



PLANNING AGENDA

Wednesday, 27 April 2016

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

6:00 pm

Members of the Committee

Councillor: Brian Oldham (Chair), Matthew Lynch (Deputy Chair)

Councillors: Jane Birch, Julie Davenport, Matthew Golby, Anamul Haque (Enam), James Hill, Jamie Lane, Phil Larratt, Arthur McCutcheon, Dennis Meredith and Mohammad Aziz Rahman

Chief Executive David Kennedy

If you have any enquiries about this agenda please contact
democraticservices@northampton.gov.uk or 01604 837587

PLANNING COMMITTEE

AGENDA

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

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

Who Can Speak At Planning Committee Meetings?

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

How Do I Arrange To Speak?

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

Methods of Registration:

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

When Do I Speak At The Meeting

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

How Long Can I Speak For?

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

Other Important Notes

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

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1
1DE

on Wednesday, 27 April 2016

at 6:00 pm.

D Kennedy
Chief Executive

AGENDA

1. APOLOGIES

2. DEPUTATIONS / PUBLIC ADDRESSES

3. DECLARATIONS OF INTEREST/PREDETERMINATION

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

5. LIST OF CURRENT APPEALS AND INQUIRIES

Report of Director of Regeneration, Enterprise and Planning.(Copy herewith)

6. OTHER REPORTS

7. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None

8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

- (A) N/2016/0057 - VARIATION OF CONDITION 5 OF PLANNING PERMISSION N/2013/0612 (REPAIR AND REFURBISHMENT OF DELAPRE ABBEY) TO EXTEND OPENING HOURS OF CAFE/RESTAURANT AND HOLDING FUNCTIONS AND EVENTS BETWEEN 8AM TO MIDNIGHT (FRIDAY AND SATURDAY) AND 8AM TO 11PM (SUNDAY TO THURSDAY); BUSINESS STUDIOS/WORKSHOPS BETWEEN 7AM TO 6PM; VISITOR AND HERITAGE CENTRE FROM 9AM TO 7PM. DELAPRE ABBEY, LONDON ROAD**

(Copy herewith)

- (B) N/2016/0130 - LISTED BUILDING APPLICATION FOR ALTERATIONS TO G54 VISITOR RECEPTION TO INCLUDE REMOVAL OF EXISTING BOXING TO ENTRANCE DOOR, SELF-LEVELLING SCREED APPLIED TO EXISTING FLOOR, AREA OF EXCAVATION TO FLOOR FOR INSERTION OF NEW FLUSH ENTRANCE MATTING, NEW GLAZED ENTRANCE LOBBY, INSTALLATION OF 2NO. NEW STORES EITHER SIDE OF THE STAIRS, DEMOLITION OF EXISTING STAIRS TO BE REPLACED WITH NEW TIMBER STAIR AND LANDING, REMOVAL OF DOOR DG.103, INFILLED WITH STONE DELAPRE ABBEY, LONDON ROAD**

(Copy herewith)

9. ITEMS FOR DETERMINATION

ADDENDUM

- (A) N/2015/1074 - ERECTION OF 81NO DWELLINGS COMPRISING 1 BED FLATS, 2, 3 & 4 BED HOUSES AND ASSOCIATED ACCESS ROADS AND PUBLIC OPEN SPACE. FORMER ST MARY'S MIDDLE SCHOOL, GRANGE ROAD**

(Copy herewith)

- (B) N/2015/1384 - RETROSPECTIVE PLANNING TO CHANGE OF USE FROM RESIDENTIAL (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR FOUR RESIDENTS (USE CLASS C4). RETROSPECTIVE APPLICATION. 23 NORFOLK STREET**

(Copy herewith)

- (C) N/2016/0259 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2015/0811 (ERECTION OF DETACHED 3-BED DWELLING AT THE REAR TOGETHER WITH PARKING SPACES AND WIDENING OF EXISTING VEHICULAR ACCESS) FOR ALTERATIONS TO ROOF FORM. 279 MAIN ROAD, DUSTON**

(Copy herewith)

- (D) N/2016/0411 - PRIOR NOTIFICATION APPLICATION FOR THE DEMOLITION OF EXISTING 2 STOREY BUILDING AND ASSOCIATED STRUCTURES. 34 LITTLE CROSS STREET**

(Copy herewith)

