
- 6.2 **Lead Local Flood Authority** – Insufficient information is available to comment on the acceptability of the proposed surface water drainage scheme.
- 6.3 **County Ecologist** – Satisfied overall with the ecological appraisal and support its recommendations, in particular regarding the installation of bird and bat boxes. It appears from the site plans that all of the existing trees will be lost and not replaced. Beyond any biodiversity impacts the local air quality, cooling and noise mitigation benefits will be reduced. Would therefore encourage including trees of appropriate species in the site landscaping plans, to return these benefits over time as the trees mature.
- 6.4 **Anglian Water** – No objection subject to a condition requiring the submission of a surface water management strategy.
- 6.5 **Police Crime Prevention Advisor** – have been involved in extensive pre-application discussions before and welcome the aim for Secured by Design is to be achieved. Have concerns on the following aspects:
- the footpath link for plots 11-14 to St Andrew Road should be removed;
 - alleyways shown between houses need to be secured by gates;
 - footpath between parking courts should be removed;
 - lighting for parking courts should be mast mounted white lighting;
 - the land adjacent to 134 Scarletwell Street to be fenced off; and
 - rear boundaries of plots 11 to 13 require a trellis topping to garden fence.
- 6.6 One representation received from an adjacent commercial occupier at **100 Lower Bath Street**, making the following points:
- The proposed work will severely interfere with business during construction.
 - When complete the access will be opposite the entrance to the garage causing road safety issues.
 - Will result in a loss of trade causing closure of the business.
- 6.7 The consultation period has not expired at the time when the report is prepared. Any additional representation received will be reported to the Committee via the addendum.

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, where there is an identified need for additional housing.
- 7.2 The application site is allocated as being within a Primarily Residential Area in the Local Plan and is identified as a housing area in the Spring Boroughs Neighbourhood Plan.
- 7.3 It is considered, therefore, that the principle of residential use would be acceptable and would provide much needed housing supply for the Borough.

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

- 7.4 The proposed dwellings are typical modern semi-detached and terraced dwellings. Neighbouring residential properties in the area are two and three storey houses and maisonettes which have recently been rendered in a white finish. There is also a commercial property adjacent to the site, which is a car repair garage. It is considered that the proposed dwellings would be in keeping with the general character of this area.
- 7.5 It is acknowledged that the current site, with mature trees and open grass area makes a positive contribution to the visual amenity of the locality, although it could be argued that the sites are not particularly usable as recreational space. The loss of trees in this location is regrettable, however, it is important to balance the fact that much needed housing would be provided. The loss of this site is therefore considered acceptable in this instance and the provision of housing on this land is compatible with the aims of the Spring Boroughs Neighbourhood Plan.
- 7.6 Apart from the pair of semi-detached properties located to the northern end of the site, the rest of the development would be set back from St Andrews Road. Appropriate landscaping details and boundary treatment would be submitted and secured by planning conditions. Notwithstanding the fact that the site is very prominent being opposite the main entrance to the station car park, it is not considered that the proposal would cause significant harm to the character and appearance of the area.

Impact on the amenities of adjoining and nearby occupiers

- 7.7 The proposed dwellings have been designed to provide adequate separation from the neighbouring residential occupiers and would not result in any significant overlooking or loss of light to these properties.
- 7.8 Part of the site is adjacent to a school playing field, it is not considered that this would be unduly affected by the proposal.
- 7.9 Objections have been received from the neighbouring commercial premises. In this respect, it is considered that the introduction of further residential properties in this area would not necessarily impact on the continued operation of this business. It is not considered that the application could be refused on these grounds.

Parking and Highway Issues

- 7.10 Parking would be provided on the plot at a ratio of 2.2 spaces per dwelling. This is considered to be an appropriate provision of parking, in particular given the proximity of the site to the town centre.

- 7.11 The proposal would also result in the loss of 43 garages. Whilst some of these are currently in use, garaging across the area would be rationalised due to low usage at present. Therefore it is not considered that the proposal would have an adverse effect on parking.

Drainage and Flood Risk

- 7.12 The application was submitted with a Flood Risk Assessment. Both Anglian Water and Environment Agency has no objection to the application. The Lead Local Flood Authority has commented that insufficient information has been submitted regarding the proposed surface water drainage scheme. The applicant is currently preparing further details on the matter and the Committee will be updated on the issue via the addendum.

Archaeology

- 7.13 Comments from NCC Archaeology is awaited and full details will be reported to the Committee via the addendum.

Ecology

- 7.14 An ecological assessment has been submitted with the application and supported by the County Ecologist. Planning condition will be imposed to secure the provision of bird boxes. The loss of the trees are regrettable, however, an appropriate landscaping scheme will be required and secured by planning condition.

Contamination

- 7.15 A contamination desk top survey has been submitted with the application that shows naturally occurring arsenic on site. A planning condition will be imposed to ensure that necessary mitigation is carried out prior to any development works taking place.

Security of the Site

- 7.16 The comments from the Crime Prevention Officer are noted and will be addressed by the applicant accordingly. The site will be appropriately secured by boundary treatments including fencing and landscaping and also lighting and the details will be secured by appropriate planning conditions.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the proposed development would meet the objectives of the Spring Boroughs Neighbourhood Plan by providing much needed additional housing and that this would have no adverse impact on the amenities of adjoining and nearby.

9. CONDITIONS

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

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

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

Reason: For the avoidance of doubt and to 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 Policy 1 of the Central Area Action Plan.

(4) No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(5) No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(6) A detailed scheme of hard and soft landscaping for the site shall be first submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

(8) The car parking spaces as shown on the approved plan shall be provided prior to the first occupation of the dwellings hereby permitted and shall at all times be reserved and retained for the parking of vehicles and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with the National Planning Policy Framework.

(9) Prior to the occupation of development, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and

approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

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

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure appropriate measures put in place at early stage in interests of health and safety of future occupiers.

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

Reason: To prevent overdevelopment of the site in accordance with Policy 1 of the Central Area Action Plan.

(12) Full details of an external lighting scheme shall be first submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to occupation of the last dwelling house.

Reason: In interest of security to accord with the National Planning Policy Framework.

(13) Details of bird boxes as recommended in the submitted Preliminary Ecological Appraisal dated April 2016 by Focus Ecology shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented fully in accordance with the approved details prior to the first occupation of the dwellings hereby permitted.

Reason: In interests of sound ecological practice to accord with the National Planning Policy Framework.

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

Reason: In order to ensure protection of the existing tree in accordance with Policy 1 of the Central Area Action Plan. This is a pre-commencement condition to ensure that the tree is protected.

