



PLANNING AGENDA

Tuesday, 14 March 2017

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), Mary Markham, Jamie Lane, Graham Walker, Arthur McCutcheon, Brian Markham, Samuel Kilby-Shaw, Andrew Kilbride and Elizabeth Gowen.

Chief Executive David Kennedy

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837722



PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 14th March, 11th April, 9th May and the 8th June 2017.

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, 14 March 2017
at 6:00 pm.

**D Kennedy
Chief Executive**

AGENDA

- 1. APOLOGIES**
- 2. MINUTES**
- 3. DEPUTATIONS / PUBLIC ADDRESSES**
- 4. DECLARATIONS OF INTEREST/PREDETERMINATION**
- 5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
- 6. LIST OF CURRENT APPEALS AND INQUIRIES**
Report of Head of Planning (copy herewith)
- 7. OTHER REPORTS**
Housing White Paper Briefing Note
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
- 10. ITEMS FOR DETERMINATION**
(ADDENDUM ATTACHED)
 - (A) N/2016/1050 DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A LIDL FOOD STORE WITH ASSOCIATED LANDSCAPING, CAR PARKING AND FORMATION OF NEW ACCESS 9-15 GAMBREL ROAD**
(Copy herewith)
 - (B) N/2016/1476 CHANGE OF USE FROM DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 RESIDENTS. 61 ABINGTON AVENUE**
(Copy herewith)

(C) N/2016/1541 CHANGE OF USE OF 2 FLATS TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 RESIDENTS. 46 - 48 KING EDWARD ROAD

(Copy herewith)

(D) N/2016/1649 REDEVELOPMENT OF LAND TO PROVIDE 45NO. 1 BEDROOM FLATS FOR THE ELDERLY WITH ASSOCIATED FACILITIES AND DEMOLITION OF 10NO. EXISTING GARAGES TO THE NORTH OF THE SITE TO CREATE OVERALL 31NO. CAR PARKING BAYS (INCLUDING 3 ACCESSIBLE BAYS). CREATION OF NEW ACCESS INTO SHAP GREEN. LAKEVIEW HOUSE OLD PERSONS HOME, 88 CHURCHILL AVENUE

(Copy herewith)

(E) N/2017/0027 ADVERTISEMENT CONSENT APPLICATION FOR TWO WELCOME/DIRECTIONAL SIGNS. DELAPRE ABBEY, LONDON ROAD

(Copy herewith)

(F) N/2017/0078 PRIOR NOTIFICATION FOR DEMOLITION OF BRICK STORAGE STRUCTURES AT 1 TO 60 PARK WALK. 1 TO 60 PARK WALK

(Copy herewith)

(G) N/2017/0079 PRIOR NOTIFICATION FOR DEMOLITION OF BRICK STORAGE STRUCTURES AT 1 TO 120 PARK DRIVE. 1 TO 120 PARK DRIVE

(Copy herewith)

(H) N/2017/0080 PRIOR NOTIFICATION FOR DEMOLITION OF BRICK STORAGE STRUCTURES AT 1 TO 41 PARK CRESCENT EAST. 1 TO 41 PARK CRESCENT EAST

(Copy herewith)

(I) N/2017/0102 VARIATION OF CONDITIONS 2, 6, 15, 22, 23 AND 27 OF PLANNING PERMISSION N/2016/0412 (DEMOLITION OF FARMHOUSE, ASSOCIATED BUILDING AND RESIDENTIAL PROPERTY OF 'LITTLE NORWAY'. CONSTRUCTION OF TWO WAREHOUSE AND DISTRIBUTION UNITS (USE CLASS B8) WITH ANCILLARY OFFICE ACCOMMODATION, TOGETHER WITH EARTHWORKS, ACCESS, SERVICES YARDS, PARKING ARRANGEMENT, LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE INCLUDING CREATION OF FOOTPATH) TO AMEND LAYOUTS OF THE WAREHOUSE UNITS IN RESPONSE TO SPECIFIC REQUIREMENTS FROM DECATHLON. DEVELOPMENT LAND SOUTH OF BEDFORD ROAD, OFF LILIPUT ROAD

(Copy herewith)

(J) N/2017/0121 LISTED BUILDING CONSENT APPLICATION FOR MINOR INTERNAL ALTERATIONS COMPRISING OF NEW PARTITION WALL, RADIATORS, ELECTRICS, BOILER AND EXTERNAL WALL FLUE EXTRACT. 48 BRIDGE STREET

(Copy herewith)

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

(A) N/2017/0169 RESERVED MATTERS APPLICATION FOR 96 DWELLINGS (INCLUDING 14 AFFORDABLE); OPEN SPACE; LANDSCAPING AND INFRASTRUCTURE (DAVENTRY DISTRICT COUNCIL CONSULTATION). NORTH NORTHANTS SUE PHASE 1B, THE AVENUE, OVERSTONE

(Copy herewith)

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

SUPPLEMENTARY AGENDA

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 14 February 2017

PRESENT: Councillor Oldham (Chair); Councillor Golby (Deputy Chair);
Councillors Birch, Davenport, Gowen, Lane, B Markham,
McCutcheon and Walker

OFFICERS: Rita Bovey (Development Manager), Nicky Toon (Development
Management Team Leader), Wendy Rousell (Senior Planning
Officer), Theresa Boyd (Solicitor), Dan Kalley (Democratic Services
Officer), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors Mary Markham, Kilbride, Kilby-Shaw and Haque.

2. MINUTES

The minutes of the meeting held on 17th January 2017 were agreed and signed by the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

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

N/2016/0083

Mr R Gardner
Sinead Turnbull

N/2016/1188

David Linnell
Cllr Sally Beardsworth
Jonathan Weekes

N/2016/1264

James Moore

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Lane declared a personal non-pecuniary interest in item 10f as the Ward Councillor.

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

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. The applications relating to 26 Thornton Road and 21 Ravenscroft had been dismissed, the Inspector had agreed with the Council's decisions.

The Committee were informed that the appeal relating to Land at Milton Ham, Towcester Road had been dismissed, following the Public Inquiry held in December 2016. The Inspector agreed that the harm to the character of the area and the landscape and visual harm outweighed the social and economic benefits of the proposed development.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(A) N/2016/0083 - DEMOLISH EXISTING DWELLING AND ERECT RESIDENTIAL DEVELOPMENT OF UP TO 12 DWELLINGS, ACCESS ROAD AND ASSOCIATED WORKS. (OUTLINE APPLICATION INCLUDING DETAILS OF ACCESS) - 135 HARLESTONE ROAD

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that this outline application sought to demolish the existing property to make way for 12 dwellings, an access road and associated works. They were also informed that although there were trees on site that were subject to Tree Preservation Orders (TPOs) along the south-eastern boundary, it was considered that conditions would be put in place at the reserved matters stage to ensure there was no unacceptable adverse impact on the protected trees. It was noted that the dwellings would contribute towards the Council's 5-year housing supply. There were no objections raised from NCC Highways Authority nor from NCC Lead Local Flood Authority, the latter being

subject to a condition for the submission of a surface water drainage scheme for the site. In addition the Committee were informed that prior to any commencement of construction, a full ecology report was to be undertaken.

Mr R Gardner, resident at 29 The Lawns, addressed the Committee, citing concerns regarding security and scenery. He noted that the survey by NBC's Arboricultural Officer was carried out in 2013 and argued that this was no longer relevant information. He also noted that he and other residents had frequently seen not just bats, but owls, tits and other wildlife in and around the area. He stated that the erection of more dwellings in the area had the potential to lead to subsidence in those, as well as neighbouring properties. He stated that this application did not comply with Policies H3 and H4 of the Duston Neighbourhood Plan. He commented that the size of the access road would restrict the ability of the emergency services to reach the properties easily. Mr Gardner ended by saying that he and his neighbours had been long-standing residents since the properties on The Lawns had been built in 1987.

Ms Sinead Turnbull from DLP Planning addressed the Committee, stating that comprehensive consultation had taken place at every stage of the application and that it was accepted in principle by NBC's Planning Officers. She stated that the dwellings could be built without significant impact on neighbouring properties and that the development would not impact the protected trees. Furthermore, this development would contribute to the 5 year housing supply. Ms Turnbull noted that the application was outline only and that detailed matters would be subject to further consultation and a reserved matters application.

In response to questions asked, the Development Management Team Leader stated that there were no specific guidelines on separation distance between windows, however the indicative plans drawn up, showed the closest distance was 26m. Although not applicable planning guidelines stated that when building extensions, the Council's guidance sought a distance of no less than 21m back to back distances between properties it was felt that in this instance the 26m distance fell well above those guidelines. It was noted that with regard to the Duston Neighbourhood Plan, although policy H4 referred to backland development, the garden in question was of considerable size and it was the opinion of officers that the potential development benefits outweighed the harm to the area.

Members of the Committee welcomed the comments made and agreed that there were no reasons on a Planning basis to refuse the application; the site was large enough, concessions would be made to minimise disruption to the protected trees and privacy disruption would be minimal.

RESOLVED:

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

The principle of residential development of the site for up to 12 dwellings was considered acceptable and would contribute towards the Council's 5-year housing supply. Subject to the conditions below, the development would not lead to undue impacts on the character of the area, adjacent residential amenity, trees, ecology and

highway conditions in accordance with the aims and objectives of the National Planning Policy Framework, Policies SA, S3, S10, H1, BN3 and BN7 of the West Northamptonshire Joint Core Strategy, Policies E20 and H10 of the Northampton Local Plan and Policy OP1 of the Duston Neighbourhood Plan.

(B) N/2016/1188 - OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ALL MATTERS RESERVED EXCEPT ACCESS - GRAZING LAND, MILL LANE, KINGSTHORPE

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the site was some 0.74 hectares of green space that was close, but not adjacent to, the Kingsthorpe Local Nature Reserve. It was stated that a landscape assessment, that took the conservation area into consideration, had been carried out and that further reports would need to be submitted in due course. It was noted that the stone wall at the front of the site was not of historic value despite its appearance. Members were informed that a new access from Mill Lane was indicated in a central location, with the existing field access to be closed. It was further noted that the 5 dwellings would contribute to the Council's 5-year housing supply. Furthermore, the Committee were referred to two additional representations contained in the Addendum.

Mr David Linnell, the resident of Kingsmoor House, addressed the Committee. He stated that the proposed development would impinge upon the River Valley Green Space and to allow the development would be counter intuitive, contravening JCS BN5 – The Historic and Environment and Landscape. He further noted that the application contradicted National Planning Policy Framework paragraph 17, as in his view, there were other, more suitable, brown spaces available and that this would set a dangerous precedent for further development on green spaces. He stated that the housing deficit does not outweigh other considerations. He stated that the presence of badgers and other wildlife could not be denied. Mr Linnell finished by stating that the development would pose a loss of amenities for neighbouring properties.

Councillor Sally Beardsworth, as Ward Councillor, addressed the Committee, echoing earlier statements made by Mr Linnell. She noted that any green space in the town was valuable and once lost, was never regained. She further noted that any significant development in the area would make the improvement project in Kingsthorpe impossible to implement. She stated that Kingsthorpe was already prone to flooding and that any further development would only exacerbate the problem. Although the site itself was not in a flood zone, it was a soakaway and as such, would cause problems to the immediate area if it were to be developed. Councillor Beardsworth ended by noting that although there were no objections from NCC Highways Authority, she saw the 40mph limit on a very busy stretch of road as a potential danger to both cyclists and pedestrians.

Mr Jonathan Weekes, of BSH Projects Ltd, addressed the Committee on behalf of the applicant. He noted that extensive investigation had already taken place regarding the benefit of development versus harm and that the impact was considered to be neutral. Environmental and Arboricultural surveys had been received and raised no objections. He also noted that it was an outline application and that development could go ahead with no loss of amenities and that the site was presently private with no access to the public. Any development, Mr Weekes stated, would be subject to schemes to make sure that flooding would be no worse than at

present. Regarding Highways concerns, there was excellent visibility from either side of the access road.

In response to questions from the Committee, the Senior Planning Officer stated that the area was within the Brampton Arm of the River Nene and that the site itself had been identified in the Northampton Green Infrastructure Plan. It was also noted that the Northampton Local Plan 1997 was not an up to date document, however, some policies within the document were material to the application. The Committee were informed that changes in Planning policy and the requirement for the Council to demonstrate a 5-year housing supply resulted in a change in circumstances as per the report that justified Officers' recommendations for approval.

The Committee welcomed the comments and agreed that there were no Planning reasons to refuse this application. Several members did voice concerns about the number of houses that might be built on the land and the potential intrusiveness to neighbouring properties, but those concerns, among others, were covered by the conditions in the report; the size and proximity of any houses on the development would be subject to further reserved matters applications and consultation.

RESOLVED:

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

The proposed development would contribute towards the Borough's 5-year housing supply and would cause less than substantial harm to the setting, of Kingsthorpe Conservation Area. The proposed development would not have undue impact on neighbour amenity, flood issues, biodiversity and highway safety. The development was therefore in conformity with the requirements of the National Planning Policy Framework, Policies H1, BN1, BN2, BN5, BN8 & S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 and E26 of the Northampton Local Plan.

(C) N/2016/1264 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2000/981 TO ALLOW THE USE OF THE BUILDING AS A FREE SCHOOL - NBC DEPOT, STATION ROAD

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to change the use of the building to a free school and that the application had been amended to allow for more on-site parking. Clarification had been given by NCC Learning Skills and Education regarding the urgency for alternative education for vulnerable children. It was noted that this was for a 2 year temporary consent basis. The Committee were also referred to additional comments made by the Crime Prevention Officer regarding an amended parking layout and arrangements contained in the addendum.

Mr James Moore, the Project Manager for Catch 22, addressed the Committee, firstly noting that NCC Authority had confirmed the need for alternative education for vulnerable children, stating that there was a substantial shortfall in education development. He noted that his Trust had already, and would continue to be proactive with the local community and that these plans were minimising the impact

to the immediate area. Furthermore, following consultation with local residents there was now an increased provision for off street parking.

In response to questions asked, the Committee heard that there was an area of currently concreted ground on-site that would be turned to a soft ground play surface for children to play outdoors. They also heard that the length of time this site was occupied would be subject to planning permission being granted for an alternative site in town, which was the subject of a separate planning application.

The Committee welcomed the comments made and agreed that as it was only on a temporary basis and although play space and parking were slight concerns, this was a good use of the building at the time.

RESOLVED:

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

The proposal would allow for the provision of a temporary facility to meet an existing educational need until a more permanent facility is provided. Subject to the conditions below, it was not considered that the change of use would lead to any unacceptable adverse impacts on adjacent residential amenity or existing highway conditions. The proposal was therefore in accordance with the requirements of Policies S10 and E6 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

(D) N/2016/1297 - CHANGE OF USE FROM SINGLE DWELLING TO 2 SELF-CONTAINED FLATS - 69 ALLEN ROAD

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to change the use of the building from a three-bedroom dwelling to two one-bedroom flats. Two applications for this property had been received previously, one for the conversion of the existing dwelling to two flats, another for a single storey extension. Both applications were refused. It was noted that there had been no objections from NCC Highways Authority on the current application.

Members expressed concerns regarding the unauthorised works and use on site, The Development Manager stressed that decision should be made on the submitted plans only and the Council's Enforcement Officers would keep check on the progress of work on site.

Members welcomed the comments and agreed that a change from a three-bed dwelling to two one-bed flats would not impact the parking issue for the street.

RESOLVED:

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

The development would have no adverse impact upon the character and appearance of the area, or on the amenities of neighbouring occupiers, whilst securing a suitable

level of amenity for the future occupiers of the development. The proposal would not result in any increased detrimental impact on highway amenity. The proposal is therefore in conformity with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Policies E20, H21 and H23 of the Northampton Local Plan and the National Planning Policy Framework.

(E) N/2016/1544 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2015/0001 TO EXTEND USE OF THE EXISTING CAR WASH FOR A FURTHER FIVE YEARS - NBC SURFACE CAR PARK, COMMERCIAL STREET

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The application sought the variation of Condition 1 of planning permission N/2015/0001 to extend the use of the existing car wash for a further five years.

RESOLVED:

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

The proposed development is considered acceptable as a temporary use of the land and would not prejudice the future comprehensive redevelopment of the wider site and would allow the Local Planning Authority to monitor the impact on highway safety in compliance with Policy 1 of the Central Area Action Plan, Policy BN7A of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

(F) N/2016/1579 - PROPOSED TRACTOR SHED, STORE AND PAVILION - FERNIE FIELD SPORTS GROUND, FERNIE FIELD

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The proposal entailed the construction of a tractor shed and a small pavilion to be used by young children and persons with disabilities.

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 significantly improve the facilities for this established sports club and would not have any adverse impact in respect of visual amenity or on the amenities of adjoining and nearby residents. The proposal thereby complies with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

(G) N/2016/1697 - CHANGE OF USE OF TWO COMMUNAL ROOMS INTO TWO ONE BEDROOM SELF-CONTAINED DWELLINGS - WOODSTOCK, CLIFTONVILLE ROAD

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee were informed that the application sought to change the use of two communal rooms into two one bedroom self-contained

dwellings. There would be minor exterior alterations to the building, including the replacement of a single door with a window in the elevation facing the car park and two additional windows on the elevation fronting Cliftonville Road.

RESOLVED:

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

The proposed development represents an acceptable use of accommodation and is complementary to the surrounding land uses. It is considered that a satisfactory standard of development would be created with a neutral impact on the amenities of surrounding properties. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

(H) N/2017/0005 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 PERSONS - 54 BOSTOCK AVENUE

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to change the building from a dwelling house to a house of multiple occupation (HIMO) for 5 people. A previous application to change the use of the dwelling to a HIMO for 6 people had been withdrawn. The Committee also heard that the making of the HIMO would only increase the amount in a 50m radius to 6.8%, which was well under the 15% guideline. The Committee were referred to comments made in the Addendum by NCC Highways Authority, raising concerns about the potential increase in the number of vehicles parked on street where there is no residual parking capacity, resulting in a greater chance of dangerous parking and conflict among residents. However, it was noted that the building was within 200m of local facilities and a bus stop, in line with Principle 3 of the Interim Planning Policy Statement (IPP).

In response to questions from the Committee, the Development Management Team Leader confirmed that the usable size of the attic bedroom was just over 10m², which was above the IPPS requirement of 6.5m². With regards to any enforcement action the applicant would be bound by the conditions as set out in the report, including keeping to the proposed layout.

Members welcomed the comments and agreed that the recommendation from NCC Highways Authority could not be ignored; the potential for dangerous driving and parking on an already very busy street posed too much of a risk.

RESOLVED:

That the application be **REFUSED** due to there being no residual parking capacity for vehicles in the area, and that the proposed change of use would generate a greater parking demand than existing, the proposed development would have a detrimental impact upon parking provision, highway safety and surrounding amenity contrary to Policy H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the

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

11. ENFORCEMENT MATTERS

There were none.

12. ITEMS FOR CONSULTATION

(A) N/2017/0021 - OUTLINE APPLICATION FOR DEVELOPMENT OF UP TO 125 DWELLINGS, INCLUDING AFFORDABLE HOUSING, ACCESS AND ASSOCIATED WORKS, OPEN SPACE INCLUDING STRATEGIC LANDSCAPING, SPORTS PITCHES AND CHILDREN'S PLAY SPACE, CAR AND COACH PARKING AREA TO SERVE MOULTON SCHOOL AND LOCAL COMMUNITY - LAND TO THE SOUTH OF BOUGHTON ROAD, MOULTON

The Senior Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. It was noted that this was a revised application, which had previously been refused by Daventry District Council (DDC). The plans sought permission for outline planning permission for 125 dwellings and associated works, including strategic landscaping, sports pitches and children's play space, car and coach parking area to serve Moulton School and local community.