10. ENFORCEMENT MATTERS

None

11. ITEMS FOR CONSULTATION

None

12. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

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

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

Directorate: Regeneration, Enterprise and Planning
 Director: Steven Boyes



List of Appeals and Determinations – 27th April 2016

Written Reps Procedure

Application	DEL/PC	Description	Decision
N/2015/0699 APP/V2825/D/16/3145940	DEL	Single storey rear extension at 64 Kingsley Road	AWAITED
N/2015/0946 APP/V2825/D/16/3141908	DEL	Erect attached garage to front at 57 Rickyard Road	AWAITED
N/2015/1279 APP/K2800/D/16/3142656	DEL	First floor side extension at 14 Tiffany Gardens	AWAITED

Public Inquiry

N/2013/1035 APP/V2825/W/15/3028151	PC	Outline Application for the Northampton South Sustainable Urban Extension to comprise up to 1000 dwellings, a mixed use local centre, a site for a primary school, green infrastructure including formal and informal open space, reconfiguration and extension of Collingtree Park Golf Course, demolition of all existing buildings and structures within the site, new vehicular accesses off Windingbrook Lane and Rowtree Road, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements) all matters reserved accept access, land south of Rowtree Road and west of Windingbrook Lane – Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED
N/2013/1063 APP/V2825/W/15/3028155	PC	378 dwellings served by a new access from Windingbrook Lane, and the re-configuration of part of the Collingtree Park Golf Course including a new temporary hole 17 and the demolition of all existing buildings and structures within the site, green infrastructure including formal and informal open space, car parking, sustainable drainage systems (including flood risk betterment) and infrastructure (including highway improvements), land south of Rowtree Road and west of Windingbrook Lane - Public Inquiry ended on 18th December at Franklin Gardens, Weedon Road	AWAITED

Hearings

N/2015/0335 APP/V2825/W/15/3138580	PC	Redevelopment comprising a new distribution centre (Use Class B8) including related service roads, access and servicing arrangements, car parking, landscaping bund and associated works. Land at Milton Ham, Towcester Road Hearing date 21st June 2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE	AWAITED
N/2015/0419 APP/V2825/W/15/3140695	PC	Demolition of Bective Works and Jebez House and erection of student accommodation comprising 293 study bedrooms and including retail unit accessed from Yelvertoft Road. Hearing date 27th April 2016 at The Guildhall, St Giles Square, Northampton, NN1 1DE	AWAITED

Enforcement Appeal

		None	
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The Address for Planning Appeals is:
 Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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

Local Government (Access to Information) Act 1985 Background Papers The Appeal Papers for the appeals listed	Author and Contact Officer Mrs Rita Bovey, Development Manager Telephone 01604 837237 Planning and Regeneration The Guildhall, St Giles Square, Northampton, NN1 1DE
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PLANNING COMMITTEE: 27th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0057

LOCATION: Delapre Abbey, London Road

DESCRIPTION: Variation of condition 5 of planning permission N/2013/0612 (repair and refurbishment of Delapre Abbey) to extend opening hours of cafe/restaurant and holding functions and events between 8am to midnight (Friday and Saturday) and 8am to 11pm (Sunday to Thursday); business studios/workshops between 7am to 6pm; visitor and heritage centre from 9am to 7pm

WARD: Delapre & Briar Ward

APPLICANT: Delapre Abbey Preservation Trust
AGENT: Delapre Abbey Preservation Trust

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: NBC 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 increased opening hours would have no significant adverse impact on the amenities of adjoining and nearby residential occupiers, over and above from the previous approval. The proposal thereby accords with Policies BN5 and BN9 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal is for the variation of Condition 5 of Planning Permission N/2013/0612. This condition sets out the permitted opening hours of the various permitted functions of the Abbey buildings which were permitted as follows, on all days:

- Café / Restaurant and Holding of Functions / Events – 8am to 10.30pm
- Business Studios / Workshops – 9am to 6pm
- Visitor and Heritage Centre With Ancillary Retail – 10am to 5.30pm

2.2 The proposal, as amended following the original submission of the application, is for the permitted hours to be varied as follows:

- Café / Restaurant and Holding of Functions / Events – 8am to midnight on Fridays and Saturdays, 8am to 11pm on Sundays to Thursdays inclusive and 8am to midnight on a further 50 dates per year, to be notified in advance.
- Business Studios / Workshops – 7am to 6pm
- Visitor and Heritage Centre With Ancillary Retail – 9am to 7pm

3. SITE DESCRIPTION

3.1 The application site comprises Delapre Abbey and its associated buildings. The use as a heritage attraction covers the whole site, whilst the use for business studios and workshops is restricted to the 19th Century stable block.

