



PLANNING AGENDA

Tuesday, 11 April 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 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 25th October, 22nd November, 20th December 2016 and the 17th January, 14th February, 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, 11 April 2017
at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

1. APOLOGIES

2. MINUTES

(Copy herewith)

3. DEPUTATIONS / PUBLIC ADDRESSES

4. DECLARATIONS OF INTEREST/PREDETERMINATION

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

6. LIST OF CURRENT APPEALS AND INQUIRIES

Report of Head of Planning (copy herewith)

7. OTHER REPORTS

- (A) N/2016/1073 - SECTION 106 AGREEMENT IN RELATION TO THE FORTHCOMING APPEAL AGAINST REFUSAL OF THE OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR RESIDENTIAL DEVELOPMENT OF UP TO 30 RESIDENTIAL DWELLINGS WITH ASSOCIATED OPEN SPACE, CAR PARKING AND VEHICULAR ACCESS FROM BOOTH RISE AND DEMOLITION OF 58 AND 62 BOOTH RISE - LAND REAR OF 62 BOOTH RISE**

(Copy herewith)

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

- (A) N/2016/1425 - NEW FOUR STOREY BUILDING TO PROVIDE SHARED OFFICE SPACE & UNIT ROOMS FOR CREATIVE NEW SMALL AND MEDIUM-SIZED ENTERPRISES (SMES). LINNELLS MOTORS, FETTER STREET**

(Copy herewith)

- (B) N/2016/1428 & N/2016/1388 - PLANNING AND LISTED BUILDING APPLICATIONS FOR DEVELOPMENT OF NEW THREE STOREY STRUCTURE ON ANGEL STREET AND RE-USE OF EXISTING GRADE II LISTED BUILDINGS FOR THE UNIVERSITY OF NORTHAMPTON'S INSTITUTE FOR CREATIVE LEATHER TECHNOLOGY & LEATHER CONSERVATION CENTRE AND TO PROVIDE LETTABLE UNITS FOR CREATIVE INDUSTRIES INCLUDING THE DEMOLITION OF LEAN-TO STRUCTURE, TOILET BLOCK AND TWO STOREY HOUSE. 34-38 GUILDHALL ROAD.**

(Copy herewith)

- (C) N/2016/1672 - LISTED BUILDING CONSENT FOR PHASE 1 INTERNAL REFURBISHMENT AND REPAIRS TO VARIOUS AREAS. ABINGTON MUSEUM, MANOR HOUSE, ABINGTON PARK.**

(Copy herewith)

10. ITEMS FOR DETERMINATION

Addendum (Copy herewith)

- (A) N/2016/1022 - PROPOSED ERECTION OF 5 DWELLING HOUSES ON LAND OFF CRESTWOOD ROAD SOUTH OF EASTERN DISTRICT (NORTH) SOCIAL CLUB. EASTERN DISTRICT SOCIAL CLUB, CRESTWOOD ROAD**

(Copy herewith)

- (B) N/2016/1473 - ERECTION OF 2 NEW DWELLINGS TO REAR OF 9 AND 10 THORBURN ROAD AND SHARED ACCESS DRIVE. LAND REAR OF 9 AND 10 THORBURN ROAD.**

(Copy herewith)

- (C) N/2016/1553 - CHANGE OF USE OF DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 RESIDENTS. 75 ABINGTON AVENUE.**

(Copy herewith)

- (D) N/2016/1569 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO A HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 RESIDENTS TOGETHER WITH ERECTION OF SINGLE STOREY REAR EXTENSION. 44 QUEENS ROAD.**

(Copy herewith)

- (E) **N/2016/1588 - CHANGE OF USE OF DWELLING HOUSE (USE CLASS C3) AT NUMBERS 54 AND 56 THORN HILL TO TWO PROPERTIES EACH CONTAINING 3 STUDIO FLATS AND TWO SINGLE BEDROOMS WITH SHARED FACILITIES (8 RESIDENTS PER DWELLING). 54 - 56 THORN HILL**

(Copy herewith)

- (F) **N/2016/1593 - VARIATION OF CONDITION 6 OF N/2014/0475 (OUTLINE PERMISSION FOR THE DEMOLITION OF THE EXISTING UNIVERSITY FACILITIES AND ERECTION OF NEW BUILDINGS COMPRISING RESIDENTIAL ACCOMMODATION (USE CLASS C3) OF UP TO 800 UNITS) TO AMEND WORDING OF CONDITION TO ENSURE THE PROVISION OF AN AVERAGE OF TWO PARKING SPACES PER DWELLING (UP TO A MAXIMUM OF 800 DWELLINGS). UNIVERSITY OF NORTHAMPTON PARK CAMPUS, BOUGHTON GREEN ROAD.**

(Copy herewith)

- (G) **N/2017/0013 - PROPOSED INSTALLATION OF AUTOMATED ENTRY GATE SYSTEM TO CAR PARK. DOVER COURT, ST JAMES ROAD.**

(Copy herewith)

- (H) **N/2017/0187 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR A MAXIMUM OF 4 RESIDENTS. 46 LEA ROAD.**

(Copy herewith)

11. ENFORCEMENT MATTERS

None

12. ITEMS FOR CONSULTATION

None

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

SUPPLEMENTARY AGENDA

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

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 14 March 2017

PRESENT: Councillor Oldham (Chair); Councillor Golby (Deputy Chair);
Councillors Birch, Davenport, Gowen, Haque, Kilbride, Kilby-Shaw,
Lane, B Markham, M Markham and McCutcheon

1. APOLOGIES

Apologies for absence were received from Councillor Walker.

2. MINUTES

The minutes of the meeting held on 14th February 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/2016/1476

Cllr Danielle Stone

N/2016/1541

Cllr Danielle Stone

Miss G Collins

N/2016/1649

Mr C Parr

Cllr Mike Hallam

N/2017/0027

Cllr Brendan Glynane

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor M Markham declared a personal and disclosable pecuniary interest in items 10d, 10f, 10g and 10h as a Director of Northampton Partnership Homes.

Councillor Killbride declared a personal and disclosable pecuniary interest in items 10d, 10f, 10g and 10h as a Director of Northampton Partnership Homes.

Councillor McCutcheon declared a personal non-pecuniary interest in item 10b by virtue of knowing the applicant and stated that he would leave the meeting for that item.

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 Enquiries and elaborated thereon. The application relating to Aldi Foodstore, Wellingborough Road, had been allowed, officers finding that the extension of the business's opening hours would not give rise to adverse effects to living conditions of local residents.

The appeal relating to the rear of 28 Semilong Road had been dismissed. Officers stated that the proposed dwelling would appear "alien" in comparison to surrounding buildings.

7. OTHER REPORTS

The Head of Planning submitted a report informing members of the recent Housing White Paper published by the Government. The paper, titled "Fixing Our Broken Housing Market", outlined plans to address problems in the housing market by increasing the supply of new homes and providing homes for all. The proposals were set out in four steps:

- 1) Planning for the right homes in the right place – making sure up-to-date, ambitious plans were in place, maximising contribution from brownfield/surplus public land, building more small and medium homes and encouraging higher densities in urban areas.
- 2) Building homes faster – tackling unnecessary delays caused by planning conditions and holding local authorities to account through a new housing delivery test.
- 3) Diversifying the market – supporting custom-built homes and encouraging modern methods of construction.
- 4) Helping people now – continuing support through Help to Buy and Starter Homes, continuing to crack down on empty homes and supporting households at risk of homelessness before they reach crisis point as well as reducing rough sleeping.

In response to questions asked, members heard that large developers were strongly encouraged to make way for smaller, local developers on smaller scale projects. It was also stated that if developers were not delivering on one site, they would be challenged on any future developments. Members also heard that larger sites would be subject to strengthened Regulation 122 tests.

RESOLVED:

That the report be noted.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

There were none.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

10. ITEMS FOR DETERMINATION

(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

This item was withdrawn from the agenda.

18.18pm Councillor McCutcheon left the meeting at this point.

(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

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 a four-bedroom dwelling to a six-person HIMO. The change of use of this property would bring the number of HIMOs in a 50m radius up to its 15% limit. A report from the Highway Authority stated that due to the fact that there was no residual parking, the proposed change would only exacerbate the parking issues on the street. On that basis, the Highway Authority objected to the application.

Councillor Stone addressed the Committee as a County Councillor. She commented that the property sat on a busy road and during key times of the day, traffic was awful, stating that poor parking on the street made the problem worse.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** for the following reason:

Due to there being no residual parking capacity for vehicles in the area, and the fact 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.

18.26pm Councillor McCutcheon returned to the meeting.

(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

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The application sought to change two flats, one one-bedroom and one three-bedroom, to a 6-person HIMO. It was noted that this would be the only HIMO in a 50m radius. Although the Highway Authority raised objections to the application, officers were of the opinion that as there could potentially be at least 6 occupants in the existing two flats, the proposed change would not significantly increase this.

Councillor Stone addressed the Committee as a County Councillor. She commented that the road in question was a thoroughfare and that there were many unlicensed HIMOs in the area, something she stated she would be bringing to the attention of Private Sector Housing. Councillor Stone stated that the Highway Authority were providing surveys and urged the Committee to take their recommendation seriously, stating that the road could not cope with any more parking.

Ms G Collins, the owner of the property, addressed the Committee, stating that the town needed specific accommodation. She commented that most households nowadays had three cars or more, so this change would not further impact the street's traffic or parking. She further stated that waste in green sacks was currently stored at the rear of the property until it was ready for collection, this would not change if the application was successful. Mrs Collins also commented that her preferred tenants would be students.

In response to questions from Members, Ms Collins Stated that the property used green bags for waste and that this was kept in the yard.

Members discussed the report.

RESOLVED:

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

The proposed development 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.

- (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**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to provide a block of 45 one-bedroom flats for the elderly with associated parking and facilities with new access from Shap Green. The three-storey development was fully wheelchair accessible with two lifts situated within, one large enough to fit a stretcher inside. Two trees on the site were subject to Tree Preservation Orders and would be retained, there would be a rear residents' garden and the site would be surrounded with security railings. The development had been the subject of four previous applications, dating back to 2013.

Mr Chris Parr, the project manager, addressed the Committee, stating that feedback for this development had been positive from the local residents' association. He stated that although the flats were not wheelchair compliant from a Planning point of view, they were all wheelchair accessible.

Councillor Hallam addressed the Committee, noting that he had spoken against previous applications. He commented that this was finally the solution that local residents had been asking for and that the number of objections had dropped from roughly one thousand to below ten.

In response to questions asked, the Committee heard that the lettings policy would be a matter for Northampton Partnership Homes.

Members discussed the report.

RESOLVED:

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

The proposed development would contribute to the Borough's 5 year housing 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.

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

The Development Manager submitted a report and elaborated thereon. The application sought approval for the erection of two non-illuminated signs at the entrance of Delapr  Abbey; one 3m high sign on the right-hand side of the entrance and a 3.2m high sign on the left-hand side.

Councillor Glynane addressed the Committee in his capacity as a County Councillor and commented that the left-hand sign would be further down the road than was shown in the photograph to members, so as not to block the view of the building behind it. He also noted that there were no signs showing the way to Delapr  Abbey itself and hoped that this could be looked into in the future.

RESOLVED:

That the application be **APPROVED** subject to the conditions as set out in the report.

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

The Development Manager submitted a report and elaborated thereon. Members heard that the application sought to approve only the method of demolition of the storage structures to the rear of blocks of flats.

RESOLVED:

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.

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

The Development Manager submitted a report and elaborated thereon. Members heard that the application sought to approve only the method of demolition of the storage structures to the rear of blocks of flats.

RESOLVED:

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.

(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

The Development Manager submitted a report and elaborated thereon. Members heard that the application sought to approve only the method of demolition of the storage structures to the rear of blocks of flats.

RESOLVED:

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.

(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

The Development Management Team Leader submitted a report and elaborated thereon. Members heard that this was an amendment to an application that had been approved in September 2016. The development would amend the previously approved scheme to reduce the footprint of one building and increase the footprint of the other with revisions to parking arrangements accordingly. It was noted that the proximity to the nearby conservation area remained the same within the new application. Attention was drawn to the addendum within the report which contained concerns raised from the Highways Authority with regard to the re-wording of Condition 15 of the report, however the requirement of off-site highway works being completed prior to the development coming into use would adequately mitigate any highway impacts.

Members discussed the report.

RESOLVED:

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

- 1) The prior completion of an 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 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 appropriate scale

2) The conditions set out in the report and for the following reasons:

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) 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 Policy Framework.

(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

The Development Manager submitted a report and elaborated thereon. The application sought to make minor changes to the interior of the property and it was noted that this item was only brought to the Planning Committee because the property was owned by Northampton Borough Council.

Members discussed the report.

RESOLVED:

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

The 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.

11. ENFORCEMENT MATTERS

There were none.

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**

The Development Management Team Leader submitted a report and elaborated thereon. Members were informed that this was a revised application for 96 dwellings, open space, landscaping and infrastructure in respect of phase 1B of the Northampton North SUE. The properties would now be situated further from the proposed bypass. It was noted that the parking provision had also been amended. The Committee were reminded that the Council had submitted no objections in 2014 to the original application, however any observations that had been raised were still valid.

In response to questions asked, the Committee were informed that any agreement with Stagecoach, or any other bus service provider, would be a matter for Daventry District Council. The same applied for cycling provisions.

Members discussed the report.

RESOLVED:

That Northampton Borough Council **RAISES NO OBJECTIONS** to the application on the basis that stipulations made during the original consultation in 2014 are adhered to and priority is given to the provision of public transport early on and adequate provision for cycle links.

13. EXCLUSION OF PUBLIC AND PRESS

None required.

The meeting concluded at Time Not Specified

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



List of Appeals and Determinations – 11th April 2017

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
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/2016/0783 APP/V2825/W/17/3169060	DEL	Change of use of property from dwellinghouse (Use Class C3) to a House in Multiple Occupation for upto 10 residents, replacement of single storey lean to extension and installation of basement window and lightwell to the front at 44 Bostock Avenue	AWAITED
N/2016/0809 APP/V2825/D/16/3165358	DEL	Erect raised patio area to rear including side fencing at 52 The Vale	DISMISSED
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	ALLOWED
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	DISMISSED
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
N/2016/1302 APP/V2825/D/17/3169274	DEL	First floor side extension above garage and ground floor rear extension at 64 Falcutt Way	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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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1073

LOCATION: Land Rear of 62 Booth Rise

REPORT: Section 106 Agreement in relation to the forthcoming appeal against refusal of the outline planning application (with all matters reserved except access) for residential development of up to 30 residential dwellings with associated open space, car parking and vehicular access from Booth Rise and demolition of 58 and 62 Booth Rise

WARD: Boothville Ward

APPLICANT: Oxygen Real Estate Group Ltd
AGENT: Armstrong Rigg Planning

REFERRED BY: Head of Planning
REASON: Section 106 Agreement

1. Recommendation

1.1 That the Committee **AGREE** to delegate authority to the Director of Regeneration, Enterprise and Planning to negotiate and agree terms for a Section 106 Agreement including terms for the transfer to the Council of open space land.

2. Background

2.1 The above application for outline planning permission for up to 30 dwellings was refused by the Planning Committee on the 20th December 2016, as it was considered that the development would have a significant adverse impact upon the amenities of the existing properties at 56 and 60 Booth Rise arising from increased noise and disturbance.

2.2 Members will be aware that an Appeal has been submitted to the Planning Inspectorate, which is currently subject to their normal validation checks. Once validated, the Council would be expected to co-operate with the applicant to agree a Section 106 Agreement that would secure various elements of mitigation and infrastructure related to the development, in the event that the Planning Inspector deems the proposal acceptable.

2.3 As a consequence, it is requested that the Director of Regeneration, Enterprise and Planning be granted the necessary delegated authority to progress and agree the terms of a Section 106 Agreement.

2.4 Members are advised that the agreement of Heads of Terms for inclusion within the Section 106 Agreement would, in no way, prejudice the Council's case and the decision of the appeal, and that officers will continue to robustly defend the decision reached by the Planning Committee. Furthermore, it should be noted that the failure to agree a Section 106 Agreement in advance of the appeal being decided could be construed as unreasonable behaviour on the part of the Council and could potentially leave it open to an award of costs in favour of the appellant.

3. Heads of Terms

3.1 As outlined in the committee report considered by members in December 2016, it is considered a number of matters should be secured through a legal agreement in the event of an approval. In summary these are:

- i) 35% on-site affordable housing;
- ii) Primary school education payment;
- iii) That a minimum of 1,200 square metres of public open space is provided on site;
- iv) That the on-site public open space is maintained and made available for public access in perpetuity;
- v) A payment towards the provision and/or enhancement and/or maintenance of off-site open space; and
- vi) The Council's monitoring fee.

3.2 Due to the relatively limited amount of time that has passed since the December committee, it is considered that there has been no change in material considerations that would justify a lesser amount of mitigation being secured from those listed above.

4. Conclusion

4.1 In order to comply with Planning Inspectorate timescales and to avoid any potential claim for unreasonable behaviour, it is considered necessary to engage with the developer to agree a Section 106 Agreement to take effect only in the event of the appeal being allowed, notwithstanding the fact that the Council will continue to defend its previous decision in respect of the planning application.

5. Legal Implications

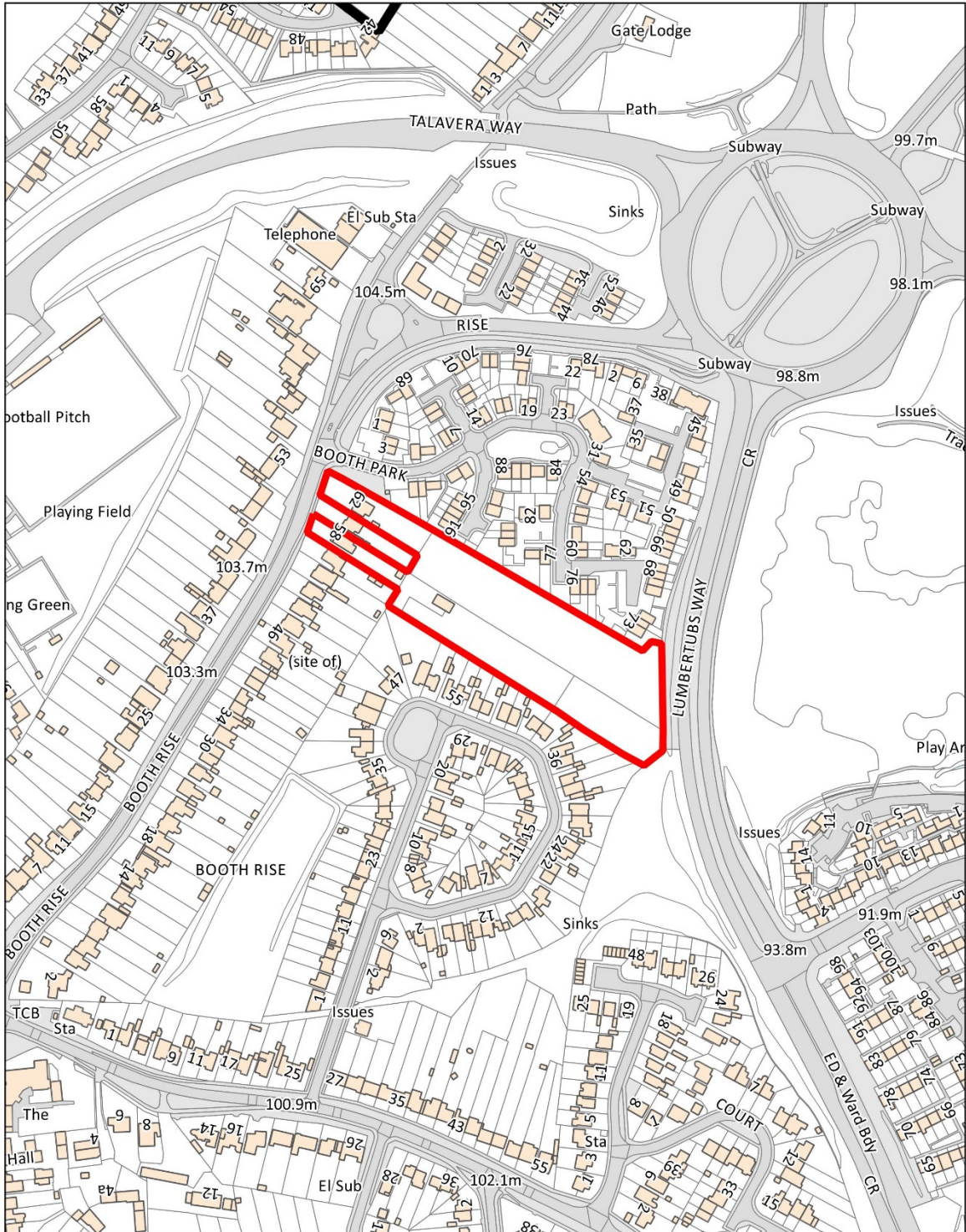
5.1 As set out in the report.


6. Summary and links to Corporate Plan

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

7. Background Papers

7.1 Report to Planning Committee 20th December 2016.



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Land rear of 62 Booth Rise</p>	<p>Date: 28-03-2017</p>
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	<p>Drawn by:</p>	



PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1425

LOCATION: Linnells Motors , Fetter Street

DESCRIPTION: New 4 storey building to provide shared office space & unit rooms for creative new small and medium-sized enterprises (SMEs)

WARD: Castle Ward

APPLICANT: Northampton Borough Council
AGENT: Purcell LLP

REFERRED BY: Head of Planning
REASON: Council owned 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 is acceptable and would contribute to the aims of regenerating and providing a creative hub in this part of the town centre and providing employment opportunities. The design, scale and appearance of the proposed building is considered acceptable reflecting the character of more recent development within the vicinity and would not lead to any undue adverse impact on the setting of the Derngate Conservation Area or the setting of adjacent listed buildings. The proposal would not lead to any undue impacts in respect of flood risk, highways or impact on surrounding amenity and is considered to be in accordance with Policies S7, S10, E7, BN5, BN7, BN9, N1 and N2 of the West Northamptonshire Joint Core Strategy and Policies S01, S02, 1, 2, 5, 10, 15 and 21 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

2.1 The application proposes the demolition of the former Amalgamated Tyres/Linnells Motors building and redevelopment of the site with the erection of a four storey building to provide a creative industries hub with managed workspaces for creative small to medium enterprises (SMEs). The new building would provide up to 30 flexible units ranging from 14 to 80 square metres in floor area.

- 2.2 The building would be 13m in height when viewed from St John's Street and due to the change in levels as the site rises to the north along Fetter Street, 11.2m in height at its northernmost end when viewed from Fetter Street.
- 2.3 The building would be predominantly a brick built construction with large expanses of glazing on the Fetter Street Elevation.
- 2.4 The main pedestrian entrance would be directly off Fetter Street.

3. SITE DESCRIPTION

- 3.1 The application site is a former commercial vehicle repair workshop located adjacent to the Derrnate Conservation Area and sits on the corner of Fetter Street and St John's Street, to the south of the Grade II listed Vulcan Works/Fetter Street buildings.
- 3.2 To the east, fronting onto Guildhall Road, are the locally listed residential terraces known as Basset Lowke House, the rear elevation of which faces towards the application site with residential parking to the rear. To the south, facing towards the application site at a slightly lower level on St John's Street, are two 4-storey blocks of residential flats. The newly constructed Project Angel, which is 5-storeys high, is located to the west of the site.
- 3.3 There are a variety of land uses in the vicinity of the site which include office, retail, commercial and residential premises.
- 3.4 The land slopes upwards to the north with the Fetter Street stores situated to the north stepping up with the change in gradients.