In response to questions asked, the Committee heard that these new homes would not count towards Northampton's 5-year housing supply and that they would be subject to the Community Infrastructure Levy (CIL). Members also raised concerns about the seemingly inadequate access from the site to the main roads and public transport connections.

Members welcomed the comments made and agreed they would be happy to raise no objections subject to adequate access to houses and adequate contributions towards provision of public transport links.

RESOLVED:

That Northampton Borough Council raise **NO OBJECTIONS** (to the principle of development subject to the issues below being addressed by Daventry District Council:

- No objections being received from Northamptonshire County Council Highways regarding the impact on the local road network and adequacy of the access to serve the development;
- No objections being received from Northamptonshire County Council Education regarding the impact on education provision;
- That the developer enter into a satisfactory S106 Legal Agreement to ensure that provision is made for the necessary infrastructure to meet the requirements to mitigate the impacts of the development, including a contribution towards improvements to public transport provision, in particular bus services to Northampton town centre.

13. EXCLUSION OF PUBLIC AND PRESS

None required.

The meeting concluded at 8:17 pm

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



List of Appeals and Determinations – 14th March 2017

Written Reps Procedure

| Application No. | DEL/PC | Description | Decision |
|--|--------|---|------------------|
| N/2015/1370 APP/V2825/W/16/3160711 | DEL | Variation of Condition 2 of Planning Permission N/2013/1024 to extend deliveries and collections hours to 7.00am to 8.00pm on Mondays to Saturdays and Bank Holidays and Public Holidays and 9.00am to 4.00pm on Sundays at Aldi Foodstore Ltd, Wellingborough Road | ALLOWED |
| N/2015/1393 APP/V2825/W/16/3160378 | DEL | Variation of Condition 1 of Planning Permission N/2012/0282 (Extension of opening hours) to amend the opening hours to Monday to Saturday 8am to 10pm and Sundays 10am to 4pm at Aldi Foodstore Ltd, Wellingborough Road | ALLOWED |
| N/2016/0050 APP/V2825/W/16/3162068 | DEL | Reserved matters application in relation to outline planning permission N/2013/0442 (Outline application for a new 89 bed hotel) for appearance, landscaping and scale for 56 serviced apartments at Plough Hotel, Bridge Street | AWAITED |
| N/2016/0281 APP/V2825/W/16/3165006 | DEL | Change of use from shop (Use Class A1) to hot food takeaway (Use Class A5) and install extraction flue at 43 Oulton Rise | AWAITED |
| N/2016/0351 APP/V2825/W/16/3165886 | DEL | Extension to existing building to form fourth floor and create 10no. residential apartments at Beaumont House, Cliftonville | AWAITED |
| N/2016/0380 APP/V2825/W/16/3164220 | DEL | Retain Change of Use from a Dwelling (Use Class C3) to House in Multiple Occupation (Use Class C4) at 96 Hood Street | AWAITED |
| N/2016/0635 APP/V2825/W/16/3162023 | DEL | Demolition of existing printing works and construction of 2 new houses (re-submission of planning application N/2015/0276) at 1a Junction Road | AWAITED |
| N/2016/0809 APP/V2825/D/16/3165358 | DEL | Erect raised patio area to rear including side fencing at 52 The Vale | AWAITED |
| N/2016/0817 APP/V2825/W/16/3165954 | DEL | Change of use from dwelling (Use Class C3) to House in Multiple Occupation (Use Class C4) for up to four residents at 20 Shelley Street | AWAITED |
| N/2016/0876 APP/V2825/W/16/3165110 | DEL | Change of use of property from Dwellinghouse (Use Class C3) to a House in Multiple Occupation (Use Class C4) for use by 5 persons. Replacement of existing single storey lean to extension at 89 Adams Avenue | AWAITED |
| N/2016/0885 APP/V2825/W/16/3159915 | DEL | Detached single storey dwelling to rear of 28 Semilong Road | DISMISSED |
| N/2016/0951 APP/V2825/W/16/3167588 | DEL | Change of use from residential (use class C3) to ground floor showroom (Use class A1) and first floor office/storage as an extension to existing use at no. 46 Junction Road at 45 Junction Road | AWAITED |
| N/2016/0993 APP/V2825/D/17/3168397 | DEL | Demolish existing detached garage. Add new two storey extension with new garage at 21 Buchanan Close | AWAITED |
| N/2016/1005 APP/V2825/W/16/3167098 | DEL | Outline application to include access and layout for a proposed detached dwelling with detached garage on land south of 9a Wootton Hill Farm | AWAITED |
| N/2016/1037 APP/V2825/D/17/3170076 | DEL | Erection of fence at front of property (retrospective) at 490 Obelisk Rise | AWAITED |
| N/2016/1084 APP/V2825/W/16/3165918 | DEL | Change of use from factory premises (Use Class B2) to 4 self contained 1-bedroom residential apartments (Use Class C3) and extension to external staircase landing and additional railings at Land Rear of 20-28 Lorne Road | AWAITED |
| N/2016/1236 APP/V2825/W/16/3165204 | DEL | Conversion and extension of Public House to form 6no. flats at Victoria Inn, 2 Poole Street | AWAITED |
| N/2016/1292 APP/V2825/W/17/3167807 | PC | Change of use of existing dwelling to 3no. flats and demolition of existing rear outbuilding and erection of rear store - Part Retrospective at 2 Elizabeth Walk | AWAITED |

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

The Address for Planning Appeals is:

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

Appeal decisions can be viewed at - www.planningportal.co.uk

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

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PLANNING COMMITTEE: 14th March 2017

DIRECTORATE: Regeneration, Enterprise and Planning

HEAD OF PLANNING: Peter Baguley

REPORT TITLE: Housing White Paper Briefing Note

1. RECOMMENDATION

1.1 That the following briefing note be **NOTED** by Members.

2. PURPOSE OF REPORT

2.1 To inform the Committee the content of the recent Housing White Paper published by the Government.

3. BACKGROUND

3.1 The Government's White Paper, **Fixing Our Broken Housing Market**, was published on 7 February 2017 and focuses on plans for addressing problems in the housing market by increasing the supply of new homes and providing homes for all.

3.2 The proposals in the White Paper are set out in four steps:

3.3 Step 1: Planning for the right homes in the right places

- Making sure every part of the country has an up-to-date, sufficiently ambitious plan so that local communities decide where development should go;
- Simplifying plan-making and making it more transparent, so it's easier for communities to produce plans and easier for developers to follow them;
- Ensuring that plans start from an honest assessment of the need for new homes, and that local authorities work with their neighbours, so that difficult decisions are not ducked;
- Clarifying what land is available for new housing, through greater transparency over who owns land and the options held on it;
- Making more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, releasing

more small and medium-sized sites, allowing rural communities to grow and making it easier to build new settlements;

- Maintaining existing strong protections for the Green Belt, and clarifying that Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements;
- Giving communities a stronger voice in the design of new housing to drive up the quality and character of new development, building on the success of neighbourhood planning; and
- Making better use of land for housing by encouraging higher densities, where appropriate, such as in urban locations where there is high housing demand; and by reviewing space standards.

3.4 Step 2: Building homes faster

- Providing greater certainty for authorities that have planned for new homes and reducing the scope for local and neighbourhood plans to be undermined by changing the way that land supply for housing is assessed;
- Boosting local authority capacity and capability to deliver, improving the speed and quality with which planning cases are handled, while deterring unnecessary appeals;
- Ensuring infrastructure is provided in the right place at the right time by coordinating Government investment and through the targeting of the £2.3bn Housing Infrastructure Fund;
- Securing timely connections to utilities so that this does not hold up getting homes built;
- Supporting developers to build out more quickly by tackling unnecessary delays caused by planning conditions, facilitating the strategic licensing of protected species and exploring a new approach to how developers contribute to infrastructure;
- Taking steps to address skills shortages by growing the construction workforce;
- Holding developers to account for the delivery of new homes through better and more transparent data and sharper tools to drive up delivery; and
- Holding local authorities to account through a new housing delivery test.

3.5 Step 3: Diversifying the market

- Backing small and medium-sized builders to grow, including through the Home Building Fund;
- Supporting custom-build homes with greater access to land and finance, giving more people more choice over the design of their home;
- Bringing in new contractors through our Accelerated Construction programme that can build homes more quickly than traditional builders;

- Encouraging more institutional investors into housing, including for building more homes for private rent, and encouraging family friendly tenancies;
- Supporting housing associations and local authorities to build more homes; and
- Boosting productivity and innovation by encouraging modern methods of construction in house building.

3.6 Step 4: Helping people now

- Continuing to support people to buy their own home – through Help to Buy and Starter Homes;
- Helping households who are priced out of the market to afford a decent home that is right for them through our investment in the Affordable Homes Programme;
- Making renting fairer for tenants;
- Taking action to promote transparency and fairness for the growing number of leaseholders;
- Improving neighbourhoods by continuing to crack down on empty homes, and supporting areas most affected by second homes;
- Encouraging the development of housing that meets the needs of our future population;
- Helping the most vulnerable who need support with their housing, developing a sustainable and workable approach to funding supported housing in the future; and
- Doing more to prevent homelessness by supporting households at risk before they reach crisis point as well as reducing rough sleeping.

3.7 The Annex to the White Paper sets out further details and a range of consultation questions. Responses are due by 2 May 2017. A revised National Planning Policy Framework, incorporating many of the above changes, will be published later in 2017.

3.8 The following documents have been published alongside the White Paper:

3.9 Planning and Affordable Housing for Build to Rent – Consultation Paper

Recent years have seen the emergence of a new sector in the housing market, namely large-scale developments purpose-built for private rent – often referred to as Build to Rent.

In the Housing White Paper the Government sets out its support for Build to Rent. The consultation paper seeks views on planning measures intended to support Build to Rent through the planning system and make the benefits of Build to rent more widespread. These include the availability of longer tenancies (to those tenants who want one) and facilitating a new form of affordable housing, known as Affordable Private Rent.

3.10 The main proposed measures are:

- Placing further emphasis on Build to Rent through planning policy - revise the National Planning Policy Framework to refer to Build to Rent as a form of housing which planning authorities should consider;
- Encouraging an alternative approach to affordable housing for Build to rent called Affordable Private Rent (sometimes referred to as Discounted Market Rent) – revise the National Planning Policy Framework to make it explicit that Affordable Private Rent can count as a form of affordable housing and that it is particularly well suited to Build to Rent; and
- Strengthening the expectation on Build to Rent schemes to offer a Family Friendly Tenancy of three years or more, to those tenants who want one.

3.11 Response to the Starter Homes Regulations: Technical Consultation

The Housing and Planning Act 2016 provides a statutory framework for the delivery of starter homes. On 23 March 2016 the Government launched the technical consultation on starter homes regulations, which covered the post-sales letting and resale restrictions; the starter homes requirement and exemptions; monitoring arrangements and transitional provisions.

As announced in the Housing White Paper, the Government has decided not to implement a compulsory starter homes requirement at this point in time.

The Government will commence the general duty on Councils to promote the supply of starter homes and bring forward regulations to finalise the starter homes definition and monitoring provisions. The Government will also change the NPPF to allow more brownfield land to be released for developments with a higher proportion of starter homes.

3.12 The Government is now consulting on the following:

- Making it clear through the NPPF that starter homes should be available to households with an income of less than £80,000 (outside London)
- Proposed amendments to the NPPF to introduce a clear policy expectation that suitable housing sites deliver a minimum of 10% affordable home ownership units – it will be for local areas to work with developers to agree an appropriate level of delivery of starter homes.

3.13 Response to Changes to the National Planning Policy Framework Consultation

The consultation on proposed changes to national planning policy was published on 7 December 2015 and closed on 22 February 2016. The Government received 1,138 responses to the consultation. Respondents addressed some or all of the questions set out in the consultation paper, offered comments on the draft changes, and in some cases made specific suggestions for revised wording. This document sets out a summary of the responses made to each question and the Government's response. Where Government is taking forward changes to the National Planning Policy Framework, these are set out in the Housing White Paper.

3.14 Summary of Responses to the Technical Consultation on Implementation of Planning Changes

The technical consultation on implementation of planning changes provided detailed proposals to support the implementation of the Housing and Planning Act 2016, covering the following areas:

- changes to planning application fees
- enabling planning bodies to grant permission in principle – response to be published separately
- introducing a statutory register of brownfield land suitable for housing development – response to be published separately
- creating a small sites register to support custom build homes
- speeding up and simplifying neighbourhood planning and giving more powers to neighbourhood forums – response published separately
- introducing criteria to inform decisions on intervention to deliver our commitment to get local plans in place
- extending the existing designation approach to include applications for non-major development – response published separately
- testing competition in the processing of planning applications
- information about financial benefits
- introducing a Section 106 dispute resolution service
- facilitating delivery of new state-funded school places, including free schools, through expanded permitted development rights
- improving the performance of all statutory consultees

This document sets out a summary of the responses made to each question and the Government's response.

3.15 Report of the Local Plans Expert Group – Summary of Representations and Government Response to the Communities and Local Government Select Committee

In September 2015 ministers asked the Local Plans Expert Group (LPEG) to examine what measures or reforms might be helpful in ensuring the efficient and effective production of Local Plans. The Communities and Local Government Select Committee undertook a short inquiry into LPEG's report. This responds to the Select Committee and briefly summarises representations received on LPEG's recommendations.

3.16 Community Infrastructure Levy Review and Three Dragons and University of Reading Research Report

The Community Infrastructure Levy came into force in April 2010 and in November 2015 the Government commissioned an independent review of the community infrastructure levy in November 2015 to assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the government's wider housing and growth objectives. The independent review group submitted their report to ministers in October 2016.

3.17 The review was informed by research which examined the amount of revenue CIL is raising, the types of development that are paying CIL, impacts on viability and the operation of the neighbourhood share of CIL.

The review recommends fundamental changes to the way CIL is applied including an almost universal application of a Local Infrastructure Tariff (LIT) set at between 1.75% and 2.5% of local value. On large sites (11 dwellings +) this will be in addition to Section 106 but subject to strengthened Regulation 122 tests.

The review also recommends that S106 pooling be allowed and suggests examination requirements for the new tariff should be less onerous than the current arrangements.

A transition period of until 2020 is also recommended.

The Housing White Paper states that the evidence from the CIL Review will be considered and an announcement made in the Autumn Budget.

4. LEGAL IMPLICATIONS

4.1 As set out in the report.

5. SUMMARY AND LINKS TO CORPORATE PLAN

5.1 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.

6. BACKGROUND PAPERS

6.1 Housing White Paper Fixing Our Broken Housing Market. <https://www.gov.uk/government/publications/fixing-our-broken-housing-market> pages 72 to 89.



Addendum to Agenda Items Tuesday 14th March 2017

10. ITEMS FOR DETERMINATION

10a

N/2016/1050

**Demolition of existing building and construction of a Lidl food store with associated landscaping, car parking and formation of new access
9-15 Gambrel Road**

Item **WITHDRAWN** from agenda.

10b

N/2016/1476

**Change of use from dwelling (Use Class C3) to a house in multiple occupation (Use Class C4) for 6 residents
61 Abington Avenue**

No update.

10c

N/2016/1541

**Change of use of 2 flats to a house in multiple occupation (Use Class C4) for 6 residents
46 - 48 King Edward Road**

No update.

10d

N/2016/1649

**Redevelopment of land to provide 45no. 1 bedroom flats for the elderly with associated facilities and demolition of 10no. existing garages to the north of the site to create overall 31no. car parking bays (including 3 accessible bays). Creation of new access into Shap Green
Lakeview House Old Persons Home, 88 Churchill Avenue**

No update.

10e

N/2017/0027

**Advertisement Consent Application for 2 welcome/directional signs
Delapre Abbey, London Road**

No update.

10f

N/2017/0078

**Prior Notification for demolition of brick storage structures at 1 to 60 Park Walk
1 to 60 Park Walk**

No update.

10g
N/2017/0079
Prior Notification for demolition of brick storage structures at 1 to 120 Park Drive
1 to 120 Park Drive

No update.

10h
N/2017/0080
Prior Notification for demolition of brick storage structures at 1 to 41 Park Crescent East
1 to 41 Park Crescent East

No update.

10i
N/2017/0102
Variation of Conditions 2, 6, 15, 22, 23 and 27 of Planning Permission N/2016/0412 (Demolition of farmhouse, associated building and residential property of 'Little Norway'. Construction of two Warehouse and Distribution units (Use Class B8) with ancillary office accommodation, together with earthworks, access, services yards, parking arrangement, landscaping and other associated infrastructure including creation of footpath) to amend layouts of the warehouse units in response to specific requirements from Decathlon Development land south of Bedford Road, off Liliput Road

The Highway Authority (NCC) have raised concerns regarding the proposed re-wording of Condition 15 as it is preferred that these details are agreed in advance of the commencement of development, in order to provide more time to agree these details and secure amendments, if required.

Officers Response: Whilst this position is noted, the key consideration is whether it is necessary to have such off site works agreed in full prior to the commencement of on-site works. Given that the drafting of Condition 15 requires that the off-site highway works are implemented in full prior to the development first coming into use, there is certainty that the highway impacts of the development will be adequately mitigated.

The applicant has also revised the internal vehicular accesses in line with the advice of the Highway Authority.

10j
N/2017/0121
Listed Building Consent Application for minor internal alterations comprising of new partition wall, radiators, electrics, boiler and external wall flue extract
48 Bridge Street

No update.

12. ITEMS FOR CONSULTATION

12a
N/2017/0169
Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure (Daventry District Council Consultation)

No update.



PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1050

LOCATION: 9 - 15 Gambrel Road

DESCRIPTION: Demolition of existing building and construction of a Lidl foodstore with associated landscaping, car parking and formation of new access

WARD: Old Duston Ward

APPLICANT: Lidl UK GmbH
AGENT: Bilfinger GVA

REFERRED BY: Head of Planning
REASON: Major application requiring S106 agreement

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

- i) The prior completion of a S106 Agreement to secure the cessation of the use of the existing store as a Limited Assortment Discounter at 25-29 Gambrel Road, permitted under Planning Permission N/2013/1016; and
- ii) The Conditions set out in section 9 below and for the following reason:

The proposed amendments would, subject to conditions and the legal agreement, have a neutral impact upon the viability and vitality of the hierarchy of allocated centres, visual amenity and the occupiers of neighbouring properties, whilst supporting additional employment opportunities. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S2, S8, S9 and S10 of the West Northamptonshire Joint Core Strategy and Polices B14 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 Head of 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 the National Planning Policy Framework and Policy S9 of the West Northamptonshire Joint Core Strategy.

2. THE PROPOSAL

- 2.1 The applicant has applied for planning permission to completely redevelop the site in order to construct a new supermarket, with 183 no. car parking spaces, including 12 for use by customers with disabilities and 8 spaces for use by customers with children. These would be accessed via a new junction on Weedon Road. A further 14 spaces are to be provided to the rear of the site with access from Gambrel Road, for use by staff members. The applicant proposes that their existing Gambrel Road store (opposite Sainsbury's) would close upon the opening of the currently proposed store.