3.2 The use for conferences, weddings and events would be located within the South Range, including the proposed new conservatory and refurbished billiard room.

4. PLANNING HISTORY

4.1 Application N/2013/0612 was approved on October 30th 2013, for the repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House including construction of kitchen building, rebuilding conservatory; installation of windows and doors; demolition of second floor courtyard WC; change of use of building to include functions/events (Class D2); conferences, guided tours, visitor and heritage centre and ancillary retail (Class D1); offices (Class B1); café and restaurant (Class A3) and holiday lets. Repair and refurbishment of 19th Century Stables including new brick building façade to north elevation; new openings with doors and shutters; new frameless glazed screen and access ramp; demolition of steel barn and lean-to; change of use of building to business studio/workshops (Class B1).

5. PLANNING POLICY

5.1 Statutory Duty

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

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

5.2 National Policies

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

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

Paragraph 126 goes on to say that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

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

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

Policy BN5 - The Historic Environment And Landscape

Policy BN9 - Planning For Pollution Control

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

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

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

Policy E26 “Conservation Areas” which states that development must preserve or enhance the character and appearance of the area, and not include the demolition of any building which makes a significant contribution to the character or appearance of the area.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** – The proposal for function suites to be located inside the Abbey and shielded by the existing building does hold credence in terms of attenuation of sound being contained and attenuated by the building. However, given the likely low background and proposed hours of usage have significant concerns about noise from customer dispersal at the end of a function. Acceptable hours of operation would be 8am to 11pm on Sundays to Thursdays and 8am to Midnight on Fridays, Saturdays. In respect of the proposed additional 50 events with opening until midnight, officers from Environmental Health continue to have concerns regarding the impact of this number of events on the occupiers of the residential properties adjoining the car parking area, however it is recognised that the venue requires a level of flexibility to ensure commercial viability. If the application is recommended for approval this concern should be noted and management measures to mitigate the impact of dispersal noise should be implemented to address this issue. Appropriate management measures include management of the car parking areas, particularly those spaces closest to the residential property, together with management and supervision of customers as they leave the venue and appropriate signage near the exits to the venue reminding customers that there are residents in the vicinity.
- 6.2 **NBC Conservation** - No objection to the proposal on conservation grounds. The extension of the hours of operation will enhance the viability of activities at Delapre Abbey, thereby helping to

secure the future occupation and use of the buildings, consistent with their conservation. The proposal will not harm the character of the buildings or the conservation area.

- 6.3 **3 Gardener's Cottage** - Whilst understanding the need for the opening hours, there needs to be some control of potential noise level, not only in the areas of the Abbey, but in the car park and grounds. Gates to control access to residential areas must be required by condition to prevent the public gaining access.

7. APPRAISAL

- 7.1 The issues to consider are the impact on the amenities of residential occupiers in the area as a result of the proposal to increase the hours of use.
- 7.2 In considering the original application N/2013/0612, it was concluded that the proposed uses would not have a detrimental impact on adjoining residents, subject to the hours of use as set out in the conditions attached to that application.
- 7.3 When considering the current proposal to increase these hours, regard must be given to the potential impact of both the use of the site and the associated vehicle and pedestrian movements to and from the site.
- 7.4 In respect of the business studios and workshops, the proposal is for hours of use to be increased by two additional hours in the morning, thereby allowing use from 7am to 6pm rather than 9am to 6pm as previously approved. In originally considering this aspect of the proposal it was concluded that the use as workshops, which would be in light industrial use which by definition would not have an adverse impact on neighbouring occupiers. This would still be the case in respect of the use itself, but the proposed earlier opening time proposed would potentially result in vehicle movements in the area at an earlier hour of the morning. However, it is not considered that this would result in a significant number of movements at this early time of the morning and therefore the impact of this would be limited and acceptable.
- 7.5 In respect of the use as a visitor attraction and heritage centre, the hours of use would be increased to 9am to 7pm from the previous 10am to 5.30pm. It is considered that this additional hour of use would not result in any significant impact.
- 7.6 The final element of the use, for which an extension of opening hours is proposed, is the most significant and would result in the café and restaurant use, together with the use for holding functions and events, being extended beyond the 10.30pm closure as previously approved.
- 7.7 The café and restaurant uses would, in themselves, have a limited impact. However, the use for functions would include events such as weddings, which would be likely to result in noise being generated by music and entertainment.
- 7.8 In considering the original proposal, it was considered that the location of this element of the use, within the South Range and the conservatory and billiard room would minimise the impact of this on residential occupiers around the site due to the fact that this part of the site is the furthest from residents, with all windows facing away from the nearest residents. As a result of this, it is considered that the impact of the use itself, even continued until 12.30am as originally proposed, would be acceptable.
- 7.9 However, in consultation with Environmental Health, concerns were raised due to the proximity of parking areas, both existing and proposed, to the residents on the site. Therefore whilst the noise from the events itself would be unlikely to have an impact, upon returning to vehicles within the car park, it is likely that some guests would be likely to be noisy and boisterous and noise would result from all guests starting cars, having car radios on etc.