10. BACKGROUND PAPERS

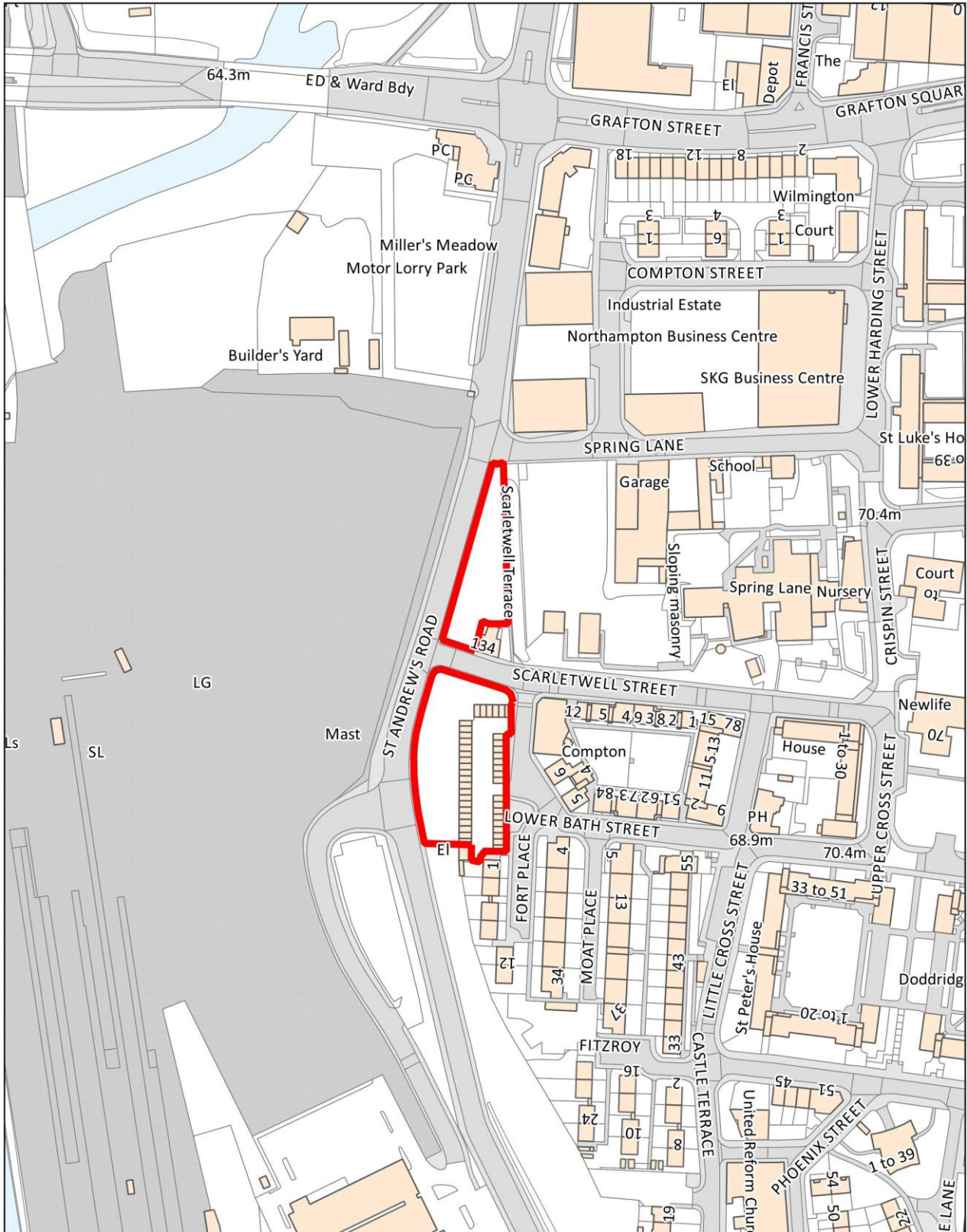
10.1 Application file N/2016/0769.

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>Title: Land at St Andrews Road and Scarletwell Street</p>	<p>Date: 18-07-2016</p>
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PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0771

LOCATION: St Katherines Court, Castle Street

DESCRIPTION: External alterations to tower block including recladding and enclosure of balconies, refurbish communal areas and ground floor extensions

WARD: Castle Ward

APPLICANT: Northampton Partnership Homes
AGENT: rg+p Ltd

REFERRED BY: Director of Regeneration, Enterprise and 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 principle of the proposed development is acceptable and would not have any undue detrimental impact on the appearance and character of the area, amenity of neighbours, security and parking/highway safety and would be consistent with the aims and objectives of the policies of the West Northamptonshire Joint Core Strategy, Northampton Central Area Action Plan, Northampton Local Plan, Spring Boroughs Neighbourhood Plan, National Planning Policy Framework and Planning Out Crime in Northamptonshire SPG .

2. THE PROPOSAL

2.1 The application proposes to refurbish/extend the 9 storey tower block and remodel the space around it in order to improve amenity for local residents. The distinct elements of the scheme can be summarised as follows:

- New external cladding to improve appearance and energy efficiency.
- Enclose balconies with glazing, and provide external planting boxes.
- New ground floor extension to create improved entrance and communal area, new cycle, buggy and bin stores.
- Remodel the open space and security arrangements around the tower block.

3. SITE DESCRIPTION

- 3.1 The application relates to a 1950's tower block (9 storeys) comprising 39 one bedroom flats. The site is located in an area south of Castle Street between Phoenix Street and Pike Lane, in a wider residential area of varying housing types and design.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013) and Spring Borough Neighbourhood Plan.

5.2 National Policies

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

Section 6 – Delivering a wide choice of high quality homes.

Section 7 – Requiring good design.

Section 8 – Promoting healthy communities.

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:

H1 – Housing.

S10 – Sustainable development principles.

5.3 Northampton Central Area Action Plan 2013

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

Policy 1 – Promoting Design Excellence.

Policy 24 – Spring Boroughs. This policy supports the regeneration of the area in circumstances where much of the housing stock in the borough is of poor quality and there is need to improve inadequate standards of amenity for residents.

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 – New development (design).

5.5 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton. The Plan seeks to support proposals which improve the quality of the environment, community facilities, infrastructure, security and connectivity.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Ecology** - The County Ecologist has stated that providing the recommendations of the ecological report are implemented the impacts on biodiversity will be negligible. Attention is drawn to the need to protect nesting birds.
- 6.2 **Police Crime Prevention Adviser** – have previous discussions with the applicant on the proposal; security advice on access doors, windows, letter boxes, lift and access control. Development to accord with principle of Planning Out Crime.
- 6.3 The consultation period has not expired at the time when this report is prepared. Any additional representation received will be reported to the Committee via the addendum.

7. **APPRAISAL**

- 7.1 This application seeks to refurbish a 1950's tower block to improve the amenity of its residents, and of the surrounding area. The main issues to be taken into consideration are the principle of the proposals, and impacts on visual amenity and amenities of neighbours, contamination and ecology.

Principle

- 7.2 The thrust of national and local policy is to seek sustainable improvements to the local environment, and housing stock. The proposed measures to improve the living conditions, and external appearance of the building and immediate surroundings are therefore in accordance with these aims.

Impact on Amenity

- 7.3 The building is currently faced in light buff brick with buff coloured concrete window surrounds. It has open balconies with metal railings set in a linear central strip on the northern and central elevations. A key feature of the renovation works is to enclose the open balconies with sliding, partially opening glazed balustrade panelling. Planters will be provided on the external side of the glazing to balconies. Curtain walling will close off the open staircase on the eastern elevation.

- 7.4 With the exception of the ground floor, the entire building is to be clad in a durable, weatherproof laminate material. The proposed colour scheme consists of a palette of three different colours (Grey, Off-White and Yellow) laid in a linear theme. A contrasting brick is to be used on the ground floor extensions, with use of stone on areas of new walling.
- 7.5 The size of the building will mean that cladding will be visible for some distance. However the proposed colours are subdued and pastel in nature and therefore not considered to be obtrusive. It is considered that the proposed use of glass, cladding and planters will enhance the modernist design of the original building, and will improve the appearance of the building and the surrounding area.
- 7.6 New flat roofed extensions are proposed at the ground floor level to the front and western elevations of the building to create an improved entrance, bin and cycle/buggy storage areas. The horizontal emphasis of the extensions sits well with the defined linear features of the existing building and therefore acceptable in design terms.
- 7.7 The ground floor extensions will project a further 10m to the west. Two modestly sized bungalows (52 & 54 Doddridge Street) which also face north are located in this area. The amenities of the occupiers of these dwellings are not considered to be adversely affected as there will be a separation distance of some 11m between the extension and the front of the nearest dwelling, the extension will be offset so it will not be dominant from frontal aspects from the bungalows. As the entrance to the bin storage area will be to the front, any disturbance through noise to the occupiers of Nos 52 & 54 should be minimised and will improve the existing arrangements where the doors are sited towards Nos 52 & 54.
- 7.8 The existing grounds around the building are open and consist of areas of lawn bounded by mature hedging and interspersed with several trees. The open space is prone to fly tipping, and requires considerable maintenance. The proposal includes remodelling the open space and security arrangements around the tower block. The Crime Prevention Officer was closely involved in the pre-application stage. Measures of security include:
1. Replacing the grassed area to the front with pavements and low maintenance amenity planting.
 2. Provision of low stone wall benches incorporating lighting.
 3. A section of 2m high fence will enclose part of the perimeter of the site.
 4. Paths to be resurfaced with resin bonded gravel.
 5. New fire escape doors will be secured with 2.1m high palisade fencing.
 6. A functional residents grow garden is proposed in the south eastern area of the open space.
- 7.9 These proposals will visibly improve the immediate environment around the building. The proposals are considered to be acceptable and will have a positive effect on a building and area in need of upgrade.