4. PLANNING HISTORY

- 4.1 There is no relevant planning history.

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 Central Area Action Plan (2013).

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

5.2 National Policies

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

The NPPF has a presumption in favour of sustainable development.

Part 17 identifies the core planning principles of the NPPF which include the need for planning to proactively drive and support sustainable economic development to deliver the homes, businesses and industrial units the country needs; always seek high quality design and a good standard of amenity for existing and future occupiers; conserve heritage assets in an appropriate manner.

Paragraph 19 attaches great weight to the need to support sustainable economic growth.

Part 2 is committed to ensuring the vitality and viability of town centres.

Paragraphs 56 and 57 advises on the importance of good design to sustainable development.

Paragraph 103 seeks to ensure development proposals do not increase flood risk elsewhere.

Paragraph 131 requires account to be 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 should be given to the asset's conservation.

Paragraph 134 advises that where development proposals will lead to less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits.

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 S7 requires provision to be made for a net increase of 28,500 jobs in the period up to 2029.

Policy S10: Sustainable Development Principles – seeks to ensure development proposals achieve the highest standards of design and security; protect, conserve and enhance the built environment and heritage assets and their settings; minimise pollution from noise, air and run off.

Policy E7: Tourism, Visitor and Cultural Industries – proposals in this regard will be supported where they contribute to regeneration aims and objectives, strengthen the overall tourism offer, benefit local communities and businesses and is of a use, form and scale which does not harm the quality of the built environment.

Policy BN5: The Historic Environment and Landscape – heritage assets and their settings and landscapes will be conserved and enhanced.

Policy BN7: Flood Risk – development proposals are required to demonstrate there is no increased flood risk and proposed development is, or can be made, safe.

Policy BN9: Planning for Pollution Control – development proposals likely to result in exposure to sources of pollution will minimise or where possible reduce pollution.

Policy N1: The Regeneration of Northampton – will be supported by a focus on the Town Centre and Central Area for office, retail, leisure and service development providing high quality urban design and protection of heritage assets and historic character through managed change.

Policy N2: Northampton Central Area – major office, leisure and cultural development will take place in the central area.

5.4 **Northampton Central Area Action Plan 2013**

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

Strategic Objective S01 – seeks to regenerate the town centre by expanding retail, town centre facilities and the scale of employment opportunities in the centre.

Strategic Objective S02 – seeks to ensure a well-designed Town Centre with the development of the highest standard that reflects and contributes to the rich architectural heritage assets and add to the sense of place.

Policy 1: Promoting Design Excellence – seeks to ensure that all new development within the Central Area positively contributes to the character of the area; makes efficient use of land by promoting an appropriate mix of uses in order to increase the vitality and vibrancy of the area; preserves and enhances the character, appearance and setting of heritage assets and pays suitable regard to the adopted Conservation Area Appraisals and Management Plan.

Policy 2: Tall Buildings – Development proposals for tall buildings which are taller than their surroundings must be justified and demonstrate their impact.

Policy 5: Flood Risk and Drainage – developments in the Central Area will be expected to implement measures that ensure there is no increase in the flow of surface water or foul sewage to the existing network.

Policy 10: Parking – within the Town Centre Boundary no additional private car parking for non-residential development will be permitted.

Policy 15: Office and Business Use – the Council will promote the central area as an office and business centre.

Policy 21: Angel Street – promotes for the accommodation of some small-scale creative businesses and office accommodation.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Derngate Conservation Area Appraisal and Management Plan

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Conservation** – no objection. The site is outside of, but immediately adjacent to Derngate Conservation Area. The existing mid-20th Century building and yard does not make a positive contribution to the character and appearance of the conservation area. The scale and design of the replacement building and the proposed use is acceptable for the location and will not have an adverse impact on the conservation area. The height of the proposed building is such that it will have limited impact on views into the Conservation Area from St John's Street, notably the historically important former gaol on Angel Street.

6.2 **NBC Environmental Health** – no objection in principle. Require conditions in relation to more detailed identification of both internal and external sources of noise and appropriate mitigation,

refuse storage, contamination, the submission and agreement of a Construction Management Plan, details of external lighting and the submission of a detailed Travel Plan.

- 6.3 **Crime Prevention Design Advisor** – recommends measures to reduce opportunities for crime and anti-social behaviour such as ensuring persons are not able to access the site via any delivery access doors, refuse access doors after hours, doors and windows to a secure standard, access control to main building and delivery points, consideration of the installation of CCTV coverage.
- 6.4 **NCC Highways** – foundations should not encroach or undermine highway, nor any drainage, eaves, sills, outward open windows. Further information requested regarding the Transport Statement and Travel Plan Assessment.
- Further details have been submitted and the further comments of the Highway Authority are awaited and will be reported on the addendum to this committee agenda.
- 6.5 **NCC Lead Local Flood Authority** – advise that the guidance in their Standing Advice is followed.
- 6.6 **Environment Agency** – no comment.
- 6.7 **Anglian Water** – the foul sewage network has available capacity. Any discharge of trade effluent to a public sewer will require the consent of Anglian Water. The advice of the Lead Local Flood Authority should be sought in respect of surface water drainage.
- 6.8 **NCC Archaeology** – the previously submitted Archaeological Desk based Assessment and proposed mitigation strategy November 2014 comprehensively covers the archaeological background of the site. Recommend a condition for an archaeological programme of works.
- 6.9 **Northampton Town Centre Conservation Advisory Group** – raise concerns regarding the loss of the industrial building that reflects the character of the area, although it does clarify the future of the site which is pleasing. The design and massing does not relate to the townscape and character of the area and affects the setting of the slope up Fetter Street. Does not reflect the roofline of the former works or the residential blocks on Guildhall Road. The view from the south of the Northampton Georgian Gaol, particularly its pediment, needs to be safeguarded.

7. APPRAISAL

Principle

- 7.1 The redevelopment of this brownfield site as proposed would contribute to the vitality and regeneration of the town centre and complement other recent developments in the locality and the vision for this part of the town centre as defined by the policies of the CAAP, most specifically Policy 21 which promotes the development of the site for the accommodation of small-scale creative businesses and office accommodation. The proposal would make a positive contribution towards the sustainable economic development of the town centre and provide employment opportunities. The proposal is therefore consistent with the aims of the NPPF and Strategic Objective S01 and Policies S7, E7, N1 and N2 of the JCS.

Design and Impact on Heritage Assets

- 7.2 The site is situated adjacent to Derngate Conservation Area with the Grade II listed buildings of the Vulcan Works and Fetter Street Stores to the north, and locally listed buildings comprising Nos. 40 to 56 Guildhall Road to the east. The existing building, although reflecting the saw tooth roof pattern of the adjacent Fetter Street Stores, does little to enhance the character and

appearance of the conservation area. The surrounding built context is varied in character and uses, comprising of historic buildings, and more recent development of a more contemporary appearance with a range of commercial and residential uses.

- 7.3 The NPPF advises on the importance of good design in sustainable development. Policy S10 of the JCS and Policy 1 of the CAAP both reflect this aim and seek to ensure high standards of design that positively contribute to the character of the area. Furthermore, the NPPF, Policy BN5 of the JCS and Policy 1 of the CAAP seek to ensure new development preserves or enhances heritage assets and their settings.
- 7.4 The building has been designed to reflect more recent development in the vicinity whilst endeavouring to respect the historic context and adjacent building heights. The proposed building would range between 11.2m in height to 13m in height due to the variation in ground levels with the land rising from south to north along Fetter Street. The top of the proposed building would sit considerably below the height of the adjacent 5-storey high Project Angel, sitting approximately level with the top of the 3rd floor, and approximately 0.5m higher than the ridges of the adjacent Fetter Street Stores to the north. The height of the building would be of comparable height to Basset Lowke House to the east.
- 7.5 Due to the change in levels with the land sloping upwards to Angel Street to the north, the submitted details indicate that important views of the pediment of the Northampton Gaol would still be visible from the south.
- 7.6 The overall design is simple in form with interest added through the use of varied materials and expanses of glazing. Proposed materials would comprise of a palette of varying facing bricks, with the Fetter Street elevation comprising of a 6 bay elevation inset with large floor to ceiling windows with rotated end bricks, creating a textured element on the façade. A condition is recommended to agree material, fenestration and door details to ensure the quality and type of materials are appropriate to the design and sympathetic to the surrounding area.
- 7.7 It is considered that the proposal would have less than substantial harm on the character and appearance of adjacent heritage assets and that this would be outweighed by the benefits of the proposed development in regenerating this underused site within the town centre and conservation area, and contributing towards the provision of employment opportunities within the town centre.

Impact on Amenity

- 7.8 The NPPF seeks to ensure development proposals achieve high quality design and a good standard of amenity for existing and future occupiers.
- 7.9 Bassett Lowke House, a 4-storey traditional terrace of flats fronting onto Guildhall Road, is located to the east with rear elevation windows facing towards the site. The main habitable rooms to these flats are located to the front of the property towards Guildhall Road, with the windows to the rear serving stairwells, bedrooms and bathroom facilities. The proposed east facing elevation of the new building would have large expanses of brickwork interspersed with windows serving proposed internal workspaces facing towards the rear of these flats, ranging between distances of 10-20m away. Whilst the proximity of the nearest windows is not ideal, such close proximity is not unusual in town centre locations where development tends to be of a denser form. As the rear facing windows to the flats do not serve main habitable room windows, on balance it is considered that the proposal would not lead to any undue impact in terms of overlooking or loss of privacy.
- 7.10 On the opposing side of St. John's Road are 4-storey flats. The proposed building would be in a slightly elevated position in relation to the flats and approximately 17.5m away from the front

elevation facing towards St John's Road. The proposed south elevation of the new building is predominantly brick with an elongated section of glazing to one side. It is not considered that there would be any unacceptable impact in terms of overlooking to the occupiers of these properties.

- 7.11 The elevation of the site facing onto Guildhall Road would remain unchanged and would not lead to any increased impact on the occupiers of the residential flats opposite.
- 7.12 The remaining areas surrounding the site serve commercial properties. The proposed use is compatible with adjacent town centre uses and would not lead to any adverse impact on surrounding amenity.

Flood Risk and Drainage

- 7.13 The NPPF, Policy BN7 of the JCS and Policy 5 of the CAAP require that development proposals do not increase the risk of flood and, where possible, offer betterment.
- 7.14 The application site is situated in Flood Zone 1, low probability, land having a less than 1 in 1,000 annual probability of river or sea flooding.
- 7.15 The application is supported by a Flood Risk Assessment which recommends the promotion of a sustainable and practical drainage strategy including permeable paving and gravel borders where viable, a flow control system to restrict flows to less than 5 litres in the 1 in 200 year plus 20% allowance for climate change and a reduction in impermeable areas. Foul sewage is intended to be connected to the adopted sewer network around the site, subject to Anglian Water approval.
- 7.16 The Lead Local Flood Authority refers to their Standing Advice which requires development proposals to consider sustainable urban drainage systems and ensure appropriate disposal of surface water to ensure there are no adverse flood impacts. The Environment Agency has no comment.
- 7.17 In view of the above, it is considered that an appropriate drainage scheme can be agreed by condition to ensure the scheme is in accordance with policy requirements and that the development proposal does not lead to adverse impacts arising from surface water drainage and flooding.

Highways

- 7.18 No on-site parking is proposed for the development. However, the lack of car parking is not considered to be unacceptable given the site's proximity to public car parking and the sustainable central location of the site and proximity to public transport. Furthermore, Policy 10 of the CAAP requires no provision for parking for non-residential development in this town centre location.
- 7.19 The application is supported by a Travel Plan which includes measures for the promotion and encouragement of sustainable travel options available including provision of information for pedestrians and cyclists, local public transport information and promoting car sharing.
- 7.20 The Highway Authority has requested further details in respect of the originally submitted Transport Assessment/Travel Plan. Additional information has been received and the further comments of the Highway Authority are awaited and will be reported on the addendum to this committee agenda.

Noise, air quality and contamination

- 7.21 The application is accompanied by a Noise Assessment, Air Quality Assessment and Contamination Report.
- 7.22 Conditions are recommended in relation to the submission of a detailed Travel Plan to ensure appropriate mitigation in relation to air quality issues, and conditions relating to contamination and appropriate mitigation, lighting and the submission and agreement of a Construction and Environmental Management Plan to ensure appropriate mitigation measures are in place during construction.

8. CONCLUSION

- 8.1 The development as proposed is acceptable and would contribute to the aims of regenerating and providing a creative hub in this part of the town centre and providing employment opportunities. The design, scale and appearance of the proposed building is considered acceptable reflecting the character of more recent development within the vicinity and would not lead to any undue adverse impact on the setting of the Derrigate Conservation Area or the setting of adjacent listed buildings. The proposal would not lead to any undue impacts in respect of flood risk, highways or impact on surrounding amenity. The proposal is therefore considered to be in accordance with the National Planning Policy Framework and the Development Plan and is 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: 150 Rev A, 151, 152, 251 Rev B, 252 Rev D, 253 Rev C, 255 Rev E, 256 Rev E, 257 Rev E, 265 Rev E, 266 Rev C, 270 Rev D.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of development, full details of the method of the treatment of the external boundaries of the site, including gates, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

5. Notwithstanding the submitted details, no occupation of the development hereby permitted shall take place until there has been submitted to and approved in writing by the Local Planning

Authority a detailed scheme of hard landscaping for the site. The development shall be carried out in accordance with the approved details prior to occupation.

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

6. Prior to the commencement of the development, details of the provision for the storage of refuse, materials for recycling and waste materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

7. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in accordance with the approved details and retained thereafter.

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

8. Before the first occupation of the development hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control and the approved scheme shall be implemented prior to the occupation of the development hereby permitted and retained thereafter.

Reason: To safeguard the amenity of nearby residents in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

9. The development shall be carried out in accordance with the Conclusions and Recommendations specified in the submitted BSP Consulting Report 'Amalgamated Tyres Site, Fetter Street, Northampton – Phase II Exploratory Investigation for Wates Construction Limited for and on behalf of Northampton Borough Council (14187 – October 2015). This should be applied from the demolition and implementation phase.

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

10. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken 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. Before the first occupation of the development hereby permitted a management plan for the operation of the development hereby permitted, including details of hours of opening and timing of deliveries, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason: To ensure that the development operates in a way which minimises the impact on the amenity of nearby residents and businesses to accord with Policy S10 of the West Northamptonshire Joint Core Strategy.

12. Notwithstanding the submitted details, before the development hereby permitted is first brought into use a Travel Plan, incorporating a timetable for implementation and a monitoring/management strategy, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be fully implemented thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that measures are taken to limit the impact of the development on the local road network and to encourage sustainable transport in accordance with the advice contained in the National Planning Policy Framework.

13. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;
- b) Detailed measures for the control of dust during the construction phase of development
- c) The location and size of compounds;
- d) Details for the safe storage of any fuels, oils and lubricants;
- e) A scheme for the handling and storage of topsoil;
- h) Details of any temporary lighting
- i) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- j) Measures for the control of noise emanating from the site during the construction period;
- k) Construction Plant Directional signage (on and off site);
- l) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- m) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: To ensure that appropriate consideration is given to environmental assets and safeguard the amenities of the locality in accordance with the National Planning Policy Framework and Policy S10 of the West Northamptonshire Joint Core Strategy and is required pre-commencement in order to ensure suitable measures are in place from the start of development.

14. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by bybsp Consulting dated November 2016) have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall include;

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
- ii) Full detailed surface water calculations and drawings to ensure adequate surface water drainage facilities on site for all events up to and including 0.5% (1 in 200 AEP) plus climate change (20% and 40% sensitivity).

Reason: To prevent the risk of flooding, both on and off-site in accordance with the requirement of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as the drainage scheme will need to be incorporated into the preliminary stages of the development.

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

Reason: To reduce the risk of flooding both on and off-site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

16. No development shall commence until a scheme to provide a programme of construction training opportunities has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed programme.

Reason: To ensure the development provides training opportunities in accordance with the Council's Supplementary Planning Document on Planning Obligations. This is a pre-commencement condition to ensure that the training opportunities can be maximised for the full development programme.

17. 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 the advice contained in the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as any archaeological work needs to be undertaken before development commences and any features of potential archaeological interest are lost.

18. Notwithstanding the submitted details prior to occupation of the development hereby permitted a scheme shall be submitted that identifies measures to achieve Secured by Design standards within the development and a timetable for their implementation. The development shall be carried out in accordance with the approved details.

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

10. BACKGROUND PAPERS

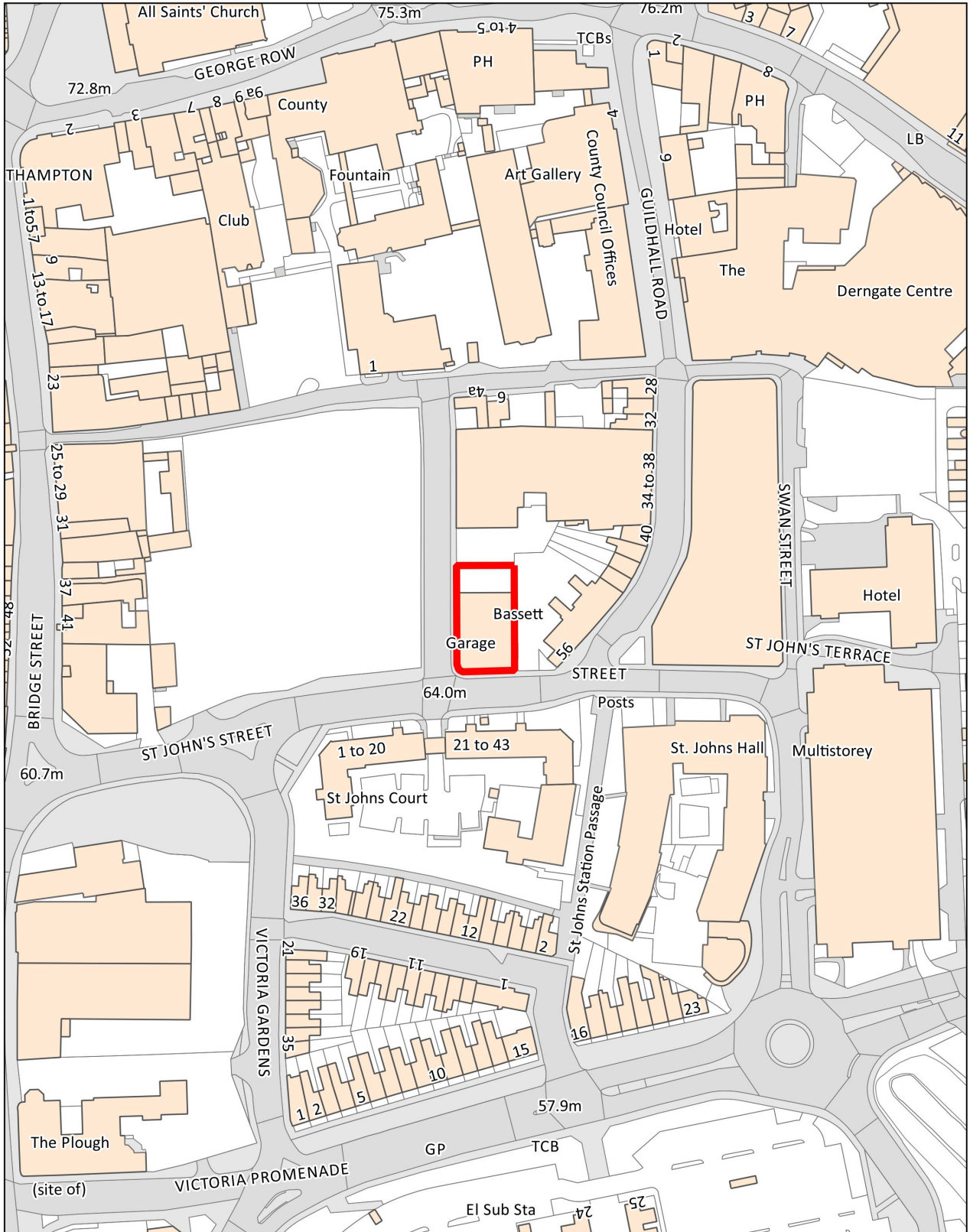
10.1 N/2016/1425


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: Linnells Motors, Fetter Street</p>	<p>Date: 28-03-2017</p>
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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1428 & N/2016/1388

LOCATION: 34 - 38 Guildhall Road

DESCRIPTION: Development of new three storey structure on Angel Street and re-use of existing Grade II listed buildings for the University of Northampton's Institute for Creative Leather Technology & Leather Conservation Centre and to provide lettable units for creative industries including the demolition of lean-to structure, toilet block and 2-storey house

And Listed Building application for the re-use of existing Grade II listed buildings for the University of Northampton's Institute for Creative Leather Technology & Leather Conservation Centre and to provide lettable units for creative industries including the demolition of lean-to structure, toilet block and 2-storey house

WARD: Castle Ward

APPLICANT: Northampton Borough Council
AGENT: Purcell LLP

REFERRED BY: Head of Planning
REASON: Council owned land and is the applicant

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 N/2016/1428 – Planning Application

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

The development as proposed is acceptable and would contribute to the aims of regenerating the town centre, providing employment opportunities and bring a prominent group of underused Grade II listed buildings within Derngate Conservation Area back into a viable long term use, the harm to which arising from the proposed alterations, additions and demolition is considered to be less than substantial and outweighed by the public benefits. The design and appearance of the new build element would be in contrast with but sympathetic to the existing heritage assets and surrounding built context. The proposal would not lead to any undue impacts in respect of flood risk, highways or impact on surrounding amenity in accordance with the aims and objectives of the National Planning Policy Framework, Policies S7, S10, E7, BN5, BN9, N1 and N2 of the West

Northamptonshire Joint Core Strategy and Strategic Objectives S01 and S02, Policies 1, 2, 5, 10, 15 and 21 of the Northampton Central Area Action Plan.

1.2 **N/2016/1388 – Listed Building Application**

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

The development as proposed is acceptable and would bring a prominent group of underused Grade II listed buildings within Derngate Conservation Area back into a viable long term use. The harm to the listed buildings arising from the proposed alterations, additions and demolition is considered less than substantial and outweighed by the public benefits of the scheme in bringing these Grade II listed buildings back into use with a use sympathetic to the buildings' heritage which would make a positive contribution to the regeneration of the town centre and conservation area and lead to the creation of employment opportunities. The design and appearance of the new build element would be in contrast with but sympathetic to the existing heritage assets and surrounding built context. The proposal is therefore considered to be in accordance with the aims and objectives of the National Planning Policy Framework, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

2. **THE PROPOSAL**

- 2.1 The application proposes to convert the Grade II listed former Vulcan Works buildings to form a creative industries hub and managed workspace for use by the University of Northampton's Institute for Creative Leather Technology (ICLT) and the Leather Conservation Centre (LCC), both of which are relocating as part of the university's strategic move away from the Park Campus. The other element of the proposal is to provide lettable units for creative industries such as advertising, architecture, designer fashion, software design, multimedia, allowing for a minimum of 16 flexible units, ranging from 14 to 80 square metres in floor area.
- 2.2 The proposed works would involve the demolition of an existing lean-to structure, toilet block and 2-storey house on the site and various internal works including the demolition of some internal partition walls, installation of new lifts, creation of new window openings on the Fetter Street elevation, repositioning of staircases, replacement/repair of existing roofs and internal roof trusses and rationalisation of internal floor levels. A new 3-storey building would be constructed fronting onto Angel Street, adjacent to the Weights and Measures building. The Guildhall Road frontage would remain relatively unchanged with the exception of the replacement of a roller shutter door with timber entrance doors and some restoration of existing features.
- 2.3 The main pedestrian entrance to the University element would be from Guildhall Road. No on-site parking would be provided. Deliveries to the site would be via an entrance and delivery yard on Fetter Street.
- 2.4 The scheme follows on from a previous planning approval and listed building consent for similar proposals to convert the building to provide a community arts hub with workshops and meeting spaces approved in 2015. The current application differs in that the proposals now include use of the building by the University as described above and amendments to the design of the new build element, previously proposed at 4-storeys with a maximum height of 14.7m, and now reduced to 3-storey with a maximum height of 10.8m. The extent of demolition is similar to that previously approved including the demolition of the two-storey property on Angel Street and the adjacent lean-to structure.
- 2.5 Whilst the proposal includes demolition of parts of the buildings, including the removal of an internal staircase, subject to their being no objections from Historic England or any National Amenity Society, the listed building application will not require referral to the Secretary of State.