- 7.10 On this basis, comments from Environmental Health indicated that the proposed opening hours for functions, including weddings, of 8am to 12:30am, 7 days a week, would not be acceptable.
- 7.11 Discussions therefore took place involving Environmental Health and the applicants and it was agreed that opening hours until midnight on Friday and Saturday nights would be acceptable, as this would mean that guests would be likely to return to their cars by half past midnight. On these two days it is considered that nearby residents would be likely to have stayed up later and would not generally need to be up early for work the next day. Therefore a later closing time is considered to be appropriate.
- 7.12 On other days, Sundays to Thursdays, it is considered that the acceptable closing time would be 11pm, meaning that the guests would have left the site by 11.30pm.
- 7.13 In addition to these regular hours, and to allow for flexibility and to ensure the viability of the use as a venue for weddings and other functions, it has been further proposed by the applicants that opening between 8am and midnight should take place on a further 50 dates per year. These dates would be on Sundays to Thursdays and there would be no more than two such events in any one week.
- 7.14 The proposal for these additional dates was also considered by Environmental Health officers and whilst some concerns were raised it was considered that these hours could be accepted if management measures could be put in place which would serve to mitigate the impact on residents in the area. A condition is proposed which would require the detail of such measures to be submitted.
- 7.15 Such measures could include appropriate management of the car parking area, to indicate areas where guests for events finishing late in the evening should park. This would commence with the booking of each event, with those booking possibly being provided with plans of the parking areas indicating where their guests should park. This would then be followed up on the day with signage. At the end of each event, guests would be reminded by staff as they leave the premises of the need to respect residents in the area. This could be backed up by signage to this effect.
- 7.16 This proposed increase in the hours was discussed with Environmental Health Officers and it was confirmed that the use of the site for these additional dates would be acceptable, subject to appropriate management.
- 7.17 Whilst the impact on residential occupiers is an important consideration, in this case the viability of the proposal must also be taken into account, as this will secure the long term future of the listed buildings. It is considered, on balance, that in achieving this significant benefit, the impact on neighbouring residential occupiers can be satisfactorily ameliorated.
- 7.18 It is not considered that the change in opening hours would cause any impact on the character and setting of the listed Abbey.

8. CONCLUSION

- 8.1 Any additional impact on adjoining occupiers as a result of the proposed increase in opening hours can be satisfactorily ameliorated by appropriate management, and the proposal would ensure the long term viability of the Abbey, thereby assisting in the preservation of this important group of listed buildings.

9. CONDITIONS

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: 233554 - 100 B, 101 A, 103 C, 104 B, 105 A, 106 A, 107 A, 108, 109, 110 B, 111 A, 112 E,

113 A, 114 A, 115 A, 116 B, 117 B, 118 E, 119 E, 120 D, 121 A, 122 B, 123 C, 124 B, 125 C, 126 C, 127 B, 128 C, 129 B, 130 A, 131 A, 132 A, 133 A, 134 A, 135 A, 150, 151, 152, 153, 154, 155, 160,170, 171, 172, 173,201 B, 203 B, 204 G, 205 G, 206 G, 207 E, 208 D, 210 A, 211, 212, 213, 216 B, 218 B, 219 B, 220, 221, 222, 223, 224, 225, 226 A, 227, 230 A, 231 A, 232 B, 233 B, 234 C, 235, 236 B, 255 B, 256 B, 257 B, 258 C, 260 A, 261, 263, 264, 265, 601, 602, 610, 611 A.

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

- (2) Any further excavations shall be carried out in full accordance with the agreed programme of archaeological works.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF.

- (3) The fenestration of the proposed conservatory shall be installed in full accordance with the previously approved details as set out on drawings numbered: 233554 226D, 305 A, 441 B, 412A and 413 A.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF.