Contamination

- 7.10 A large underground oil tank lies adjacent to the western elevation of the tower block in the area where the proposed extension is to be built. The fuel tank must be decommissioned before it can be built over. A desk top study accompanying the application has identified possible contaminants on site. In line with the findings of the study, planning conditions are recommended which require further investigation into potential contamination, the submission of a remediation scheme and the implementation of the agreed remediation scheme.

Ecology

7.11 A preliminary ecological appraisal has been submitted in support of the application. The study has recommended a bird box should be installed at the site and new planting and landscaping to provide for nesting and foraging opportunities. Planning conditions are therefore recommended to provide such installation including retention of existing trees on site.

8. CONCLUSION

8.1 The proposals accord with national and local policy, and will result in improving the character and appearance of the building and the area. It is therefore recommended that planning permission should be granted subject to the following conditions.

9. CONDITIONS

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

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

2. The development hereby approved shall be carried out in accordance with the following approved plans: 40611/013D, 40611/014, 40611/015D, 50147/01.

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

3. Prior to the commencement of the extension hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the prior approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed),
 - adjoining land,
 - ground water and surface water,
 - ecological systems,
 - archaeological site.
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

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

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

6. Details of the materials and glazing to be used for the external surfaces of the building and surface material for the pathways and other hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the commencement of the use of the extension hereby approved.

Reason: To ensure that the proposed development does not prejudice the appearance of the building and the visual amenities and character of the locality in accordance with Policy 1 of the Central Area Action Plan.

7. Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first use 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 1 of the Central Area Action Plan.

8. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan. This is a pre-commencement condition as details of external appearance are fundamental to the development.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

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

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

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure trees are protected.

11. Full details of the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the commencement of the use of the extension hereby permitted and the agreed details retained thereafter.

Reason: In the interests of wildlife conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

12. Details of the type and location of a bird box at the site shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the commencement of the extensions hereby approved and retained thereafter.

Reason: In the interests of wildlife conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy.

Informative:

The applicants attention is drawn to the possibility that the Preliminary Ecological Appraisal may need to be updated in the event development does not commence within 12 months of the date of this decision.

10. BACKGROUND PAPERS

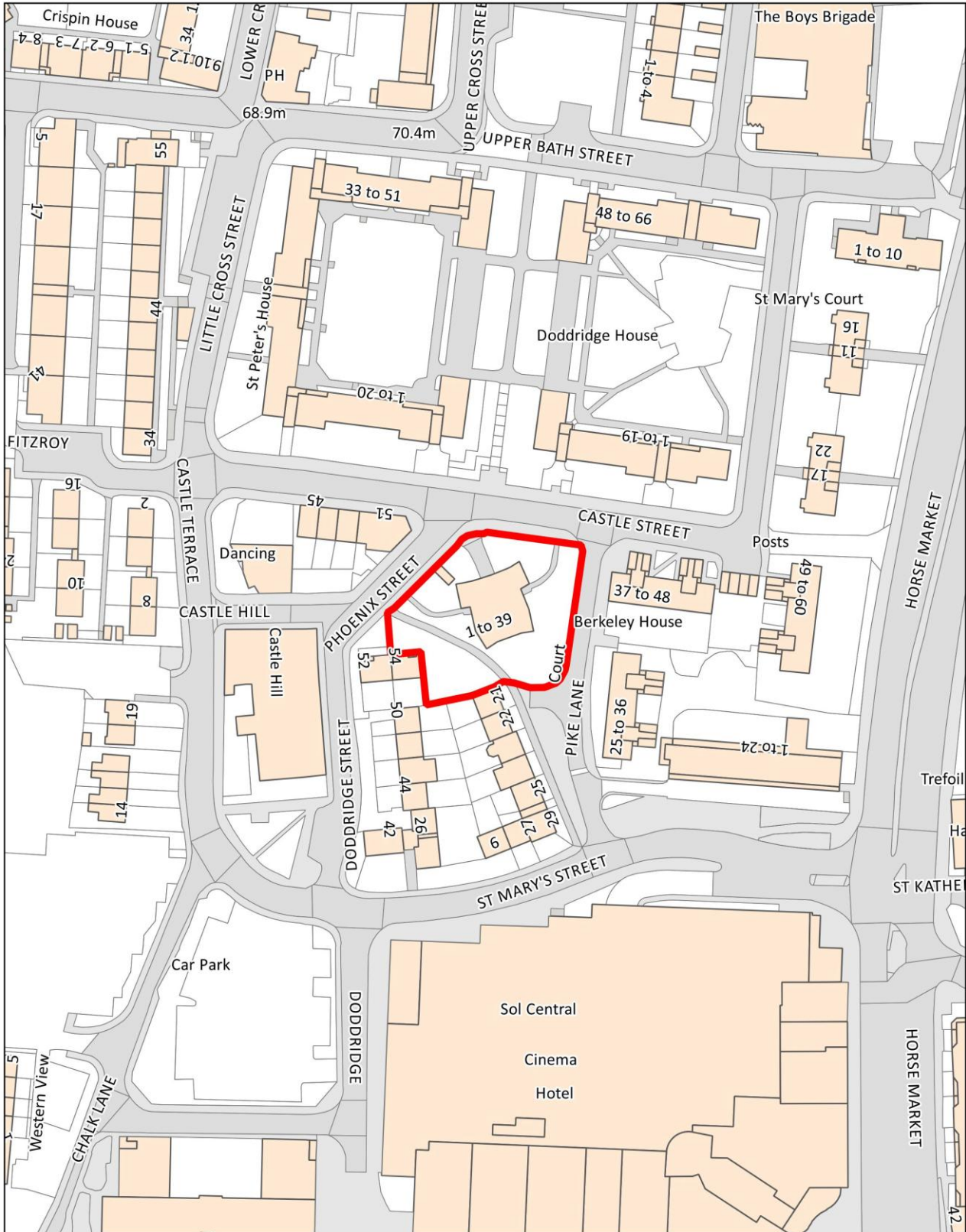
10.1 Application File N/2016/0565.


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: St Katherines Court</p>	<p>Date: 14-07-2016</p>
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PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0772

LOCATION: 33 Little Cross Street

DESCRIPTION: Demolish existing flats and erect three storey building with nine flats on ground floor and nine maisonettes on upper floors

WARD: Castle Ward

APPLICANT: Northampton Partnership Homes
AGENT: rg+p Ltd

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to planning conditions and for the following reason:

The proposed development would have no detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area, and would represent an appropriate use for the site. The proposed development would therefore comply with Policies S2, S3, S9, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy, Policy 24 of the Central Area Action Plan, Policies, Polices H6, H17, H32, E20, E40 of the Northampton Local Plan Policies OP1, OP2, OP5 and AB2 of the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the demolition of the existing flats and the erection of a two to three storey building comprising 9 flats on the ground floor and a further 9 maisonettes on the upper floors.