3. SITE DESCRIPTION

- 3.1 The application site is located within the Derngate Conservation Area and sits between Guildhall Road, Fetter Street and Angel Street and was originally used for the production of machinery associated with the Boot and Shoe industry.
- 3.2 The buildings which front onto Guildhall Road are 19th Century and of brick construction with a decorative façade. These are Grade II listed. The buildings fronting Fetter Street are of a later period and were an extension to the Guildhall Road buildings with ridgelines extending west to east across the site and with a more industrial appearance. Given their relationships with the listed Guildhall Road buildings, these buildings are also listed.
- 3.3 The buildings fronting Angel Street consist of a single storey flat roofed brick built building, originally the Weights and Measures building which would have been associated with the group of civic buildings on the opposite side of Angel Street, and adjacent and adjoining, a two-storey building which has the appearance of a dwelling. To the east of the two-storey building beyond a gated yard is a single storey building which runs at a right angle to Angel Street which is proposed to be demolished as well as the adjacent boundary walls.
- 3.4 There are a variety of land uses in the vicinity of the site with office, retail, commercial and residential premises. On the opposite side of Angel Street to the north is the County Hall group of buildings, while on the opposite side of Fetter Street is the site of Project Angel, the County Council's new headquarters, which is nearing completion.
- 3.5 Bloomsbury House, converted to residential flats, is located to the east of the site on Guildhall Road, part of which is Grade II listed. The former County Constabulary Offices to the north west of the site and Nos.40-48 Guildhall Road which extend to the south of the site and are locally listed.
- 3.6 The site slopes gradually from north to south with the buildings stepping down with the change in gradients and the adjacent land to the south dropping down to the car park associated with residential properties at Basset Lowke House.

4. PLANNING HISTORY

- 4.1 N/2016/1193 - Variation of Conditions 3, 9, 10, 11, 12 and 14 of Planning Permission N/2014/1328 - Change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three storey building and demolition of existing structures and associated external works to change conditions from 'pre-commencement' to 'pre-commencement' on that part of works. Approved 23.11.16.
- 4.2 N/2016/1196 - Variation of Conditions 3, 6 and 7 of N/2014/1329 - Listed Building application for change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three storey building and demolition of existing structures and associated external works - to change conditions from 'pre-commencement' to 'pre-commencement on that part of the works'. Approved 23.11.16.
- 4.3 N/2014/1328 – Change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three/four storey buildings and demolition of existing structures. Approved 11.05.15.

- 4.4 N/2014/1329 – Listed building application for change of use to provide a community arts hub including 57 workshops, meeting spaces and associated amenities including alterations and refurbishment of existing buildings, erection of three/four storey building and demolition of existing structures and associated external works. Approved 11.06.15.

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 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.

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

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

5.2 National Policies

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

The NPPF has a presumption in favour of sustainable development.

Part 17 identifies the core planning principles of the NPPF which include the need for planning to proactively drive and support sustainable economic development to deliver the homes, businesses and industrial units the country needs; always seek high quality design and a good standard of amenity for existing and future occupiers; conserve heritage assets in an appropriate manner.

Paragraph 19 attaches great weight to the need to support sustainable economic growth.

Part 2 is committed to ensuring the vitality and viability of town centres.

Paragraphs 56 and 57 advises on the importance of good design to sustainable development.

Paragraph 103 seeks to ensure development proposals do not increase flood risk elsewhere.

Paragraph 131 requires account to be 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 should be given to the asset's conservation.

Paragraph 134 advises that where development proposals will lead to less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits.

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 S7 requires provision to be made for a net increase of 28,500 jobs in the period up to 2029.

Policy S10: Sustainable Development Principles – seeks to ensure development proposals achieve the highest standards of design and security; protect, conserve and enhance the built environment and heritage assets and their settings; minimise pollution from noise, air and run off.

Policy E7: Tourism, Visitor and Cultural Industries – proposals in this regard will be supported where they contribute to regeneration aims and objectives, strengthen the overall tourism offer, benefit local communities and businesses and is of a use, form and scale which does not harm the quality of the built environment.

Policy BN5: The Historic Environment and Landscape – heritage assets and their settings and landscapes will be conserved and enhanced.

Policy BN7: Flood Risk – development proposals are required to demonstrate there is no increased flood risk and proposed development is, or can be made, safe.

Policy BN9: Planning for Pollution Control – development proposals likely to result in exposure to sources of pollution will minimise or where possible reduce pollution.

Policy N1: The Regeneration of Northampton – will be supported by a focus on the Town Centre and Central Area for office, retail, leisure and service development providing high quality urban design and protection of heritage assets and historic character through managed change.

Policy N2: Northampton Central Area – major office, leisure and cultural development will take place in the central area.

5.4 Northampton Central Area Action Plan 2013

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

Strategic Objective S01 – seeks to regenerate the town centre by expanding retail, town centre facilities and the scale of employment opportunities in the centre.

Strategic Objective S02 – seeks to ensure a well-designed Town Centre with the development of the highest standard that reflects and contributes to the rich architectural heritage assets and add to the sense of place.

Policy 1: Promoting Design Excellence – seeks to ensure that all new development within the Central Area positively contributes to the character of the area; makes efficient use of land by promoting an appropriate mix of uses in order to increase the vitality and vibrancy of the area;

preserves and enhances the character, appearance and setting of heritage assets and pays suitable regard to the adopted Conservation Area Appraisals and Management Plan.

Policy 2: Tall Buildings – Development proposals for tall buildings which are taller than their surroundings must be justified and demonstrate their impact.

Policy 5: Flood Risk and Drainage – developments in the Central Area will be expected to implement measures that ensure there is no increase in the flow of surface water or foul sewage to the existing network.

Policy 10: Parking – within the Town Centre Boundary no additional private car parking for non-residential development will be permitted.

Policy 15: Office and Business Use – the Council will promote the central area as an office and business centre.

Policy 21: Angel Street – promotes 34-38 Guildhall Road for the accommodation of some small-scale creative businesses and office accommodation within the boundaries of Guildhall Road, Fetter Street and Angel Street.

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Derngate Conservation Area Appraisal and Management Plan

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – no objection. The proposed use is appropriate to its historic character and the external alterations and demolition on Angel Street is justified as a means of bringing the overall site into use. The proposed new build on Angel Street is 3-storeys in height and retains the former office building on the corner. The scale and design will have an acceptable impact on the setting of the main listed building and is appropriate within the street scene and Conservation Area. Materials should be approved by condition. No objection to amendments which remove the previously proposed long sections of glazing to the Fetter Street elevation.
- 6.2 **Historic England** – support the application. The Vulcan Works dates from c1875 with later phases on Fetter Street, and is the best survival of the buildings connected with the production of boot and shoe machinery in Northamptonshire. It has significant group value with other commercial and civic buildings in the Derngate Conservation Area. Historic England welcome the proposed use for leather workshops for the use of students of the University which is highly appropriate. The Weights and Measures Office will be retained and integrated into the scheme and the new block on the north side of the site remains at the agreed height of 3 storeys on the Angel Street frontage, retaining views of the Gaol Building from the south. The small degree of harm from changes proposed to the internal arrangement of the listed buildings, such as removal of partitions and new openings, is justified by the substantive overall public benefit of bringing these under-used listed buildings into long-term beneficial and viable uses.
- 6.3 **Victorian Society** – no objection.
- 6.4 **NBC Environmental Health** – no objection in principle. Require conditions in relation to more detailed identification of both internal and external sources of noise and appropriate mitigation, hours of use and delivery, odour control, air quality mitigation in terms of a Travel Plan,

contamination, lighting and the submission of a Construction and Environmental Management Plan.

- 6.5 **Crime Prevention Design Advisor** – recommends measures to reduce opportunities for crime and anti-social behaviour such as ensuring persons are not able to access the site via any delivery access doors or refuse access doors after hours, doors and windows to a secure standard, access control to main building and delivery points, consideration of the installation of CCTV coverage.
- 6.6 **NCC Highways** – foundations should not encroach or undermine highway, nor any drainage, eaves, sills, outward open windows. Further information requested regarding the Transport Statement and Travel Plan. Further details have been submitted and the further comments of the Highway Authority are awaited and will be reported on the addendum to this committee agenda.
- 6.7 **Highways England** – no objection.
- 6.8 **NCC Lead Local Flood Authority** – no objection subject to a condition for the submission of full details of a surface water drainage scheme for the site based on the submitted Flood Risk Assessment, and a detailed scheme of ownership and maintenance.
- 6.9 **Environment Agency** – no comment. The application should be determined in accordance with advice from the Lead Local Flood Authority.
- 6.10 **NCC Archaeology** – the previously submitted Archaeological Desk based Assessment and proposed mitigation strategy November 2014 comprehensively covers the archaeological background of the site. Recommend a condition for an archaeological programme of works.
- 6.11 **Northampton Town Centre Conservation Advisory Group** – welcome the retention of the Weights and Measures building and the replacement of the roller shutter with double doors on the Guildhall Road frontage. Remain concerned regarding the design. The scale and massing do not reflect those of the listed building, or reflect the distinctive roofline of the Vulcan Works which is a great opportunity missed. Further consideration of the design is strongly recommended.
- 6.12 With the exception of the Victorian Society, the comments of whom are above, the comments of the National Amenity Societies are awaited and will be reported on the addendum to this committee agenda.

7. APPRAISAL

Principle

- 7.1 The broad principle of development and the use of the site has been established through the existing consent. The application proposes the re-use of redundant listed buildings within the town centre for a use which would contribute to the vitality and regeneration of the town centre. The proposal would complement other recent developments in the locality and would be in accordance with the vision for this part of the town centre as defined by the policies of the CAAP, most specifically Policy 21 which promotes the development of the site for the accommodation of small-scale creative businesses and office accommodation. In view of the combination of uses proposed, the overall use of the premises would be considered as Sui Generis.
- 7.2 The inclusion of the University's Institute for Creative Technology and the Leather Conservation Centre is considered an appropriate and sympathetic use for the historic buildings maintaining an association with Northampton's Boot and Shoe industry, and the proposal would also bring a further presence of the University within the town centre. The proposal would make a positive

contribution towards the sustainable economic development of the town centre and employment opportunities and is consistent with the aims of the NPPF and Strategic Objective S01 and Policies S7, E7, N1 and N2 of the JCS.

Design and Appearance

- 7.3 The proposal would retain the key elements of the current Vulcan Works, including the Guildhall Road two-storey buildings, Victorian Workshops and the Fetter Street stores, and retain the Weights and Measures building on Angel Street.
- 7.4 The Guildhall Road elevation of the building would remain relatively unchanged with the insertion of a timber entrance door in place of an existing roller shutter door. The design of the Fetter Street elevation has been amended to remove the previously proposed large glazed openings in the building, as previously approved, and replaced with a more simple elevation detail predominantly using existing door openings with minor alterations in width, retaining a number of existing window openings, and the insertion of horizontal windows at first floor level.
- 7.5 The more prominent alteration would comprise the demolition of the existing two-storey building on Angel Street and the erection of a 3-storey building attached to the Weights and Measures building, which would retain its existing form. The building is of a more contemporary appearance with large areas of glazing, particularly at ground floor, providing an active frontage for the proposed workshops fronting onto Angel Street. The height of the building would be a maximum of 10.8m, comparable with the height of the adjacent buildings on Guildhall Road, and considerably less than the height of the previously approved scheme at 4-storeys and up to 14.7m in height. A varied panel of brickwork is proposed to add further interest to the façade with inset panels of brickwork and fenestration proposed to add a varied relief to the elevation. A condition is recommended to agree material details to ensure the building is sympathetic to the surrounding context.
- 7.6 The proposed contemporary style of the new build element is in contrast to the adjacent historic elements of the existing buildings on the site but reflects the modern appearance of more recent development within the vicinity of the site such as St John's student accommodation and Project Angel. Subject to agreeing appropriate materials, including window and door details, the design is considered acceptable and appropriate to the surrounding context and in accordance with the requirements of Policy 1 of the CAAP and Policy S10 of the JCS.

Heritage

- 7.7 The Vulcan Works and later additions on Fetter Street have an important presence within Derngate Conservation Area. The scheme as proposed would retain important elements of these buildings and the height of the new build element would retain important views within the Conservation Area, such as the Gaol Building when viewed from the south.
- 7.8 The buildings and internal elements proposed for demolition, the new build elements and insertion of additional openings are required to rationalise the overall site and building layout to accommodate the uses proposed and bring the site back into a viable and sustainable use. Conditions are recommended to agree a programme of archaeological work and a programme of building recording in respect of elements of historical interest that are subject to removal or alteration. The Council's Conservation Officer and English Heritage have no objection to works proposed.
- 7.9 The development as proposed would conserve and enhance the appearance of the existing buildings in accordance with Policy BN5 of the JCS and bring about the viable use of the buildings consistent with their conservation. The degree of harm arising from the demolition and alterations proposed is considered to be less than substantial and would be justified and

outweighed by the public benefits of the scheme in terms of bringing a disused, prominent building within the conservation area and town centre back into use and contributing towards the creation of employment and investment opportunities for creative industry for small to medium enterprises within the town centre in accordance with the requirements of the NPPF and Policy BN5 of the JCS.

- 7.10 The development proposals would enhance the character and appearance of the Derngate Conservation Area and would not lead to any adverse impacts on the setting of adjacent nationally or locally listed buildings.

Flood Risk and Drainage

- 7.11 The NPPF, Policy BN7 of the JCS and Policy 5 of the CAAP require that development proposals do not increase the risk of flood and, where possible, offer betterment.
- 7.12 The application site is situated in Flood Zone 1, low probability, land having a less than 1 in 1,000 annual probability of river or sea flooding.
- 7.13 The application is supported by a Flood Risk Assessment which recommends the promotion of a sustainable and practical drainage strategy including permeable paving and gravel borders where viable, a flow control system to restrict flows to less than 5 litres in the 1 in 200 year plus 20% allowance for climate change and a reduction in impermeable areas. Foul sewage is intended to be connected to the adopted sewer network around the site, subject to Anglian Water approval.
- 7.14 The Lead Local Flood Authority has no objection subject to the agreement of an appropriate detailed drainage scheme and a condition is recommended to this effect. The Environment Agency has no comment.
- 7.15 In view of the above, it is considered that an appropriate drainage scheme can be agreed by condition to ensure the scheme is in accordance with policy requirements and that the development proposal does not lead to adverse impacts arising from surface water drainage and flooding.

Highways

- 7.16 The development, in part by virtue of its historic layout, would not provide sufficient space for any on-site car parking. However, the lack of car parking is not considered to be unacceptable given the proximity of public car parking and the sustainable central location of the site and proximity to public transport. Furthermore, Policy 10 of the CAAP requires no provision for parking for non-residential development in this town centre location.
- 7.17 The application is supported by a Travel Plan which includes measures for the promotion and encouragement of sustainable travel options available including provision of information for pedestrians and cyclists, local public transport information and promoting car sharing.
- 7.18 The Highway Authority has requested further details in respect of the originally submitted Transport Assessment/Travel Plan. Additional information has been received and the further comments of the Highway Authority are awaited and will be reported on the addendum to this committee agenda.

Amenity

- 7.19 The Guildhall Road frontage would be subject to minimal external alteration and in this respect would not lead to any increased overlooking to residential flats on the opposing side of Guildhall Road.

- 7.20 In respect of residential properties extending south of the application site along Guildhall Road, no additional windows are proposed that would increase the level of overlooking from the Vulcan Works buildings to existing. The new build element on Angel Street is sufficient distance away from these residential properties such that there would not be any undue increase in overlooking.
- 7.21 Whilst the proposal would lead to renewed comings and goings on this long term vacant site, the site is located within the town centre and was historically used as a factory. Issues of noise and potential impacts on adjacent amenity are discussed below.
- 7.22 A condition is recommended to agree suitable provision for refuse storage on the site.

Noise, odour and contamination

- 7.23 The application is accompanied by a Noise Assessment, Air Quality Assessment and Contamination Report.
- 7.24 The proposed University use is likely to include an element of machinery although the exact and level of noise production is unknown at this stage. A condition is recommended for the submission of a further detailed noise assessment and agreement of appropriate mitigation measures, to ensure there is no adverse impact on adjacent amenity.
- 7.25 Conditions are recommended in relation to the submission of a detailed Travel Plan to ensure appropriate mitigation in relation to air quality issues, unexpected contamination, lighting and the submission and agreement of a Construction and Environmental Management Plan to ensure appropriate mitigation measures are in place during construction.

CONCLUSION

- 8.1 The development as proposed is acceptable and would contribute to the aims of regenerating the town centre, providing employment opportunities and bring a prominent group of underused Grade II listed buildings within Derrnagate Conservation Area back into a viable long term use, the harm to which arising from the proposed alterations, additions and demolition is considered to be less than substantial and outweighed by the public benefits. The design and appearance of the new build element would be in contrast with but sympathetic to the existing heritage assets and surrounding built context and the proposal would not lead to any undue impacts in respect of flood risk, highways or impact on surrounding amenity. The proposal is therefore considered to be in accordance with the National Planning Policy Framework and the Development Plan and is recommended for approval.

9. CONDITIONS

9.1 N/2016/1428 Planning Application

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

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

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans: 200 Rev C, 201 Rev B, 202 Rev C, 204 Rev A, 205 Rev D, 206 Rev D, 207 Rev D, 208 Rev C, 215 Rev E, 216 Rev E, 217 Rev F, 218 Rev C, 219 Rev B, 220 Rev C, 221 Rev B, 222 Rev A, 225 Rev A, 226 Rev A, 227 Rev A, 228 Rev A, 229 Rev A, 230 Rev B.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

4. Notwithstanding the submitted details, prior to the commencement of development, full details of the method of the treatment of the external boundaries of the site, including gates, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

5. Notwithstanding the submitted details, no occupation of the development hereby permitted shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard landscaping for the site. The development shall be carried out in accordance with the approved details prior to occupation.

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

6. Prior to the commencement of the development, details of the provision for the storage of refuse, materials for recycling and waste materials shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

7. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out in accordance with the approved details and retained thereafter.

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

8. Prior to the commencement of development, 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 Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

9. Before the first occupation of the development hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the

provisions to be made for its control and the approved scheme shall be implemented prior to the occupation of the development hereby permitted and retained thereafter.

Reason: To safeguard the amenity of nearby residents in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. Before the first occupation of the development hereby permitted a scheme for the control of odours from any processes within the building, including the on-going maintenance of any equipment, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and retained thereafter.

Reason: To safeguard the amenity of nearby residents in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

11. 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.

12. Before the first occupation of the development hereby permitted a management plan for the operation of the development hereby permitted, including details of hours of opening and timing of deliveries, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such thereafter.

Reason: To ensure that the development operates in a way which minimises the impact on the amenity of nearby residents and businesses to accord with Policy S10 of the West Northamptonshire Joint Core Strategy.

13. Notwithstanding the submitted details, before the development hereby permitted is first brought into use a Travel Plan, incorporating a timetable for implementation and a monitoring/management strategy, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be fully implemented thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that measures are taken to limit the impact of the development on the local road network and to encourage sustainable transport in accordance with the advice contained in the National Planning Policy Framework.

14. Development shall not commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading

and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway;

- b) Detailed measures for the control of dust during the construction phase of development
- c) The location and size of compounds;
- d) Details for the safe storage of any fuels, oils and lubricants;
- e) A scheme for the handling and storage of topsoil;
- h) Details of any temporary lighting
- i) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- j) Measures for the control of noise emanating from the site during the construction period;
- k) Construction Plant Directional signage (on and off site);
- l) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- m) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: To ensure that appropriate consideration is given to environmental assets and safeguard the amenities of the locality in accordance with the National Planning Policy Framework and Policy S10 of the West Northamptonshire Joint Core Strategy and is required pre-commencement in order to ensure suitable measures are in place from the start of development.

15. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment (prepared by bybsp Consulting dated November 2016) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall include;
- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - ii) Full detailed surface water calculations and drawings to ensure adequate surface water drainage facilities on site for all events up to and including 0.5% (1 in 200 AEP) plus climate change (20% and 40% sensitivity).

Reason: To prevent the risk of flooding, both on and off-site in accordance with the requirement of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as the drainage scheme will need to be incorporated into the preliminary stages of the development.

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

Reason: To reduce the risk of flooding both on and off-site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

17. No development shall commence until a scheme to provide a programme of construction training opportunities has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed programme.

Reason: To ensure the development provides training opportunities in accordance with the Council's Supplementary Planning Document on Planning Obligations. This is a pre-commencement condition to ensure that the training opportunities can be maximised for the full development programme.

18. 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 the advice contained in the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as any archaeological work needs to be undertaken before development commences and any features of potential archaeological interest are lost.

19. Notwithstanding the submitted details prior to occupation of the development hereby permitted a scheme shall be submitted that identifies measures to achieve Secured by Design standards within the development and a timetable for their implementation. The development shall be carried out in accordance with the approved details.

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

9.2 **N/2016/1388 – Listed Building Application**

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: 200 Rev C, 201 Rev B, 202 Rev C, 204 Rev A, 205 Rev D, 206 Rev D, 207 Rev D, 208 Rev C, 215 Rev E, 216 Rev E, 217 Rev F, 218 Rev C, 219 Rev B, 220 Rev C, 221 Rev B, 222 Rev A, 225 Rev A, 226 Rev A, 227 Rev A, 228 Rev A, 229 Rev A, 230 Rev B.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

4. No alteration or demolition shall take place until a programme of building recording has been compiled and submitted to and approved in writing by the Local Planning Authority in accordance with the recording brief issued by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with the advice contained in the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as any building recording needs to be undertaken before development commences and any features of potential historic interest are lost.

5. Prior to any works commencing on the north wall of the Vulcan Works/south wall of the new building, a detailed methodology for the treatment of both walls shall first be submitted to and approved in writing by the Local Planning Authority. The submitted scheme should include details of the extent of any demolition and the justification for this as well as details of any new wall. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that the works to this wall can be fully considered in the interests of the historic environment in accordance with the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy.

6. Prior to any works being carried out in respect of the roof repairs/replacement, a detailed methodology in respect of these works shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

Reason: To ensure that the works to the roof can be fully considered in the interests of the historic environment in accordance with the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy.

7. 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 the advice contained in the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as any archaeological work needs to be undertaken before development commences and any features of potential archaeological interest are lost.