- (4) The development shall be carried out in accordance with the details of materials as set out on drawings 233554 225 A, 226D, 227C, 228, 229A, 230 C, 231 C, 232 D, 233 C, 234 C, 235 C, 236, 401B, 402, 403 A, 410, 411 B, 412A, 413 A, 422, 430, 431 A, 432 A, 433 A and 434 B.

Reason: To ensure the protection of the integrity of the Listed Building in accordance with the NPPF.

- (5) The premises shall be open only between the following hours for each of the proposed uses: Business Studios / Workshops – 7am to 6pm on all days; Visitor and Heritage Centre With Ancillary Retail – 9am to 7pm on all days; Café / Restaurant and Holding of Functions / Events – 8am to Midnight on Fridays and Saturdays, 8am to 11pm on Sundays to Thursdays inclusive and 8am to Midnight on an additional 50 days (being Sundays to Thursdays) per calendar year, the dates of which shall be submitted to the Local Planning Authority in advance giving at least 14 days' notice, with notice of the cancellation of any such dates also being given in advance.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy E20 of the Northampton Local Plan.

- (6) The use for the purposes of the holding of functions and events shall be limited to the ground floor of the South Range, Conservatory and Billiard Room only.

Reason: To protect the amenities of adjoining and nearby residential occupiers, in accordance with the NPPF.

- (7) The collection, treatment and dispersal of cooking smells and fumes and noise mitigation in respect of shall be carried out in accordance with the previously approved details as set out in drawings 99427/M004, 99427/M12 and 99427/M020 and retained thereafter.

Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development in accordance with the NPPF.

- (8) The practice of “bottling out” shall not take place between the hours of 23:00 and 08:00 (Note: Bottling out is the tipping of empty bottles or cans into refuse bins).

Reason: To protect the amenities of nearby occupants in accordance with the NPPF.

- (9) Deliveries to or collection from the premises shall not take place before 08:00 or after 20:00 on any day.

Reason: To protect the amenities of nearby occupants in accordance with the NPPF.

- (10) Prior to the commencement of the use of the site for the holding of functions and events, a plan for the management of customers arriving at and leaving the venue, shall be submitted to and approved in writing by the Local Planning Authority and the measures included therein shall be implemented in accordance with the approved details at all times whenever there are functions being held in the Abbey.

Reason: To protect the amenities of nearby occupants in accordance with the NPPF.

10. BACKGROUND PAPERS

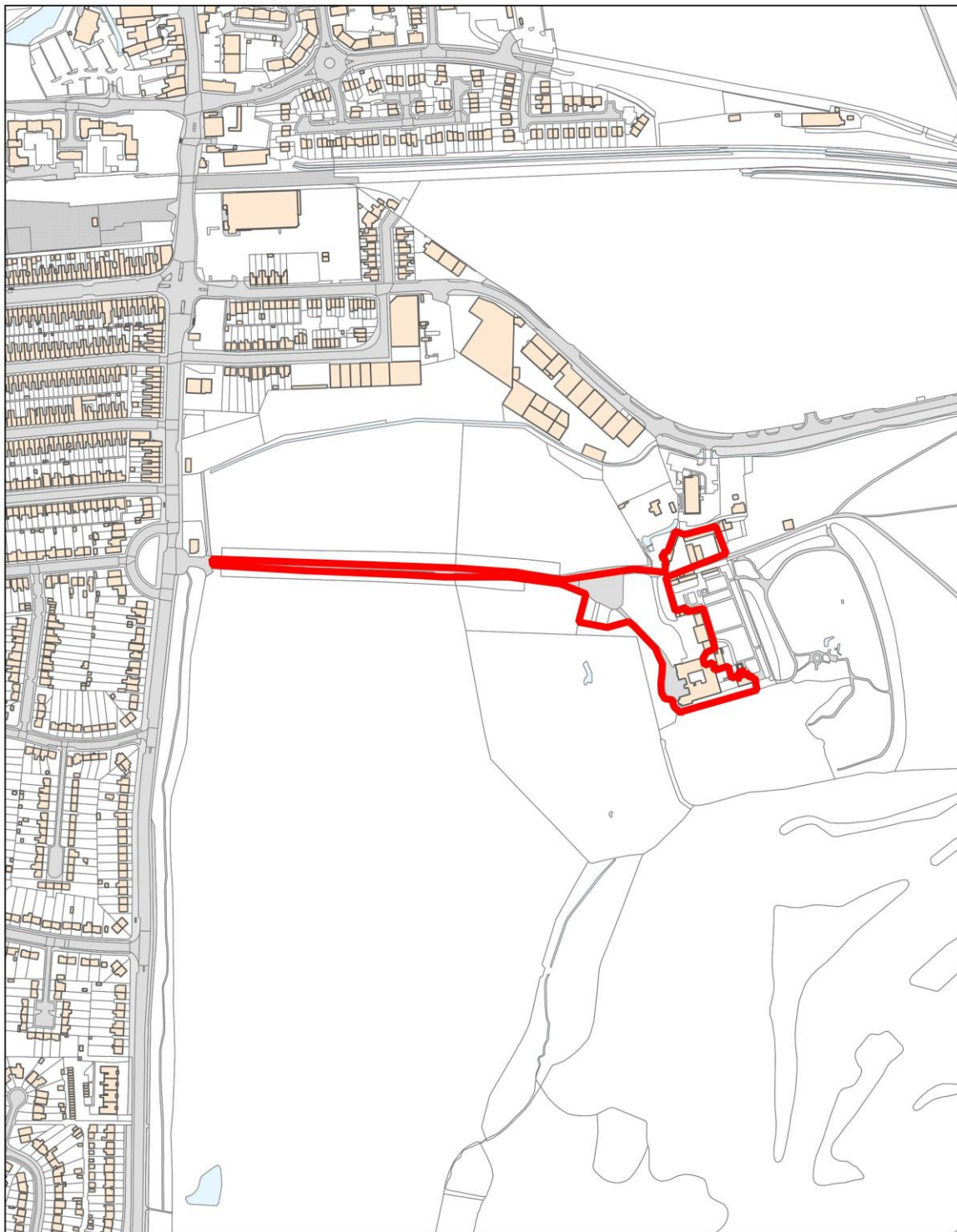
- 10.1 Application File N/2016/0057.