2.2 The current site (when occupied) provided 23 one bedroom units that were occupied as social rented housing. The proposal seeks to provide 9 one-bedroom flats and 9 two-bedroom maisonettes with a private roof terrace, which again will provide social rented housing for the area.

- 2.3 Currently there are 13 parking spaces adjacent to the site, these are outside the application site boundary and they are shown to be retained. On-street parking in this area is controlled through a residents permit scheme.
- 2.4 The scheme has been designed taking account of the principles of Secure by Design and seeks to provide natural surveillance along the length of Little Cross Street and within the amenity space. The properties also have individual entrances, rather than communal entrances.

3. SITE DESCRIPTION

- 3.1 The site comprises a two storey block of flats also incorporating a convenience store. The flats have been vacated and are now in a dilapidated condition and are fenced off.
- 3.2 The current site is set down in level from Little Cross Street, which forms the eastern boundary of the site. Lower Bath Street, to the North and Fitzroy Place to the South form the other boundaries and as they both have a slight gradient are on the same level as the amenity area between the existing blocks of flats.
- 3.3 The area has some mature landscaping and some attractive street trees that provide some pleasant vistas, particularly in areas where work has taken place.
- 3.3 Spring Boroughs has been the subject of various initiatives work with residents and agencies, to enhance the area and to reduce crime and anti-social behaviour and as part of this work, some of the flats have been improved others are being replaced.

4. PLANNING HISTORY

- 4.1 Consent was granted under the Prior Notification procedures, for the demolition of the existing two storey building and associated structures on the site on 28th April 2016. At that time the developers' attention was drawn to the fact that the site has the potential for archaeological remains to exist and consideration should be given to this when carrying out demolition and when proposals for redevelopment of the site are brought forward.

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and Spring Boroughs Neighbourhood Plan.

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

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.

5.4 Northampton Central Area Action Plan 2013

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

Policy 24 – Spring Boroughs: Spring Boroughs will be regenerated consistent with encouraging a more balanced community in terms of: age, wealth, household size and reducing the turnover of residents through appropriate provision of housing management, housing types and tenures, access to necessary social and physical infrastructure. In addition proposals should seek to enhance the setting of the Castle Mound and Grade II Listed Castle Hill United Reform Church.

5.5 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – 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.

5.6 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

5.7 **Other Material Considerations**

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton.

The following policies are relevant to the determination of this proposal:

Policy OP1 – Sustainable Development Principles: New and affordable homes related to local housing demand and the needs of the community; High quality environment for residents, visitors, community groups and businesses; Infrastructure to support improved leisure, recreational and social facilities; Better connections to adjoining areas: Security for occupiers and users through the use of design principles from “Secured by Design”.

Policy OP2 – Family Housing: Proposals for housing developments within Spring Boroughs will be supported if they contribute toward rebalancing the housing stock to ensure Spring Boroughs offers a range of dwelling types, sizes and tenures to meet local housing needs; Achieve the design principles set out in Policy OP1 including using “Secured by Design”. Proposals for affordable family housing with private outside space will be particularly encouraged.

Policy OP5 – Streets, Movement and Parking. The Neighbourhood Plan supports proposals which increase conductivity between Spring Boroughs and the wider area, particularly by direct, overlooked pedestrian routes, provided that they adhere to the principles set out in OP1. Pedestrian routes should be reconfigured to design out crime and proposals should show and increase in kerbside parking for residents and local businesses.

Policy AB2 – Central Spring Boroughs: Develop central housing area of Spring Boroughs as new residential to include a high proportion of affordable housing suitable for families. The area will include a high proportion of affordable family housing with gardens.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Environment Agency** - the site is considered to be of low environmental risk. No objections are raised.

6.2 **Anglian Water** - the preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with a connection to sewer seen as the last option. The Flood Risk Assessment submitted is unacceptable to Anglian Water. A condition is proposed requiring the submission of a surface water management strategy.

- 6.3 **NCC Local Lead Flood Authority** - insufficient information has been provided within the flood risk assessment. Further information has been requested.
- 6.4 **NCC Highways and Access** - it is noted that the development only provides 12 parking spaces. These are not allocated, but they are within a controlled parking zone. Given that this is a relatively sustainable location and there are fewer units than within the previous development. No objections are raised, although it is recommended that a travel pack is provided to new residents to promote bus and cycle usage.
- 6.5 **NCC Archaeology** - the proposed development is in an area of archaeological sensitivity, specifically the civil war defences to the south and eastern side of the site. It is likely that if any archaeological deposits are present, they are likely to be at some depth. A geotechnical works to be undertaken in conjunction with the development could inform both an enhanced heritage assessment and inform a mitigation strategy.
- 6.6 **NBC Arboriculture Officer** - in the absence of an arboriculture report, further information is required in respect of methods of protection of the trees on the site during demolition and construction. Concerns have also been expressed regarding some of the species shown in the landscaping plan.
- 6.7 **Northamptonshire Police** - have had extensive pre application discussions with both the architect and Northampton Partnership Homes and given advice throughout the process. There is a live Secured by Design application for the site and therefore no concerns have been raised regarding what is proposed. All of the suggestions made by the Police have been included in the final design although, no provision for cycle storage on the plan. This will be referred to the agent for update prior to the meeting.
- 6.8 **Friends of Northampton Castle** - concern regarding the impact on archaeology in the area, but note that the proposal offers new opportunities to discover new remains. The Friends of Northampton Castle would like to work with the applicant to explore opportunities.
- 6.9 One letter has been received that raises concerns regarding disruption during the course of construction, the need to improve existing road quality and infrastructure, lack of parking in the area and the need to implement a workable parking system.
- 6.10 The letter also asks if the retail unit is to be replaced. This is the subject of a separate application N/2016/0773, which relates to a single storey extension to St Peters House to provide a retail unit.

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, where there is an identified need for additional housing. In this instance whilst the number of units is a reduction on the previous development, the accommodation meets the local needs for Northampton by providing addition two bedroom units, which are to be of affordable rent tenure.
- 7.2 The application site is allocated as being within a Primarily Residential Area in the Local Plan and is identified as a housing area in the Spring Boroughs Neighbourhood Plan.
- 7.3 It is considered, therefore, that the principle of residential use would be acceptable and would provide much needed housing supply for the Borough.

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

- 7.4 The proposed flats comprise 9 flats on the ground floor and 9 maisonettes on the first floor. The maisonettes are indicated to provide a kitchen/living room on the second floor, which leads to a roof terrace. The addition of the second floor element provides a variation to the street scene.
- 7.5 Neighbouring residential properties in the area are mainly two/three storey flats which have recently been rendered in a white finish. There is a public house that is closed and some nearby retail units close to the site. It is considered that the proposed dwellings whilst of a modern design and finish would be in keeping with the general character of this area.

Impact on the amenities of adjoining and nearby occupiers

- 7.7 The proposed dwellings have been designed to provide adequate separation from the neighbouring residential occupiers and would not result in any overlooking or loss of light to these properties although the amenity area does demonstrate natural surveillance in line with the principles for Secure by Design.
- 7.8 One objection has been received from a local resident raising concerns about noise and disturbance during construction. This has been addressed by a condition requiring a construction environmental management plan, which will address issues such as mitigation measures to include dust and noise reduction procedures, hours of working and haul routes for construction vehicles.
- 7.9 The objector also raised concern regarding the loss of the retail unit that forms part of the current development. This is the subject of a separate planning application for a new retail unit.