3. SITE DESCRIPTION

- 3.1 The application site is a comparatively level site, located in a predominantly commercial area. The site has previously been used for industrial purposes, but has been vacant for some time, apart from being used for the storage of vehicles associated with the adjoining garage. The south west of the site contains a small existing commercial unit that is currently used for the display and sale of tiles. The wider area also contains a number of retail units. These are predominantly used for bulky goods retailing and there are two supermarkets within the vicinity. These are the Sainsbury's and Lidl stores in Gambrel Road. It should be noted that the Lidl store is restricted, through a planning condition, to be used as a Limited Assortment Discounter only. The site is also adjacent to the Sixfields Retail Park, which contains a Marks and Spencer food store.
- 3.2 Neither the application site nor the aforementioned retail units are in an allocated centre, as identified by the Northampton Local Plan, or the West Northamptonshire Joint Core Strategy. The nearest such centre is St James, which is located to the east of the application site.
- 3.3 The application site is located between Gambrel Road and Weedon Road. The latter serves as one of the main routes into the town from the west. As a consequence of this and the previously described commercial activities and other leisure facilities within the vicinity, Weedon Road is heavily trafficked.

4. PLANNING HISTORY

- 4.1 None relevant.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

- 5.3 Paragraph 21 states that town centres should be the heart of communities and that there should be an appropriate level of retailing in the centre in order to meet the needs of the locality, whilst paragraph 24 of the NPPF requires that the consideration of applications for town centre uses (which includes retailing) should include a sequential assessment, covering available town centre and edge of centre sites.
- 5.4 Separate to the outcomes of the sequential assessment, the NPPF (in paragraph 26) requires that any retail development with an area in excess of 2,500 square metres should be accommodated by an impact assessment. This should include the impact of the proposal on existing, committed and planned in centre investment and the impact of a proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.
- 5.5 Paragraph 27 requires that town centre uses that do not pass the sequential assessment or would be likely to have a significant adverse impact upon centre viability and vitality should be refused.
- 5.6 In addition to the assessment of the above matters, the NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant developments on sites that are sustainable.
- 5.7 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in paragraph 35, where the creation of safe and secure road layout are required which minimise conflicts between pedestrians, cyclists and traffic.

5.8 **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:

- 5.9 Policy S2 of the submitted JCS identifies Northampton as performing the role of a regional town centre and allocates Kingsthorpe and Weston Favell as being district centres. The same policy also allocates Far Cotton, Kettering Road, St James and Wellingborough Road as being local centres. The policy also requires that the viability and vitality of these centres should be maintained. Policy S9 of the JCS reiterates the sequential approach in the location of retail developments and requires that an impact assessment is carried out for developments with a floor space in excess of 1,000 square metres.
- 5.10 Policy S8 also sets out that majority of new jobs growth will be achieved through the renewal and regeneration of existing employment areas.
- 5.11 Policy S10 also emphasises the importance of good design within the development process.

5.12 **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:

- 5.13 Policy B14 requires that non-business uses (i.e. those which do not fall within the 'B' Use Classes should only be permitted in instances where the development would generate employment and

community benefits. Policy E20 states that ne development should not significantly impact upon the amenities of surrounding and be of an appropriate design.

- 5.14 **Supplementary Planning Documents**
Northamptonshire Parking Standards (September 2016)

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Anglian Water** – Request conditions in respect of the provision of a suitable drainage system.
- 6.2 **Ecology Advisor (NCC)** – No objections in principle, but request conditions to ensure that the areas of work as identified in the submitted Ecology Assessment are carried out.
- 6.3 **Environment Agency** – Request conditions in respect of drainage and contamination.
- 6.4 **Environmental Health (NBC)** – Request conditions in respect of further contamination investigation and a Construction Environment Management Plan. Mitigation on the St James Air Quality Management Area is also requested.
- 6.5 **Highways England** – No objections.
- 6.6 **Highway Authority (NCC)** – Raise concerns regarding the proposed access arrangements (NB. The proposed access has been revised in light of these concerns, as discussed below and a further response from the Highway Authority is awaited).
- 6.7 **Northamptonshire Police Crime Prevention Design Advisor** – Recommend that details regarding CCTV and boundary treatments are secured.

7. **APPRAISAL**

Principle of the development

- 7.1 It is recognised that national and local planning policies require that retailing development be directed towards allocated centres. Within Northampton, the allocated centres are the town centre, St James, Wellingborough Road, Kingsthorpe and Weston Favell. As the application site falling outside of these locations, and given the scale of the development, the development needs to be subject to a sequential and impact assessment. The purposes of these assessments is to establish whether the development can be accommodated within an allocated centre and, if not, whether the proposed development would direct trade away from allocated centres to the detriment of their viability and vitality.
- 7.2 Given that there is a named applicant for the proposed store (Lidl), it is considered that Weston Favell can be discounted from the sequential assessment as the applicant already operates a store in that location. In respect of the other centres, it would appear that there are no currently available sites that are of sufficient size to accommodate the proposed store and requisite unloading area and car parking. Whilst it is appreciated that the former St James Bus Garage is currently vacant, it is understood that the current owner is progressing their own plans for a (non-retail) redevelopment. Therefore this site can also be discounted from the sequential assessment due to a lack of availability.
- 7.3 In respect of the town centre, it is noted that the CAAP allocated two potential sites for new supermarkets (being Abington Street East and the Drapery/College Street Area), although neither is currently available and accordingly need to be discounted from the sequential assessment.

The applicant has also considered the potential of locating the proposed store within the currently vacant former Primark unit at 84-86 Abington Street. Whilst this is available, it does not represent a sequentially preferable site as it is not of a sufficient size to accommodate the quantum of the proposed development.

- 7.4 As a result of these conclusions, it can be considered that the proposed store could not be accommodated within any allocated centre.
- 7.5 National and local planning policies seek to maintain the viability and vitality of allocated centres. This is of particular importance as supermarkets often serve as the main attraction to such centres, with patrons also visiting other smaller stores within the vicinity. In assessing the impact of the development, it is necessary to include the impacts of other supermarkets, including those that have planning permission, but are not yet been implemented. Of particular relevance to this application, it should be recognised that there is an extant permission for a supermarket (submitted by Aldi) on the former Chronicle and Echo site. In addition, a Lidl store has recently been constructed in Towcester Road, whilst a further Aldi will shortly open within part of the B&Q unit, also in Towcester Road. The issue of retail impact also needs to consider the fact that the applicant operates a store elsewhere in Gambrel Road, which would close in the event that the proposed store is given planning permission.
- 7.6 As a result of this scenario, the cumulative impact of the proposed development is markedly less than if an entirely new store were to be constructed, rather than a replacement one. Given the location of the application site, the primary area of concern is the impact on St James, which has already seen some trade diversion as a result of the new stores as referenced previously. The reason for such concern is that supermarkets often act as anchors to centres and therefore encourage linked trips to other businesses, thereby promoting the overall viability and vitality of the centre as a whole.
- 7.7 Given the comparatively marginal increase in trade diversion as a result of the proposed development away from St James to the proposed store, it is considered unlikely that the currently proposed development adversely impact upon the viability and vitality of the wider hierarchy of centres to an unacceptable degree.
- 7.8 As this conclusion has been reached on the basis of the current Gambrel Road Lidl store closing in advance of the currently proposed store opening, which, from discussions, is also understood to be the intention of the applicant. Therefore, in order to provide certainty of this matter, it is recommended that a legal agreement be entered into that would require this to take place. The effect of this would mean that the approval of the Council would be required for any future use of the existing site and as a result would ensure that any future redevelopment does not impact upon centre viability and vitality.
- 7.9 In order to provide further certainty regarding the impacts of the development, conditions are recommended to ensure that the building is only occupied as a Limited Assortment Discounter, that there are controls regarding the overall total level of floor space within the building that can be used for retailing and the proportions of this space that can be used for the display and sale of convenience and comparison goods. Given that the store would be predominantly used for convenience goods retailing, it is considered that the development would be less likely to compete against the town centre and the allocated centre of St James.
- 7.10 It is appreciated that the development also represents a departure from the Local Plan, given that the development site is currently allocated for business purposes. However, it is noted that the site has been vacant for a significant period of time. As a consequence, it is appropriate to consider alternative uses, particularly due to its prominence on a key route into Northampton and the fact that the development would generate new jobs means that it is concluded that the harm arising from this breach of planning policy is less than significant.

- 7.11 It is also understood that the property was last used for uses falling within the B uses classes (either industrial purposes or storage) over eight years ago, in the intervening period – despite marketing – there has been little interest from potential from occupiers for planning policy compliant uses. In addition, the site is vacant and has been cleared, no additional economic activity would be displaced by the proposed development. It can also be reasonably anticipated that, in time, a further application will come forward for a new use of the applicant's existing site within Gambrel Road. It can be reasonably expected that an appropriate land use would generate further employment benefits.
- 7.12 The applicant has submitted a contamination report, which outlines the need for further remediation. Given the previously developed nature of the site, and in line with the advice of the Council's Environmental Health section, a condition is recommended that would ensure that such works are carried out. Additional conditions are recommended, in accordance with the advice of consultees in respect drainage matters.

Design, appearance and impact on neighbouring properties

- 7.13 The design of the proposed store is of a similar height to the surrounding buildings, given the separation distances, there would be a neutral impact upon the amenities of the occupiers of surrounding properties in terms of considerations such as light, outlook and privacy. In design terms, the building would be orientated towards Weedon Road. This ensures that a substantial section of glazing would be visible on this most prominent elevation, which adds interest to the building and the streetscene. In addition, the layout of the site places the loading bay to the rear of the site. Given the comparatively lower activity that takes place within Gambrel Road, it is considered that this particular layout is acceptable.
- 7.14 Whilst it is appreciated that the form and layout of the building is, to a degree, informed by the operational needs of the occupier, it is considered that due to the predominantly commercial and functional style of the surrounding buildings, the development would not be detrimental to the visual amenity of the locality. Furthermore, the proposed development would result in an enhancement in the current appearance of the site, which is adjacent to a key route into the town.
- 7.15 In order to secure a satisfactory standard of development, a condition is recommended that would ensure that the Council approves details of the final building materials and hard and soft landscaping.
- 7.16 The positioning of the customer car park to the front and side of the store would ensure that it benefits from a good level of natural surveillance, particularly from Weedon Road, which would ensure that the car parking is reasonably safe and secure. In order to promote security, conditions are recommended that would ensure the provision of (prior to the first occupation of the store) and retention of lighting and CCTV systems.
- 7.17 The predominance of commercial activity within the surrounding area means that the comings and goings associated with the operation of a supermarket and the operation of plant and equipment, such as chiller units, would not cause any undue detriment to the amenities of surrounding properties as a result of noise and disturbance.
- 7.18 It is noted that the applicant has not proposed any particular opening times for the proposed store. Whilst this could potentially result in the store being opened on an unrestricted basis, it is considered that this scenario is not unacceptable. The reasons for this is that the predominant characteristic of the surrounding area being predominantly commercial properties, with the nearest residential property being in excess of 200m away (and separated from the application site by other commercial properties). As a consequence, it is considered that the operation of the store during later evening/early morning periods would not cause any undue harm or disturbance.

- 7.19 In addition, by reason of the commercial character of the immediate surroundings, it is not considered necessary or reasonable to impose conditions restricting the times in which deliveries can be made to the store.
- 7.20 It is appreciated that the development process can generate some noise and disturbance and as a result, it is recommended that this be subject to a condition requiring the submission and agreement of a Construction Environment Management Plan (CEMP). This would include, but not be limited to, strategies to minimise dust and noise, the hours in which construction works would take place, wheel washing facilities and the routing of construction traffic.

Highways

- 7.21 As discussed previously, the site's main entrance would be from Weedon Road, which is a heavily trafficked road. Following discussions with the applicant and the Highway Authority, the access has been revised so that the entrance would be a 'left in, left out' arrangement. This means that any vehicles wishing to enter or leave the site would need to utilise one of the roundabouts at either end of Gambrel Road and would not need to cross a line of traffic travelling in the opposite direction. This would limit the potential for delays within Weedon Road, which would not be desirable given its status as one of the key routes into and out of the town centre. At the time of preparing this committee report, the formal response of the Highway Authority is awaited and a further update will be provided by means of the addendum, which will be circulated prior to the committee meeting commencing.
- 7.22 In addition to this factor, it is considered that the proposed access would have appropriate visibility to ensure that the ingress and egress of vehicles would not impinge upon the safety of other motorists or pedestrians.
- 7.23 The development includes an appropriate provision of car parking spaces and room for commercial vehicles to manoeuvre safely. This is of particular importance as due to the character of the surrounding area and the nature of the nearby road network, a significant increase in on-street car parking would not be desirable. As a result, it is considered necessary to recommend a condition that would ensure that these areas are provided in full prior to the first occupation of the store and retained in that form thereafter.
- 7.24 The development includes appropriate pedestrian routes across the site, which would result in a safe layout of the development. A condition is recommended that would ensure that the surface treatments are agreed by the Council prior to implementation. This would assist in the creation of a legible form of development.
- 7.25 It is recognised that the Council's Environmental Health section have requested that mitigation to the St James Air Quality Management Area be secured. In response, it is considered that this development would replace an existing store in Gambrel Road (and the two stores would not operate in tandem), which already attracts a number of journeys. Given that this scheme is deemed acceptable on the grounds the additional trade would not be significantly greater than the existing stores. As a consequence, it is concluded that the impact on St James would not be significantly harmful to warrant the securing of mitigation through a Section 106 Legal Agreement. Notwithstanding this conclusion, conditions are proposed that would secure the submission and implementation of a travel plan to highlight sustainable transport choices and cycle storage.

8. CONCLUSION

- 8.1 It is considered that, subject to conditions and a legal agreement that would require the existing store to be closed prior to the proposed development opening, that the proposal would have a neutral impact on the viability and vitality of the existing hierarchy of centres. In addition, there would be a neutral impact on visual and neighbour amenity, whilst bringing a vacant and previously developed site back into use.

9. CONDITIONS

- 9.1 (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 E20 of the Northampton Local Plan.

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

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

- (5) 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 indications of all existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of information.

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

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

(7) Notwithstanding the information submitted, full details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the store hereby permitted and retained thereafter.

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

(8) Notwithstanding the details submitted, full details of CCTV covering the application site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Development shall be carried out in accordance with the approved details, shall be fully implemented prior to the building hereby permitted being first brought into use and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in line with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

(9) The retail unit hereby permitted shall only be occupied as a Limited Assortment Discounter.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

(10) The floor space of the development hereby permitted that can be used for the display and sale of goods and products to the public shall not exceed 1,690 square metres. No more than 20% of this figure (338 square metres) shall be used for the display and sale of comparison goods.

Reason: In the interests of maintaining the viability and vitality of the allocated hierarchy of centres in accordance with the National Planning Policy Framework.

(11) Notwithstanding the details submitted, the retail unit hereby permitted shall not include any specialist counters comprising butchers, fishmongers, delicatessen or chemists.

Reason: In the interests of maintaining the viability of the hierarchy of allocated centres in accordance with the requirements of the National Planning Policy Framework.

(12) The retail unit hereby permitted shall not be divided to form more than one retail unit.

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of the National Planning Policy Framework.

(13) The car parking, vehicular access and manoeuvring spaces as shown on drawing (PL) 002 Rev. K shall be fully implemented prior to the first occupation of the store hereby permitted and retained thereafter.

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

(14) Prior to the first occupation of any part of the proposed development, the applicant shall provide a full Travel Plan for written agreement by the Local Planning Authority. 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, full details of the surface treatments to the car parking and access road shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, fully implemented prior to the development hereby permitted being first brought into use and retained thereafter.

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

(16) 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.

(17) 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 and retained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of the National Planning Policy Framework.

(18) No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority: 1) A preliminary risk assessment which has identified:

- i) all previous uses
- ii) potential contaminants associated with those uses
- iii) a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any

requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Reason: To assess the potential risk posed to controlled waters 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.

(19) No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure any remedial work is undertaken with regard to contamination in accordance with the requirements of the National Planning Policy Framework.

(20) 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.

(21) No drainage system for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure if soakaways are proposed to be used, they should not be located in land affected by contamination unless the potential risk posed to groundwater is adequately mitigated in accordance with the National Planning Policy Framework.

(22) The development hereby permitted shall be implemented in accordance with the recommendation of sections 6.1.3 and 6.4 of the submitted Preliminary Ecology Report (dated July 2016)

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

(23) The two existing vehicular accesses to the site from Weedon Road as shown on drawing no.(PL)002K shall be permanently closed and footway reinstated prior to the first occupation of the store hereby permitted. Full details of the alteration works shall be first 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 highway safety in accordance with the requirements of the National Planning Policy Framework.

Informatives:

1. A Limited Assortment Discounter is a retailer as defined in Part 1 of The Groceries Market Investigation (Controlled Land) Order 2010 and for the avoidance of doubt includes a Convenience Goods Retailer, which sells a limited ranged of Convenience Goods at a low price.

2. Convenience Goods are defined as goods that include foods, pet food, drinks, cleaning products, toiletries, newspapers and magazines and non-durable household goods

3. Comparison Goods are defined as goods that include, but shall not be limited to, clothing, shoes and other footwear, DIY products, furniture and furnishings, carpets and other floor coverings, household textiles, major household appliances (whether electrical or not), small electric household appliances, tools and other miscellaneous accessories, glassware, tableware, household utensils, non-prescription medical goods and other pharmaceutical products, therapeutic appliances and equipment, perfumes, bicycles, recording media, games, toys, hobbies and craft materials, tools and equipment, musical instruments, plants and flowers, pets and pet related products, books and stationary, greetings cards, audio-visual, photographic and information processing equipment, appliances for personal care, jewellery, watches and clocks, petrol, tobacco and tobacco products and financial services

10. BACKGROUND PAPERS

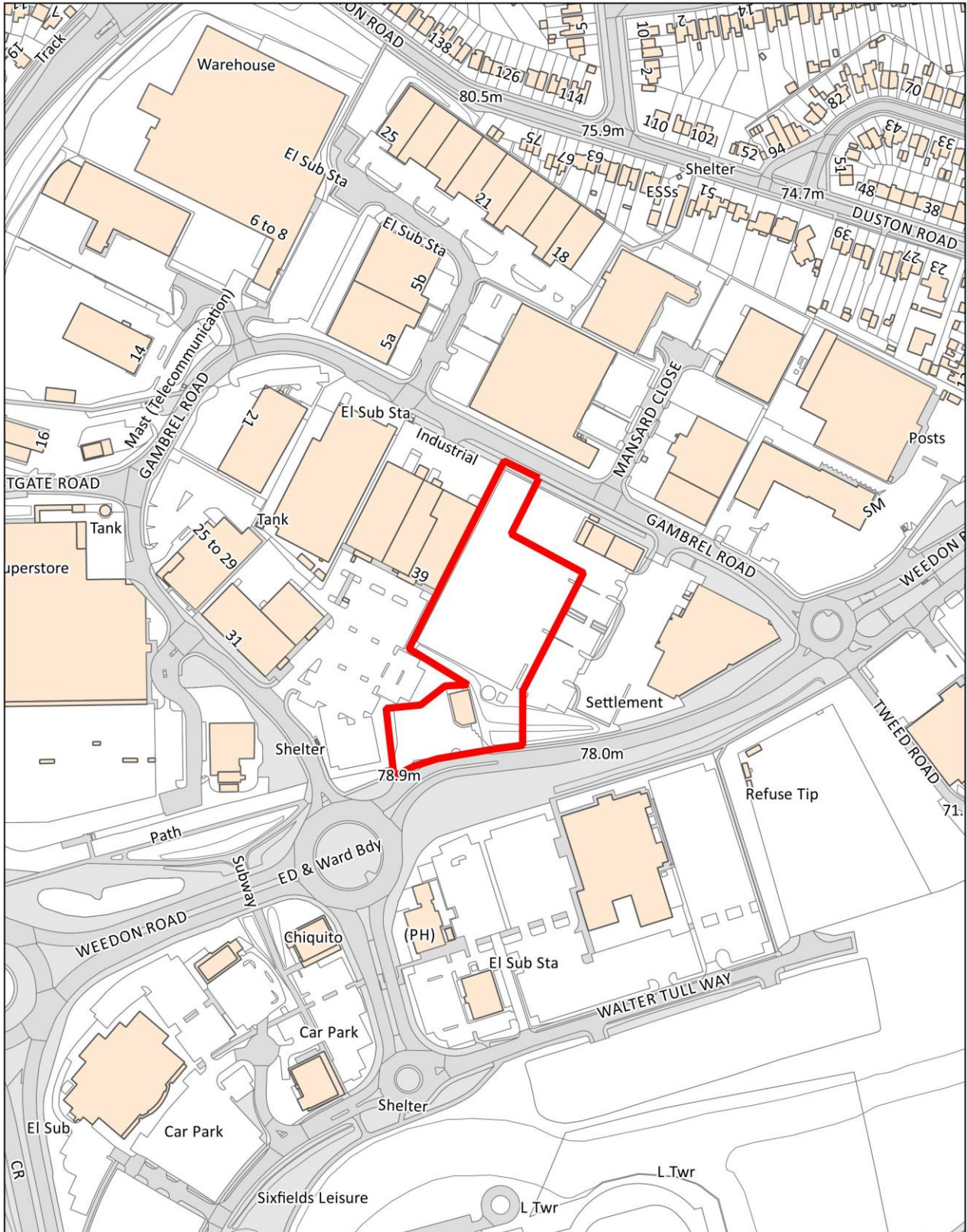
10.1 None.


11. LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



| | | |
|---|--|-------------------------|
|  <p>NORTHAMPTON BOROUGH COUNCIL</p> | <p>Title: 9-15 Gambrel Road</p> | <p>Date: 28-02-2017</p> |
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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1476

LOCATION: 61 Abington Avenue, Northampton

DESCRIPTION: Change of use from dwelling (Use Class C3) to a house in multiple occupation (Use Class C4) for 6 residents

WARD: Abington Ward

APPLICANT: Mr Strube
AGENT: Mr Ackerman

REFERRED BY: Councillor Zoe Smith
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

Due to there being no residual parking capacity for vehicles in the area, and the fact that that the proposed change of use would generate a greater parking demand than existing, the proposed development would have a detrimental impact upon parking provision, highway safety and surrounding amenity contrary to Policy H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the change of use of an existing dwelling to a house in multiple occupation for six residents.

3. SITE DESCRIPTION

3.1 The application premises consists of an existing three bedroom terraced house. This has been converted in the past from two separate dwellings and the ground floor of one former dwelling has been converted into a garage area, with a room above which is accessed via a bedroom.

3.2 The surrounding area consists largely of terraced houses, with some business units in the area and also a mosque opposite the site.

4. PLANNING HISTORY

- 4.1 N/2006/0516 – Conversion of property into 2 dwellings & ground floor rear extension with balcony above and rear boundary wall. Refused 25.07.06.
- 4.2 N/2007/0962 – Conversion of dwelling into two separate dwellings with a single storey rear extension, Juliet balcony and front velux window. Approved 2.01.08.
- 4.3 N/2010/1085 – Extension of time limit to implement planning permission N/2007/0962. Approved 8.02.11.
- 4.4 N/2014/0110 - Conversion of existing dwelling to form 3no residential units including alterations to ground floor front elevation and installation of rooflights – Approved 31/03/2014.

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

Paragraph 49 requires that housing applications be considered with presumption in favour of sustainable development.

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

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

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**

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire Parking Standards (September 2016) – This sets out a standard for Houses in Multiple Occupation of one vehicle parking space and one secure covered cycle space per bedroom.

5.6 **Other Material Considerations**

The Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014) sets out four principle which proposals for HIMOs should comply with:

- 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;
- To promote the use of public transport, cycling and walking and to secure provision of adequate parking.
- To ensure provision of adequate storage for refuse and materials for recycling.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Private Sector Housing** – Confirm that the proposal will meet the space standards for a six person HIMO and will require mandatory licencing.

6.2 **Local Highway Authority** – following a request for and the receipt of a parking beat survey, the LHA comment as follows:

The LHA have received a number of parking surveys submitted as part of numerous planning applications. After analysing the data it has become apparent that when on-street parking is at 85% to 90% of capacity, there are very few available spaces in the area and it is therefore considered at capacity. This is because any fluctuation in demand could result in highway safety and amenity problems arising. When the capacity exceeds 90%, the area is over saturated with parked vehicles and which will result in highway safety and amenity issues arising on a regular basis. Any increase in demand will further exacerbate the problems, resulting in a much greater chance of dangerous parking and conflict between residents due to a lack of parking amenity.

The parking beat survey submitted by the applicant shows there is no residual parking capacity for vehicles within the survey area.

The report submitted along with the survey data highlights issues of cars frequently parked within 5m of junctions, double parking on Holly Road and Ivy Road in particular and frequent parking across dropped kerbs.

It should also be considered that parking levels will fluctuate to some degree. This means that at times, demand will be greater than the levels shown during the survey period.

The LHA acknowledge that there is a good chance that not all the residents of an HIMO will have a car. However, as all residents will be of driving age, there is the real possibility the property could produce a demand for 6 vehicles.

The LHA therefore considers that the increase in parking demand generated by this development is likely to result in increased parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking, all of which are already evident. The application will therefore result in a greater risk to both motorists and pedestrians and for this reason the LHA must object to the proposed development on the grounds of highway safety. Furthermore, the increase in parking demand will have a negative amenity impact on neighbouring residents.

6.3 **Councillor Zoe Smith** – Wish to call in the application to Planning Committee on the basis that parking is already very strained in the area, with the property being near a mosque which already causes a parking challenge in the area.

6.4 Representations received from the neighbouring occupier at **57 Abington Avenue**, making the following points in summary:

- Each successive application has involved ever increasing numbers in occupation of a fixed and limited space with no thought nor concern for social consequences or pressure on local infrastructure.
- No evidence of anything being done to enhance the quality of local life.
- Multi-occupancy will bring with it additional vehicles.
- Have had unpleasant encounters with the applicant in the past.
- Not convinced management plan would be adhered to.

7. APPRAISAL

- 7.1 The principal issues to consider in this case are as set out in the four principle of the Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and considered in turn below. Further considerations relate to the Northamptonshire Parking Standards and other planning policy.

Concentration of HIMO in the area

- 7.2 The concentration of HIMO uses in the area is assessed by reference to records held by the Council. The IPPS states that there should be no more than 15% of properties in this use within a 50m radius. In this case, records indicate that within a 50m radius of the application site 8 of the 60 residential properties are houses in multiple occupation, resulting in a concentration of 13%. With the proposed change of use this would bring the percentage to 15%. As this does not exceed 15% this would comply with the policy guidance.
- 7.3 In respect of the nature of the use, whilst comments from the objector referring to ant-social behaviour are noted, this would not represent a material planning consideration as it cannot be assumed that occupants of this type of accommodation would be more or less likely to be involved in such behaviour than those in other types of accommodation.
- 7.4 It must therefore be concluded that the proposal would not adversely affect the character of the area.

Size of property and facilities for future occupiers.

- 7.5 The plans indicate the sizes of all bedrooms proposed as well as kitchen, bathroom, WC and shower facilities. The comments received from Private Sector Housing indicate that the accommodation proposed would be acceptable for 6 residents subject to compliance with licence conditions.

Flood risk

- 7.6 In respect of flood risk the application site is outside of the areas of the town identified a being at risk from flooding.

Parking

- 7.7 The adopted IPPS sets out that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 In this case, there is a bus stop opposite the site in Stimpson Avenue, within 40m of the property. Additionally, the site is 130m from a small local shopping centre at the junction of Abington Avenue and Abington Grove and within 300m of the edge of the Kettering Road Local Centre.
- 7.9 Within such areas the IPPS goes on to say that storage space should be provided which is accessible to cycle users, which is available in this case.
- 7.10 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.11 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom and where less this is proposed

that the Highway Authority will require a parking beat survey of the surrounding streets, to ascertain whether the additional parking demand resulting from the change of use can be accommodated.

- 7.12 In this case no on-site parking is proposed and the Local Highway Authority duly requested that a parking beat survey be carried out. This survey was subsequently produced and the response from the Local Highway Authority to this survey was that this showed the area to be at capacity for parking, as quoted above at Para 6.2. An objection has therefore been raised by the LHA in terms of highway and pedestrian safety.
- 7.13 The current use of the property is as a three bedroom dwelling, with a potential occupancy of up to four car driving adults. The proposed change of use would, therefore, result in a potential increase to six car driving adults.
- 7.14 Regard must also be given to the planning history of the site. As referred to above, permission was granted in 2014 for the use of the premises as three dwellings. This includes a total of four bedrooms across the three units and could accommodate up to eight occupants in total and potentially six or seven car driving adults. This would thereby potentially result in a similar or increased demand for parking to the current proposal. This permission remains extant but now has a very limited time remaining for implementation of the proposal to be commenced and can therefore effectively be considered to have lapsed. If a further application for the same number of flats was now submitted, this would be assessed against the current guidance which requires 2 spaces per dwelling and one additional visitor space per dwelling, which could not be complied with.
- 7.15 It is considered, therefore, that the proposed change of use would result in a marked increase in demand for parking over and above that of the current use of the premises and that due to the oversubscribed nature of parking in the area this increase would result in an increased incidence of inappropriate parking, to the detriment of highway and pedestrian safety.

Refuse storage

- 7.16 The rear yard of the property is shown on the submitted plans as to be used for refuse storage and there is adequate space for this.

8. CONCLUSION

- 8.1 Whilst the proposed change of use would comply with the adopted Interim Planning Policy Statement on HIMO's in respect of proximity to bus stops and local facilities, due to the absence of any provision of on-site parking the proposal would not comply with the Northamptonshire Parking Standards which were adopted after the IPPS. Given the congested nature of on street parking in the area, as demonstrated by the applicant's own parking beat survey, it is considered that the proposal would have a detrimental impact on highway and pedestrian safety due to the increased incidences of inappropriate parking which would result. Whilst the site is served by bus routes and local facilities, it is considered likely that at least some of the occupants would have cars, which could not be accommodated in the area. In this particular case, therefore, it is recommended that the application should be refused due to the detrimental impact on highway and pedestrian safety which would result.

9. BACKGROUND PAPERS

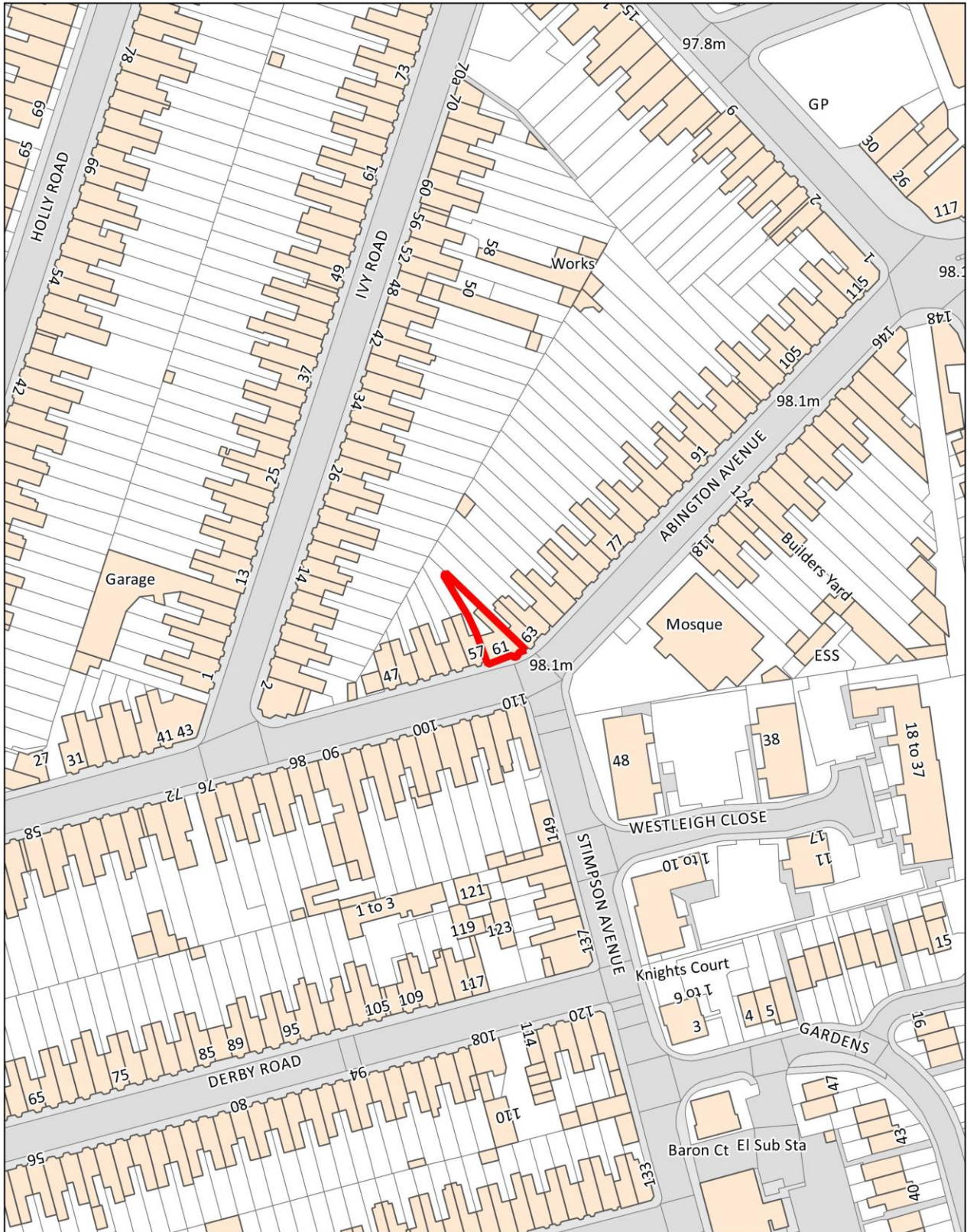
- 9.1 Application file N/2016/1476.


10. LEGAL IMPLICATIONS

10.1 The development is not CIL liable.

11. SUMMARY AND LINKS TO CORPORATE PLAN

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



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|  <p>NORTHAMPTON BOROUGH COUNCIL</p> | <p>Title: 61 Abington Avenue</p> | <p>Date: 28-02-2017</p> |
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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1541

LOCATION: 46 - 48 King Edward Road

DESCRIPTION: Change of use of 2 flats (Use Class C3) to house in multiple occupation (Use Class C4) for 6 residents

WARD: Abington Ward

APPLICANT: Mrs Collins
AGENT: Archi-tec Architectural Design

REFERRED BY: Councillor Zoe Smith
REASON: Parking concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION:

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The application proposes the conversion of the existing two flats to a house in multiple occupation for 6 people. No external alterations are proposed. Parking would be on street.
- 2.2 The site lies within an Article 4 Direction Area which removes permitted development rights for change of use from a dwelling to a HIMO.

3. SITE DESCRIPTION

- 3.1 The application site comprises Nos. 46-48 King Edward Street, a corner property within a predominantly residential area. The ground floor was formerly a hairdressers but was converted to a one-bedroom flat earlier this year under the prior notification process. A further 3-bedroom flat occupies part of the ground floor to the rear and the entire first floor of the building. An enclosed yard is situated to the rear of the property. The surrounding area comprises predominantly residential terraces with on-street parking. Wellingborough Road Local Centre is located to the north west of the application site, approximately 500m away.

4. PLANNING HISTORY

- 4.1 N/2016/0040 – Prior notification for change of use from a hairdressers into a flat (ground floor). Approved 8.03.16.

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:

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

Paragraph 49 – Housing applications should be considered with a presumption in favour or 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, Local Planning Authorities are advised to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in 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 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 Parking Standards (September 2016)
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 refuse and recycling storage.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Local Highway Authority (LHA)** – following a request for and the receipt of a parking beat survey, the LHA comment as follows:

The LHA have received a number of parking surveys for numerous planning applications. In analysing this data it has become apparent that when on-street parking is at 85% to 90% of capacity, there are very few available spaces left in the area, and it is therefore considered at capacity. This is because any fluctuation in demand could result in highway safety and amenity

problems arising. When the capacity exceeds 90%, the area is over saturated with parked vehicles which results in highway safety and amenity issues arising on a regular basis. An increase in demand will further exacerbate the problems, resulting in a much greater chance of dangerous parking and conflict between residents due to lack of parking.

The submitted parking beat survey shows there is no residual parking capacity within the immediate vicinity of the site.

King Edward Road and Christchurch Road have no parking restrictions on the junctions. An early morning survey carried out by the LHA between the hours of 1am and 4am showed that vehicles were parked well into the junctions with King Edward Road making visibility non-existent. Parking on the junctions of Christchurch Road was less severe but still within 5m of the junction.

The LHA acknowledge that there is a good chance that not all the residents of an HIMO will have a car. However, as all residents will be of driving age, there is the real possibility the property could produce a demand for 6 vehicles.

The LHA therefore considers the increased demand for on-street parking resulting from the development would result in increased parking on double yellow lines, across dropped kerbs, on the corners of junctions and double parking. The potential highway safety implications are therefore considered severe and the LHA must therefore object to the proposed development on the grounds of highway safety. Furthermore, the increase in parking demand will have a negative impact on the amenity of neighbouring residents.

- 6.2 **Private Sector Housing** – No objection. The premises will require a license.
- 6.3 **Councillor Zoe Smith** – wishes to call the application to Planning Committee as the proposal is likely to exacerbate current parking issues and alter the residential nature of the area.
- 6.4 Neighbouring properties have been notified. No comments received.

7. APPRAISAL

Principle of Use and Concentration

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.
- 7.2 The surrounding area is predominantly residential in character. It would appear from Council records that there are no other existing HIMOs within a 50m radius of the application site. The addition of a further HIMO as proposed would lead to a concentration of 2% significantly below the 15% concentration. It is therefore not considered that the HIMO proposed would lead to any significant impact on the character and amenity of the surrounding area as a result and the principle is therefore considered acceptable.

Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property

to a maximum of 6 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing are satisfied with the accommodation proposed which would be subject to a requirement for a license.

- 7.4 There is sufficient room to the rear of the property for bin storage and cycle storage which can be conditioned to be required prior to occupation as an HIMO.

Flood Risk

- 7.5 In respect of flood risk the application site is outside of the areas of the town identified as being at risk from flooding.