10. BACKGROUND PAPERS

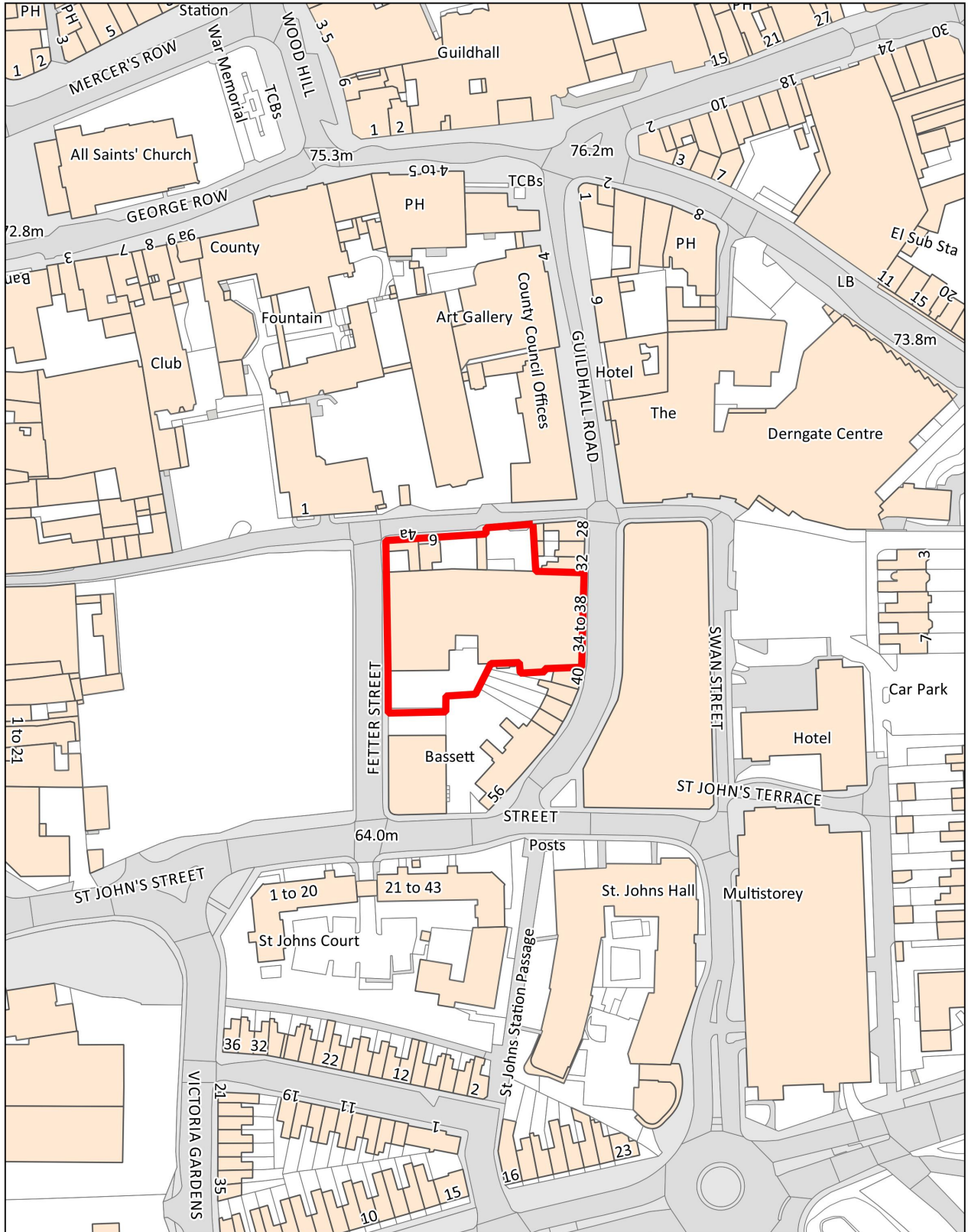
- 10.1 N/2016/1428 & N/2016/1388

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.



Title: **34-38 Guildhall Road**

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Date: 28-03-2017

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PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1672

LOCATION: Abington Museum Manor House Abington Park,
 Wellingborough Road

DESCRIPTION: Listed Building Consent for Phase 1 internal refurbishment and
 repairs to various areas at Abington Museum

WARD: Abington Ward

APPLICANT: Northampton Museum and Art Gallery, NBC
AGENT: Stimpson Walton Bond Architects

REFERRED BY: Head of Planning
REASON: Council owned land and is the Applicant

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed works would, subject to conditions, preserve this Grade I Listed Building's setting and features of special and historical interest as required by the National Planning Policy Framework and Policies BN5 and S10 of the West Northamptonshire Joint Core Strategy.

2. THE PROPOSAL

2.1 The applicant seeks Listed Building Consent to carry out a variety of internal alterations to improve and redecorate the interior of the museum in order to increase the elements of the building that can be accessible to the public and to facilitate the holding of public and private functions.

3. SITE DESCRIPTION

3.1 The application site consists of Abington Park Museum (which has been open since 1899), which was formerly Abington Abbey. The building was constructed in the early 16th century surrounding a quadrangle. The building was altered during the latter part of the 17th century, before seeing more alterations being carried out to the exterior in the 18th century. The building is largely two storeys with an attic and key features include corncicing, a parapet, dormers, pediments and arches. The interior contains a number of important features, including framed roof to the Great Hall, tall mullioned windows that serve the Great Hall, panelling and plaster ceilings.

- 3.2 Due to the age and design of the building, its special features and historic use, it is a Grade I Listed Building.
- 3.3 In addition, the application site is in close proximity to the Grade A (akin to Grade I) Listed Church of St Peter and St Paul and the Grade II Listed Abington Park Cottages.
- 3.4 Furthermore, the site is within Abington Park and as a result benefits from a great deal of prominence and is also within the Abington Park Conservation Area.

4. PLANNING HISTORY

- 4.1 N/1991/0107 – Structural, stonework and window repairs; redecoration; new ceiling linings; and damp proofing – Approved
N/1992/1403 – Minor building works for public display of collections - Approved

5. PLANNING POLICY

5.1 Statutory Duty

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering whether to grant listed building consent 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.

- 5.3 Paragraph 17 requires that heritage assets are conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. This is strengthened by paragraph 132. In addition, paragraph 129 requires that the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) is identified and assessed. Paragraph 134 requires 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.

5.4 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:

- BN5 – Historic Environment
- S10 – Sustainable Development Principles

5.5 Northampton Local Plan 1997 (Saved Policies)

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

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Conservation (NBC)** – Overall, the proposed works are supported, however, concerns are raised in respect of the use of tile inserts on the steps leading from the Great Hall. The use of a temporary screen is also considered appropriate.
- 6.2 **Historic England** – No objections.

7. APPRAISAL

- 7.1 The proposed alterations are internal only and as a consequence, the works would not affect the setting of the Listed Building. The primary matter under consideration, therefore, is the impact upon the character and appearance of the Grade I Listed Building.
- 7.2 The works proposed broadly fall into a number of categories. These comprise the installation of lighting to the entrance vestibule, the carrying out of repairs and installation of demarcating to steps within the Great Hall, the subdivision of a room to form a storage area, alterations to the existing toilet facilities and restoration to the Long Hall.
- 7.3 It is considered that the addition of lights to the entrance vestibule would have some benefit as the additional illumination would draw the attention of visitors to the roof structure, which would promote understanding of the construction of the building. Furthermore, the additional lighting would improve the usage of this space. The construction of the lobby area includes a picture rail, which would to some degree, mask the actual lighting installation, and would reduce the impact on the character of this space. The main area of concern relates to the installation of electrical wiring, which if inappropriately placed, could lessen the success of the overall improvement works.
- 7.4 From discussions with the scheme's architect, it is apparent that the wiring could be masked by the aforementioned picture rail, which is an acceptable situation. In order to provide some certainty of this, a condition is recommended that would ensure that the Local Planning Authority approves details of wiring runs prior to the commencement of development.
- 7.5 In respect of the Main Hall (which is accessed from the aforementioned lobby), the majority of proposals relate to general repairs to the overall condition of this key room. As such, this would support the continued use of the building which would be of significant benefit in securing its future uses. Of greater concern is that there is a short series of stone steps leading from the southern elevation. Given the age of the building, these have been subject to some wear, which add to the character of the building.
- 7.6 Given the nature of the building and the fact that public access will be a feature of future uses, it is appreciated that there is some need for colour delineation to be installed on these steps in order to aid visitors with visual impairment. Following discussions with the applicant's agent, it is proposed that a relatively small section of the edge of each step be removed and be replaced by an equal sized section of a flexible material. This would ensure that the step maintains its overall form, whilst providing suitable coloured delineation.
- 7.7 Although it is appreciated that concerns have been raised in respect of this matter from the Council's Conservation Section, it is considered that this element of the proposed works is acceptable. The reason being that any harm arising from the removal of a section of the steps would be less than substantial by reason of the proposal maintaining the shape and form of the steps (which can, of course, be secured by condition) and would be offset to some degree by the fact that the works are required in order to secure the future use of this notable building.

- 7.8 From consultation with Historic England and the Council's own Conservation Section, it is apparent that the most significant proposed alteration is the subdivision of an existing small room. This is due to the potential to result in the removal of key ceiling features. In line with the advice of Historic England, the scheme has now been revised so that the partition is of a freestanding design. This means that there would not be any physical alterations or additions to the existing building therefore obviating the need for Listed Building Consent for this particular element of the proposal.
- 7.9 The proposed alterations and extension to the toilet area would take place within a relatively small section of the building that has already seen a significant number of alterations associated with the installation of the existing facilities. Given this and the fact that such facilities are required in order to ensure that the building is retained with a productive use, it is considered that these elements of the development are acceptable.
- 7.10 The proposed works include a refurbishment of the Long Hall. The proposed works are generally of an unobtrusive nature and consist of repairs to existing wooden window frames and shutters and repairing the existing wooden floor. Such works would be of benefit in returning the building to its original appearance. It is noted that the proposals include the replacement of a fan convector heating from the wall and replacement with cast iron radiators. Whilst such works would result in the installation of heating that has an appearance which is more appropriate to the style of the building, a condition to enable the Local Planning Authority to approve details of the appearance of the new heaters is considered necessary and reasonable.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the proposed works, on balance, would have a neutral impact upon the character and appearance of the building and that any harm to the existing steps would be less than significant and would be outweighed by the public benefits of the scheme. As a result, it is considered that the proposed works are in accordance with the requirements of national and local planning policies.

9. CONDITIONS

- 9.1 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: 2016/80/100; 2016/80/101a; 2016/80/200; 2016/80/201; 2016/80/202a; 2016/80/203; and 2016/80/400.

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

3. Notwithstanding the details submitted, full details of the cable runs to serve the new lighting as shown on drawing 2016/80/201 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 shall be retained thereafter.

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

4. Notwithstanding the details submitted, full details of the replacement radiators as shown on drawing 2016/80/100 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 shall be retained thereafter.

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

5. Notwithstanding the details submitted, full details of the step inserts as shown on drawing 2016/80/101a 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 shall be retained thereafter.

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

6. The development hereby permitted shall be carried out in accordance with the submitted schedule of works (revision A).

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

7. This consent does not confer permission upon the installation of suspended ceilings to the Secondary Entrance Area.

Reason: For the avoidance of doubt and in the interests of securing a satisfactory standard of development and impact on the historic environment in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

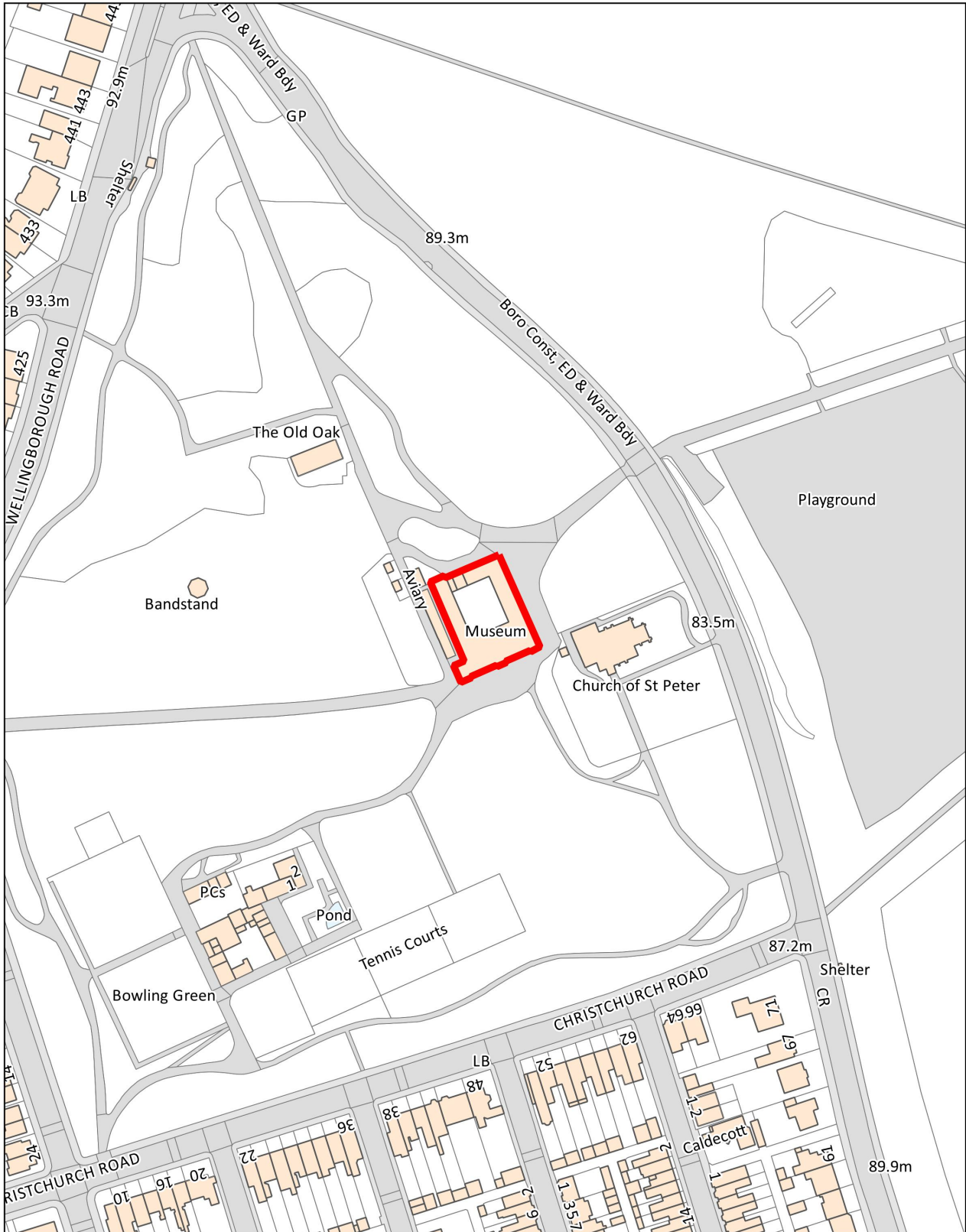
10.1 None


11. LEGAL IMPLICATIONS

11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



 <p>NORTHAMPTON BOROUGH COUNCIL</p>	<p>Title: Abington Museum, Manor House, Abington Park</p>	<p>Date: 28-03-2017</p>
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Addendum to Agenda Items Tuesday 11th April 2017

7. OTHER REPORTS

7a

N/2016/1073

**Section 106 Agreement in relation to the forthcoming appeal against refusal of the outline planning application (with all matters reserved except access) for residential development of up to 30 residential dwellings with associated open space, car parking and vehicular access from Booth Rise and demolition of 58 and 62 Booth Rise
Land rear of 62 Booth Rise**

No update.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

9a

N/2016/1425

**New four storey building to provide shared office space & unit rooms for creative new small and medium-sized enterprises (SMEs)
Linnells Motors, Fetter Street**

Further comments from **County Highway Authority**:

- Request condition for servicing and delivery plan for the site.
- Request additional requirements to be considered as part of the Construction and Environment Management Plan.
- The revised Transport Assessment is acceptable. Condition accordingly.

Additional Condition 19:

Prior to occupation of the development hereby permitted, a delivery and servicing plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the number and frequency of deliveries and refuse collections, when they are to be carried out and how they will be managed, size of vehicles and location of where they will deliver/service from. The development shall be carried out and maintained in accordance with the approved details.

Reason: To ensure a satisfactory standard of development and in the interests of amenity in accordance with the National Planning Policy Framework.

Condition 12 amended to:

The development shall be carried out in accordance with the approved Framework Travel Plan by BSP Consulting dated 6.02.17 Rev A and maintained as such throughout the life of the development.

Reason: To ensure measures are taken to limit the impact of development on the local road network and to encourage sustainable transport in accordance with the advice contained in the National Planning Policy Framework.

Condition 13 amended to include the following:

- n) Details of hours of operation and delivery times;
- o) Details of the demolition strategy for buildings on site and a timetable for demolition;
- p) A dilapidation survey for roads immediate to the site (before and after conditions surveys) to determine any damage resulting from construction traffic, as per Section 59 of the Highways Act 1980, regarding the Recovery of Expenses due to extraordinary traffic.

9b

N/2016/1428 & N/2016/1388

Planning and Listed Building applications for development of new three storey structure on Angel Street and re-use of existing Grade II listed buildings for the University of Northampton's Institute for Creative Leather Technology & Leather Conservation Centre and to provide lettable units for creative industries including the demolition of lean-to structure, toilet block and 2-storey house.

34-38 Guildhall Road

N/2016/1388

Comments received from:

Council for British Archaeology – Support the comments made by the Council's Conservation Officer and note that an update to the historic buildings record has been requested. Would prefer this is received prior to determination, rather than conditioned.

The Georgian Group – defer to the Victorian Society as the buildings were constructed within their date remit rather than that of the Georgian Group.

The Victorian Society – no objection.

Twentieth Century Society – no comment.

Ancient Monuments Society – no objections. Good scheme which will give the listed building a positive and sustainable future.

Amended Recommendation:

APPROVAL IN PRINCIPLE subject to no adverse comments received from the **Society for the Protection of Ancient Buildings** by 18th of April 2017.

N/2016/1428

Further comments from **County Highway Authority**:

- Request condition for servicing and delivery plan for the site.
- Request additional requirements to be considered as part of the Construction and Environment Management Plan.
- The revised Transport Assessment is acceptable. Condition accordingly.

Additional Condition 20:

Prior to occupation of the development hereby permitted, a delivery and servicing plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the number and frequency of deliveries and refuse collections, when they are to be carried out and how they will be managed, size of vehicles and location of where they will deliver/service from. The development shall be carried out and maintained in accordance with the approved details.

Reason: To ensure a satisfactory standard of development and in the interests of amenity in accordance with the National Planning Policy Framework.

Condition 13 amended to:

The development shall be carried out in accordance with the approved Framework Travel Plan by BSP Consulting dated 6.02.17 Rev A and maintained as such throughout the life of the development.

Reason: To ensure measures are taken to limit the impact of development on the local road network and to encourage sustainable transport in accordance with the advice contained in the National Planning Policy Framework.

Condition 14 amended to include the following:

- n) Details of hours of operation and delivery times;
- o) Details of the demolition strategy for buildings on site and a timetable for demolition;
- p) A dilapidation survey for roads immediate to the site (before and after conditions surveys) to determine any damage resulting from construction traffic, as per Section 59 of The Highways Act 1980, regarding the Recovery of Expenses due to extraordinary traffic.

9c

N/2016/1672

**Listed building consent for Phase 1 internal refurbishment and repairs to various areas
Abington Museum, Manor House, Abington Park**

No update.

10. ITEMS FOR DETERMINATION

10a

**Proposed erection of 5 dwellinghouses on land off Crestwood Road south of Eastern District (North) Social Club
Eastern District Social Club, Crestwood Road**

No update.

10b

N/2016/1473

**Erection of 2 new dwellings to rear of 9 and 10 Thorburn Road and shared access drive
Land rear of 9 and 10 Thorburn Road**

No update.

10c

N/2016/1553

**Change of use of dwelling (Use Class C3) to house in multiple occupation (Use Class C4)
for 5 residents
75 Abington Avenue**

Reason for reporting the application to committee is because the applicant is related to a NBC employee.

10d

N/2016/1569

**Change of use from dwelling (Use Class C3) to a house in multiple occupation (Use Class C4) for 5 residents together with erection of single storey rear extension
44 Queens Road**

No update.

10e

N/2016/1588

Change of use of dwelling house (Use Class C3) at numbers 54 and 56 Thorn Hill to two properties each containing 3 studio flats and two single bedrooms with shared facilities (8 residents per dwelling)

54 - 56 Thorn Hill

58 Thorn Hill – objection on the ground of lack of parking.

Private Sector Housing – no objection to the proposal.

10f

N/2016/1593

Variation of Condition 6 of N/2014/0475 (Outline permission for the demolition of the existing University facilities and erection of new buildings comprising residential accommodation (Use Class C3) of up to 800 units) to amend wording of condition to ensure the provision of an average of two parking spaces per dwelling (up to a maximum of 800 dwellings)

University of Northampton Park Campus, Boughton Green Road

No update.

10g

N/2017/0013

**Proposed installation of automated entry gate system to carpark
Dover Court, St James Road**

No update.

10h

N/2017/0187

Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for a maximum of 4 residents

46 Lea Road

No update.



PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1022

LOCATION: Eastern District Social Club, Crestwood Road

DESCRIPTION: Proposed erection of 5 dwellinghouses on land off Crestwood Road south of Eastern District (North) Social Club

WARD: Talavera Ward

APPLICANT: Eastern District Social Club
AGENT: N/A

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 principle of residential development of the site for 5 dwellings is 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 and highway conditions in accordance with the aims and objectives of the National Planning Policy Framework, Policies SA, S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and Policies DES1, H2, OS1 and OS2 of the Growing Together Neighbourhood Plan.

2. THE PROPOSAL

2.1 Full planning permission is sought for the erection of 5 no. 3 bed houses arranged in a two-storey terrace with access and parking, to be built on surplus land adjacent to the existing Social Club which is situated within the Lodge Farm Community Centre Buildings.

3. SITE DESCRIPTION

3.1 The application site lies to the west of Lings Way but is accessed from Crestwood Road to the north via a private road. This road also serves buildings occupied by the Social Club, the

British Sub-Aqua Club and a telecoms depot. The social club and the Sub-Aqua Club are owned and leased by Northampton Borough Council.

- 3.2 The proposed site is situated between Lodge Farm Community Centre to the north and housing to the south in North Paddock Court. This housing comprises two storey terraced dwellings built as Development Corporation houses in the 1970s. The application site once formed additional car parking for the Community Centre but has not been used as such for several years. The site is now unkempt and overgrown and subject to fly-tipping.
- 3.3 To the east of the site is a telecoms depot. The access road to the depot runs to the north of the application site and is owned by Northampton Borough Council. To the west of the site is an area of open space (identified as existing recreation/leisure in the Northampton Local Plan). A network of public footpaths runs across this land.
- 3.4 The application site is allocated as a primarily residential area in the Northampton Local Plan and adjoins a site identified as a community facility. In the Growing Together Neighbourhood Plan the site is conjoined with the adjacent open space and identified as "Lodge Farm Field" which has the designation of a local green space.

4. PLANNING HISTORY

- 4.1 N/2011/1062 – Erection of five three bedroomed terraced houses with associated access and parking – Approved
- 4.2 N/2010/1083 – Erection of 5no. 3 bed terraced houses with associated access and parking – Withdrawn
- 4.3 N/2008/0870 – Change of use from car park to car hand washing including landscaped area – Refused

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

- 5.3 Paragraph 14 advises that at the heart of the NPPF is a presumption in favour of sustainable development.
- 5.4 Paragraph 17 advises on the need to seek secure high quality design and a good standard of amenity for existing and future occupants.