Parking and Highway Issues

- 7.10 A Transport Statement has been submitted with the application. This has been considered by the Local Highway Authority and no objections have been raised.
- 7.11 Parking has not been provided as part of the scheme, but a permit parking scheme operates in the area. This is considered to be an appropriate provision of parking, in particular given the proximity of the site to the town centre.
- 7.12 The objector has raised concerns about the provision of parking in the area and the current scheme. This is currently managed by NCC Highways and is not for consideration as part of this proposal, given that no objections have been raised by the Highway Authority.
- 7.13 NCC Highways have requested that travel packs are provided for future occupants of the proposed flats, to encourage residents to encourage sustainable travel measures, such as cycling or bus travel. Given the proximity to the town centre, the properties are already within an easy walking distance of the bus and railway stations. However, it may be possible to provide such information on a central basis at the Community Hub or its future replacement. Discussions will take place separately with the applicant, to see if this can be encouraged. This would be of wider benefit to the community rather than just the 18 units proposed.

Drainage and Flood Risk

- 7.14 The application was submitted with a Flood Risk Assessment. Both Anglian Water and Environment Agency has no objection to the application. The Lead Local Flood Authority has commented that insufficient information has been submitted regarding the proposed surface water drainage scheme. The applicant is currently preparing further details on the matter and the Committee will be updated on the issue via the addendum.

Archaeology

- 7.15 Comments from NCC Archaeology have been received and whilst it is expected that any archaeology will be at a much deeper level than the works proposed, a condition has been imposed requiring a programme of works to be supplied.

Trees and landscaping

- 7.16 The site currently has three trees within the existing development; a pine on the northern edge of the site and two Sorbus sp. (Rowan) located to the west of the existing building. Whilst these are shown to be retained, further information has been sought from the agent as to the protection of the Rowan during the course of demolition of the existing and construction of the proposed building, given their proximity to the existing.
- 7.17 A landscaping scheme has been submitted with the application, although the Council's Arboriculture Officer has raised concerns about some of the species proposed. This will be discussed with the agent.

Ecology

- 7.18 The application has been accompanied by a Bat Survey. Whilst the presence of bats in the area has been noted, it is not believed that any are roosting in the buildings to be demolished. The Construction Environmental Management plan will take note of procedures should evidence of bats be observed during the demolition of the building.

Contamination

- 7.19 A contamination desk top survey has been submitted with the application that shows naturally occurring arsenic on site. In this instance, as the site has been in residential use for a number of years and the properties will not have gardens, where foodstuffs could be grown and therefore the risk to human health is considered low. A planning condition will be imposed to ensure that necessary mitigation is carried should contamination be found during the course of construction.

Security of the Site

- 7.20 The comments from the Crime Prevention Officer relating to cycle storage are noted and will be addressed by the applicant accordingly. The site will be appropriately secured by boundary treatments including fencing and landscaping and also lighting and the details will be secured by appropriate planning conditions.

Affordable Housing

- 7.21 The proposal would provide 100% social rented units. The site is owned by the Borough Council and the development will be carried out by Northampton Partnership Homes. No S106 agreement is therefore required in this instance as ultimately the Council will provide the necessary affordable units in accordance with Corporate objectives.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the proposed development would meet the objectives of the Spring Boroughs Neighbourhood Plan by providing much needed additional housing and that this would have no adverse impact on the amenities of adjoining and nearby.

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 approved plans scheduled.

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

3) No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and completed fully in accordance with the approved details and the approved implementation programme and maintained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable investigation to take place early.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

6) All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development. This is a pre-commencement condition to ensure adequate protection of the trees within or adjacent to the site.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

7) 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

8) No demolition or development approved by this permission shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to the following details: (a) Lorry routing and traffic management (including control of delivery of materials) (b) Noise control measures (c) Dust control measures (d) Site waste management (e) Working hours (f) Measures to prevent pollution of ground and surface water (g) Measures to protect areas of vegetation and wildlife within the vicinity of the development during construction works (h) Compliance with requirements relating to nature conservation specifically protected species (i) Details of how the CEMP will be monitored on site. Development shall thereafter be carried out in accordance with the details as approved and within agreed timescales.

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

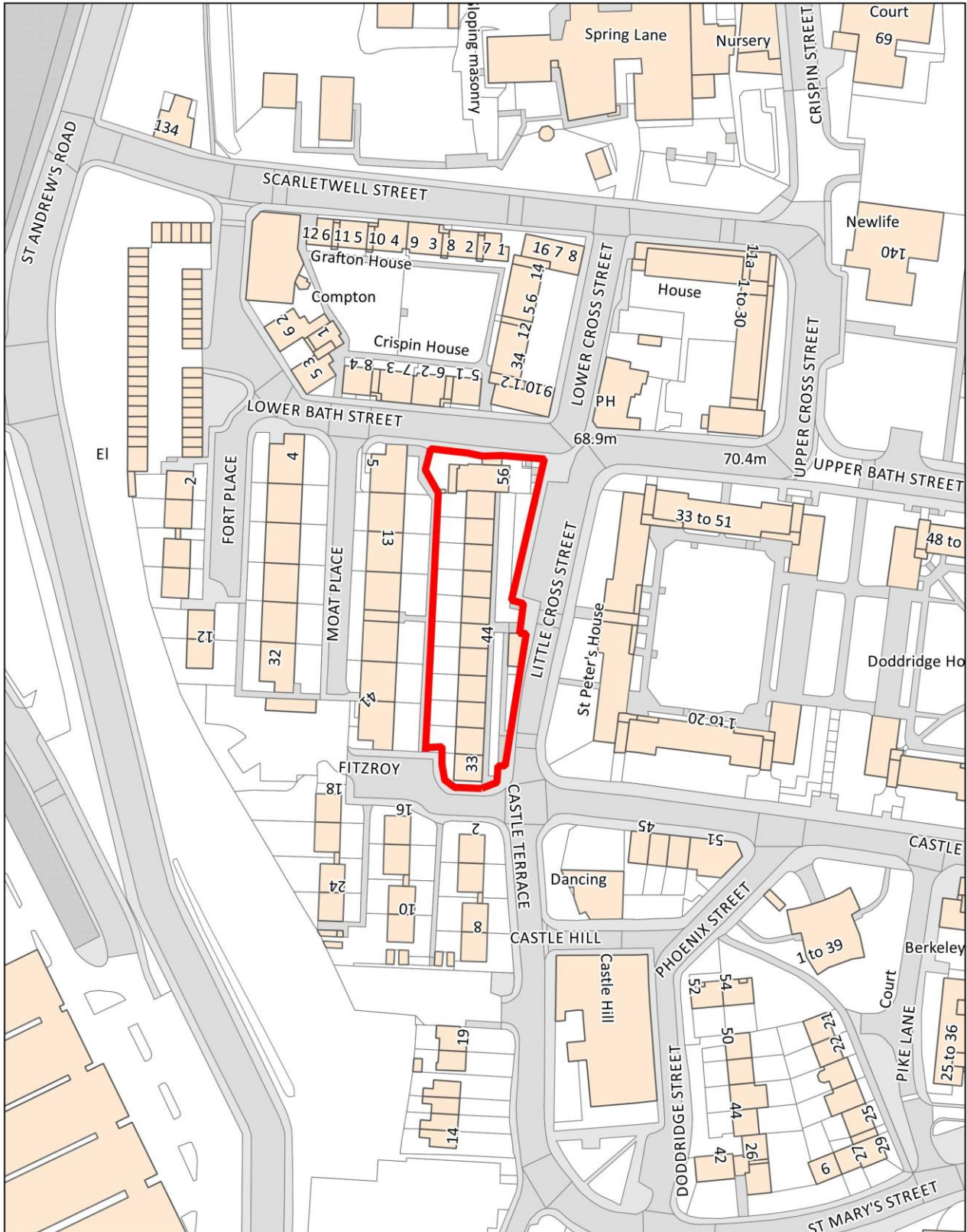
10.1 N/2016/0772

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: **33 Little Cross Street**

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Date: 14-07-2016

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0773

LOCATION: St Peters House, Castle Street

DESCRIPTION: Erect single storey building for convenience store
WARD: Castle Ward

APPLICANT: Northampton Partnership Homes
AGENT: rg+p Ltd

REFERRED BY: Director of Regeneration, Enterprise and 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 retail unit is considered acceptable in principle in an established residential area and would not have an undue detrimental impact on the appearance and character of the area, amenity of neighbours or highway safety to comply with Policy 1 of the Central Area Action Plan, Policy OP1 of the Spring Boroughs Neighbourhood Plan, S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application relates to the erection of a single storey building to provide a retail unit (Use Class A1) with a floor area of 122sqm, which is intended to provide a convenience store to serve the local area.
- 2.2 The retail unit is to be located on a vacant grassed area of the St Peters House residential development on the corner of Little Cross Street, opposite its current location. The site would have originally formed part of the landscaping area. The retail unit also utilises an existing refuse store that whilst intended for use by the residents, it has been a potential location for crime and anti-social behaviour.
- 2.3 The development has been designed in character with the main building and links with the current refuse store for the development. A new refuse store for the retail unit is located at the rear of the unit, in a secure area, to avoid unauthorised access.