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: Delapre Abbey, London Road

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Date: 14-04-2016

Scale: 1:4,500

Drawn by: Plannir



PLANNING COMMITTEE: 27th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0130

LOCATION: Delapre Abbey, London Road

DESCRIPTION: Listed building application for alterations to G54 Visitor Reception to include removal of existing boxing to entrance door, self levelling screed applied to existing floor, area of excavation to floor for insertion of new flush entrance matting, new glazed entrance lobby, installation of 2no. new stores either side of the stairs, demolition of existing stairs to be replaced with new timber stair and landing, removal of door DG.103, infilled with stone

WARD: Delapre & Briar Ward

APPLICANT: Northampton Borough Council
AGENT: Purcell

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

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposal has no adverse impact on the character, appearance or historical significance of the listed building and Delapre Conservation Area. The proposal thereby accords with Policy BN5 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The proposal entails alterations to the 18th Century stables within Delapre Abbey grounds to provide a glazed partition inside the doorway to the building and also provide a new staircase, lift and storage areas. These represent amendments to the previous proposals in this building, other alterations shown are as previously approved. This area would be used as a visitor reception area rather than as exhibition space as previously proposed.

2.2 Within the Coach House building an education and community room would be provided within the main part of the building, rather than this being the visitor reception as previously proposed. In

order to facilitate this use, a toilet facility is proposed to the rear of the building, in an area which was to be an office and in order to allow access to this it is now proposed to raise the floor level within the rear part of the Coach House and also break through the wall to provide access. To the rear a doorway would be blocked up as the new floor would cut across this.

3. SITE DESCRIPTION

- 3.1 The proposal relates to the 19th Century Stable block and Coach House, both forming part of Delapre Abbey.

4. PLANNING HISTORY

- 4.1 An application for Listed Building Consent for the works for the repair and refurbishment of the Abbey, including works to the Coach House and the 18th Century Stables was approved under reference N/2013/0613.

5. PLANNING POLICY

5.1 Statutory Duty

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

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

5.2 National Policies

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

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

Paragraph 126 goes on to say that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

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

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

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

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

Policy E26 “Conservation Areas” which states that development must preserve or enhance the character and appearance of the area, and not include the demolition of any building which makes a significant contribution to the character or appearance of the area.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Historic England** – The application should be determined in accordance with national and local policy guidance, and on the basis of your expert conservation advice.
- 6.2 **NBC Conservation** – No objection. Stables: The proposed internal alterations have an acceptable impact and are justified as a means of bringing the building into use as the visitor reception area to Delapre. The alteration to the floor is necessary to create a level surface for full access. The proposed glazed draught lobby is reversible and will not harm the character of the building or affect historic fabric. The existing partition lobby and boxing to the door surround that are to be removed detract from the building and their removal will not result in loss of historic fabric. The replacement of the staircase will not affect historic fabric and provides a less intrusive solution to provide access to the upper part of the building than was previously approved. The proposed store rooms will not harm the character of the building. Coach house: The insertion of the suspended timber floor is justified as providing level access and has a reversible impact. The removal of the door and infilling of the opening will result in less than substantial harm to the character of the building and is justified by the wider benefit of securing a viable public use. The recessed infill panel on the north side will enable the existence of the former opening to be “read”.