- 5.5 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.
- 5.6 Paragraph 49 advises that 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.
- 5.7 Paragraph 50 advises on the need to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, planning for a mix of housing based on current and future demographic trends and the needs of different groups in the community.
- 5.8 Paragraph 53 advises that Local Planning Authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.
- 5.9 Paragraph 56 advises that good design is a key aspect of sustainable development and should contribute to making places better for people.
- 5.10 Paragraph 58 seeks to ensure that planning decisions aim to ensure that developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

5.11 **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:

- 5.12 Policy SA: Presumption in Favour of Sustainable Development – advises on taking a positive approach towards development proposals that reflects a presumption in favour of sustainable development and approving applications that accord with development plan policies unless material considerations indicate otherwise.
- 5.13 Policy S1: Distribution of development – development will be concentrated primarily in and adjoining the principal urban area of Northampton. Priority will be given to making the best use of previously developed land or other sustainable locations contributing to the achievement of a West Northamptonshire target of 30% of additional dwellings on previously developed land or through conversions.
- 5.14 Policy S3: Scale and Distribution of Housing Development – provision will be made for about 18,870 dwellings during the plan period 2011 to 2029.
- 5.15 Policy S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations; protect, conserve and enhance the natural and built environment; enhance biodiversity and reduce the fragmentation of habitats; and minimise pollution from noise, air and run off.
- 5.16 Policy H1: Housing Density and Mix and Type of Dwellings – advises that new housing development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs making the most efficient use of the land having regard to the location and setting of the site, existing character and density, accessibility to services and public

transport, the living conditions of future residents, and impact on the amenities of neighbouring occupiers.

- 5.17 Policy BN3: Woodland Enhancement and Creation – development that would lead to loss of aged or veteran trees will not be permitted unless the need for, and benefits of, the development clearly outweigh the loss.
- 5.18 Policy BN7: Flood Risk – all new development proposals should demonstrate there is no increased risk of flooding to existing properties.
- 5.19 Policy BN9 : Planning for Pollution Control – development that is likely to cause pollution, either individually or cumulatively, will only be permitted if measures can be implemented to minimise pollution to a level which provides a high standard of protection for health and environmental

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

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

- 5.21 E20 – New Development

5.22 **Supplementary Planning Documents**

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

5.23 **Other Material Considerations**

- 5.24 Growing Together Neighbourhood Plan

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. The plan therefore carries some weight and the following policies are relevant to the determination of this proposal:

- 5.25 DES1 – High quality design – consider height, scale and spacing of buildings. Development should respect and protect heritage assets, enhance pedestrian and cyclist connectivity, create active and secure spaces and streets, retain nature and trees, provide adequate parking, refuse and recycling, enhance the setting of Local Green Spaces.
- 5.26 H1 – Housing mix- proposals for new residential development should provide a mix of types of homes that reflects the latest assessment of local housing needs - particularly encourage 1 and 2 bed units.
- 5.27 H2 – Small scale housing – Proposals for small scale housing (1-9 dwellings) – infill sites and low value underused open space will be supported where they are of a scale and form which would be complementary to surrounding properties and would not result in the loss of amenity for existing residents.
- 5.28 CO2 – loss of community facilities will not be supported unless it can be demonstrated that the community facility is no longer viable or the proposed alternative would provide equal or greater benefits to the local community.

- 5.29 OS1 – Local Green Space Designation – Development of a local green space will be resisted unless very special circumstances can be demonstrated.
- 5.30 OS2 – Outdoor Amenity Space – proposals for new residential development should provide good quality outdoor amenity space in the form of either private gardens, terraces, balconies or shared private communal amenity space.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Archaeology** - request a condition for an archaeological programme of works.
- 6.2 **Growing Together Neighbourhood Forum** - questions the Energy Conservation section of the design statement. States that draft neighbourhood plan states that developments should meet the current best practice standards and encourages the use of micro-generation technologies.
- 6.3 **NBC Arboricultural Officer** - the application was accompanied by a tree report which provided details about the trees on site in line with the relevant British Standard. The area of development is partially covered by principally two groups of trees with a number of more prominent specimens within or adjacent to those groups. The proposed development requires the removal of several trees. They are not suitable for inclusion in a tree preservation order and there are no arboricultural reasons why the application should be refused. The tree report included a tree protection plan and those trees to be retained should be protected as proposed within the tree report.
- 6.4 **NBC Public Protection** - request conditions relating to noise from road traffic and site investigation.
- 6.5 **NCC Highways and Access** - The proposed access does not meet the required standards with regards to shared private drives, due to the mixed uses served. Northampton Fire and Rescue service requirements with regards to accesses over 45 metres are:
- Accesses over 45m in length to be a minimum of 3.7m wide for its whole length to accommodate an appliance
 - Such accesses to accommodate an appliance with a 15 ton axle loading
 - Turning space for the fire appliance

Also states that vehicular accesses over 45m in length can have implications for refuse collection and building regulations. State that if the development is permitted the road will not be considered for adoption.

7. APPRAISAL

Principle of development

- 7.1 Both the NPPF and the JCS have a presumption in favour of sustainable residential development. The application site is allocated as being within a Primarily Residential Area in the Local Plan, and is adjacent to a residential housing estate. The residential use is considered to be acceptable in principle given the policy allocation. Furthermore, the site is considered to be in a sustainable location with good access to public transport and local facilities. The development of the site for residential use would contribute towards the

Council's 5-year housing supply, and enable the re-development of a vacant, misused site which would enhance the character and appearance of the area.

Layout and design

- 7.2 The proposed dwellings would be two storey and comprise a terrace of five houses with rear gardens of 10-11 metres in depth. A further shared amenity area will be located to the west of the dwellings. The terrace will side onto the rear of the terrace of dwellings in North Paddock Court. Parking provision is located to the front of the dwellings, is readily overlooked and provides for 2 spaces per dwelling. In addition there are 2 visitor parking bays. A covered cycle and refuse bin store is to be provided in the rear garden of the properties with rear access provided. The dwellings would be constructed from brick under a tiled roof. It is considered that their simple design is acceptable and in keeping with the character of the adjacent dwellings.

Impact on neighbours

- 7.3 Due to the 13 metre separation distance between the proposed dwellings and the existing dwellings in North Paddock Court, and as the development would be located to the north, it is not considered that the proposed dwellings would impact on the levels of outlook and light available to surrounding residents. This separation distance and the orientation of the proposed houses would also preserve privacy levels and mean that the development would not be overbearing.

Highways

- 7.4 The access road to the site is private and owned by Northampton Borough Council. The Sub-Aqua Club and Social Club (who lease their properties from NBC) and Crest House all have rights of access across the land.
- 7.5 The access road is initially of adoptable highway width from Crestwood Road but it narrows as it approaches the application site to a width of 3m or less. Also the surface of the road becomes variable and at one point joins with the public footpath that is located to the west of the roadway. The proposal is to increase the width of the road to a width of 4.8m, with a 6m wide access road to the front of the proposed dwellings. This satisfies the access width requirement for shared private drives (4.5m for the first 10m from the highway boundary) according to the Local Highway Authority standing advice for domestic accesses up to 5 dwellings, although it should be noted that this private drive also serves the above commercial properties. In this instance as the access width would be an improvement to the current situation, it is considered the width of the road will be acceptable to serve both the existing and proposed development. Furthermore the proposal is identical to the previous application which was granted consent in 2011 after meetings were held with the Highway Authority to reach agreement on an acceptable proposal.
- 7.6 Highway Officers have also stated that as the length of the private drive would be over 45 metres there is a requirement for adequate width (3.7m) and turning space for fire and rescue and refuse vehicles. Building Control Officers have been verbally consulted on this requirement and consider that the proposal is satisfactory for these purposes and offers adequate turning space for such vehicles. The Highway Authority has made it clear that they will not adopt the road however the proposal is considered to be acceptable and will not unduly impact on highway safety.
- 7.7 As stated above, the provision for off-street parking is 2 spaces per dwelling with 2 visitor parking spaces and space within the rear garden for cycle parking. This provision complies with the current Highway Authority parking standards.

Noise and contamination

- 7.8 The site is located close to Lings Way and the proposed dwellings are likely to be impacted by road traffic noise. Environmental Health Officers have assessed the proposal and have raised no objection, subject to noise mitigation measures being carried out. These are considered to be necessary to protect residential amenity.
- 7.9 The site is also located close to the Community Centre car park. Due to the separation distance and the presence of tree screening between the Community Centre and the proposed dwellings, it is not considered that undue noise and disturbance will affect residential amenity.
- 7.10 A phase one site investigation has been submitted with the application. As the site is in an area of the town that overlies Northamptonshire sands there is a possibility that the site may be affected by elevated levels of naturally occurring arsenic. Public protection officers therefore require that a phase two site investigation is undertaken primarily to cover an investigation into naturally occurring arsenic. A condition is recommended to protect residential amenity.

Growing Together Neighbourhood Plan

- 7.11 In the Growing Together Neighbourhood Plan the site is identified as “Lodge Farm Field” which is identified as a public park and has the designation of a local green space. Policy H2 of the Neighbourhood Plan supports proposals for small scale housing on low value underused open space where they would be complementary to surrounding properties and would not result in the loss of amenity for existing residents. Policy OS1 states that development on local green space will be resisted unless very special circumstances can be demonstrated.
- 7.12 Whilst the site is adjacent to an obvious area of public open space, it is distinctly separated from it by the private road and footpath that lead to the site. In addition the site is overgrown and has been a target for fly tipping. It is noted that its poor condition does not contribute to the amenity of the surrounding area and it does not allow the area to be used by members of the public as a recreational open space. In the circumstances, it is not considered that development of the site would significantly impact on the remaining open space or the character of the area. The land is considered to be “low value underused open space” as stated in Policy H2 and whilst the proposal would be contrary to Policy OS1, it is considered that the siting and condition of the open space and the fact that it appears separate from the adjacent public park make it an exception that will not significantly impact on the remaining public open space.

Trees

- 7.13 A tree report accompanies the application and contains details of trees to be removed and retained including a tree protection plan. The Arboricultural Officer states that the trees to be removed do not warrant protection by a TPO. The trees to be retained should be protected as proposed within the report. This can be covered by condition.

Archaeology

- 7.14 NCC Archaeology have indicated that there may be archaeological remains on the site. It is recommended that a condition requiring a written scheme of investigation and programme of archaeological works be applied to any consent.

8. CONCLUSION

The proposed development of the site for five dwellings is considered to be acceptable and would contribute towards the Council's 5-year housing supply. It would represent an appropriate use of an untidy and disused site and would have no significant detrimental impact on the character or appearance of the area, amenities of neighbouring occupiers or highway safety. The proposed development would therefore comply with Policies SA, S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan, Policies DES1, H2, OS1 and OS2 of the Growing Together Neighbourhood Plan and the National Planning Policy Framework.

9. CONDITIONS

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plans and drawing no. Site Location Plan, EDNSC/No/P1/2 Rev B, EDNSC/No/P1/4.

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 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) Prior to the commencement of 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.

- (5) All rear boundaries of the site shall be screened with 1.8m close boarded fencing topped with 300mm of trellis. Full details of which shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the occupation of the dwellings 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 Policies E20 of the Northampton Local Plan.

- (6) 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 is a pre-commencement condition to ensure that these details are agreed in a timely manner.

- (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 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 E20 of the Northampton Local Plan.

- (9) Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extension including dormers shall be constructed to the dwellings hereby permitted.

Reason: To prevent overdevelopment in accordance with Policy E20 of the Northampton Local Plan

- (10) Notwithstanding the provisions of the Town and Country (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the buildings without the prior written consent of the Local Planning Authority.

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

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

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

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

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

- (13) Before the commencement of the development hereby permitted, a scheme shall be submitted to and approved in writing by the Local Planning Authority for protecting the dwellings from traffic noise. The approved scheme shall be implemented concurrently with the development completed before the first occupation or use of the development and thereafter retained.

Reason: To protect the enjoyment of future occupiers of their dwellings amenity in accordance with Policy BN9 of the Northamptonshire Joint Core Strategy. This condition is required pre-commencement in order to ensure that these details are agreed in a timely manner.

- (14) The parking spaces shown on the submitted layout plan shall be constructed and completed prior to the first occupation of the dwellings hereby approved and retained thereafter

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

- (15) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and/or re-enacting that order with or without modification), no fences, hedges, gates, walls or any other means of enclosure shall be erected without the prior written consent of the Local Planning Authority, other than those expressly authorized by this permission.

Reason: In order to define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with Policy E20 of the Northampton Local Plan.

- (16) No development shall take place until details of measures to be taken to prevent spoil/mud from vehicles leaving the site during the construction works being deposited on the public highway have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details and the measures shall be retained for the duration of the construction period.

Reason: In the interests of visual amenity and highway safety in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition in order to ensure that these details are agreed in a timely manner.

- (17) No development shall take place until full details of all roads and drainage including cross-sections, longitudinal sections and highway boundaries have been submitted to and approved in writing by the Local Planning Authority.

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

is a pre-commencement condition in order to ensure that these details are agreed in a timely manner.

- (18) No development shall take place until full details in respect of the new carriageways (to a width of no less than 4.8m) and new footways have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with National Planning Policy Framework. This is a pre-commencement condition in order to ensure that these details are agreed 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 by the applicant and approved in writing by the Local Planning Authority.

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

- (20) All trees shown to be retained in the approved plans shall be protected for the duration of the development by (a) stout fence(s) to be erected and maintained on (an) alignment(s) to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials 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 S10 of the West Northamptonshire Joint Core Strategy.

- (21) Full 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 dwellings hereby permitted and thereafter retained.

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

- (22) 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 Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

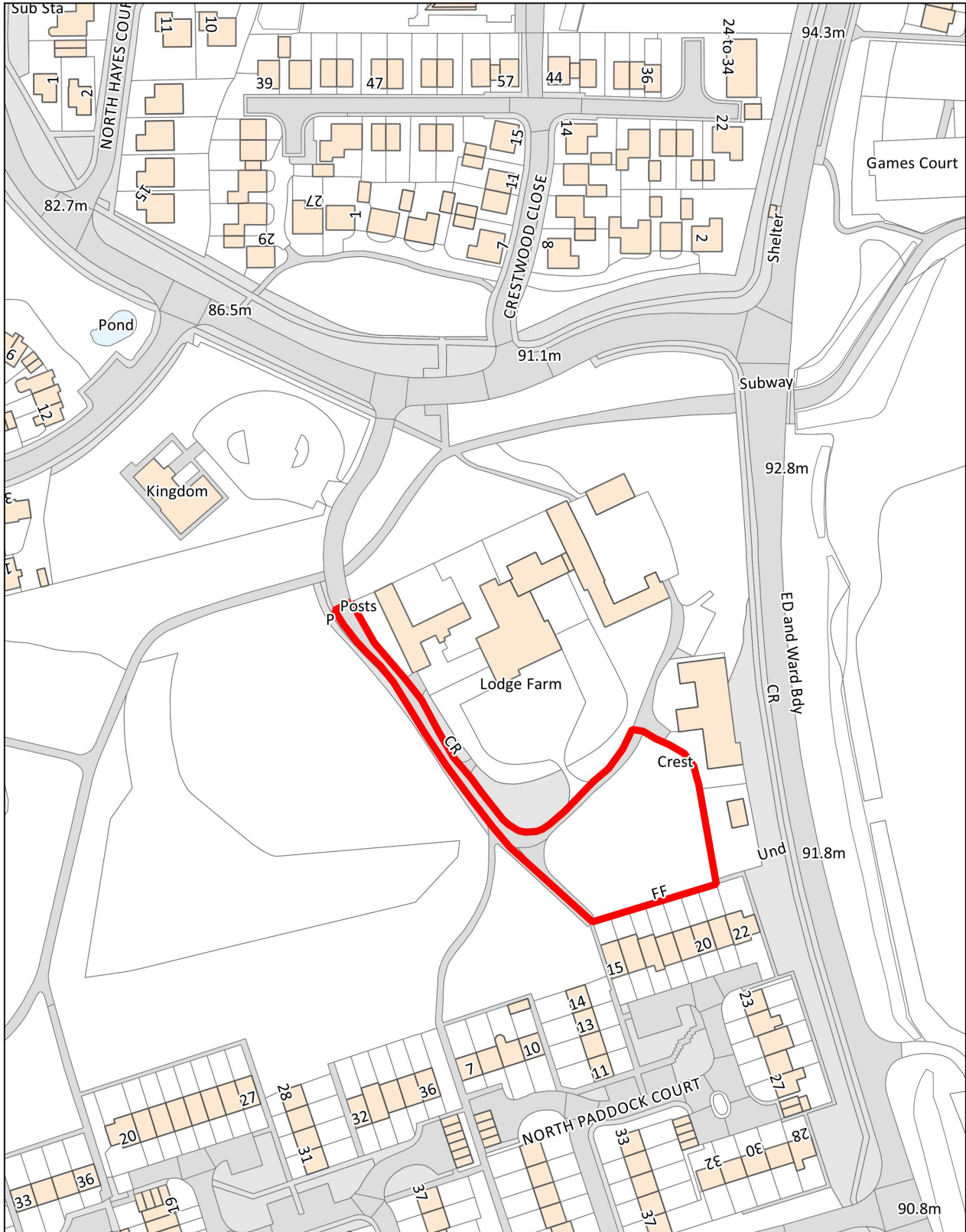
- 10.1 N/2011/1062.


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: Eastern District Social Club, Crestwood Road</p>	<p>Date: 31-03-2017</p>
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PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1473

LOCATION: Land rear of 9 and 10 Thorburn Road

DESCRIPTION: Erection of 2 new dwellings to rear of 9 and 10 Thorburn Road and shared access drive

WARD: Park Ward

APPLICANT: The Estate of Mrs J E A Bass
AGENT: Mr David Bass

REFERRED BY: Cllr Mary Markham
REASON: Backland development and garden grabbing

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development is considered acceptable in principle being within an established residential area. It would also contribute to the Council's 5 Year Housing Supply. Due to its design, scale and siting, the proposal would not have an undue detrimental impact on the appearance and character of the area, amenity of adjoining occupiers, parking, highway safety and existing trees to comply with Policies E20 and H10 of the Northampton Local Plan, Policies H1, BN3, BN9 and S10 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Planning permission is sought for the erection of two, four bedroom detached dwellings to the rear of numbers 9 and 10 Thorburn Road with a new access road serving both properties and each property having 4 off-road parking spaces adjacent. The proposed development would be sited at the end of the existing rear gardens. The proposed houses would be of modern design comprising buff brick work, painted render and concrete roof tiles.

3. SITE DESCRIPTION

3.1 The application site comprises the rear gardens of 9 and 10 Thorburn Road each over 65 metres long. The site is located in a quiet residential estate of mainly detached dwellings set within long

plots with substantial back gardens. The surrounding properties are mainly two storey in form and are of modern brick built construction. Parking is provided off road in existing garages and on driveways.

- 3.2 There are a number of examples of backland development in the vicinity of the site to the rear on Church Way and on Neale Close. The site does not fall within a conservation area. There are a number of young trees on the site, although none are protected by preservation orders. The site slopes upwards from 9 and 10 Thorburn Road from east to west.

4. PLANNING HISTORY

- 4.1 No recent applications.

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. 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 a good standard of amenity for existing and proposed occupiers.

Paragraphs 32 and 35 requires the provision of safe traffic layouts that minimise the conflict between traffic, pedestrians and cyclists and safe access for all people.

Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50).

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

Paragraph 53 advises on the need to resist inappropriate development of residential gardens, for instance where this would cause harm to the local area.

Paragraphs 56 and 57 requires high quality design for new 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:

Policy H1 of the West Northamptonshire Joint Core Strategy (JCS) 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 and the impact on the amenities of occupiers of neighbouring properties.

Policy S10 requires development to satisfy a range of sustainable development principles, including safety and creating a strong sense of place.

Policy BN3 relates to the impact of development on existing trees.

Policy BN9 (Pollution Control) requires that development takes into account noise, contamination and air quality.

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 of the Northampton Local Plan requires that new development should adequately reflect the character of surroundings.

Policy H10 relates to back land development, regard to impact on privacy, amenity and character of an area

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Anglian Water** - No objection.

6.2 **NCC Highways** - No objection.

6.3 **NBC Environmental Health** - No objection subject to condition for unsuspected contamination.

6.4 **NCC Ecology** - No objection. The site does not constitute ideal Great Crested Newts breeding ground, and would not expect to find them on or around the site. There are simply too many manicured gardens and too much human disturbance and pet predation.

In terms of nesting birds, if clearance work needs to be done during the nesting season, the site will need a breeding survey conducted by a suitably qualified ecologist. For this application, there would need to be either a condition that clearance works must be undertaken outside the bird nesting season or a breeding bird survey must be conducted to determine whether there are breeding birds on site.

- 6.5 **NBC Tree Officer**- No objection. Request that some additional information is provided to include a detailed method statement to include sequence of events with timing of construction of access and boundary walls, clarification of precise specification for protective fencing, and address potential effect on any construction on trees at the front of the site.
- 6.6 **NBC Building Control** - Advised verbally that the applicant should demonstrate that a Fire Engine should be able to manoeuvre on site to allow satisfactory access in event of emergency.
- 6.7 **Objections from 7, 8, 55 and 56 Thorburn Road, 61A, 63a, 63B and 65 Church Way, 2A Neale Close:**
- Petition from Thorburn Road residents (32 signatures)
 - No ecological report has been submitted, site is ideal for great crested newts
 - Would set precedent for garden developments
 - Impact on public sewer and flooding concerns
 - Restrictions on deeds/covenants
 - Drainage concerns
 - Concern on noise from lorries, diggers and turning
 - Overlooking and loss of privacy/ views/ light/ visual impact
 - Impact on trees and landscaping
 - Out of character with area
 - Loss of views
 - Lack of consultation from the applicant
 - Parking and increase in traffic
 - Recommend that there are controls on sale of plots to one developer with a timescale for completion, no amendments to approved plans allowed and imposition of covenants.
- 6.8 Referred by **Councillor Mary Markham** due to concerns on garden grabbing and backland development.

7. APPRAISAL

Main issues

The main issues are the principle of residential development in this location, parking and access, impact on appearance and character of the area, neighbour amenity and impact on trees.

Principle of development

- 7.1 Policy H10 of the Local Plan relates specifically to back land development and is subject to certain criteria.
- Impact on character and amenity of area (in terms of siting and layout)
 - Impact on privacy of adjoining dwellings

Policy E20 promotes good design and this is emphasised by Policy S10 of the JCS. The National Planning Policy Framework encourages sustainable forms of development promoting safe access, good design and protecting residential amenity of adjoining neighbours and future occupiers.

- 7.2 The NPPF urges local authorities to resist such development only where there is demonstrable harm to the character of the local area. The proposal is considered acceptable in principle being located within an established residential area where there are a number of similar backland developments in close proximity to the site. The proposed dwellings would be set well back from Thorburn Road and therefore not visually prominent in the street scene and wider area.

- 7.3 The proposal would contribute positively to the Council's 5 Year Housing Land Supply.

Amendments to original submission

- 7.4 The scheme has been amended to address officer concerns on the original submission in terms of the scale of the proposed dwellings, proximity to the rear of the existing properties on Church Way and parking. The applicant has reduced the footprint of the properties significantly and also moved them further away from the rear boundary line to reduce the effect on the existing properties on Church Way at the rear of the site.

Parking and Highways

- 7.5 The proposed shared access road would be sited between 9 and 10 Thorburn Road and is considered of a standard acceptable to the Local Highway Authority, providing a 4.5m wide private driveway. Four off-road parking spaces would be provided for each dwelling complying with the Highway Authority's parking standards (2016). The existing properties would still retain off-road parking on their existing driveways. The Highway Authority has no objection.
- 7.6 The applicant has also been asked to demonstrate that a Fire Appliance can enter and leave the site in event of emergencies. A Track analysis has been provided by showing how such a vehicle can manoeuvre within the site.