- 2.4 As part of the redevelopment and regeneration of the area, the residential block that currently includes the existing retail unit Nicky's News in Little Cross Street is to be demolished and a proposal for residential accommodation is the subject of a separate application to be considered at this meeting of the Planning Committee.

3. SITE DESCRIPTION

- 3.1 The site is within a predominantly residential area of Spring Boroughs and Little Cross Street provides one of the main links between the neighbourhood and the Town Centre.
- 3.2 St Peters House is a three storey flatted development constructed in a simple style with balconies and finished in a white render. The frontage has a uniformed appearance being set the same distance back from the highway along the complete frontage.
- 3.3 The landscaped area around the flats is predominantly grassed, with some shrubs and a few mature trees in the corners of the site. Other street trees add to the overall open feel to the area.

4. PLANNING HISTORY

- 4.1 There is no relevant planning history associated with this site, although the Spring Boroughs Neighbourhood Plan sets out proposals for the regeneration of the area.

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, Central Area Action Plan and the adopted Spring Boroughs Neighbourhood Plan.

5.2 National Policies

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

Paragraph 14 supports sustainable economic development.

Paragraph 17 - advises on the need to proactively drive and support sustainable economic development; seek high quality design; encourage the effective use of land.

Paragraph 19 - places considerable weight on the need to support sustainable economic growth, operating to encourage and not act as an impediment to sustainable growth.

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

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

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 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 – seeks, amongst other things, to achieve high standards of sustainable design; protect, conserve and enhance the natural environment and built environment; and minimise pollution from noise, air and run off.

Policy N1: Regeneration of Northampton – supports development in the Town Centre and Central Area for office, retail, leisure and service development providing high quality urban design and public realm, and protecting heritage assets and historic character through managed change. It further supports proposals that address factors of deprivation within communities such as Spring Boroughs.

Policy N11: Supporting Areas of Community Regeneration aims to support the regeneration of Spring Boroughs by working in partnership with service providers and the community to address the key principles of delivering inclusive, sustainable communities which includes creating local opportunities for employment and business development. This policy also is the policy context for the Spring Boroughs Neighbourhood Plan.

5.4 **Northampton Central Area Action Plan 2013**

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

Policy 24 – Spring Boroughs: Spring Boroughs will be regenerated consistent with encouraging a more balanced community in terms of: age, wealth, household size and reducing the turnover of residents through appropriate provision of housing management, housing types and tenures, access to necessary social and physical infrastructure. In addition proposals should seek to enhance the setting of the Castle Mound and Grade II Listed Castle Hill United Reform Church.

5.5 **Supplementary Planning Documents**

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

5.6 **Other Material Considerations**

Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton.

Policy OP1 relates to Sustainable Development Principles and supports development within the Neighbourhood Plan area that provides new and affordable homes, a high quality environment for residents, visitors, community groups and businesses and infrastructure to support improved leisure, recreational and social facilities. It further adds the need to incorporate “Secured by Design” principles, as set out in the Planning Out Crime SPG referred to above.

The policy continues that development should have regard to the principles set out in the Neighbourhood Plan and be mindful of the amenity of nearby residents, the character and appearance of the local area in which it is located and the social, built, historic, cultural and natural heritage assets of Spring Boroughs.

OP5 relates to streets movement and parking and seeks to improve connectivity in Spring Boroughs and increase kerbside parking for residents and businesses.

AB Policy 2: Central Spring Boroughs relates to the development of the central housing area of Spring Boroughs as new residential development to include a high proportion of affordable housing suitable for families.

Whilst the retail unit is not specifically referred to within AB Policy 2, the retail unit replaces one to be demolished and seeks to meet the needs of the community.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows;

- 6.1 **NCC Highways and Access** – no objections.
- 6.2 **Northamptonshire Police** – Extensive pre-application discussions took place with the applicant and some of the matters have been addressed. Concern is expressed about the privacy and disturbance of residents and fencing of the grassed area to the front of St Peter’s House was discussed. However, the design of fence indicated could encourage people to sit outside the shop which could result in noise and anti-social behaviour. A CCTV camera has also been requested. This would be off the site and would ideally serve Little Cross Street towards St Katherine’s.
- 6.3 **NCC Archaeology** – Although the site is outside the main area of archaeological interest, there is still the potential for evidence of archaeology to be discovered during the course of the works. It is therefore suggested that a condition is added to allow access during the course of works.
- 6.4 **NBC Public Protection** have raised concerns about the potential for noise and disturbance of residents connected with construction management, opening hours, deliveries and any refrigeration units. Further information is also sought relating to the bin storage area, as the proposal would reduce the amount of space currently provided and the layout of the retail unit, to ensure compliance with the Food Safety Regulations. Conditions have been imposed to address these comments.
- 6.5 **Friends of Northampton Castle** – response received in respect of the redevelopment of the adjacent site, but no comments relevant to this application.

6.6 At the time of writing this report the consultation period had not expired. As a result, any outstanding responses from Technical Consultees and any representations will be reported at the meeting via the addendum.

7. APPRAISAL

Principle of retail development

7.1 The principle of retail development in this location has been established in that there was a small retail newsagents/convenience store close to this site in Little Cross Street, which is in disrepair and is to be demolished as part of the redevelopment of the site for housing. This is the subject of a separate application (N/2016/0772).

7.2 Policy N1 of the West Northamptonshire Joint Core Strategy seeks to implement the regeneration of Spring Boroughs and address factors of deprivation. Policy N11 further supports the regeneration of the area and seeks to create a sustainable community which also creates local opportunities for employment and business development.

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

7.3 The retail unit utilises an existing refuse store of 18.5sqm to create a single storey extension to the front of the existing residential block, on what is currently a grassed open area. The area currently includes some shrubs and hedging.

7.4 The main building is set back from the highway by approximately 11.5m and the depth of the retail unit is approximately 9m, although the ramp to serve the premises, extends to the edge of the footway.

7.5 Located on the corner of the junction of Castle Street and Little Cross Street, is a mature Cherry tree in the footway. This is shown to be retained. However, a further Purple Leafed Plum tree close to the junction, in Little Cross Street, is shown to be removed. This tree is not the subject of a Preservation Order or any other form of statutory protection. It is not considered that its removal would cause significant harm to the amenity of the area.

7.6 The addition of a retail unit in this location would stand forward of the residential block and would appear to be a prominent feature in the street scene, however this is not considered to be unacceptable in terms of design and impact on the scene.

Impact on the amenities of the adjoining and nearby occupiers

7.7 The retail unit would be located below the existing residential properties and concerns have been raised by Environmental Health Officers that the flats may be affected by noise arising from opening hours of the shop and deliveries.