Highways/Parking

- 7.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be **either** within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 Parking within the vicinity of the site is on-street. Whilst the site is in excess of 400m from the nearest bus stops on Wellingborough Road and Billing Road, it is within approximately a 7 minute walk to the Local Centre and facilities, including bus services, on Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such areas the IPPS goes on to say that storage space should be provided which is accessible to cycle users. Such space is available in this case, and a condition is recommended requiring that this is made available for cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.10 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom and where the proposal is less than this requirement, the Local Highway Authority (LHA) will require a parking beat survey of the surrounding streets, to ascertain whether the additional parking demand resulting from the change of use can be accommodated.
- 7.11 In this case, no on-site parking is proposed and the LHA duly requested a parking beat survey be carried out. A survey was subsequently submitted and the response from the LHA to this survey was that this showed the area to be at capacity for parking, as referred to above in paragraph 6.1 above. The LHA therefore object to the proposal on the grounds that the potential impacts on highway safety are considered to be severe, and concern is also raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.12 Notwithstanding the LHA objection, regard must be given to the existing subdivision and use of the premises as two separate 1 bedroom and 3-bedroom flats, and that there could potentially be at least 6 occupants within the existing property due to the size of the existing bedrooms. In this respect, it is not considered that the proposed use would lead to any increase in the number of occupants to that which could potentially exist under the present use.
- 7.13 Furthermore, regard must be paid to previous appeal decisions over the past year where Planning Inspectors have consistently taken the view that where a site is close to local amenities, and no parking is provided, considerable weight has been given to the sustainable location of the

site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.

- 7.14 The issues in this regard are finely balanced, however it is considered that in view of the existing use, recent appeal decisions and that the proposal complies with the Council's adopted Interim Planning Policy Statement for HIMOs, it would be difficult to uphold a refusal at appeal on the basis of highway concerns.

Refuse Storage

- 7.15 No specific details have been submitted in relation to the provision of refuse storage. However, there is an enclosed yard to the rear of the property with sufficient space to accommodate suitable storage. A condition is recommended to this effect.

8. CONCLUSION

- 8.1 The proposed change of use would comply with the requirements of the Interim Planning Policy Statement on HIMOs, and would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The issues in relation to parking and highway safety are finely balanced, however, it is considered that the proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal 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 and Block Plan, drawing no. C50-2A.

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 6 residents at any one time.

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

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Prior to the first use of the premises hereby permitted, 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 adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition in order to ensure acceptable details are agreed in advance of work starting.

10. BACKGROUND PAPERS

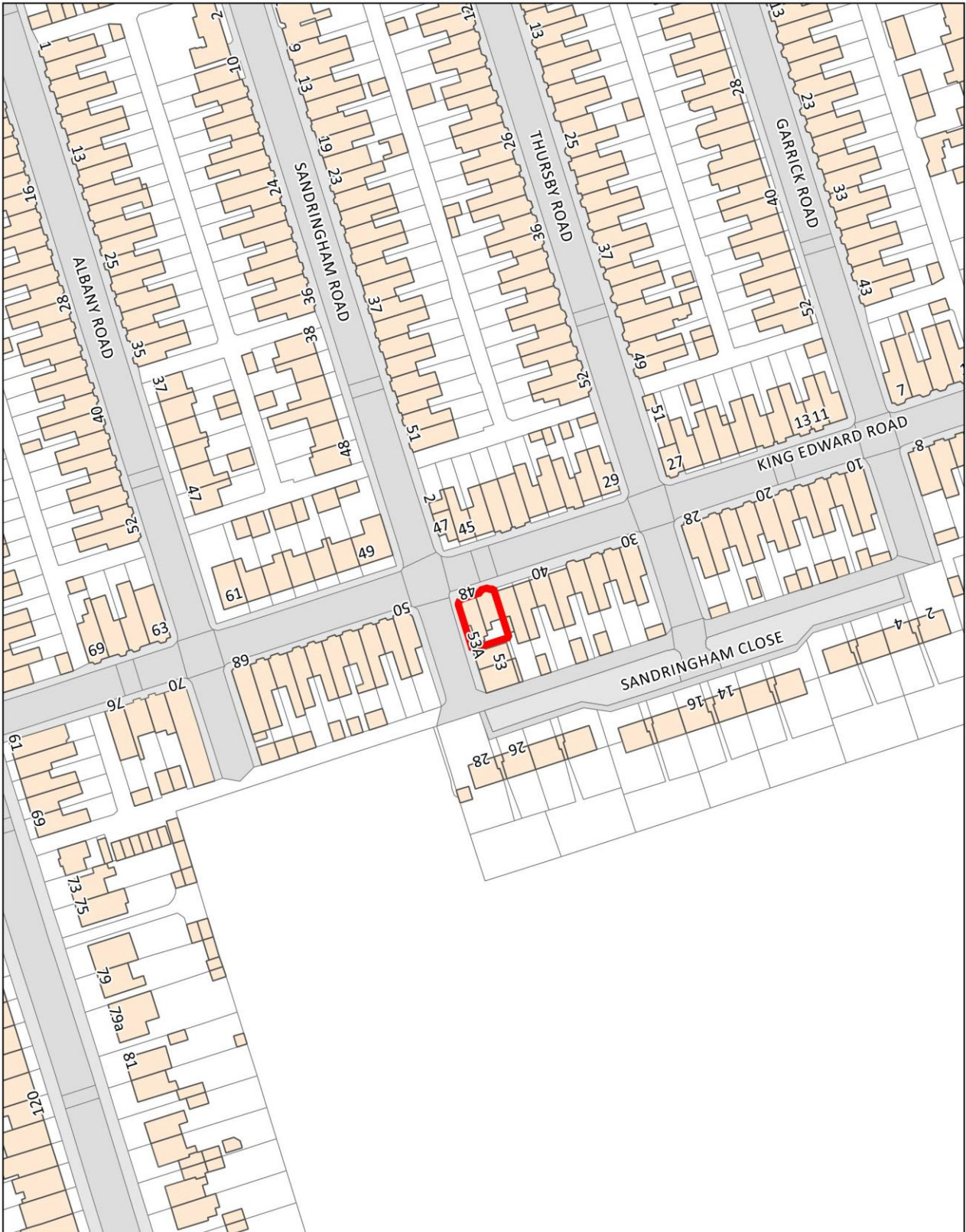
- 10.1 N/2016/1541.

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: **46-48 King Edward Road**

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Date: 28-02-2017

Scale: 1:1,250

Drawn by: -----



PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1649

LOCATION: Former Lakeview House Old Persons Home, 88 Churchill Avenue

DESCRIPTION: Redevelopment of land to provide 45no. 1 bedroom flats for the elderly with associated facilities and demolition of 10no. existing garages to the north of the site to create overall 31no. car parking bays (including 3 accessible bays). Creation of new access into Shap Green

WARD: Eastfield Ward

APPLICANT: Northampton Partnership Homes
AGENT: Quattro Design Architects Ltd

REFERRED BY: Head of 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 development would contribute to the Borough's 5 year housing land supply and would not cause undue harm to residential amenities of the neighbouring occupiers, highways or biodiversity. The proposed design and layout are considered to be acceptable and the development is considered to be in conformity with the requirements of the National Planning Policy Framework, Policies H1, BN3, S4 and S10 of West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

2. THE PROPOSAL

2.1 The application relates to the redevelopment of land to provide 45 no. 1 bedroom flats for the elderly with associated facilities, including demolition of 10 no. existing garages to the north of the site to create a total of 31 no. car parking to serve the development (including 3 accessible bays) and creation of new access onto Shap Green.

2.2 The application is accompanied by the following documents;

- Design and access statement
- Ecological Assessment
- Ground investigation report
- Flood risk assessment
- Transport assessment
- Travel plan

2.3 Cabinet considered a report in July 2016 which agreed the Northamptonshire Partnership Homes Board Older Persons Strategy. Lakeview House was identified as an opportunity to provide older persons housing which is both fit for purpose and provides a secure environment above that normally provided in rented accommodation.

3. SITE DESCRIPTION

3.1 The proposal relates to the redevelopment of a vacant site located between Churchill Avenue and Shap Green in the Boothville area of Northampton. The site was previously occupied by the former Lakeview House Old Peoples Home which was a two storey building demolished in early 2016.

3.2 The area is predominantly residential in nature, with a neighbourhood shopping centre located towards the south east of the site. Much of the development in this area was constructed in the 1970's and is mainly two storey and brick built.

4. PLANNING HISTORY

4.1 The site has been the subject of a number of planning applications for change of use;

- N/2013/0305 - Change of use from Residential Care Home (use class C2) into Hostel Accommodation (use class Sui Generis) and provision of car park. This application was withdrawn in May 2013.
- N/2013/0925 - Change of use from residential care home (Use Class C2) into 28no. residential flats (Use Class C3) and provision of on-site car parking spaces. Refused in November 2013.
- N/2014/0911 - Change of use from residential care home (Use Class C2) to 20no. residential flats (Use Class C3). Refused in February 2015.
- N/2015/1448 - Demolition of existing 2 storey building and associated buildings. Approved January 2016.

4.2 There have also been a number of enforcement complaints regarding activities on this site relating to untidy land, change of use and impact on the protected trees.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

Paragraph 7 – There are three dimensions to sustainable development. These dimensions give rise to the need for the planning system to perform a number of roles: an economic role, a social role, an environmental role.

Paragraph 14 – Central to the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Paragraph 17 – sets out core land-use planning principles, which seek to secure high quality design and a good standard of amenity for existing and proposed occupiers; encouraging the effective use of brownfield sites; managing patterns of growth to make fullest use of sustainable locations.

Paragraph 35 - sustainable transport – developments should be located and designed where practicable to create safe and secure layouts which minimise conflicts between traffic and cyclists and pedestrians.

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 in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

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 and the needs of different groups in the community.

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 SA: presumption in favour of sustainable development requires the Council to take a positive approach that reflects a presumption in favour of sustainable development and that proposals should be determined in accordance with the development plan.

Policy S4: Northampton Related Development Area sets out the housing needs for the plan period for Northampton.

Policy S10: Sustainable Development Principles - Seeks to achieve the highest standards of design and to protect, conserve and enhance heritage assets and their settings.

Policy H1: Housing Density and Mix and Type of dwellings – considers the location and setting of the site, the character of an area, living conditions for future residents and amenities of occupiers of neighbouring properties. The principles of Policy H1 require that development should make most efficient use of land.

Policy BN2: Biodiversity – seeks to protect biodiversity and ensure adequate surveys are undertaken to establish habitats and species on the site.

Policy BN3 Woodland Enhancement and Creation – seeks to protect aged or veteran trees and will not permit their loss unless the need for and the benefits of, the development in that location clearly outweigh the loss.

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 - requires new development to reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and be located in a manner which ensures adequate standards of privacy, daylight and sunlight.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Northampton Partnership Homes Older Persons Strategy (adopted by NBC in July 2016)

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NCC Highways** – satisfied that the level of parking proposed is sufficient to accommodate the development given the estimated trip generation and use of the building. A Construction Traffic Management plan should be submitted to provide details of the construction access to the site, routing to and from the site and hours of operation and delivery times.
- 6.2 **NCC Local Lead Flood Authority** – further information was provided during the course of the application and this is to the satisfaction of the Surface Water Drainage team.
- 6.3 **Environment Agency** – no objections.
- 6.4 **Anglian Water** – further details of the means of drainage of the site are required. This can be dealt with by condition.
- 6.5 **NCC Archaeology** – no objections.
- 6.6 **NCC Development Management covering comments from Northants Fire and Rescue** – require the installation of one additional fire hydrant (site to be agreed with the Fire and Rescue Service Water Officer) and the inclusion of ducting works to enable broadband to be provided within the development.

- 6.7 **NCC Ecology** – require a further bat survey prior to the demolition of the garages. The Ecologist has also identified the presence of invasive species of plants on the site and advised about their removal and comments on the proposed landscaping scheme.
- 6.8 **NBC Public Protection** recommend that the recommendations set out in the site report submitted with the application are carried out and a condition is imposed relating to unforeseen contamination being present on the site.
- 6.9 **Northamptonshire Police** were involved in pre-application discussions with the applicant prior to the submission of the application. It is intended that the development will be constructed in a manner that will achieve Secured by Design accreditation.
- 6.10 **NBC Arboricultural Officer** – a tree report accompanied the application and provides detailed information about the trees, an arboricultural impact assessment and arboricultural method statement. Further information was provided from the applicant regarding the impact a proposed land drain would have on the root protection area of two limes that are identified in the report.
- 6.11 45 local residents were directly consulted on the application and a number of public notices were placed around the site. The application was also advertised in the local newspaper. Two representations have been received that relate to the following issues;
- enforcement of parking to the rear of 1-11 Churchill Court
 - request that a higher fence is provided for the residents of Churchill Court
 - that the building will not be used for the elderly
 - loss of streetlight (streetlight to the west is indicated to be removed)
 - overlooking of the gardens to the west of the site
 - reduction in parking for the existing residents

7. APPRAISAL

- 7.1 Northampton has a shortage of accommodation for older people which is fit for purpose and offers a level of security over and above normal rented housing. When older people find living in their own home too much to cope with there are currently limited solutions and often they have to move into residential care homes when they do not really require such an intensive and expensive level of service. Lakeview House is intended to provide self-contained independent accommodation specifically for older people in an environment specifically designed and developed for them.
- 7.2 The location of Lakeview House is suited to older people due to its level proximity to local services such as local shops, doctors and dentist surgeries, a pharmacy and a bus route nearby. The area is popular and very settled with a number of bungalows for older people nearby and a community room which hosts a range of activities suitable for older people.
- 7.3 Lakeview House will provide independent self-contained accommodation for older people and is not an extra care scheme (there is no on-site provision of care however tenants may receive low levels of care using funding from personalised budgets). There are communal facilities by way of a small lounge, mobility scooter store as well as a garden and greenhouse. Each tenant will also be linked to a community alarm system enabling them to summon assistance via a remote contact centre 24 hours a day.
- 7.4 Prior to the submission of the application, consultation was carried out with the wider community involving 700 leaflets being delivered and a consultation event was also held. This identified the

need for additional parking in the area, which has been incorporated into the scheme, along with amendments to boundary treatment and finish of the building.

Principle of development

- 7.5 The principle of development for a residential use in this location is considered to be acceptable. Combined with the need for housing to suit the needs of Northampton's older population would be a much welcomed development. The previous facility provided accommodation for up to 48 older people offering care for residents with sensory impairments, dementia care and physical disabilities.
- 7.6 The current proposal is aimed at residents who require an element of care, whilst retaining the independence in their own apartment. The provision of this type of housing therefore contributes to the Council's five year housing land supply serving a particular need and mix of development as required by Policy H1 of the Joint Core Strategy.
- 7.7 The site has a number of protected trees around the boundaries, which can be adequately protected and retained. Although trees are indicated to be removed, replacements are proposed as further mitigation and enhancement of the development.

General layout and design

- 7.8 The footprint of the proposed building is 1,235m² and the total floor area is 3,454m². The building comprises 45 one-bedroom apartments, a communal lounge, staff office, scooter store. Externally, the plans indicate a landscaped garden, parking and vehicular drop off and covered refuse storage area.
- 7.9 Each of the apartments will be approximately 52m² which provides sufficient space for wheelchair movements around the apartments and includes a bedroom, bathroom, kitchen/living room. Each apartment has a private balcony leading from the living area.
- 7.10 On the ground floor the communal lounge leads out to a greenhouse and landscaped area with seating. Two lifts and three staircases lead to the upper floors.
- 7.11 The design has incorporated best practice from national design standards and has incorporated recommendations from the following;
- Housing our Aging Population: Panel for Innovation (HAPPI)
 - Housing Quality Indicator
 - Lifetime Homes
 - Code for Sustainable Homes
 - Secure by Design
 - Wheelchair standards
 - Amey regarding waste collection and storage
- 7.12 To the north and the east of the site, new parking provision is included which provides 27 parking spaces for staff, visitors and residents of the apartments. As some of the apartments are intended for high and medium dependency residents, the Local Highway Authority has accepted that 19 spaces would be sufficient provision for residents, leaving 8 spaces for staff and visitors.
- 7.13 In terms of design, the building is a three storey pitched roof structure finished in buff/yellow brick, off white/cream render and weatherboarding to break up the massing of the building and introduce additional interest. It is considered that the proposed design is acceptable and would be in keeping with the character of the area.

- 7.14 The boundaries to the development are a mix of brick wall (2m on the frontage to the car parking area to the shops) and 1.8m high railings on the other boundaries, which provides an open feel to the development but maintains privacy for the residents in the garden area. Within the garden area, the proposal includes a greenhouse and shed for residents who like to participate in gardening.

Highways and access

- 7.15 The application is accompanied by a Transport Statement. This considers parking, sustainable travel and traffic generation arising from the development. It notes that this area is within a 30mph speed limit.
- 7.16 In terms of parking provision, 60% of the Local Highway Authority's standard is provided. In this instance, given the type of resident that is likely to live at the development and that this is close to existing bus stops that are served throughout the day and at weekends. The applicants see this and the connectivity for cyclists as alternative modes of travel to the site.
- 7.17 Measures are suggested to improve access to the bus stops (through the addition of tactile paving and improvements to the crossing points) which would be of benefit to existing and new residents and their visitors.
- 7.18 A travel plan has been submitted that indicates measures the applicant will use to promote sustainable travel.
- 7.19 In summary, the submitted documents consider that the impact in terms of traffic and measures to promote sustainable travel are acceptable to the Local Highway Authority.

Ecology and Trees

- 7.20 A tree report accompanies the application and provides detailed information about the trees, an arboricultural impact assessment and arboricultural method statement.
- 7.21 The arboricultural impact assessment indicates that the proposed development will require the removal of two individual trees (both limes), two tree groups and part of a further group (incorporating a Silver Birch and an Ash) will need to be removed to accommodate the development. Some of these had already been removed at the time of the demolition of the building.
- 7.22 Concerns were expressed by the Council's Arboricultural Officer that during the course of the works, adequate root protection measures had not been followed. The plans indicated that there is a proposed land drain close to the Root Protection Areas of the two Limes identified as being retained and that the proposed refuse storage also appeared to encroach into the root protection areas. Further information has been received from the applicant regarding the impact on the trees and the Council's Arboricultural Officer is satisfied that adequate mitigation is proposed, subject to protective fencing being erected prior to any work commencing on site. This can be covered by condition.

Impact on neighbouring properties

- 7.23 The building has been designed in a manner that has taken account of the surrounding properties in terms of design and impact.

- 7.24 The materials are indicated to be in keeping with the surrounding dwellings. During the course of the consultation with the community, this was changed from a white finish to an off white/cream finish render. This lessens the impact on the surrounding residents in terms of a stark outlook.
- 7.25 An assessment has been carried out that evaluates the line of site from the surrounding properties and indicates an uninterrupted view within a 25° pitch line of sight. Whilst the building would be visible, this indicates that there would be no demonstrable adverse impact in terms of loss of daylight or sunlight on the existing properties.
- 7.26 The layout of the building is such that at the closest point, there is a distance of 21m between the front faces of the proposed building and existing dwellings (to the west of the site facing Churchill Avenue). The properties to the east of the site (Appleby Walk) are the only properties that would have the potential for overlooking of the rear gardens, however with a distance of around 31m to the back of the existing properties, it is considered that there is sufficient distance for this to not be of a significant impact on the amenities of the residents.