Impact on appearance and character of area

- 7.7 The proposed two dwellings would be located at the rear of the site, not readily visible from Thorburn Road. Both would be set back over 65 metres from the public highway.
- 7.8 The surrounding area is varied in character with no clear pattern of house types or designs. The proposed form, design and general appearance of the proposed dwellings is modern, but considered acceptable within the surrounding context and would add to the visual interest within the area. It is considered that the effect on the character of the area would be acceptable and any approval would be subject to a materials condition to be agreed prior to development commencing to ensure a satisfactory external appearance.
- 7.9 Due to the level of site coverage proposed under the amended scheme, it is considered that the proposal would not result in over-development. There are currently several examples of backland development in close proximity to the application site on Neale Close and Church Way permitted in the last 10 years. The development would not be prominently visible within the surrounding area, and given that the area has a varied character with no rigid pattern of development, it is considered that the effect on the surrounding character is acceptable. This accords with Policy E20 of the Local Plan and Policy S10 of the JCS on good design and the NPPF Paragraph 56 and 57.

Impact on Trees

- 7.10 There are a number of trees on the site, none of which are protected by Tree Preservation Orders. The applicant has provided a Tree Survey to which the Council's Tree Officer raises no objections. A planning condition is recommended to ensure appropriate tree protection measures are put in place in during construction. This would accord with the aims of Policy BN3 of the JCS.

Impact on amenity of neighbours and residential amenity

- 7.11 Revised plans have been received moving the proposed dwellings further away from the back boundary with Church Way from 5.5 and 6m to nearly 10 metres giving sufficient back to back

separation distances in excess of 27 metres. It is not considered that there would be any unacceptable harm in terms of overlooking due to the rear to rear separation distances proposed. The properties would not be visually intrusive or result in significant overshadowing and loss of light/outlook.

- 7.12 In terms of the effect on the existing properties at 9 and 10 Thorburn Road, although it is noted that these are at a much lower level than the proposed properties, given the substantial separation of approximately 34 and 43 metres at the closest point, it is considered that there would be no unacceptable impacts in terms of overlooking, overbearing and visual dominance.
- 7.13 The use of the proposed access would generate additional comings and goings along the side of 9 and 10 Thorburn Road, however it is considered that the impact is not sufficient to warrant refusal given that the number of additional daily vehicle movements would not be excessive in terms of noise and disturbance.
- 7.14 Regarding the effect on 2a Neale Close, there would be no first floor side windows directly overlooking this neighbouring private rear garden and, due to the relationship and separation of around 16 metres to this side boundary, the effect is considered acceptable. Conditions would be secured removing permitted development rights for future additional side windows and extensions.
- 7.15 In terms of the effect on 8 Thorburn Road, the separation and relationship is such that the effect on residential amenity would be limited.
- 7.16 In respect of the amenity of the proposed dwellings, all habitable rooms would be served by appropriate levels of light and outlook, and each property would have a reasonable sized private garden space approximately 9 and 10 metres in length.

Ecology

- 7.17 Neighbouring occupier comments received have raised concern that there is potential for Great Crested Newts at the site. Consultation with the NCC Ecologist, has advised that this is very unlikely and there is no need for any conditions or informative in this respect. Concerns have also raised the issue that there is potential for nesting birds in some of the trees within the site. The County Ecologist advises that it is possible that the site may contain nesting birds in existing trees/vegetation. An informative is to be added to the permission drawing the applicant's attention to the Wildlife and Countryside Act provisions in this regard.

Contamination

- 7.18 The Council's Environmental Health Officers raise no objection subject to a condition being secured in relation to the control of any unsuspected contamination on site.

Drainage

- 7.19 It is also maintained that there is a public sewer running under the site. The applicant advises that this will be replaced in a different position to meet Anglian Water requirements. This is a matter for consideration under Part H of the Building Regulations and also for Anglian Water.

Other matters

- 7.20 The request that the development be restricted to sale of one developer only with a timescale for completion cannot reasonably be enforced through planning, although a standard condition for implementation of the scheme is recommended.

- 7.21 It is not possible to enforce that the applicant does not apply for any amendments in the future, however, a condition removing permitted development rights is recommended to ensure any potential future alterations to the dwellings may be controlled. Precedent is also a matter that holds limited weight given that each application should be considered on their own merits.
- 7.22 The concerns raised regarding noise and disturbance during construction are acknowledged but not a reason for refusal given that the construction process would only be temporary and any unacceptable noise disturbance could be controlled under Environmental Health legislation.
- 7.23 The matter over restrictive covenants is a civil matter. Loss of view is not a planning consideration.

8. CONCLUSION

- 8.1 The principle of residential development is considered acceptable in this location being within an established residential area and would contribute towards the Council's 5 Year Housing Supply. The design, access and impact on amenity of the area is acceptable and the proposal is considered to be in accordance with the above policies and therefore recommended for approval subject to the conditions below.

9. CONDITIONS

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 357/P/01 rev A, 357/P/02 rev A, 357/P/03 rev A, 357/P04 rev A, 357/P/05 rev A, 357/P06 (1) rev A, 357/P06 (2) rev A ,357/P07 (1) rev A, 357/P07 (2) rev A, 357/P/08 rev A, 357/P09 rev A, ITB12575-GA001.

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 first 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 and Policy S10 of the West Northamptonshire Joint Core Strategy.

- 4) Prior to the occupation of development, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the dwellings 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 and Policy S10 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of residential amenity and to prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan Policy S10 of the West Northamptonshire Joint Core Strategy. .

- 6) The parking spaces shown on the approved plan 357/P/05/ rev A shall be constructed prior to the first occupation of the dwellings hereby approved and retained thereafter for the sole purpose of parking associated with the approved dwellings.

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

- 7) No development shall take place until a detailed method statement has been submitted to and agreed in writing by the Local Planning Authority demonstrating tree protection measures for the site in accordance with BS: 5837 (2012) "Trees in relation to design, demolition and construction-recommendations.". This shall include details of a clear sequence of events including the timing of construction of the access drive and boundary treatment with the precise specification for protective fencing and details of protection during construction of the trees at the front of the site. The details shall be carried out in accordance with the approved details.

Reason: In the interests of sound arboricultural practice to accord with Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of information.

- 8) In the event that soil 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 scheme a verification report must be prepared which is subject to the written approval of the Local Planning Authority.

Reason: In interests of residential amenity to comply with BN9 of the West Northamptonshire Joint Core Strategy.

Informative - The applicant is advised that it is possible that the site may contain nesting birds particularly within existing vegetation and tree planting. They should be aware that if clearance work is undertaken during the nesting season the site will need a bird breeding survey and measures put in place under the Wildlife and Countryside Act 1981. Further advice can be obtained from the Northants County Council Ecology Officer.

10. BACKGROUND PAPERS

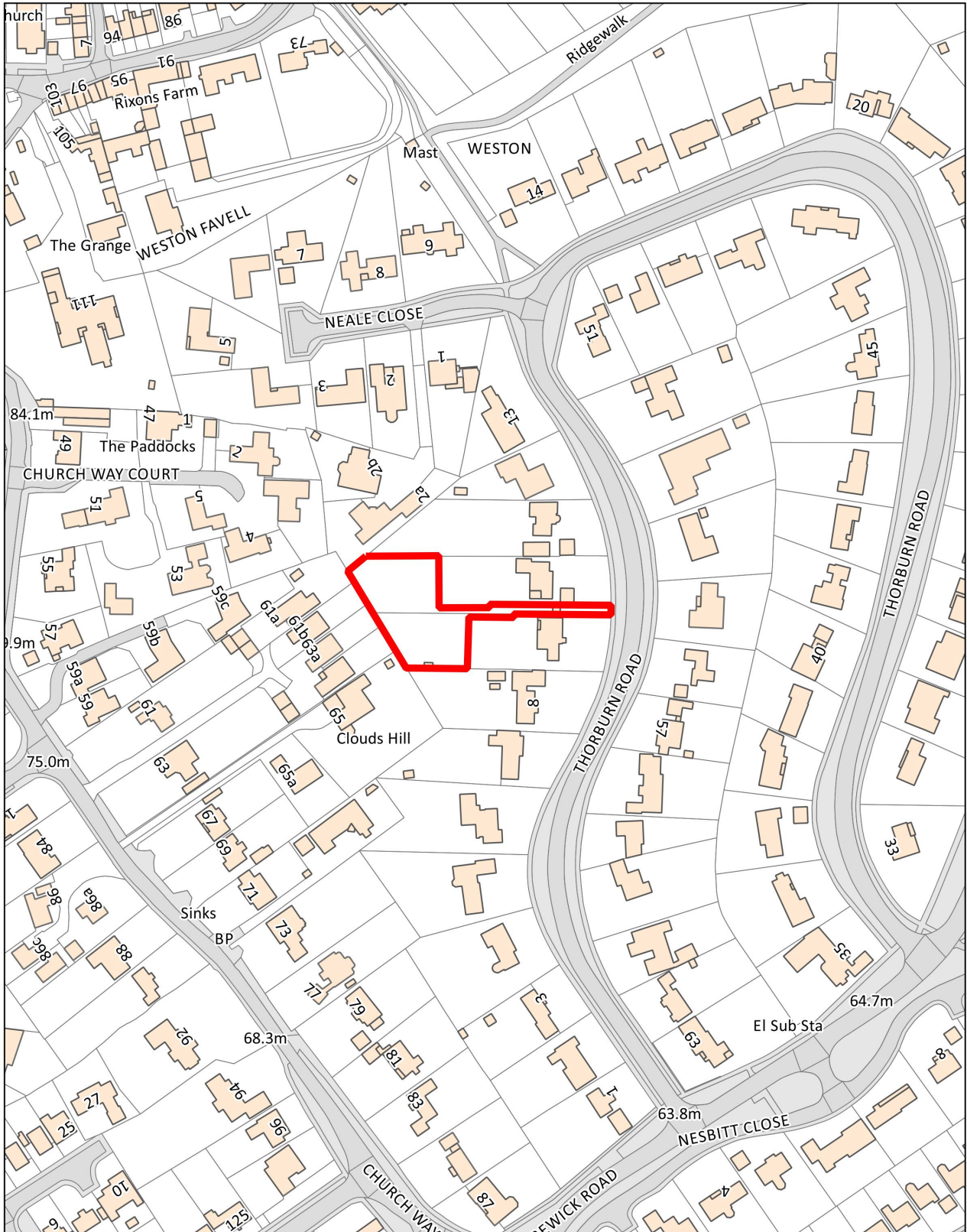
- 10.1 N/2016/1473.

11. LEGAL IMPLICATIONS

- 11.1 The development is liable for the Community Infrastructure Levy.

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: Land rear of 9 and 10 Thorburn Road</p>	<p>Date: 28-03-2017</p>
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PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1553

LOCATION: 75 Abington Avenue

DESCRIPTION: Change of use of dwelling (Use Class C3) to a house in multiple occupation (Use Class C4) for 5 residents
WARD: Abington Ward

APPLICANT: Mr William Dunne
AGENT: Mr Michael Dunne

REFERRED BY: Head of Planning
REASON: Agent is a NBC employee

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development 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, saved 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 proposal is for the change of use of an existing 4-bed dwelling to a house in multiple occupation for 5 persons.

3. SITE DESCRIPTION

3.1 The application premises consists of an existing 4-bed terraced house along a residential street of similar properties. The surrounding area consists largely of terraced houses, with some business units in the area and also a mosque opposite the site. The site is not in a conservation area. Parking is available on street along the length of Abington Avenue.

4. PLANNING HISTORY

4.1 No recent applications for this site.

A similar planning application for a 6 person HIMO was refused at 61 Abington Avenue at March Planning Committee meeting on parking grounds.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

Paragraph 32 seeks to ensure safe access for all.

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**

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**

6.1 **Councillor Zoe Smith** - on impact on parking and loss of family housing.

6.2 **Private Sector Housing (NBC)** - no objections.

6.3 **Highway Authority (NCC)** - object on highway safety. 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.

A recent parking beat survey part of a nearby application shows there is no residual parking capacity for vehicles within the survey area.

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 5 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.

7. APPRAISAL

Principle of development

- 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.

Area concentration

- 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 5 of the 66 residential properties are houses in multiple occupation, resulting in a concentration of under 10 %. With the proposed change of use this would bring the percentage to less than 10 %. As this does not exceed 15% this would comply with the policy guidance.
- 7.3 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.

- 7.4 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. Private Sector Housing are satisfied with the accommodation proposed which would be subject to a requirement for a license.
- 7.5 The location for the cycle stand has been specified but there are no details for the cycle stand and these could be sought through a planning condition.

Flood risk

- 7.6 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

- 7.7 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 65m of the property. Additionally, the site is within 100m from a small local shopping centre at the junction of Abington Avenue and Abington Grove, and within approximately 400m 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. This would be secured by condition on the grant of planning permission.
- 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 requested but the applicant did not produce one. 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 4 bedroom dwelling, with a potential occupancy of up to 4 car driving adults. The proposed change of use would, therefore, result in a potential increase to 5 car driving adults. The difference between the lawful and proposed use is minimal in parking terms and the impact on highway condition is not considered to be significant.
- 7.14 Furthermore, regard must be paid to previous appeal decisions over the past few months 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. It is considered that a refusal of the application on highway safety ground would not be sustained on appeal.

Refuse storage

- 7.15 The rear garden of the property is shown on the submitted plans as to be used for refuse storage and there is adequate space for this, which would be secured by condition.

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: Proposed Layout received 7 March 2017, Existing Layout, Location Plan.

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 five 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. Full details for the provision of secure storage for bicycles and refuse /recycling shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented prior to the first occupation of the property for the permitted purpose and shall be 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.

10. BACKGROUND PAPERS

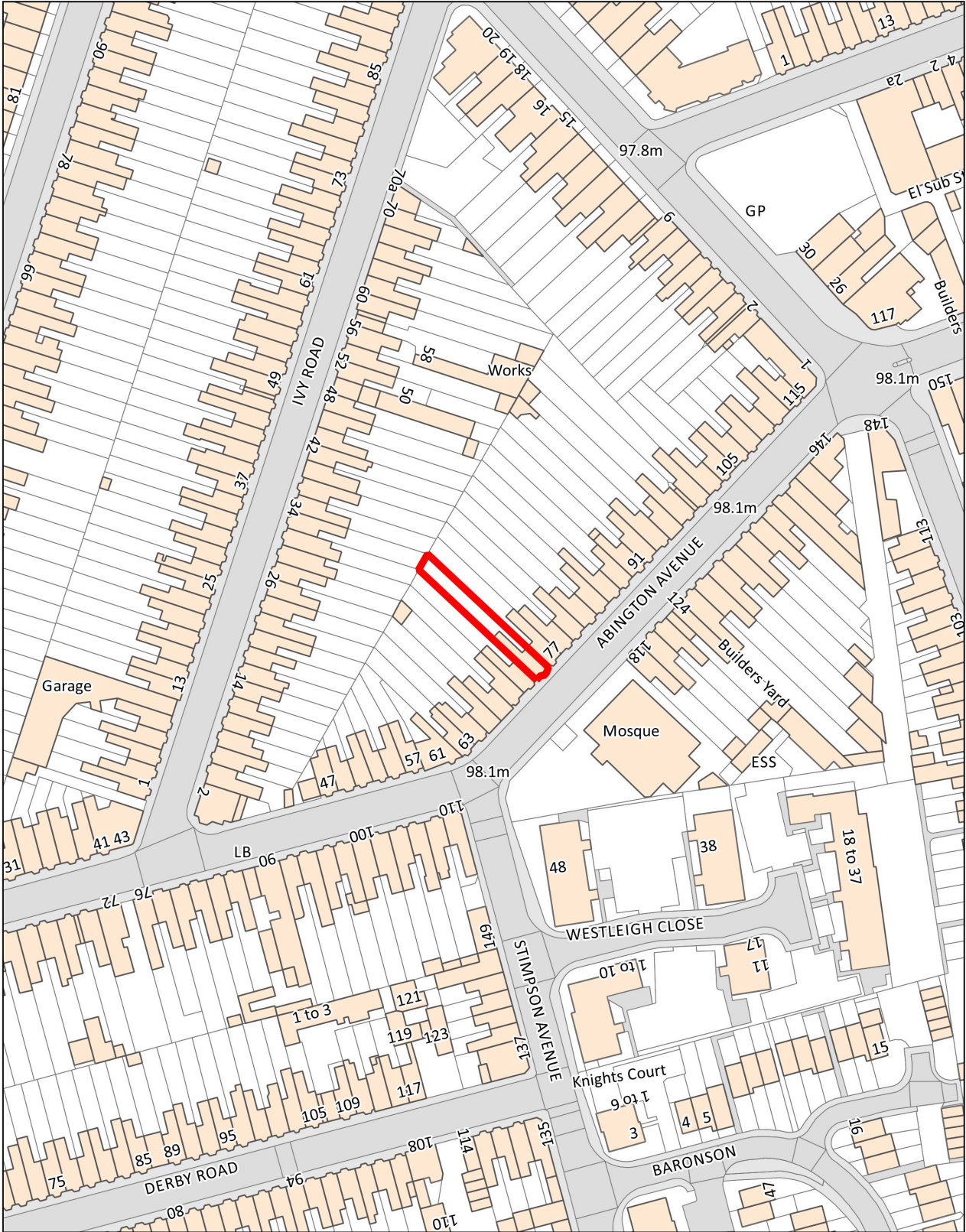
- 9.1 N/2016/1553.


11. LEGAL IMPLICATIONS

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: 75 Abington Avenue</p>	<p>Date: 28-03-2017</p>
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PLANNING COMMITTEE:	11 th April 2017
DIRECTORATE:	Regeneration, Enterprise and Planning
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2016/1569
LOCATION:	44 Queens Road
DESCRIPTION:	Change of use from dwelling (Use Class C3) to a house in multiple occupation for 5 residents (Use Class C4) together with erection of single storey rear extension
WARD:	Castle Ward
APPLICANT:	Mr Muhammad Ahad
AGENT:	Miss Ausra Uzukauskaitė
REFERRED BY:	Councillor D Stone
REASON:	Lack of parking, litter and anti-social behaviour
DEPARTURE:	No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development is 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 bus stops 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 proposal is for the change of use of an existing dwelling to a house in multiple occupation for five residents, together with the erection of a single storey extension, which would replace a previous extension demolished due to structural problems. 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 House in Multiple Occupation (HIMO).

3. SITE DESCRIPTION

- 3.1 The application premises consists of an existing three bedroom mid-terraced house. The property has a cellar, two ground floor reception rooms (knocked through into one) and a kitchen and utility room. The previous extension housed a bathroom. At first floor there are three bedrooms and a WC.
- 3.2 The surrounding area consists largely of terraced houses, with some commercial premises also in the area, in particular on Claire Street, to the north of Queen's Road.

4. PLANNING HISTORY

- 4.1 N/2001/0142 - Two Storey Rear Extension Together With Single Storey Side Extension – Withdrawn 14/02/01

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**

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 **Councillor Danielle Stone** – Requests the application is called in on the grounds of lack of parking, litter and anti-social behaviour which will be worsened by another HIMO.

6.2 **Private Sector Housing (NBC)** – Confirm that the revised scheme would comply with requirement for escape from the basement room and that with this room used a communal living room, the room sizes would be sufficient for the property to be registered for five occupants.

- 6.3 **Local Highway Authority (NCC)** – The area directly north of Queen’s Road is not included within a permit scheme and previous parking surveys of the area have demonstrated a lack of residual parking. Therefore, it can be reasonably assumed that the potential 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. This will result in a greater risk to both motorists and pedestrians. Additionally, can confirm that this is an area of high ticketing, reflecting that there is a lack of parking spaces, resulting in vehicles being parked on double yellow lines. It should also be noted that this is an area where the LHA receives a high level of complaints from residents with regards to the lack of parking for residents. As a result of the above, 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.
- 6.4 **Conservation (NBC)** – No objection to the change of use on conservation grounds. The use will have a neutral impact on the historic character and appearance of the Boot and Shoe Quarter Conservation Area, which derives from the juxta position of factories, houses and commercial, social and religious buildings. The rear extension will not be prominent or cause harm to the appearance of the Conservation Area.
- 6.4 Representations received from neighbouring occupiers at **25, 26 and 32 Queen’s Road**, making the following points in summary:
- There are already a number of HIMO and a bail hostel in Queen’s Road.
 - There is an existing problem with anti-social behaviour which would be worsened
 - There is a problem with fly tipping which is considered to be linked to HIMOs.
 - Existing HIMOs leave out a large number of bin bags on different days.

7. APPRAISAL

Principle of the development

- 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.

Area concentration

- 7.2 Council records evidence that there are two licensed HIMOs within a 50m radius of the application site. The use of this property as a HIMO would equate to less than 3.3% concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council’s adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

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 5 people would ensure over-development does not occur. All bedrooms would

be served by adequate outlook and light. Private Sector Housing confirm that following revisions to the plans and with the cellar to be used as a communal living room, that the accommodation proposed would be acceptable for 5 residents.

Flood risk

- 7.4 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

- 7.5 The Interim Planning Policy Statement for HIMO's (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.
- 7.6 The application property is located within easy walking distance there is a bus stop on Kettering Road within 160m of the premises. The property is also within easy walking distance of the Kettering Road Local Centre which provides a wide range of facilities. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details should be submitted for the secured cycle storage.
- 7.8 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.
- 7.9 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 2 compared to the existing use.
- 7.10 In this case, the LHA object to the proposal on the grounds of highway safety, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.11 Notwithstanding the LHA objection, there is no evidence to support that all 5 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.12 Furthermore, regard must be paid to previous appeal decisions over the past few months 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.
- 7.13 In view of the recent appeal decisions, the Inspectors have given considerable weight to the sustainability of locations, while considering the impact on parking. As such, in view of the sustainable location of the application site, and number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that highway impacts would be so adverse as to recommend refusal on this basis.

- 7.14 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.

Refuse storage

- 7.15 As with cycle storage, it would be possible to provide refuse storage within the rear garden / yard area and a condition requiring details of such provision is recommended.

Amenity

- 7.16 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. It is not considered that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Indeed, without the Article 4 Direction, planning permission would not be required for the change of use. Consequently, it is not considered that any refusal of planning permission or the imposition of conditions, in relation to amenity issues would be reasonable or sustainable at appeal.
- 7.17 The proposed extension would replace a previous extension at the property and would have a depth of only 2.4m, therefore being within the limits of an extension which could be built as permitted development. Furthermore, due to the presence of an existing extension at the neighbouring property at 46 Queen's Road of a similar depth, the proposed extension would have no impact on this neighbouring property. Whilst the extension would be visible to the other neighbour at 42 Queen's Road, it would be set away from the boundary by 2.3m and would not result in any visual impact given its limited size and the fact that such an extension could be built under permitted development rights.

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: E101, E102, Existing and proposed first floor plans.

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

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

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

4. The basement room shall be used as communal living room for all residents of the property and shall be maintained as such for the duration of the use hereby permitted.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Prior to the bringing into use of the building for the approved use, 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.

6. Prior to the bringing into use of the building for the approved use, 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.

7. The development hereby permitted shall be occupied by a maximum of five 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.