7.8 The application seeks opening hours of 06.30-19.30hrs seven days a week (including bank holidays). Discussions have taken place with the applicant proposing that these times are reduced to 07.30-19.30hrs. In addition the Environmental Health Officer has proposed that delivery times shall be restricted to between 08.00 and 20.00hrs every day.

7.9 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. The applicant has agreed to such a condition.

Parking and Highway Issues

- 7.10 The parking area outside the St Peters House is currently permit holder only parking and there is restricted parking in the area. However, the retail unit is intended to serve the local community and is therefore considered to be a sustainable location.
- 7.11 The Highway Authority is yet to comment on the application and an update of any comments, will be provided for the meeting.

Other Matters

- 7.12 Given that the retail unit is within a residential area, it is considered that it would be appropriate to impose a condition requiring the submission of a Construction Environmental Management Plan, which will consider issues such as hours of work, considerate workforce requirements and any proposed delivery/haul routes. This could be a joint document with the adjacent residential redevelopment scheme, but it will offer a level of protection for local residents.
- 7.13 Following discussions with Northamptonshire Police Crime Prevention Design advisor, measures have been incorporated into the design to minimise crime and anti-social behaviour. The fence indicated on the submitted drawings has raised concerns as it has the potential to encourage people to congregate and sit on the fence. The agent has agreed to supply amended details of the fence, in line with that sought by Northamptonshire Police, prior to the meeting.
- 7.14 Whilst a request for an off-site CCTV has been sought, it is considered that this is more appropriately dealt with through the adjacent residential application.

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. Prior to the submission and during the consultation exercise on the Neighbourhood Plan residents expressed a wish to see the retail unit retained. This offers an acceptable alternative to the current site.
- 8.2 The proposed development would add to the regeneration of the area and utilise an area of land that is currently underused. 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 is considered that there are no alternative 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.

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: site location plan: 40720/001A, Ground floor plan: 40720/009B, retail sections: 40720/006D, Retail elevations: 40720/005F, Landscape proposals: 50126/003.

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

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

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policies 1 of the Central Area Action Plan and S10 of the West Northamptonshire Joint Core Strategy.

(4) 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.

(5) Full details of all external lighting and CCTV shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

(6) A scheme shall be first submitted to and approved in writing by the Local 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.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

(8) The retail unit hereby approved shall not remain open to the public between the hours of 7.30pm and 7.30am 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.

(9) 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.

10) Prior notice shall be given to the Local Planning Authority of the exact date on which it is proposed that construction of the development hereby permitted is to begin. During the construction period representatives of the Local Planning Authority shall be allowed access to the site in order to observe and inspect all excavation works and record all findings of archaeological interest. If required they shall be allowed to excavate such remains, provided that this shall not interfere unreasonably with the progress of the development.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

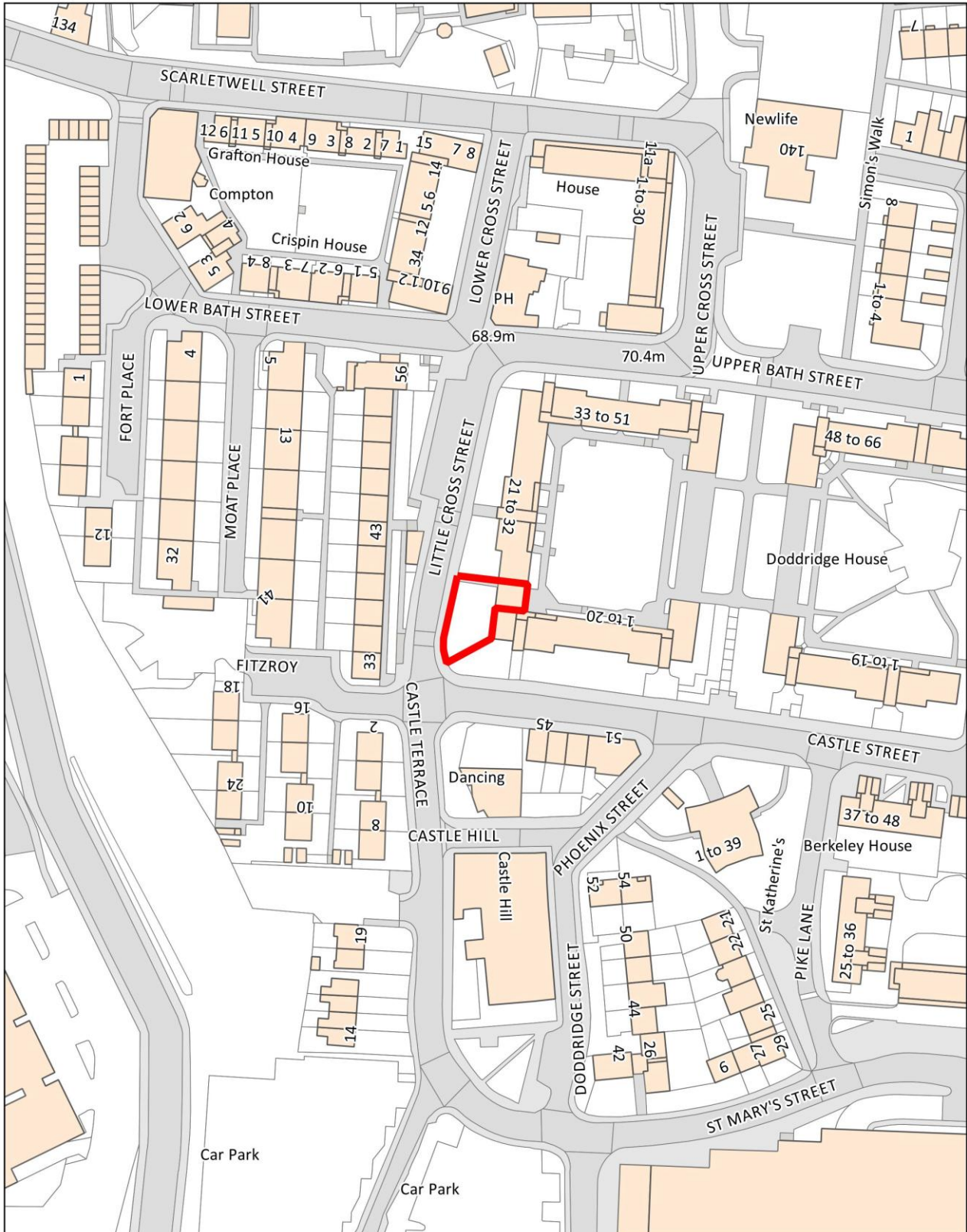
10.1 N/2016/0773

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: **St Peters House, Castle Street**

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Date: 14-07-2016

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 26th July 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0791

LOCATION: 44 - 46 St Giles Street

DESCRIPTION: Change of Use of Ground Floor Shop (Use Class A1) to Restaurant (Use Class A3) to be incorporated into neighbouring restaurant premises

WARD: Castle Ward

APPLICANT: Mr C MENESKE
AGENT: Design Board-Architectural Services

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

The proposed development would exacerbate the level of non-retail uses within an allocated secondary frontage to the detriment of the viability and vitality of the centre. The proposal therefore fails to comply with the requirements of the National Planning Policy Framework and Policies 12 and 13 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

2.1 The applicant seeks planning permission to change the use of the property from a shop to a restaurant. This would operate in conjunction with the restaurant that already occupies part of the ground floor of the building.

3. SITE DESCRIPTION

3.1 The application site consists of a large unit occupying a prominent position within St Giles Street. This road is allocated as a secondary retailing frontage within the Central Area Action Plan and as a consequence, establishes minimum levels of retailing that should be retained. The surrounding land uses are a combination of retailing and other commercial facilities; however, the upper floors of the application site are in use as flats.