Other Matters

- 7.27 In terms of the enforcement of the parking as raised by some of the representations, the parking spaces that are part of the application will be managed by the applicant, although any on-street parking would be outside the control of the applicant, however, the parking provided meets with the agreement of the Local Highway Authority in terms of numbers.
- 7.28 The fence to the rear of the parking area adjacent to Churchill Court (the northern parking area) is indicated to have a 2m high close boarded fence between the parking and the side boundary of 1 Churchill Court. Whilst the objector has requested a higher fence on that boundary, it is considered anything higher than 2m would be obtrusive in the street scene and could impact on the residential amenities of the occupier (i.e. loss of light and overbearing). Discussions with Northamptonshire Police have confirmed that a 2m high fence in a setting such as this is acceptable in terms of a Secured by Design perspective.
- 7.29 A condition is proposed to require details of lighting of the site, to ensure that adequate lighting is provided in the area as a result of the loss of any streetlights.
- 7.30 The scheme does not reduce parking for the existing residents. Replacement provision is indicated where existing residents parking has been removed.

Developer Contributions

- 7.31 The development relates to a proposal for social rented housing for the elderly, offering an element of care for the residents. For this reason, the normal contributions such as for affordable housing and public open space, do not apply in this instance. In the absence of a legal agreement, a condition is imposed requiring the applicant to provide a training strategy which could include a contribution towards construction training.

8. CONCLUSION

- 8.1 The proposal represents a replacement facility that provides housing for a section of the community that has its own needs and requirements. The proposal has generally been supported by the local community throughout the consultation process. The objections that have been received have been considered during the assessment of the application and have been dealt with appropriately.
- 8.2 The proposal is supported by national and local planning policy and guidance and would contribute to the Council's 5-year housing land supply requirements. The development is

therefore in conformity with the requirements of the National Planning Policy Framework, Policy H1, BN3, S4 and S10 of West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

9. CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan: 5434-P-0001, location plan: 5434-P-0100, block plan: 5434-P-0101, Ground Floor Plan: 5434-P-0200A, First Floor Plan: 5434-P-0201A, Second Floor Plan: 5434-P-0202A, Proposed Roof Plan: 5434-P-0203A, Proposed Sections A&B: 5434-P-0601A, Proposed elevations: 5434-P-0700A and 5434-P-0701A, Proposed street elevations 5434-P-0702A, Illustrative 3D drawings: 5434-P-0800A and 5434-P-0801A, Proposed soft landscaping 5434-P-0111, Drainage arrangements: MA10454/200, Proposed drainage layout: MA10454/210

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

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

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

4. Full details of all external lighting 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 S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

5. Prior to commencement of works on site, a Construction Environmental Management Plan (CEMP) shall be submitted and agreed in writing with the Local Planning Authority to address construction working hours, delivery times, routing to and from the site and removal and disposal of invasive plant species. The development shall be carried out in accordance with the CEMP.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it must be reported in writing immediately to the Local Planning Authority and works cease. An investigation and risk assessment must be undertaken and a remediation scheme prepared, submitted to and approved in writing by the Local Planning Authority prior to works recommencing on site.

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

7. A detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, 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.

8. 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.

9. All trees shown to be retained in the approved plan no.5434-P-0111 shall be protected for the duration of the development by (a) stout fence(s) to be erected and maintained on (an) alignment(s) to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials 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.

10. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage strategy/flood risk assessment shall be 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 secure satisfactory drainage of the site and to reduce the risk of flooding in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

11. Prior to commencement of development a scheme for the provision of construction training during the course of the development shall be 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.

Reason: To secure satisfactory opportunities for training within the Construction Industry in accordance with Policy INF2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

12. Prior to the commencement of any construction work on site, a survey of the site shall be undertaken to identify the presence of bats in the area, the results of which shall be submitted to and approved in writing by the Local Planning Authority. Should any bats be identified on the site, a scheme for the protection of these species shall be submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the approved scheme concurrently with the development and retained thereafter.

Reason: In the interests of wildlife and nature conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable timely submission of information.

10. BACKGROUND PAPERS

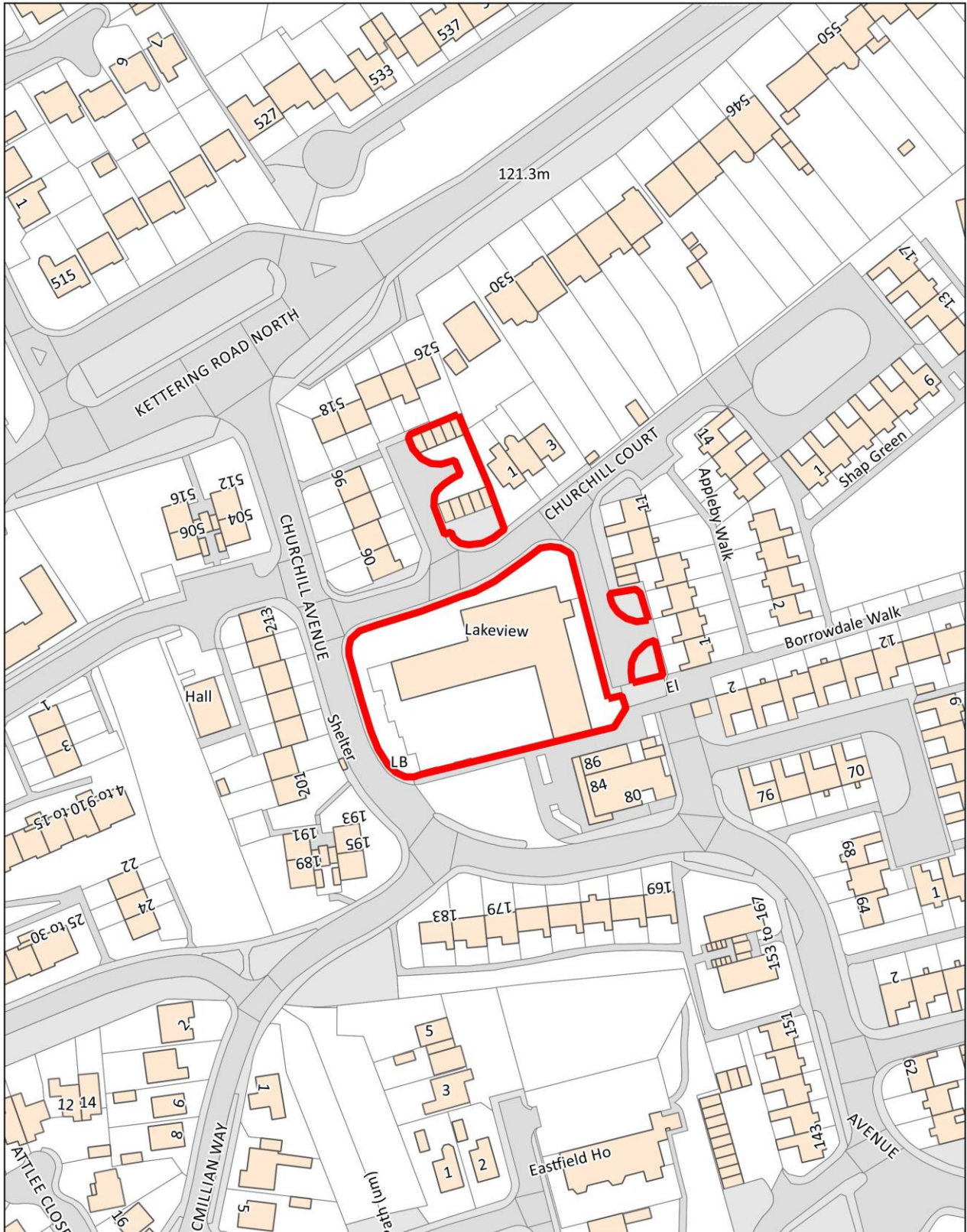
10.1 N/2016/1649.


11. LEGAL IMPLICATIONS

11.1 The development is CIL liable as the development proposed falls within Class C3 of the Use Classes Order.

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: Lakeview House Old Persons Home, 88 Churchill Avenue</p> | <p>Date: 01-03-2017</p> |
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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0027

LOCATION: Delapre Abbey , London Road

DESCRIPTION: Advertisement Consent Application for two welcome / directional signs

WARD: Delapre & Briar Ward

APPLICANT: Mrs Vikki Pearson
AGENT: Mrs Vikki Pearson

REFERRED BY: Head of Planning
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out in Paragraph 8 below.

2. THE PROPOSAL

2.1 The proposal is for the erection of two non-illuminated signs at the entrance to Delapre Abbey from London Road. One of the signs, to the right hand side of the entrance, would be 3m high whilst the second sign, to the left hand side and positioned behind the wall, would be 3.2m high. Both signs would have a lower section in dark grey concrete, 750mm wide and an upper section in light grey powder coated steel, 800mm wide.

3. SITE DESCRIPTION

3.1 The two proposed signs would be at either side of the main entrance to Delapre Abbey from London Road.

3.2 The site falls within Delapre Park Conservation Area and Registered Battlefield. Within the grounds of Delapre Abbey there are eight listed buildings and structures, all of which are Grade II, other than the Abbey itself which is Grade II*.

4. PLANNING HISTORY

- 4.1 N/2014/0470 – Two sided sign at entrance to Abbey from London Road – Approved 11/06/14 (temporary consent).
- 4.2 N/2014/0538 – Hoarding sign within car park area – Approved 11/06/14 (temporary consent).
- 4.3 N/2014/1388 - Erection of a 6m flag pole and flag – Approved 28/01/15.
- 4.4 N/2016/1057 - Installation of 4no non-illuminated signs – Approved 07/06/16.

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 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.

5.2 National Policies

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

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

Paragraph 132 states that 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 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S10 - Development to achieve the highest standards of sustainable design.

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 to adequately reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials.

E26 – Conservation Areas: Consent for advertisements in conservation areas will be granted so long as the development preserves or enhances the character and appearance of those areas.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – No objection. The proposed signs have been the subject of pre-application discussion and have been devised to avoid impacting on views of the gate lodge and boundary wall at the entrance to the park. The signs will have an acceptable and reversible impact on the appearance of the Conservation Area and the less than substantial harm is justified as a means of encouraging visitors to Delapre Abbey.
- 6.2 **Historic England** - There is a clear need for signage at the entrance to the park to direct car and foot traffic, as part of the ongoing programme for regeneration of the Abbey and opening it to the public. The proposed location of the two signs has been agreed by Historic England as being the least harmful to the setting of the heritage assets and the appearance of the conservation area. The signs will not obstruct views of the lodge or the park entrance, and will be located where there are already signs or telegraph poles. It was agreed that metal would be an appropriate material for signage in this roadside location due to the risks of arson and damage, and taking into account the number of metal signs and posts already in the vicinity. Historic England has no objection to the application on heritage grounds.

7. **APPRAISAL**

- 7.1 The two relevant material considerations for the determination of applications for advertisement consent are the impacts upon amenity and public safety, as stipulates in the NPPF.
- 7.2 In respect of visual amenity, the principal considerations are that the signage would be at the entrance to the grounds of Delapre Abbey, a Grade II* listed building, and also within the Delapre Park Conservation Area.
- 7.3 The signage has been designed to follow the design ethos of the previously approved signage at the Abbey which takes the theme of an “Urban Country House” and in discussions with the Borough Council Conservation Officer and Historic England, who have confirmed that the signage is in line with what they had previously agreed and therefore raise no objections. In light of this, it is considered that any impact on the setting of the listed building or the Conservation Area would be acceptable and would be offset by the fact that the benefit of helping to secure the future of the Abbey by attracting visitors.
- 7.4 The entrance to the Abbey is within a suburban location and the signage has been designed with this in mind. It is considered that the signage would not be out of keeping with this location and hence not detrimental to visual amenity. It is proposed that the existing two sided sign would be removed from the entrance, thereby reducing visual clutter.
- 7.5 It is not considered that the sign would have any adverse impact in respect of highway or pedestrian safety.

8. CONDITIONS

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

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

- a. endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- b. obscure or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
- c. hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

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

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

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

9. BACKGROUND PAPERS

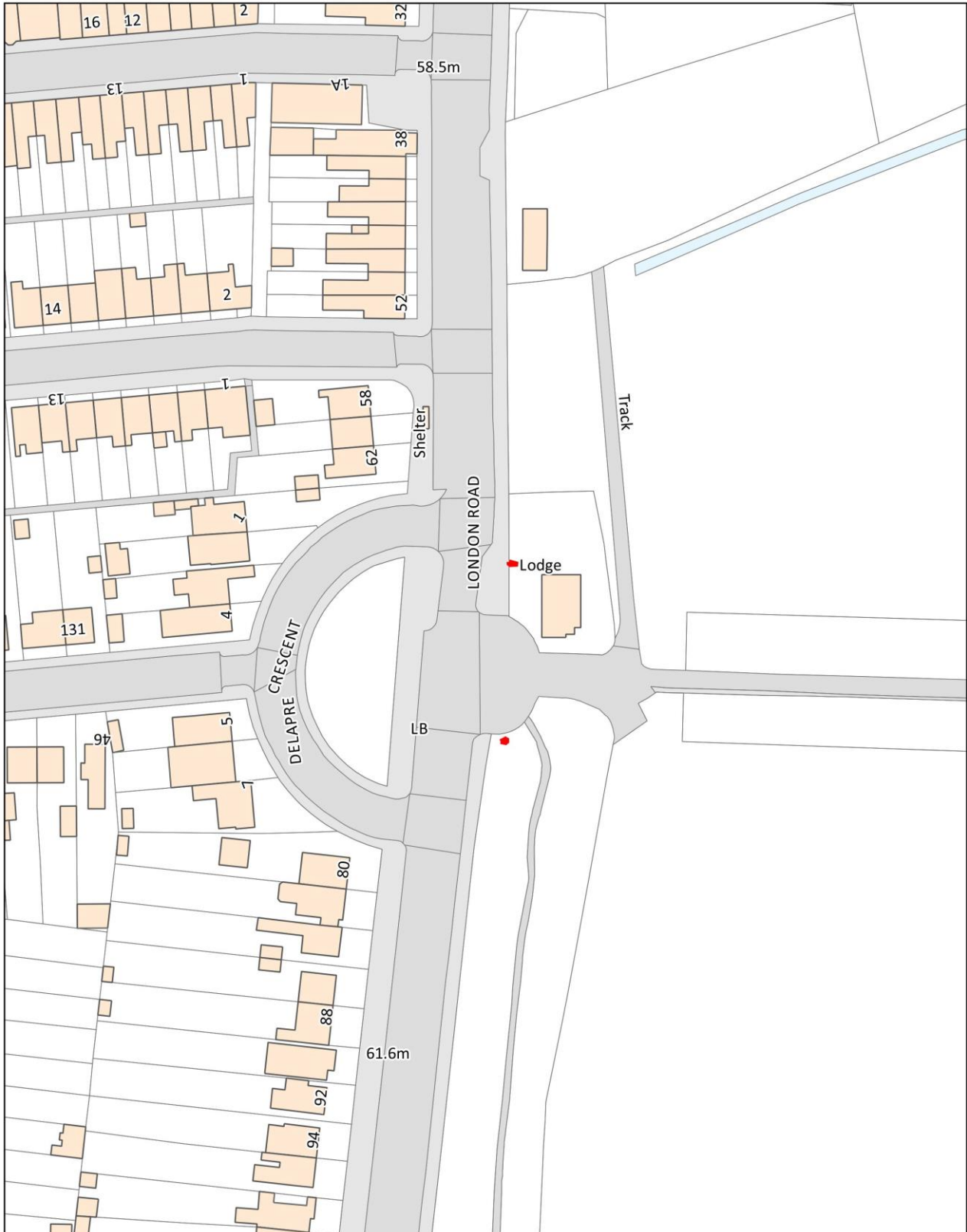
9.1 Application file N/2017/0027.

10. LEGAL IMPLICATIONS

10.1 None.

11. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **Delapre Abbey, London Road**

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Date: 01-03-2017

Scale: 1:1,000

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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0078

LOCATION: 1 - 60 Park Walk, Kings Heath

DESCRIPTION: Prior Notification for demolition of brick storage structures at 1 to 60 Park Walk

WARD: Kings Heath Ward

APPLICANT: Northampton Partnership Homes
AGENT: Northampton Partnership Homes

REFERRED BY: Head of 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 The application is for the proposed demolition of brick storage structures.

3. SITE DESCRIPTION

3.1 The application site relates to brick storage structures attached to the rear of two blocks of flats.

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 an application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

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

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:

S10 – Sustainable development principles.

BN9 – Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished. There are no policies material to this application.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 **Building Control** – Confirm the method of demolition is acceptable, subject to capping off of services and making good of the cut line, where the concrete structure was attached to the main building.

6.2 **Environmental Health** – Confirm the method of demolition is acceptable, subject to appropriate hours of use operation.

7. APPRAISAL

7.1 For a Prior Notification for demolition, the only considerations are the matters in relation to the means of demolition and the proposed restoration of the site. The principle of demolition is not a consideration.

7.2 The proposed method of demolition includes the use of site fencing with lockable gates, the display of safety signs, checking for asbestos then carrying out a soft strip of the building, demolition using a mechanical excavator and associated use of a dust suppression system, due care to protect adjoining dwellings, sorting and salvage of demolished materials, ensuring the site is left safe overnight and full compliance with Health and Safety Executive directives.

7.3 The method of demolition has been examined by Building Control who confirm that the details as submitted are acceptable, subject to services being capped off or made good and the cutting away of the concrete structure from the building being done in a way that would leave the building

sound and watertight. In this respect it has been confirmed that surface drainage would be capped off and the concrete would be cut away with an electric saw and the building then cosmetically finished.

7.4 Environmental Health has confirmed that the method of demolition is acceptable, subject to the hours of operation being no greater than 8am to 6pm on Mondays to Fridays and 8am to 1pm on Saturdays. The applicants have confirmed that the propose hours of operation would in fact be 8am to 4:30pm on Mondays to Fridays and 8am to 12:30pm on Saturdays, if required.

7.5 The site will be left as a cleared site ready for future improvement works and it has been confirmed also that services would be capped off, and the buildings would be left structurally sound and watertight, and the faces of the buildings would be left in a cosmetically acceptable state.

8. CONCLUSION

8.1 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 Northampton Central Area Action Plan, the West Northamptonshire Joint core Strategy and the National Planning Policy Framework.

9. CONDITIONS

9.1 It is not necessary to attach conditions as Schedule 2, Part 11 of The Town and Country Planning (General Permitted Development) Order 2015 stipulates that where prior approval is not required, the development shall be carried out in accordance with the details submitted with the application. In this case these details would also include the supplementary information submitted, regarding hours of operation capping off of drainage and making good of the cut line where the concrete is attached to the building.

10. BACKGROUND PAPERS

10.1 Application N/2017/0078.

11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **1-60 Park Walk**

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Date: 01-03-2017

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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0079

LOCATION: 1 to 120 Park Drive, Kings Heath

DESCRIPTION: Prior Notification for demolition of brick storage structures at 1 to 120 Park Drive

WARD: Kings Heath Ward

APPLICANT: Northampton Partnership Homes
AGENT: Northampton Partnership Homes

REFERRED BY: Head of 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 The application is for the proposed demolition of dwarf brick walls and brick storage structures.

3. SITE DESCRIPTION

3.1 The application site relates to brick storage structures to the rear of four blocks of flats, and dwarf wall structures to the front of two houses.

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 an application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

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

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:

S10 – Sustainable development principles.
BN9 – Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished. There are no policies material to this application.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 Building Control – Confirm the method of demolition is acceptable, subject to capping off of services.

6.2 Environmental Health – Confirm the method of demolition is acceptable, subject to appropriate hours of use operation.

7. APPRAISAL

7.1 For a Prior Notification for demolition, the only considerations are the matters in relation to the means of demolition and the proposed restoration of the site. The principle of demolition is not a consideration.