10. BACKGROUND PAPERS

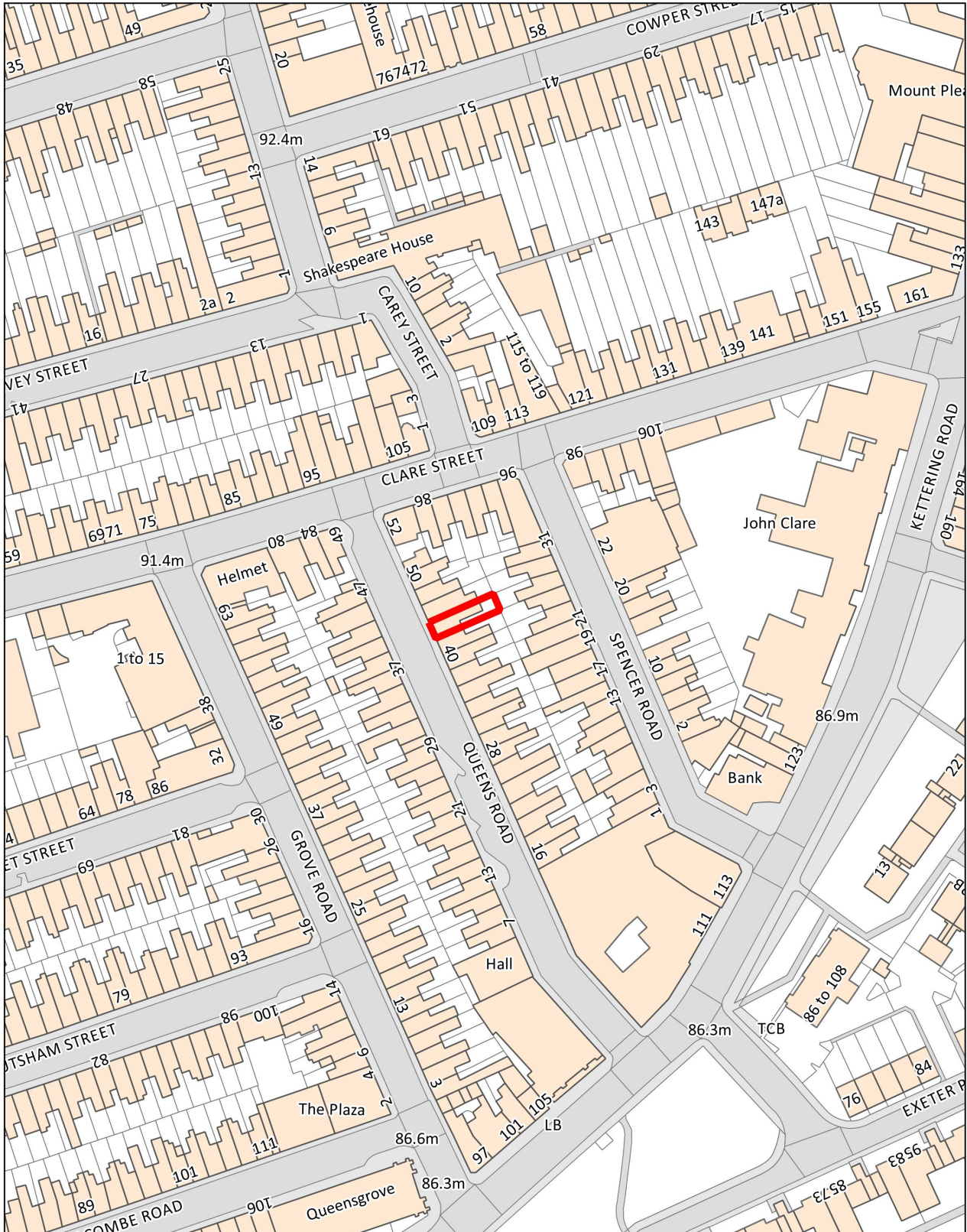
- 10.1 Application file N/2016/1509.

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: 44 Queens Road</p>	<p>Date: 28-03-2017</p>
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PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1588

LOCATION: 54 - 56 Thorn Hill

DESCRIPTION: Change of use of dwelling house (Use Class C3) at numbers 54 and 56 Thorn Hill to two properties each containing 3 studio flats and two single bedrooms with shared facilities (8 residents per dwelling)

WARD: Delapre & Briar Ward

APPLICANT: CUSP Solutions Ltd
AGENT: Rod Kilsby Partnership

REFERRED BY: Councillor Vicky Culbard
REASON: Parking issue

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed conversion of the property to flats and shared facilities is considered acceptable in principle being within an established residential area and would contribute towards the Council's 5 Year Housing Land Supply. The proposal would, due to its siting, scale and design, not have an undue detrimental impact on residential amenity, parking or highway safety and complies with Policies E20, H21 and H23 of the Northampton Local Plan, S10 and H1 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning Policy Framework.

2. THE PROPOSAL

2.1 Permission is sought for a change of use from one large residential dwelling (comprising 2 properties at 54 and 56 Thorn Hill) to flats and shared facilities. The proposed layout of the buildings shows 6 double bedroom studio flats (3 per property) and 4 single rooms (2 per property). Parking would be mainly on-street although there is capacity for parking to the rear of the site in a parking court.

3. SITE DESCRIPTION

- 3.1 The application site consists of two three-storey residential buildings occupying a prominent position on the street. To the rear of the site, is a parking court with off-road spaces and garages. There is an area to the side which acts as a private enclosed garden space fenced off by 2m high wooden fencing. The site is not in a conservation area.
- 3.2 The existing buildings have been occupied as one single family dwelling by the Jesus Fellowship who own the property. The two properties are currently occupied by 12 people.

4. PLANNING HISTORY

2013 Permission for single storey rear extension to 54 Thorn hill

2013 Permission for erection of perimeter fence /wall to side of 54 Thorn hill.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

Paragraph 32 seeks to secure safe access for all.

Paragraph 49 requires that housing applications are 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:

- 5.4 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, and the impact on the amenities of occupiers of neighbouring properties. .

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.

5.5 Northampton Local Plan 1997 (Saved Policies)

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

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

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

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

5.6 Supplementary Planning Documents

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

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor Vicky Culbard** - raised objection on parking and congestion.
- 6.2 **NBC Environmental Health** - no objection subject to consideration given to refuse storage.
- 6.3 **Highway Authority (NCC)** - the proposed development does not meet the LHA standards with regards to parking provision. Given the existing use of the property (Class C3), the off-street parking provision requirement would be 3 to 4 spaces. As per the Northamptonshire Parking Standards 2016, the proposed change of use would require 10 parking spaces. Therefore, the proposed development is under provision by at least 6 parking spaces.

It is noted that whilst the existing use is Class C3, it is not currently being used in a typical way. There are 12 residents as part of a religious community at the current property, although it is hard to determine the likely car ownership of the residents. Therefore, the LHA must consider the existing use as a typical Class C3 use.

A parking beat survey was conducted in the area. The survey showed that whilst there are some vehicles parked inappropriately, there are a number of spaces available, so it appears to be partially down to convenience.

It should also be considered that parking levels will fluctuate to some degree.

In conclusion, the LHA has determined that whilst there may be enough spaces in the vicinity to accommodate the additional vehicles, due to the vastly greater demand it would generate (a total of 10 vehicles), it could potentially take up the remaining residual capacity. Therefore, any further application in the immediate vicinity that would increase demand could be objected to.

7. APPRAISAL

Principle of the development

- 7.1 By reason of the site's allocation for residential use in the Local Plan, it is considered that the development of this site for residential purposes is acceptable and compatible with the character of the surrounding area. If permitted, the proposal would contribute to the Council's 5 Year Housing Land Supply.

Size of property and residential amenity

- 7.2 The submitted plans show provision of 3 self-contained studio flats and two other bedrooms with shared facilities in each building. All bedrooms and habitable rooms would be served by adequate outlook and light via existing windows to front or rear.
- 7.3 The proposal also complies with Local Plan Policies H21 and H23 in that the frontage would exceed 4.7 metres and the ground and first floor areas exceed 100 square metres internally.
- 7.4 Notwithstanding the fact that the Council do not have any up to date space standards policy for flat developments, it is considered in this case that there would be sufficient amenity provided to serve future occupiers.

Highways and Parking

- 7.5 Parking within the vicinity of the site is mainly on-street although there is a parking court and garages to the rear. Visits to the site during the day reveal that there is much spare parking capacity, however, the Parking Beat survey indicates that evenings are busier. The nearest bus stop is within 130m of the property, located on Ashbrow Road. The applicant has submitted a Parking Beat Survey which the Local Highway Authority have commented on.
- 7.6 The Parking Beat Survey indicates that there is some spare capacity for on-street parking in the local area. Whilst the Highway Authority's concerns are noted, the existing property is a 12 person dwelling and the proposed use would be for 16 persons. There overall increase is 4 occupiers more and the difference is not significantly greater in this locality.
- 7.7 Notwithstanding the above, the property is close to a bus stop. It is not considered reasonable to refuse planning permission on potential traffic generation ground, bearing in mind some spare capacity has been shown in the Parking Beat Survey. Any approval would be subject to a condition to provide secure cycle parking at the rear of the site in order to promote sustainable means of travel to and from the site.

Refuse storage

- 7.8 Details have been submitted for the storage of refuse and materials for recycling, which is deemed acceptable. This is to be secured by condition.

Impact on neighbouring amenity

7.9 Compared to the lawful use, it is considered unlikely that the proposed use would lead to significant impact on neighbour amenity that would justify refusal of planning permission. Given that the existing property has 10 bedrooms with 12 residents, the proposed use is unlikely to generate noise and disturbance significantly over and above the current use.

8. Conclusion

8.1 While it is acknowledged that the conversion would result in a more intensive use of the property, the site is located within a residential area in a sustainable location, and would not have any undue adverse impact on parking or highway safety. In terms of amenity, the conversion and associated storage building would have an acceptable impact on residential amenity and the appearance and character of the area. If permitted the proposal would provide additional units and therefore contributes positively to the Council's 5 year housing land supply.

9. CONDITIONS

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 16-177-01E and 16-177-02B.

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

- 3) The bin and cycle storage areas shown on the approved plan 16-177-01 E shall be implemented prior to the first occupation of the property as flats and retained in that form throughout the lifetime of the development.

Reason: In the interests of residential amenity to comply with Policy H30 of the Northampton Local Plan and H1 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

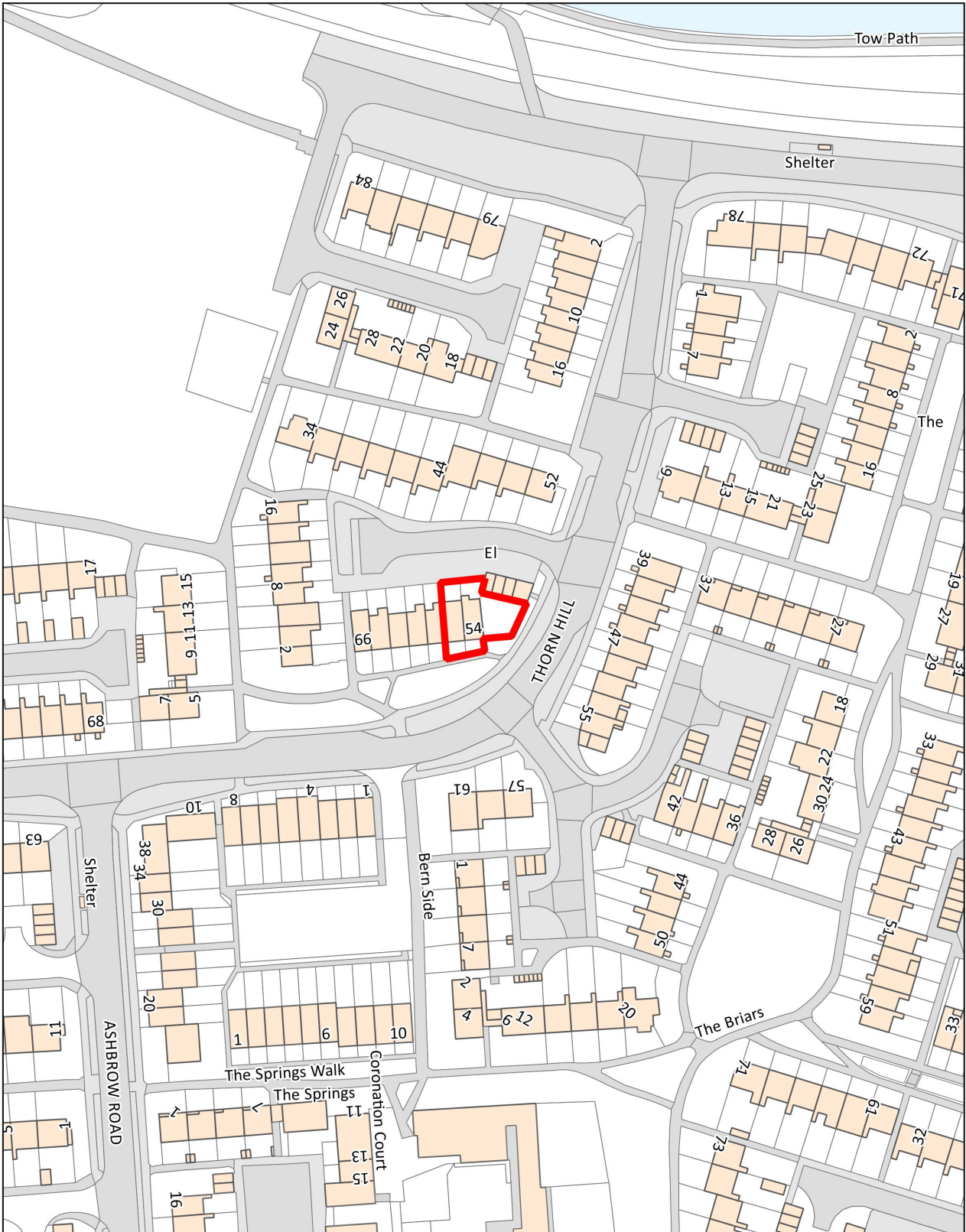
10.1 N/2016/1588.

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.



Title: **54 - 56 Thorn Hill**

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NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2016/1593

LOCATION: University Of Northampton Park Campus, Boughton Green Road

DESCRIPTION: Variation of Condition 6 of N/2014/0475 (Outline permission for the demolition of the existing University facilities and erection of new buildings comprising residential accommodation (Use Class C3) of up to 800 units) to amend wording of condition to ensure the provision of an average of two parking spaces per dwelling (up to a maximum of 800 dwellings)

WARD: Obelisk Ward

APPLICANT: University of Northampton
AGENT: Savills

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 the completion of a Legal Agreement to secure:

- 1.1 i) On-site affordable housing;
- ii) A payment towards education provision;
- iii) The provision of on-site open space and sports facilities and for this space to be continually maintained and made available for public access; and
- iv) The Council's monitoring fee.

1.1.2 The conditions as set out below and for the following reason:

The proposed development, subject to conditions, represents an acceptable land use which would contribute towards the Council's five year housing supply and would have a neutral impact upon the character and appearance of the surrounding area, visual and neighbour amenity and the highway system. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan

- 1.2 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the 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 Policy INF1 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

- 2.1 The applicant has applied to vary Condition 2 of the original planning permission, which required the provision of a minimum of 1,600 car parking spaces across the entirety of the development and was predicated on the basis that the final developer would build the maximum permitted number of dwellings and would have resulted in each dwelling being provided with an average of two parking spaces. As the proposals have developed, it has become apparent that fewer than 800 dwellings are likely to be constructed. Therefore, in order to prevent unnecessary works from taking place, it is proposed to amend the condition so that the condition specifies that there will be an average of two spaces per dwelling, rather than an absolute figure.

3. SITE DESCRIPTION

- 3.1 The application site consists of an area of approximately 30 hectares in area that is situated south of Boughton Green Road. The site was originally developed in the early 1970s in order to provide a teacher training college. This use developed over the ensuing years and is currently operated by the University of Northampton. The site forms one of two campuses within Northampton and features a number of buildings (of various styles and scales, although the general trend is that buildings are between one and three storeys in height) that support the academic function of the operator. The site also features residential accommodation of 1,300 students, sports facilities, students union and shops.
- 3.2 The application site is of a consistent level, although there are some minor variations in site levels to the north of the site (adjacent to the existing student accommodation buildings). The site is also distinctive in featuring a significant number of mature trees, many of which are covered by Tree Preservation Orders.
- 3.3 The site features two vehicular accesses that are both situated within Boughton Green Road. The site currently features 1,608 car parking spaces. A footpath running from Boughton Green Road that links into the network of open space to the south and east of the site is situated adjacent to the south western boundary.
- 3.4 The surrounding area is characterised by a mixture of residential accommodation (typically of two storeys in height), which are generally situated north, west and south west of the application site. The area to the east of the site is in use for a variety of commercial purposes. These buildings are of a variety of scales and styles. The site is also adjacent to two other academic institutions: Kingsthorpe College and All Saints Primary School. The former is separated from the application site by the aforementioned footpath, whilst the latter is surrounded by the application site on three boundaries. Both institutions are accessed from Boughton Green Road. Gallagher Fields (situated to the south of the application site) is in use as playing fields and are currently leased to the University.
- 3.5 The site was originally the location of Moulton Park House, which was rebuilt during the late 1800s. The buildings were used for a variety of uses until they were demolished to accommodate the original university facilities in the 1970s. Despite this, a number of historic features remain, which comprise a ha-ha to the west of the site, the tree lined avenue from Boughton Green Road

and the sections of the original stone wall adjacent to Boughton Green Road. None of the historic built structures are listed or included within any Conservation Area.

4. PLANNING HISTORY

- 4.1 N/2014/0475 – Outline application (with all matters reserved, except access) for the demolition of the existing University facilities and erection of new buildings comprising residential accommodation (Use Class C3) of up to 800 units, associated car parking, retail unit, landscaping and open space with accesses from Boughton Green Road – 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 National Policies

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

- 5.3 Paragraph 47 of the National Planning Policy Framework (hereafter referred to as the NPPF) requires that Local Planning Authorities ensure that the planning process meets the full, objectively assessed needs for the area. Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.

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

5.5 West Northamptonshire Joint Core Strategy (2014)

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

- 5.6 Policy S1 states that new developments would be concentrated primarily in and adjoining the existing principal urban area of Northampton. Of particular relevance to this application, Policy S4

requires the provision of about 28,470 new dwellings within the Northampton Related Development Area (NRDA) between 2011 and 2029. This figure has been calculated as a result of the West Northamptonshire Objectively Housing Needs Assessment. Policy S10 requires that new developments be located in a position where services and facilities can be accessed by walking, cycling or public transport.

- 5.7 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures.
- 5.8 Policy RC2 requires that new developments meet their own demands in terms of sporting, recreation, cultural and community facilities and to meet this demand either through on-site provision or through contributions
- 5.9 In addition to these matters, Policy INF1 requires that developments provide sufficient infrastructure to mitigate the impacts of development, which is in addition to Policy INF2 that requires a reliable mechanism for the provision of such infrastructure to be provided.

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

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished.

- 5.11 The relevant policies include Policy L2, which identifies the application site as an education institution and states that planning permission for the redevelopment of such sites will only be granted in such instances when where it can be demonstrated that the land or facilities likely to be lost are needed in the long term for recreation use; that the scheme retains open space of significant amenity and landscape value and the existing sports and recreation facilities can best be retained or enhanced through the redevelopment of the site. E11 that requires developments to have a neutral impact upon trees of significant value and E20 that states that developments should be of a satisfactory standard of design
- 5.12 In addition, Policy H7 states that new proposals should be of a good design and amenity; Policy H17 requires the provision of a suitable level of housing for people with disabilities; and Policy H32 necessitates the provision of some affordable housing.

5.13 **Supplementary Planning Documents**

Northamptonshire Parking Standards 2016

6. CONSULTATIONS/REPRESENTATIONS

- 6.1 Environmental Health (NBC) – No objections.
- 6.2 Highway Authority (NCC) – Object on the grounds that it is considered that the assessment of parking provision should be judged to the requirements of the revised standards, adopted in 2016.

7. APPRAISAL

- 7.1 Condition 6 of the outline planning permission currently reads:

“The development hereby permitted shall include a minimum of 1600 car parking spaces.

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

- 7.2 This condition was imposed as, at the time that outline planning permission was granted, it was envisaged that the final development would be of the maximum number of dwellings approved by the outline application (800 dwellings). As a consequence, the condition ensured that each property would have an average of two parking spaces for each dwelling.
- 7.3 Since the granting of outline planning permission, the developer has undertaken a significant amount of work in respect of drawing a master plan to inform the future development of the site and resultant reserved matters applications. Due to the aspiration to create a good quality development, with a suitable level of amenity for proposed and existing residents, and the need to retain as a large a number as possible of the existing trees and heritage assets, in addition to providing sufficient areas of public open space and outdoors sports facilities, it is apparent that the number of dwellings provided on site may be less than the maximum threshold previously permitted.
- 7.4 Should this scenario emanate, Condition 6, as currently worded, would still require 1,600 car parking spaces to be provided irrespective of the number of dwellings provided. This scenario could potentially result in trees being removed or less open space being provided without any particular need.
- 7.5 The proposed revision of Condition 6 would require that each dwelling has an average of at least two parking spaces, which is in keeping with the intended ethos of original condition, but allows for some flexibility given the likelihood that the number of dwellings built on this site may be less than the maximum of 800.
- 7.6 It is appreciated that the Highway Authority have requested that the parking provision be assessed with regards to their 2016 standards, which postdate the granting of the original outline planning permission. Whilst this position is noted, significant weight has to be given to the fall back position in that if this application were to be approved, the originally approved development could proceed as previously approved. Given that the revised condition would result in car parking being provided on the same pro rata rate, it is considered that the highway impacts would not be significantly greater than that previously deemed acceptable.
- 7.7 The varying of this condition would have the effect of creating a new planning permission. As a result, it is necessary to restate or previously imposed conditions, in order to secure a satisfactory standard of development and to maintain the impacts on the character of the area and neighbouring properties.
- 7.8 As a new planning permission would be created, it is also necessary to enter into a new legal agreement. Given that there is an extant permission, the Heads of Terms would be the same as those previously agreed. For viability reasons, the original Section 106 Agreement secured a reduced number of Heads of Terms comprising the provision of 8% of the development for affordable housing, a financial contribution towards the provision of off-site open space. As a result of the relatively limited time that has lapsed since the granting of the original planning permission and the fact that the 2014 permission is still quite capable of being implemented, there is not any particular material change in circumstances to warrant the securing of different Heads of Terms.
- 7.9 Furthermore, and whilst it is accepted that the level of mitigation is less than some other agreements, it is considered that there are significant reasons for permitting this particular development. The first being that there is a significant need for housing within the Borough and this site makes a particularly significant contribution to addressing the shortfall of housing within the town. Furthermore, it is understood that the reduced viability of the residential development is due to the land transaction making a sizeable contribution towards the development of the new campus at Nunn Mills Road. Given that this scheme is a key regeneration objective and would

lead to substantial benefits to the town as a whole, it is considered that in this specific instance, the benefits of this development outweigh the disadvantages of a reduced Section 106 Agreement.

- 7.10 Given that the overall quantum of development would not be any greater than that previously assessed, it is considered that the proposed revision to Condition 6 would not cause any greater impacts upon the character and appearance of the area, neighbour amenity or the likely amenities of the future occupiers of the development. As a consequence, the proposed development remains in conformity with the requirements of national and local planning policies in respect of these matters.
- 7.11 The applicant has also submitted assessments that demonstrate that the proposed revision to parking provision would not have any greater impact on the environment in terms of matters such as wildlife, air quality and ground conditions than that previous considered and deemed acceptable.

8. CONCLUSION

- 8.1 It is considered that the redevelopment of this site for housing remains acceptable and would contribute to the delivery of the five year housing land supply within the Borough. Whilst the precise wording of Condition 6 of planning permission N/2014/0475 would change, the ethos would remain intact in that an average of two spaces per dwelling would still be provided, whilst allowing for the possibility that the final scheme may feature less than the maximum number of dwellings permitted on the site.

9. CONDITIONS

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

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

(2) Application for approval of the reserved matters shall be made to the Local Planning Authority before the 18th September 2020.