7. **APPRAISAL**

- 7.1 The main issues to consider are the impact of the proposals on the character, appearance and historic significance of the listed building and the conservation area.
- 7.2 The proposed works represent amendments to the previously approved scheme for works to the building and result from a reconsideration of the way the site will function as a visitor attraction.
- 7.3 As a result of these amendments, the visitor reception area would now be within the 18th century stables, in an area which was previously intended as interpretation space. To allow for the new function it is proposed to install an internal glass lobby, this would enable the solid outer door to be retained but to be left open, thereby allowing visitors to clearly understand the position of the entrance, whilst heating to the building can be maintained. To install this lobby, the proposal requires the removal of internal plasterboard stud walls which are a modern and inappropriate addition to the building. No permanent damage to the building would result from this installation.

- 7.4 The previous approval of listed building consent included the removal of a staircase in this room, and the installation of a lift. The staircase has now been removed and the lift installed. In addition the current proposal now includes the addition of a short staircase to provide access to the adjacent room, which requires a small change in level. Also proposed is the installation of storage cupboards. This short staircase is clearly required due to the change in level and would have a limited impact on the fabric of the building, as would the storage cupboards which have been designed around the location of the staircase and lift. A self-levelling screed would be applied to the floor, this is necessary to provide a safe access and would not harm historic fabric.
- 7.5 The Coach House was originally to form the visitor reception but as this has been moved to the stables, this would now be used as an education and community room. To facilitate this use a toilet would be provided in a room in the rear part of the coach house, in a part of the building which was built with a lower floor, having been previously accessed from the rear. This room would now be accessed from the room to the front and therefore this would require the introduction of a raised floor, the infilling of a window to the rear and the breaking through of the existing rear wall of the coach house main room. This alteration is considered to be necessary to allow the main room to function as now intended and it is considered that any harm from this would be limited and would be mitigated by the wider benefit of bringing the site as a whole back into a viable use.

8. CONCLUSION

- 8.1 The proposed alterations would not have any significant detrimental impact on the historic fabric of the buildings and would have the advantage of removing some inappropriate modern additions and would also serve to allow the site to be brought into a viable use in the long term. Any potential harm would be less than substantial and the public benefits to bring this listed building into active and viable use would outweigh any potential impact in line with the guidance contained in the NPPF.

9. CONDITIONS

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

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

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: 233554 316 A, 236554 110 D, 233554 332, 233554 050, 233554 236D, 233554 210 H, 233554 100 B, 233554 329 A, 233554 051 A, 233554 400 B.