7.2 The proposed method of demolition includes the use of site fencing with lockable gates, the display of safety signs, checking for asbestos then carrying out a soft strip of the building, demolition using a mechanical excavator and associated use of a dust suppression system, due care to protect adjoining dwellings, sorting and salvage of demolished materials, ensuring the site is left safe overnight and full compliance with Health and Safety Executive directives.

- 7.3 The method of demolition has been examined by Building Control who confirm that the details as submitted are acceptable, subject to services being capped off or made good. In this respect it has been confirmed that surface drainage would be capped off.
- 7.4 Environmental Health has confirmed that the method of demolition is acceptable, subject to the hours of operation being no greater than 8am to 6pm on Mondays to Fridays and 8am to 1pm on Saturdays. The applicants have confirmed that the propose hours of operation would in fact be 8am to 4:30pm on Mondays to Fridays and 8am to 12:30pm on Saturdays, if required.
- 7.5 The site will be left as a cleared site ready for future improvement works and it has been confirmed also that services would be capped off and parts of the structures would be retained, where these form the boundaries of the site with other premises, or if this is not possible boundary walls would be repaired.

8. CONCLUSION

- 8.1 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 Northampton Central Area Action Plan, the West Northamptonshire Joint core Strategy and the National Planning Policy Framework.

9. CONDITIONS

- 9.1 It is not necessary to attach conditions as Schedule 2, Part 11 of The Town and Country Planning (General Permitted Development) Order 2015 stipulates that where prior approval is not required, the development shall be carried out in accordance with the details submitted with the application. In this case these details would also include the supplementary information submitted, regarding hours of operation capping off of drainage and retention of the structures on the boundaries or restoration of boundary treatments.

10. BACKGROUND PAPERS

- 10.1 Application N/2017/0079

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **1-120 Park Drive**

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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0080

LOCATION: 1 to 41 Park Crescent East, Kings Heath

DESCRIPTION: Prior Notification for demolition of brick storage structures at 1 to 41 Park Crescent East

WARD: Kings Heath Ward

APPLICANT: Northampton Partnership Homes
AGENT: Northampton Partnership Homes

REFERRED BY: Head of 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 The application is for the proposed demolition of brick storage structures.

3. SITE DESCRIPTION

3.1 The application site relates to brick storage structures to the rear of two blocks of flats.

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 an application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies.

5.2 National Policies

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

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:

S10 – Sustainable development principles.

BN9 – Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished. There are no policies material to this application.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 **Building Control** – Confirm the method of demolition is acceptable, subject to capping off of services.

6.2 **Environmental Health** – Confirm the method of demolition is acceptable, subject to appropriate hours of use operation.

7. APPRAISAL

7.1 For a Prior Notification for demolition, the only considerations are the matters in relation to the means of demolition and the proposed restoration of the site. The principle of demolition is not a consideration.

7.2 The proposed method of demolition includes the use of site fencing with lockable gates, the display of safety signs, checking for asbestos then carrying out a soft strip of the building, demolition using a mechanical excavator and associated use of a dust suppression system, due care to protect adjoining dwellings, sorting and salvage of demolished materials, ensuring the site is left safe overnight and full compliance with Health and Safety Executive directives.

7.3 The method of demolition has been examined by Building Control who confirm that the details as submitted are acceptable, subject to services being capped off or made good. In this respect it has been confirmed that surface drainage would be capped off.

7.4 Environmental Health has confirmed that the method of demolition is acceptable, subject to the hours of operation being no greater than 8am to 6pm on Mondays to Fridays and 8am to 1pm on Saturdays. The applicants have confirmed that the propose hours of operation would in fact be 8am to 4:30pm on Mondays to Fridays and 8am to 12:30pm on Saturdays, if required.

7.5 The site will be left as a cleared site ready for future improvement works and it has been confirmed also that services would be capped off and parts of the structures would be retained, where these form the boundaries of the site with other premises, or if this is not possible boundary walls would be repaired.

8. CONCLUSION

8.1 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 Northampton Central Area Action Plan, the West Northamptonshire Joint core Strategy and the National Planning Policy Framework.

9. CONDITIONS

9.1 It is not necessary to attach conditions as Schedule 2, Part 11 of The Town and Country Planning (General Permitted Development) Order 2015 stipulates that where prior approval is not required, the development shall be carried out in accordance with the details submitted with the application. In this case these details would also include the supplementary information submitted, regarding hours of operation capping off of drainage and retention of the structures on the boundaries or restoration of boundary treatments.

10. BACKGROUND PAPERS

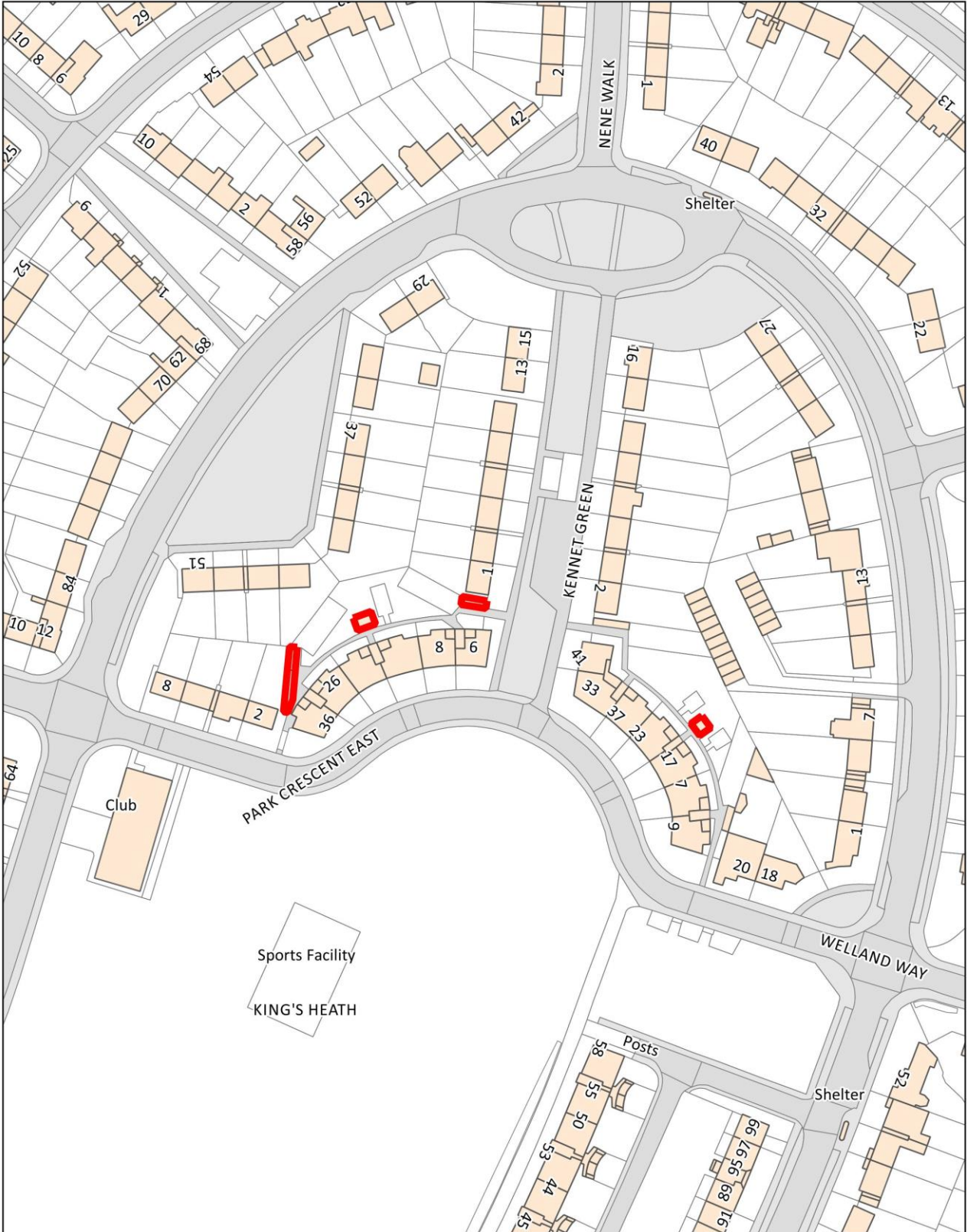
10.1 Application N/2017/0080.


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



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|  <p>NORTHAMPTON BOROUGH COUNCIL</p> | <p>Title: 1-41 Park Crescent East</p> | <p>Date: 01-03-2017</p> |
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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0102

LOCATION: Development land south of Bedford Road, off Liliput Road

DESCRIPTION: Variation of Conditions 2, 6, 15, 22, 23 and 27 of Planning Permission N/2016/0412 (Demolition of farmhouse, associated building and residential property of 'Little Norway'. Construction of two Warehouse and Distribution units (Use Class B8) with ancillary office accommodation, together with earthworks, access, services yards, parking arrangement, landscaping and other associated infrastructure including creation of footpath) to amend layouts of the warehouse units in response to specific requirements from Decathlon

WARD: Rushmills Ward

APPLICANT: Roxhill Developments Limited
AGENT: Oxalis Planning Limited

REFERRED BY: Head of 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 and approval by the Council of a management plan to secure the implementation of the proposed landscaping buffer, together with a strategy for its ongoing maintenance throughout the life of the development and requirement for the landscaped buffer to be used for solely for this purpose;
- 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;

- v) 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 proposed amendments would, subject to conditions and the legal agreement, have a neutral impact upon the landscape and natural environment, residential and visual amenity, the highway system and flood risk. In addition, the development would support the continued growth and operation of Northampton's economy. 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 Head of 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 Planning permission was granted in December 2016 to erect two warehouses on this site. The largest of those permitted (Unit 1), which located to the north of the application site is now to be occupied by Decathlon. As a result, a number of amendments have been made to the scheme comprising the reduction in size of Unit 1 from 37,208 square metres to 32,425 square metres; a reduction in the number of lorry parking spaces from 72 to 57; a reduction in the number of dock levellers from 36 to 28; a re-siting of the sprinkler tanks; amendments to the access (within the site) to Unit 1; the installation of a multi-use games area (MUGA) to serve the workers at Unit 1 only; a reduction in the number of car parking spaces from 286 to 275; and a re-siting of some spaces to south of the warehouse (in order to facilitate the introduction of the MUGA). These changes have also enabled some changes to be made to Unit 2 comprising of an increase in the floor space of this warehouse from 11,890 square metres to 16,000 square metres; an increase in the number of lorry parking spaces from 18 to 29; extending the service yard; and increasing the number of car parking spaces for 100 to 131.

- 2.2 The original planning permission was subject to a condition specifying the approved plans (Condition 2). Given that the amendments result in a different scheme being proposed, it is a requirement that this condition be varied in order to ensure that there is certainty regarding the development that would be built. Furthermore, Conditions 6 (pathway gates), 15 (road improvements), 22 and 23 (the provision of parking and access roads) and 27 (office accommodation) also specified plan numbers that have since been amended, as a consequence of the changes described in paragraph 2.1.

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 Dachser 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 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 – 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 Local Plan (1997) saved policies.

- 5.2 Section 66(i) of the Listed Building Act requires that the Local Planning Authorities, when considering any listed building consent application or any planning application for development that affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that Local Planning Authorities pay special attention in the exercising of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.4 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:

- 5.5 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.
- 5.6 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.
- 5.7 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.
- 5.8 Paragraph 32 states that developments should only be resisted in those instances where there would be a severe cumulative impact on the transport system. The implication of this is that schemes where there would be a neutral impact on the highway system or where there would be an impact that can be successfully mitigated (such as through planning conditions or a legal agreement) thereby creating a nil detriment scheme are therefore acceptable.
- 5.9 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.
- 5.10 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.
- 5.11 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).

5.12 **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:

- 5.13 Policy S1 – ‘The Distribution of Development’ requires that development be concentrated primarily in and adjoining the principal urban areas of Northampton.
- 5.14 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.
- 5.15 Policy S8 – ‘Distribution of Jobs’ requires the majority of new job growth to be concentrated within the principal urban area of Northampton.
- 5.16 Policy S10 – ‘Sustainable Development Principles’ requires development to achieve the highest standards of sustainable design.
- 5.17 Policy BN1 – ‘Green Infrastructure’ requires that measures to enhance existing and provide new green infrastructure provision be designed and delivered sustainably.
- 5.18 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.
- 5.19 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.
- 5.20 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.
- 5.21 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

5.22 **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:

- 5.23 E9 – ‘Locally Important Landscape Areas’ requires special importance to be attached to the effect of proposed development upon the landscape.
- 5.24 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.
- 5.25 E26 – ‘Conservation Areas’ requires development to either preserve or enhance the character and appearance of designated conservation areas.

5.26 **Supplementary Planning Documents**

Developer Obligations.

6. **CONSULTATIONS/REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Arboricultural Officer (NBC)** – The proposed amendments would not have a significant adverse impact upon the retained trees or proposed landscaping.
- 6.2 **Conservation (NBC)** – No observations.
- 6.3 **Environmental Health (NBC)** – No objections.
- 6.4 **Highways Agency** – No objections.
- 6.5 **Lead Local Flood Authority (NCC)** – No observations, but would wish to be consulted on any future submissions in respect of Conditions 20 and 21.
- 6.6 **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. The development could be accommodated on other sites, that the proposed road improvements are not sufficient. In addition, the proposed works to the green space cannot be seen as an improvement and the majority of jobs created would not add to the economy of Northampton.
- 6.7 One letter has been received from a local resident raising objections on the grounds that there are concerns regarding the maintenance of the landscaping, noise resulting from the re-siting of the car parking and the proposed building materials.
- 6.8 At the time of preparing this committee report, the consultation period has yet to conclude. As a result, any further consultation responses will be reported to members by means of the addendum, which will be circulated prior to the committee meeting commencing.

7. **APPRAISAL**

- 7.1 As discussed previously, planning permission has previously been granted for the construction of two warehouses on this site, including parking and access ways and landscaping. Given the very limited passage of time between considering this application and the previously approved application (December 2016), it is considered that the principle of developing this site for warehousing remains acceptable.
- 7.2 As a result of this conclusion and the fact that the boundaries of the application site are unchanged, it is considered that the revised proposal and their overall impact upon the landscape, including the ridge and furrow that are present on the site, would be no greater than that previous deemed acceptable. It is therefore concluded that there would only be a limited amount of harm on the landscape.

- 7.3 In terms of the impact on the Conservation Area of Great Houghton (which contains the Grade A Listed St Mary's Church), it has previously been established that the harm would be less than substantial and outweighed by the public benefits of the scheme in terms of generate employment opportunities and economic benefits. Furthermore, a part of the associated Section 106 Agreement would include the formalisation of a strategy for the maintenance of the landscaping in perpetuity, which would be approved by the Council.
- 7.4 For these reasons, it is considered that the proposed amendments would not have any significantly greater impacts on landscape or heritage assets than those previously considered and deemed acceptable.
- 7.5 Notwithstanding the changes to the shape of the size of the building, the proposed warehouses would not be any closer to the any of the residential properties within Great Houghton, it is concluded that the impacts on the amenities of neighbouring properties in terms of considerations such as light, outlook and privacy would be no greater than that previously approved. It is acknowledged that some car parking would be provided adjacent to the eastern elevation of Unit 1, this would mean that car parking closer to dwellings in Great Houghton than the original scheme. However, it is not considered that this would lead to a detrimental impact as the number of parking spaces created would not be significant and the generation of a substantial amount of noise would not be anticipated. It is also noted that no objections have been received from the Council's Environmental Health section with regards to this amendment.
- 7.6 Despite the changes in layout and building form, no objections have been received from the Lead Local Flood Authority. It is considered that the proposed amendments would not have a significant adverse impact upon flood risk either on site or elsewhere.
- 7.7 The creation of a new MUGA would be for members of staff only and would not be particularly visually intrusive and would not generate excessive noise, given that this would be sited within a commercial development.
- 7.8 At the time of preparing this report, the consultation response of the Highway Authority has not been received, however, an update will be provided to members via means of the addendum, which will be circulated prior to the committee meeting commencing. The originally phrased Condition 15 required that the engineering and construction details of the road improvements to the A428 Bedford Road/Rushmills/Waterside Way roundabout and the A45 Barnes Meadow be submitted and agreed prior to the commencement of works on site. It is now proposed that the condition be amended so that these details are agreed prior to the commencement of the appropriate phase. The justification is so that the agreement of such details does not unduly delay the commencement of actual works on site.
- 7.9 Whilst this proposed amendment would mean that the Council is likely to consider such details at a slightly later stage, it is considered an appropriate revision. This is because the condition would still require the Council to consider the details (in consultation with the Highway Authority) prior to the highway works commencing, therefore ensuring that they are appropriate and safe. Moreover, the original stipulation that the highway works are carried out in full prior to the development being first brought into use would be retained in the revised condition. As a result, there can be certainty that the required highway works would be carried out in full and in a timely manner.
- 7.10 The amendments to the footprint of the building and the general layout, have necessitated in the production of revised site plans. In line with the general convention, these have been given new reference numbers. As a result Conditions 22, 24 and 27 need to be re-drafted in order to reflect these new plans, although there would be no variation to the actual ethos of the conditions.

7.11 The granting of the permission for the revised wording of the conditions, would in effect, create a new planning permission and as a consequence, it is necessary to attach the original (non-amended) conditions in order to secure a satisfactory standard of development. In addition, a Section 106 Agreement would also need to be entered into in order to secure the appropriate level of previously agreed mitigation.

8. CONCLUSION

8.1 In conclusion, it is considered that the proposed amendments would not result in any greater harm than that previously deemed acceptable and as a consequence, the application is recommended for approval, subject to the reinstatement of all non-amended conditions and a new legal agreement being entered into to secure the Heads of Terms covered in the original Section 106 Agreement.