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

(3) The development hereby permitted shall be begun either before 18th September 2024, or, if later, before the expiration of six years from the date of approval of the last of the reserved matters to be approved.

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

(4) The development hereby permitted shall be carried out in accordance with the following approved plans: 001 (Rev. C); and 002.

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

(5) The development hereby permitted shall be for a maximum of 800 dwellings and a maximum of 500 square metres of nett floor space for uses falling within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: For the avoidance of doubt and to ensure conformity with the National Planning Policy Framework.

(6) The development hereby permitted shall include an average of at least two car parking spaces per dwelling.

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

(7) The development hereby permitted shall be carried out in accordance with the Building Heights Parameter Plan (drawing number Z-01-007, Rev. P1).

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

(8) Prior to the commencement of development, a phasing plan for the implementation of the development 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 securing a satisfactory development in accordance with the National Planning Policy Framework.

(9) Prior to the submission of any reserved matters application, a Masterplan and Design Code covering the whole of the site shall be submitted to and approved in writing by the Local Planning Authority. The Design Code shall be formulated having regard to the approved Design and Access Statement, parameters plan, landscape strategy and shall respond to the recommendations of Building for Life 12 and shall include the following details.

i) A phasing plan of the development, including an affordable housing plan.

ii) The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycle connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.

iii) The proposed layout, use and function of all open space within the development.

iv) The approach to and design principles applied to car parking (on and off street), including surface treatments.

v) Phase layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.

vi) The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.

vii) External materials to include a palette of wall and roof finishes, porches, heads, cills, chimneys, eaves and verges in addition to the colour palette for doors, windows and rain water goods.

viii) The design principles that will be applied to the development to encourage security and community safety.

ix) The routing and treatment of all footpaths and pedestrian routes throughout the site.

Thereafter, any reserved matters application for any phase of the development shall comply with the principles established within the approved Design Code.

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

(10) Notwithstanding the details submitted, full swept path analysis for four axle Heavy Goods Vehicles and junction visibility splays at the junctions with Boughton Green Road 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 and the junctions with Boughton Green Road shall be fully implemented prior to the first occupation of the development hereby permitted.

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

(11) The development hereby permitted shall be carried out in accordance with the Method Statement for the retention of trees along Boughton Green Road report (dated July 2014) and the Tree Impact Appraisal (dated July 2014).

Reason: In the interests securing a satisfactory standard of development in terms of the impacts upon the site's trees in accordance with Policy E11 of the Local Plan.

(12) Details and/or samples of the proposed external facing materials for the resited boundary wall adjacent to Boughton Green 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.

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.

(13) Prior to the commencement of each phase of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

(14) Prior to the commencement of development on each phase of the development an assessment of the noise exposure of each habitable room on the exposed façades due to transportation, which must take into account the likely growth of traffic over the next 15 years shall be submitted to and approved in writing by the Local Planning Authority.

Where the night time internal noise level in any bedroom exceeds the night time WHO 1999 standard of L_{Aeq} , 8 hour 30dB with window open, a noise insulation scheme shall be submitted to

and approved in writing by the Local Planning Authority, which will require the provision of ventilation or heat control systems. Development shall be carried out in accordance with the approved details, shall be fully implemented prior to the first occupation of each affected dwelling and retained thereafter.

Reason: In the interests of securing a satisfactory standard in terms of residential amenity in accordance with the National Planning Policy Framework.

(15) Prior to the commencement of development on each phase of the development, a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to the first occupation of each phase of the development and retained thereafter.

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

(16) Prior to the commencement of development on each phase of the development, a surface water strategy shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to the construction of any areas of hard standing within each phase of the development and retained thereafter.

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

(17) Prior to the first occupation of each phase of the development a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be fully implemented within two months of the first occupation of the phase and retained thereafter.

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

(18) The development hereby permitted shall be carried out in accordance with the recommendations of paragraphs 7.5.9 and 7.5.10 of the Environmental Statement (dated April 2014) in respect of biodiversity mitigation.

Reason: In the interests of securing a satisfactory standard of development in terms of mitigating the impacts of the proposal on biodiversity.

(19) The development hereby permitted shall retain the ha-ha as shown on the Illustrative Landscape Masterplan (revision B).

Reason: In the interests of maintain a feature of historical interest in accordance with the National Planning Policy Framework.

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

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with the National Planning Policy Framework.

(21) The retail development hereby approved shall only be open to customers between the hours of 7am and 10pm on any one day.

Reason: In the interests of securing a satisfactory standard of development in terms of the impacts upon neighbouring properties in accordance with the National Planning Policy Framework.

(22) All deliveries to the retail development hereby approved shall take place during the hours of 6.30am and 8pm only on any one day.

Reason: In the interests of securing a satisfactory standard of development in terms of the impacts upon neighbouring properties in accordance with the National Planning Policy Framework.

(23) Prior to the first occupation of the retail development, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise from the retail development whether from fixed plant or equipment or noise generated within the building(s) and the provisions to be made for its control. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the retail development and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in terms of the impacts upon neighbouring properties in accordance with the National Planning Policy Framework.

(24) No development within any phases of the development shall take place until a surface water drainage scheme for that phase, 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 0.5% probability critical storm with climate change 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 scheme shall comply with the principles set out in the agreed Flood Risk Assessment and shall also include details of how the scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding, both on and off site and in accordance with the requirements of the National Planning Policy Framework.

(25) No development 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: all previous uses potential contaminants associated with those uses 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.

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

Reason: To ensure the potential risks to controlled waters from contamination at the site are protected in accordance with the requirements of the National Planning Policy Framework.

(26) 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 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 the advice contained in the National Planning Policy Framework.

(27) No 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 that infiltration systems such as soakaways do not increase the potential for contaminant migration and in accordance with the requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

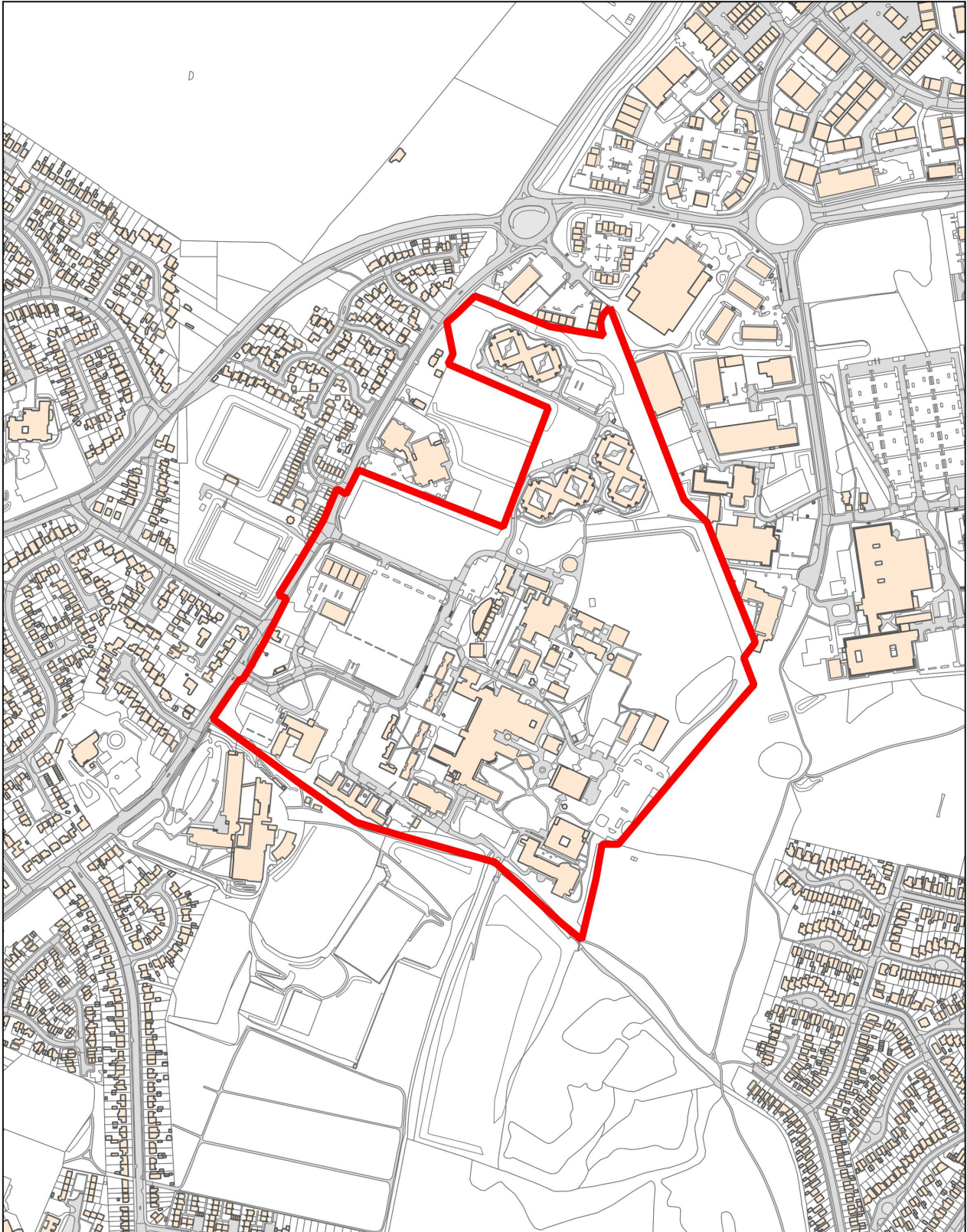
10.1 N/2014/0475.

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.



Title: **University of Northampton, Park Campus**

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PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0013

LOCATION: Dover Court , St James Road

DESCRIPTION: Proposed installation of automated entry gate system to carpark

WARD: St James Ward

APPLICANT: Northampton Partnership Homes
AGENT: N/A

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 proposed development would have no adverse impact on the street scene, on the amenities of adjoining occupiers or on highway safety, whilst providing enhanced security. The development is therefore in conformity with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the construction of an automated entry system which comprises automated gates and fencing to an existing car park.

3. SITE DESCRIPTION

3.1 The application site is the existing car park of an existing block of flats.

4. PLANNING HISTORY

4.1 N/2016/1385 - Change of use of two existing communal rooms within a block of flats into two one bedroom self-contained dwellings – Approved 23/11/2016.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

The National Planning Policy Framework has a presumption in favour of sustainable development.

Paragraph 17 seeks to ensure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy S10 – Sustainable Development Principles.

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 policy is material to this application:

Policy E20 – Design

5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

6.1 Local Highway Authority – Upon submission of revised plan, confirm no further concern as to the design and location of the gate and its construction.

7. APPRAISAL

7.1 The issues to be considered are the impact of the proposed fencing and gates in terms of their visual impact and any impact on the amenities of adjoining occupiers, as well as the acceptability of the proposal in respect of highway and pedestrian safety.

7.2 The proposed gates would be 1.8m high and of a hoop topped design. At present there is no boundary treatment to the site, however it is not considered that the proposed boundary would be

out of keeping with the area, given that the access to the site is at the end of a cul-de-sac and therefore not widely visible, and also that the design of the fencing and gates is of a standard type used elsewhere in the town which would not appear out of place in this location. A condition is proposed requiring full details of the appearance of the gates and fencing, including colour of materials.

- 7.3 In terms of the impact on highway safety, the design of the gate and its position have been amended to take into account the previous concerns of the Local Highway Authority. The gates would now be set back from the end of the turning head, to allow vehicles to wait before entering the gates without obstructing the highway and the Local Highway Authority have now confirmed that this arrangement is acceptable.

8. CONCLUSION

- 8.1 In conclusion, it is considered that the proposed gates would have no adverse impact on the street scene, the amenities of adjoining occupiers or highway safety and would have the benefit of providing enhanced security at the site.

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 plan: L71022082BAW.

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

- (3) Notwithstanding the submitted plans, full details of the appearance of the gate and fencing including their colour 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

10. BACKGROUND PAPERS

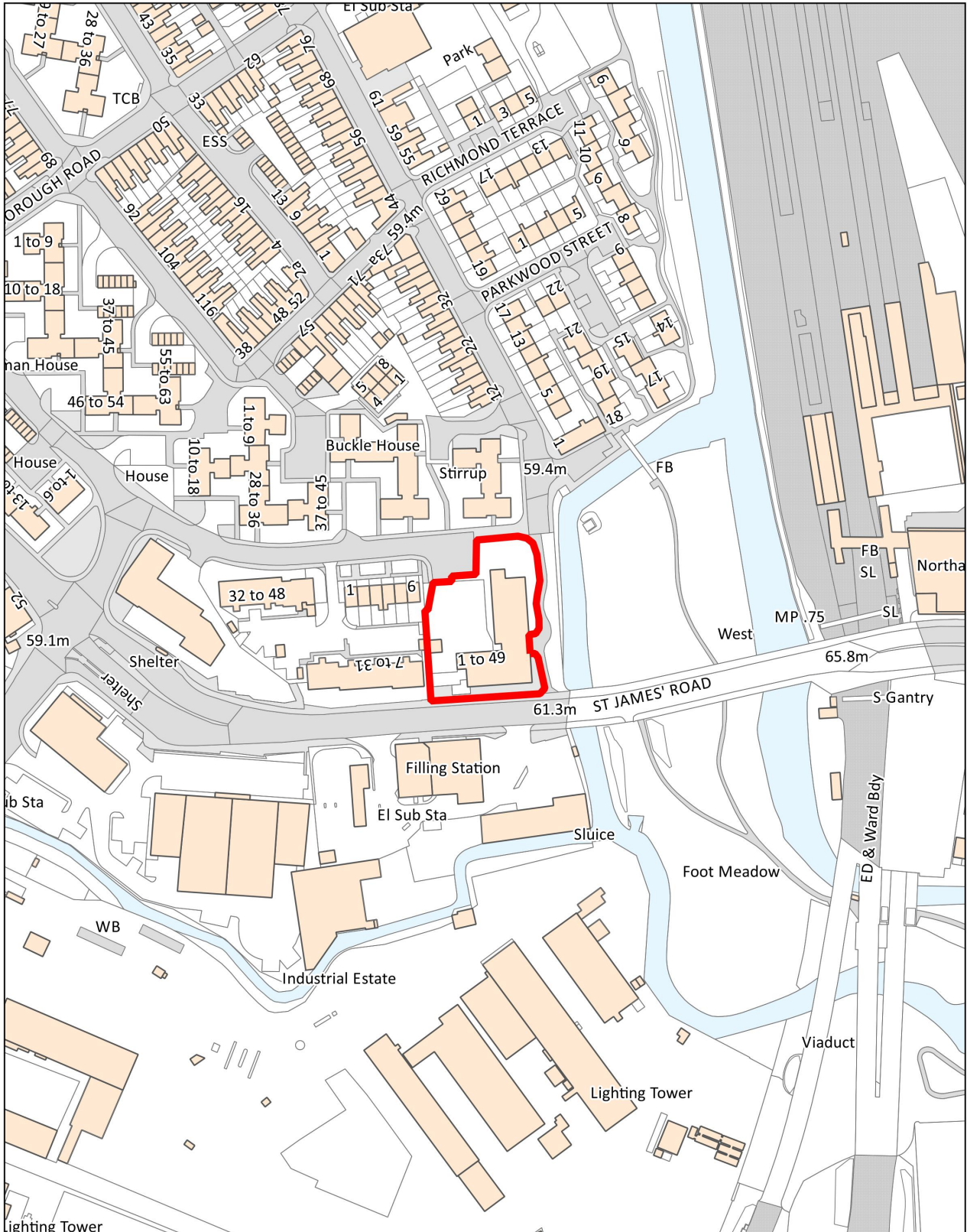
- 10.1 Application File N/2017/0013.


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: Dover Court, St James Road</p>	<p>Date: 28-03-2017</p>
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PLANNING COMMITTEE: 11th April 2017
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2017/0187

LOCATION: 46 Lea Road

DESCRIPTION: Change of use from dwelling (Use Class C3) to house in multiple occupation (Use Class C4) for a maximum of 4 residents

WARD: Abington Ward

APPLICANT: Mr Richard Nugent
AGENT: N/A

REFERRED BY: Councillor Zoe Smith
REASON: Parking issues and alter the nature of the area

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development 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, saved 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 dwelling to a house in multiple occupation for four 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 House in Multiple Occupation (HIMO).

3. SITE DESCRIPTION

- 3.1 The application property consists of a two-storey three bedrooms, mid-terraced property on Lea Road, located in an area with similar terraced properties on both sides of the street.
- 3.2 The property has a kitchen, dining room, lounge, a utility room and a toilet on the ground floor, three bedrooms and one bathroom on the first floor.
- 3.3 The application site is located within a predominantly residential area. The site is in close proximity to Abington Avenue, which contains some retail units and access to bus routes. The allocated centre of Kettering Road is also in reasonably close proximity.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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 of sustainable development.

Paragraph 50 - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, 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 **Councillor Zoe Smith** - raised objection on the basis that the current planning application is likely to exacerbate severe parking difficulties in an area that has already experienced a lot of development in recent years. Also considered that further HIMOs would alter the nature of the area from family homes. Called in the application for consideration by the Planning Committee.
- 6.2 **Private Sector Housing (NBC)** - has advised that the applicant will require licensing under the mandatory licensing scheme. The applicant should refer to the HIMO amenities guide on Council's website.

- 6.3 **Highway Authority (NCC)** - has advised that as per the Northampton 2016 Parking SPG, the proposed development will produce a demand for 4 parking spaces, which is an increase of 2 compared to the existing use. Whilst it is acknowledged that there is a good chance not all the residents of a HIMO will have a car, there is nonetheless a greater probability of a higher number of cars being associated with the property. A single dwelling in this area, where parking is already at capacity, producing such a demand could have a significant impact upon highway safety, as well as residential amenity. Highway Engineer has conducted a survey of the area in the early morning period of 28/02/2017 (between 1am and 4am), to ascertain the number of available parking spaces and has found that there were very few spaces available in the local area. 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. In conclusion, this application will 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.

7. APPRAISAL

Principle of the development

- 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.

Area concentration

- 7.2 Council records evidence that there is no confirmed HIMOs but there are three licensed HIMOs within a 50m radius of the application site. The use of this property as a HIMO would equate to less than 4.8% concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

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 4 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 The details submitted for the bin storage to the rear of the property are acceptable. The location for the cycle stand has been specified but there are no details for the cycle stand so a condition has been recommended for details for the cycle storage to be submitted prior to occupation of the house as a 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 The application property is located within easy walking distance to facilities along Abington Avenue and Wellingborough Road. It is considered that the application site is a sustainable location within 250 metres to bus routes on Abington Avenue and Stimpson Avenue. 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 recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details should be submitted for the secured 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. The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 compared to the existing use.
- 7.11 In this case, the LHA object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 7.12 Notwithstanding the LHA objection, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.13 Furthermore, regard must be paid to previous appeal decisions over the past few months 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 In view of the recent appeal decisions, the Inspectors have given considerable weight to the sustainability of locations, while considering the impact on parking. As such, in view of the sustainable location of the application site, and number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, it is not considered that highway impacts would be so adverse as to recommend refusal on this basis.

Refuse storage

- 7.15 Details have been submitted for the storage of refuse and materials for recycling, which is deemed acceptable.

Amenity

- 7.16 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. It is not considered that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Indeed,

without the Article 4 Direction, planning permission would not be required for the change of use. Consequently, it is not considered that any refusal of planning permission or the imposition of conditions, in relation to amenity issues would be reasonable or sustainable at appeal.

8. CONCLUSION

- 8.1 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: N17 - 1, N17 -2, Site Location Plan.

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 four 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. Full details for the provision of secure storage for bicycles shall be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented prior to the first occupation of the property for the permitted purpose and shall be 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.

10. BACKGROUND PAPERS

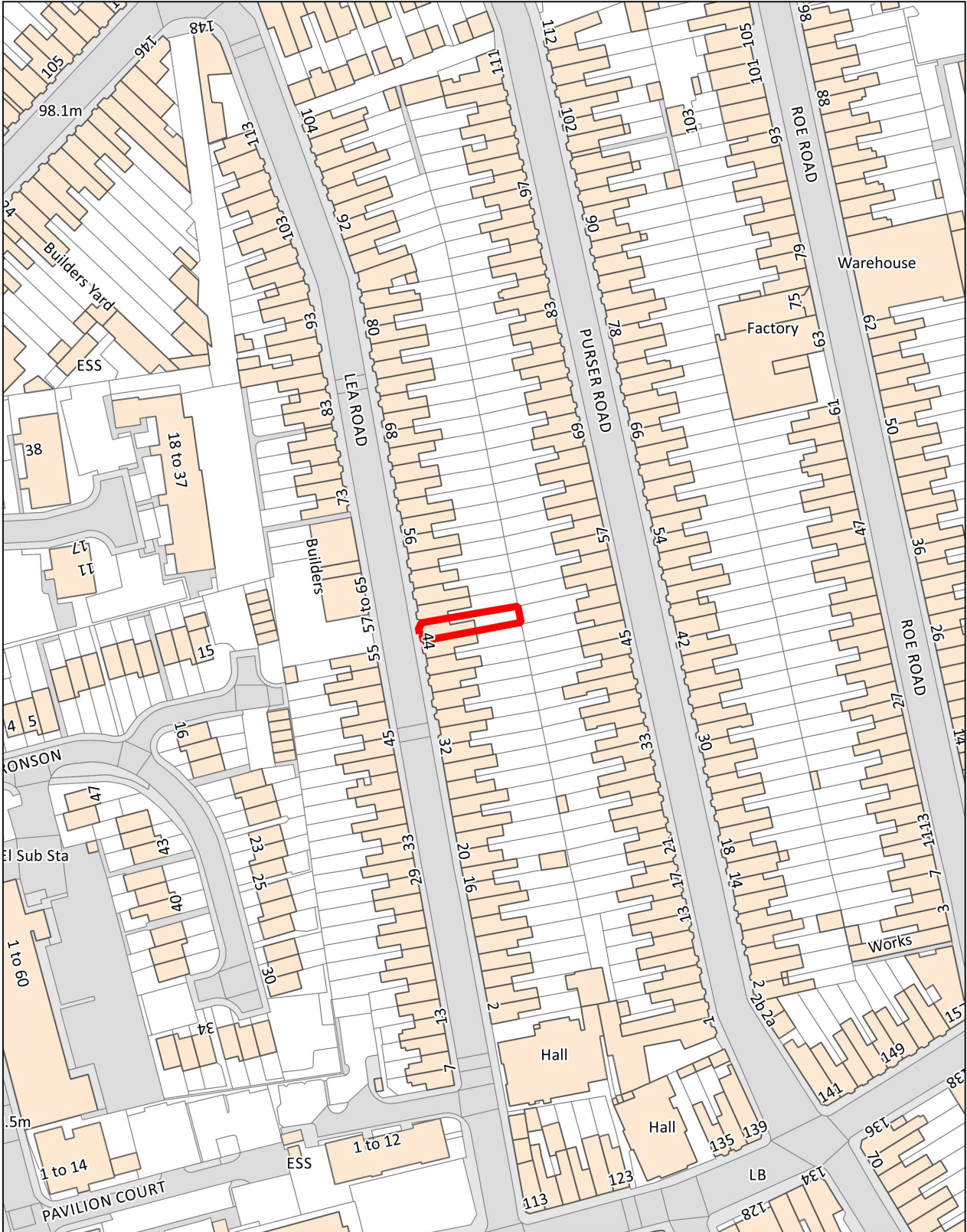
- 10.1 N/2017/0187.


11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL chargeable.

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: 46 Lea Road</p>	<p>Date: 28-03-2017</p>
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