4. PLANNING HISTORY

4.1 N/2011/0928 – Change of use of ground floor to residential and shop - Approved

5. PLANNING POLICY

5.1 Statutory Duty

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

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

5.3 National Policies

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

5.4 Paragraph 23 is of particular relevance. This recognises the importance of town centres as the heart of a community and as a consequence, there should be a significant proportion of retailing (meeting a diverse set of demands) available. In achieving this, there should be a variety of retail units (in terms of sites) to meet this requirement.

5.5 Paragraph 17 states that planning seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings and to conserve heritage assets in a manner appropriate to their significance. Paragraph 129 also requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal.

5.6 West Northamptonshire Joint Core Strategy (2014)

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

5.7 Policy S10 (Sustainable Development Principles) requires that developments be of a good design and the occupiers of neighbouring properties are not unduly impacted through noise.

5.8 Policy BN5 also requires that heritage assets are conserved in manner that it consistent with their significance.

5.9 Northampton Central Area Action Plan 2013

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

- 5.10 Policy 12 of the CAAP identifies the appeal site as falling within the Primary Shopping Area and as a consequence, there is a policy presumption in retaining retailing within locations such as this in order to support the town centre's viability and vitality. This requirement is expanded within Policy 13, which states that that in primary retail frontages; the level of retailing should not significantly fall below 60%.
- 5.11 Policy 1 (Promoting Design Excellence) requires that developments be of a good design and makes efficient use of the land, whilst providing a wider range of choice for users.

6. CONSULTATIONS/REPRESENTATIONS

- 6.1 **Environmental Health** – Recognise that the development would utilise the existing extraction system; however, in the event of an approval, a condition relating to noise controls is recommended.
- 6.2 At the time of preparing this report, the consultation period had yet to conclude. Therefore any further consultations responses will be brought to members attention by means of an addendum, which will be circulated prior to the committee meeting commencing.

7. APPRAISAL

- 7.1 The application site is located within a secondary retail frontage. The CAAP requires that 60% of the frontage should be maintained for retailing purposes in order to allow the frontage to fulfil its function. Should this development go ahead then the level of retailing within the frontage, which runs from 34-72 St Giles Street, would fall to 47%, and it is doubtful as a result that the street would be able to fulfil its role as a secondary retail frontage. The proposal would have a detrimental impact upon the viability and vitality of the location.
- 7.2 It is recognised that the unit is currently vacant; however, no information has been submitted to the Council regarding attempts to market the unit for a retail use following the vacation of the most recent retailer. As a result of this, it is not possible to conclude that the unit is no longer viable for retailers and therefore the policy position of the CAAP carries significant weight.
- 7.3 This planning policy has been tested upon appeal recently at 7 The Parade (Market Square) in November 2011 and 6-7 Drapery in February 2016. In both instances, the Inspector considered that the Council's approach to assessing planning applications of this type when they breached the relevant policy of the CAAP was appropriate and in both cases, the appeals were dismissed. Given the relevant nature of these appeals and the similarities of development proposed, it is considered that these carry significant weight with the determination of this particular application.
- 7.4 As the proposed development would operate in tandem with the restaurant that occupies the remaining section of the ground floor of the building, it is likely that there is a reasonable prospect that the impacts of the proposed development in terms of noise and cooking odours could be adequately mitigated through conditions and the utilisation of the existing systems. This lack of external alterations means that there would be no significant detrimental impact upon the character and appearance of the St Giles Conservation Area.
- 7.5 As the development is located in a sustainable location, it is considered that the fact that the proposal is reliant upon on street car parking is acceptable.

8. CONCLUSION

- 8.1 Whilst it is recognised that the development would result in the bringing back into use of a vacant unit and that this use would not have a significant adverse impact upon the amenities of neighbouring properties, this does not outweigh the harm caused by the loss of a further retail

unit, within this prominent frontage and the significant adverse impact that it would have on the viability and vitality of the location.

9. BACKGROUND PAPERS

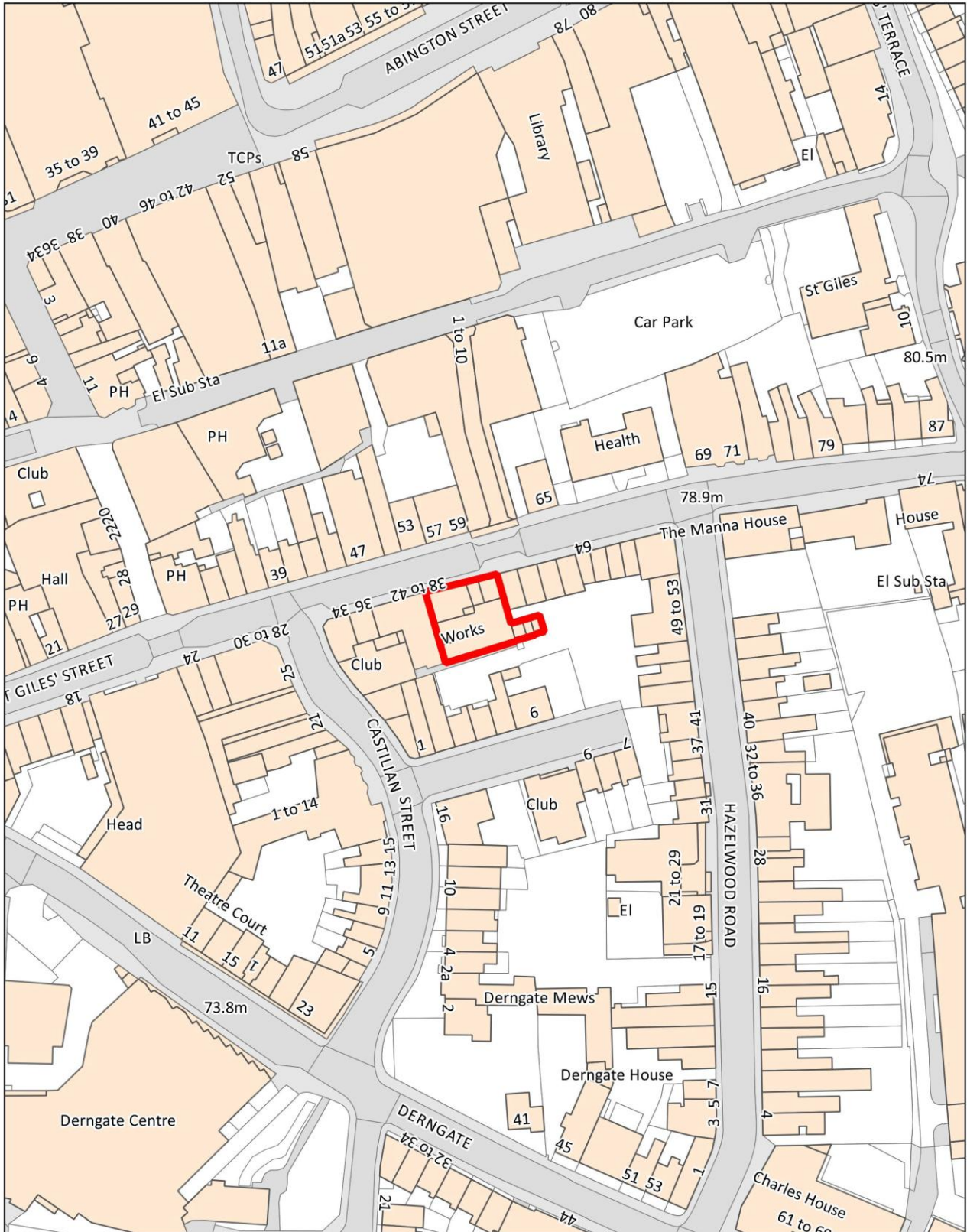
9.1 None

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>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: 44-46 St Giles Street</p>	<p>Date: 14-07-2016</p>
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