9. CONDITIONS

9.1 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 DSC-101 Rev. P3 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, 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 DSC-101 Rev. P3 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 DSC-101 Rev. P3 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 DSC-101 Rev. P3 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

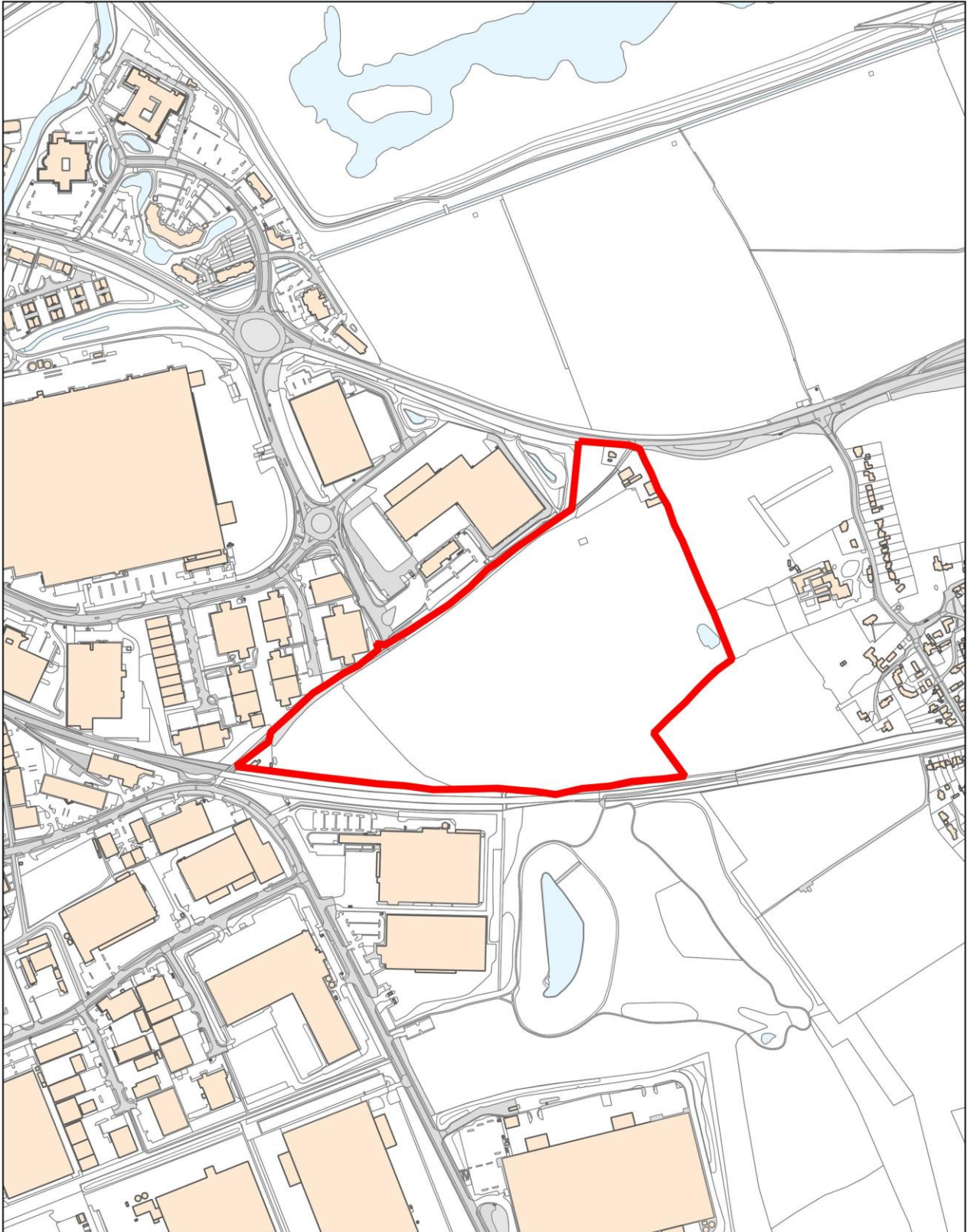
10.1 N/2016/0412 and N/2017/0102.

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: **Development Land South of Bedford Road, off Liliput Road**

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Date: 28-02-2017

Scale: 1:7,000

Drawn by: -----



PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0121

LOCATION: 48 Bridge Street

DESCRIPTION: Listed Building Consent Application for minor internal alterations comprising of new partition wall, radiators, electrics, boiler and external wall flue extract

WARD: Castle Ward

APPLICANT: Mrs Annie Chen
AGENT: APC Architects and Planning Consultants

REFERRED BY: Head of 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 works proposed would preserve the architectural or historic significance of the listed building. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Listed Building Consent for minor internal alterations comprising of new partition wall, radiators, electrics, boiler and installation of external wall flue extract.

3. SITE DESCRIPTION

3.1 The site is located in the town centre of Northampton, on the west side of Bridge Street which comprises a mix of commercial uses, which are predominately business to the ground floor and residential on the upper floors.

3.2 The site currently comprises of an existing restaurant to the ground floor with upper floors comprises three bedrooms and one bathroom. The property is located within a row of four terrace houses which are Grade II listed and lies within the All Saints Conservation Area.

4. PLANNING HISTORY

4.1 N/2001/1436 – Internal and External Repairs – Approved 24.04.2002.

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 Central Area Action Plan (2013).

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

5.2 National Policies

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

Paragraph 17 - in part seeks to ensure a high quality design and good standard of amenity for existing and future occupiers.

Paragraph 131 - seeks to ensure that account is taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

Paragraph 132 - great weight to be given to conservation of heritage assets.

Paragraph 134 - less than substantial harm should be weighed against public benefits of the proposal.

5.3 Supplementary Planning Guidance

All Saints Conservation Area and Management Plan.

5.4 West Northamptonshire Joint Core Strategy (2014)

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

Policy SA - has a presumption in favour of sustainable development.

Policy S1 - seeks to concentrate development primarily in the urban area.

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

Policy BN5 - The Historic Environment and Landscape - Designated and non-designated heritage assets and their settings and landscapes will be conserved and enhanced in recognition of their individual and cumulative significance and contribution to West Northamptonshire's Local distinctiveness and sense of place.

5.5 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 – seeks to ensure development demonstrates a high design standard, positively contributes to character of an area and preserves and enhances the character, appearance and setting of the central area's heritage assets.

Policy 16: Central Living – residential development within the central area will comprise of a mix of dwelling types, sizes and tenures.

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **NBC Conservation Officer** - No objection. The proposed alterations were agreed pre-application; the alterations will result in less than substantial harm to the character of the building and are justified as a means of bringing the upper floors into use.

7. APPRAISAL

- 7.1 It is considered that the works to be carried out do not have any significant adverse impact upon the architectural or historic fabric of the listed building and do not therefore compromise the significance of the heritage asset.
- 7.2 The proposed internal alterations are intended to bring the upper floor of the property into a more habitable dwelling and have been designed to cause minimal impact on the integrity of the listed building. The external signage to the front of the building will utilise the existing fascia, with colouring to remain as the existing.
- 7.3 As the works are internal and of a structural nature the exterior of the building has not been affected and neither is there any impact on the character and appearance of the Conservation Area.

8. CONCLUSION

- 8.1 The proposed works would preserve the historic or architectural significance of the listed building, the minor scale of the proposal does not detract from the nearby listed buildings nor does it impact on the character and appearance of the Conservation Area. This would therefore be in accordance with the requirements of the National Planning Policy Framework.

9. CONDITIONS

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

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

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

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

10. BACKGROUND PAPERS

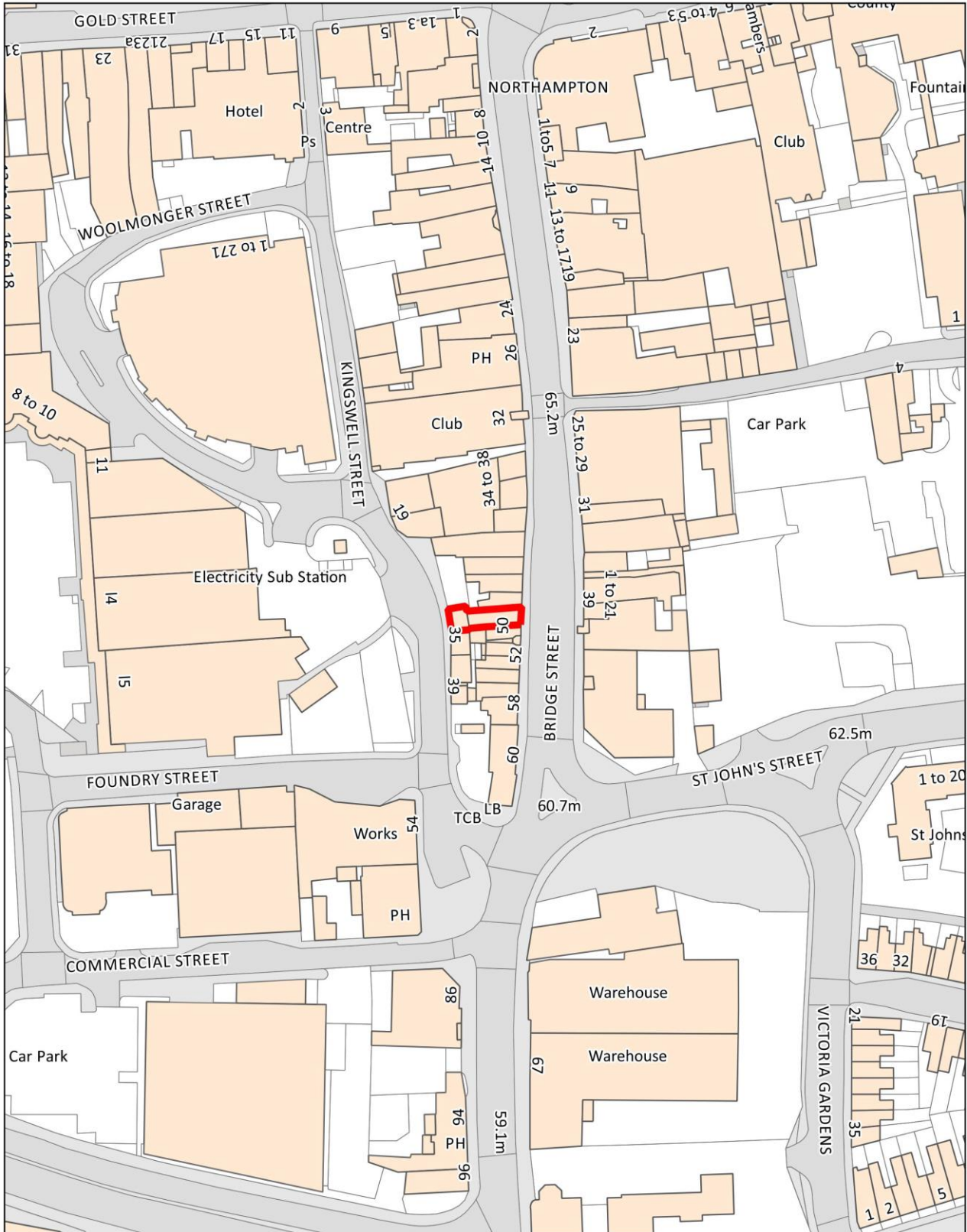
- 10.1 None.


11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



| | | |
|---|--|-------------------------|
|  <p>NORTHAMPTON BOROUGH COUNCIL</p> | <p>Title: 48 Bridge Street</p> | <p>Date: 28-02-2017</p> |
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PLANNING COMMITTEE: 14th March 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0169

LOCATION: North Northants SUE Phase 1b, The Avenue, Overstone

DESCRIPTION: Reserved matters application for 96 dwellings (including 14 affordable); open space; landscaping and infrastructure (Daventry District Council Consultation)

WARD: N/A

APPLICANT: BDW Trading Ltd
AGENT: N/A

REFERRED BY: Head of Planning
REASON: Major Fringe Application

DEPARTURE: No

APPLICATION FOR CONSULTATION BY DAVENTRY DISTRICT COUNCIL

1. RECOMMENDATION

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

2. THE PROPOSAL

2.1 The reserved matters application seeks permission for 96 dwellings (including 14 affordable), open space, landscaping and infrastructure in respect of phase 1B of the Northampton North Sustainable Urban Extension (SUE).

3. SITE DESCRIPTION

3.1 At present the application site is an undeveloped green field immediately to the north of the Borough boundary. To the south of the site is the Round Spinney Industrial Estate, which in due course will be separated by the new A43 bypass, which is currently under construction.

3.2 Phase 1B is located behind Thorpeville (A43) and the Avenue (which leads to Overstone Village) on the western side of the SUE. When completed this part of the development will front the new A43 bypass. This part of the development does not abut the administrative boundaries of Northampton Borough.

3.3 When completed, Overstone Leys will provide up to 2,000 dwellings, a primary school, a new local centre containing small scale employment uses and a green infrastructure plan.

4. PLANNING HISTORY

- 4.1 August 2015 – This was an outline application for up to 2,000 dwellings, with access, appearance, layout and scale unreserved for the first phase of 200 dwellings; a new section of A43 dual carriageway road; up to 3.83ha for a local centre incorporating provision for a Use Class A1 foodstore (up to 2,000 sqm), Class A4 public house (up to 650 sqm), Class C2 care home (up to 2,800 sqm), Class D1 day nursery (up to 465 sqm), Class D1 medical centre (up to 750 sqm), a parade of 5 retail units (Classes A1, A2, A3, A5 and D1) (up to 450 sqm), Class B1(c) light industry (up to 5,000 sqm); a new primary school (up to 3,150 sqm); public open space provision to include outdoor sports pitches, allotments and children's play space; structural landscape planting; associated infrastructure, including drainage features and access. This Council's Planning Committee resolved to raise no objections to this application in July 2014. Consent was granted by Daventry District Council on 25th August 2015.
- 4.2 March 2016 - Surface water attenuation scheme in relation to Phase 1A & B of Overstone Leys development, including re-profiling of existing ditch and balancing pond. This Council's Planning Committee resolved to raise no objections to this application in March 2016.
- 4.3 June 2016 - reserved matters application for landscaping only for Phases 1A and 1B (200 dwellings). This Council's Planning Committee resolved to raise no objections to this application subject to further discussions relating to the enhancement of Billing Brook.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

5.3 West Northamptonshire Joint Core Strategy (2014)

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

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

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

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

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

5.4 Daventry Local Plan 1997 (Saved Policies)

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

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

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

5.5 Green Infrastructure Plan

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

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

5.6 Growing Together Neighbourhood Plan

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

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) has recently been supported following the referendum and will be reported to the Council's Cabinet shortly, prior to adoption. This Plan currently carries some weight.

6. CONSULTATIONS/ REPRESENTATIONS

6.1 Consultation has taken place with the Planning Policy team in respect of the GIP and the mix of dwelling and no objections are raised to the amended details.

7. APPRAISAL

- 7.1 The application site is not directly linked to Northampton Borough, but as the development progresses, it is important to take account of other projects within the area. In this context the wider development needs to take account of the GIP and the aspirations of the Growing Together Neighbourhood Plan.
- 7.2 Reserved matters approval have already been granted for this part of the site in 2015 as part of the original development for up to 200 dwellings. Subsequent applications have considered other reserved matters. The purpose of the current revised layout is principally lead by the change in developer of the site and therefore the relative house types. The proposal was originally to be developed by Barratt Homes and is now to be constructed by David Wilson Homes. The mix of housing remains the same (including the number of affordable dwellings). The density also remains at 31 dwellings per hectare.
- 7.3 The revised layout shows the dwellings to be set back from the A43 bypass, with parking to the front, giving a more active frontage and providing additional noise mitigation for the future occupiers.
- 7.4 The parking provision has also been amended in line with the Northamptonshire Highways parking standards (September 2016), which has been the subject of consultation with the Local Highway Authority.
- 7.5 The landscaping scheme has been described as bee-friendly and incorporates a good selection of trees and shrubs (many of which are native species), scattered throughout the development, as well as a native hedgerow and open space. The earlier scheme showed the frontage with a green buffer, but the noise mitigation has now been incorporated within the housing design.
- 7.6 The area of greater interest in terms of Northampton Borough will be a later phase of the development. Discussions are already taking place in respect of the enhancement of Billing Brook (urban brook corridor) which runs through the south of the site and within the Growing Together Neighbourhood Plan area and is part of the Local Green Infrastructure Network. This site is some distance from the Billing Brook.

8. CONCLUSION

- 8.1 It is considered that the landscaping and house type details as submitted are acceptable and meet the requirements of national and local policy. Furthermore it is considered that the development as amended will have not have an adverse impact on land or property within Northampton Borough.

9. BACKGROUND PAPERS

- 9.1 N/2017/0169.

10. LEGAL IMPLICATIONS

- 10.1 None.

11. SUMMARY AND LINKS TO CORPORATE PLAN

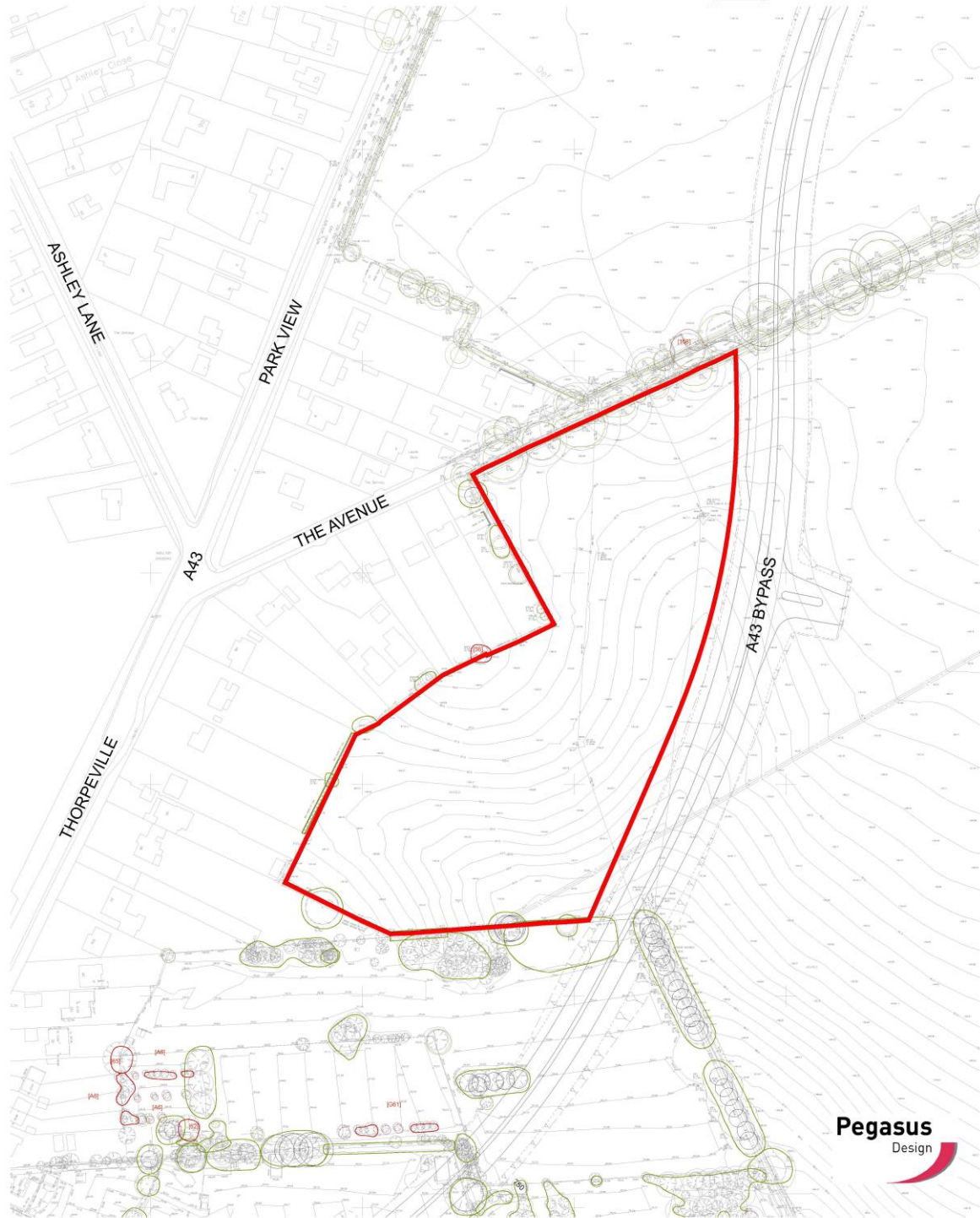
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KEY



SITE LOCATION (3.068HA)



OVERSTONE LEYS, NORTHAMPTON - SITE LOCATION PLAN [PHASE 1B]

| PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | www.pegasuspg.co.uk | TEAM DRAWN BY PS/SM/DL | APPROVED BY: PS | Date: 21/12/16 | SCALE: 1:1250@ A2 | DRWG: EMS2089_70 SHEET NO - REV. _ | CLIENT: DAVID WILSON HOMES |