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

10. BACKGROUND PAPERS

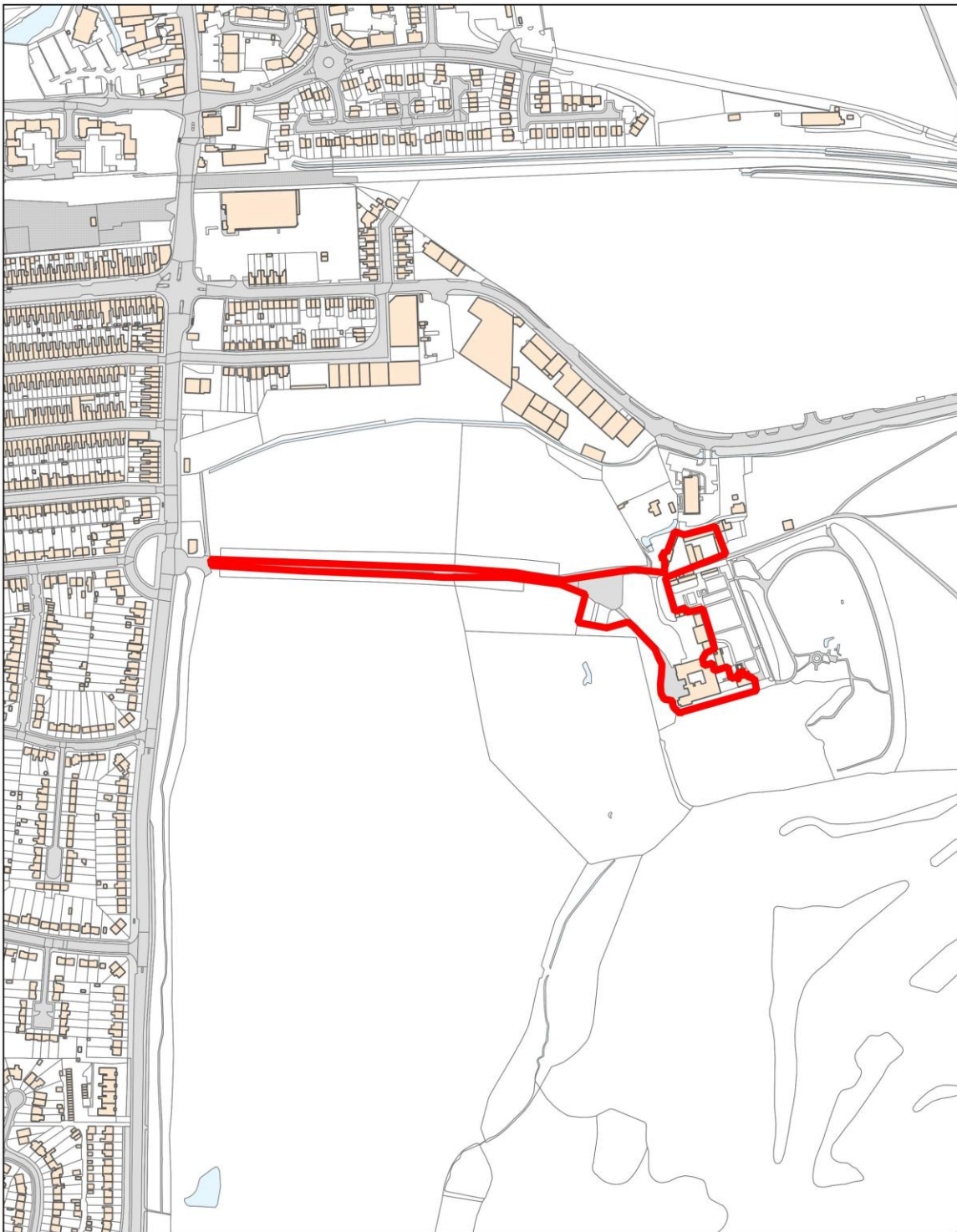
- 10.1 Application File N/2016/0130.

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **Delapre Abbey, London Road**

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Date: 14-04-2016

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Addendum to Agenda Items Tuesday 27th April 2016

4. MATTERS OF URGENCY

Update on the former St Edmunds Hospital site – see report enclosed.

8. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

8a

N/2016/0057

Variation of condition 5 of planning permission N/2013/0612 (repair and refurbishment of Delapre Abbey) to extend opening hours of cafe/restaurant and holding functions and events between 8am to midnight (Friday and Saturday) and 8am to 11pm (Sunday to Thursday); business studios/workshops between 7am to 6pm; visitor and heritage centre from 9am to 7pm

Delapre Abbey, London Road

No update.

8b

N/2016/0130

Listed building application for alterations to G54 Visitor Reception to include removal of existing boxing to entrance door, self-levelling screed applied to existing floor, area of excavation to floor for insertion of new flush entrance matting, new glazed entrance lobby, installation of 2no. new stores either side of the stairs, demolition of existing stairs to be replaced with new timber stair and landing, removal of door DG.103, infilled with stone

Delapre Abbey, London Road

No update.

9. ITEMS FOR DETERMINATION

9a

N/2015/1074

Erection of 81no dwellings comprising 1 bed flats, 2, 3 & 4 bed houses and associated access roads and public open space

Former St Marys Middle School, Grange Road

No update.

9b

N/2015/1384

Retrospective planning to change of use from residential (Use Class C3) to house in multiple occupation for four residents (Use Class C4) - Retrospective application
23 Norfolk Street

Revised Condition:

(3) Notwithstanding the details submitted, full details of cycle and refuse storage to serve the

development shall be submitted to and approved in writing by the Local Planning Authority within one month from the date of this permission. The refuse and cycle storage shall be fully implemented within two months from the date of this permission and be retained thereafter.

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

9c

N/2016/0259

Variation of Condition 2 of planning permission N/2015/0811 (Erection of detached 3-bed dwelling at the rear together with parking spaces and widening of existing vehicular access) for alterations to roof form

279 Main Road, Duston

Paragraph 2.1 of the report makes reference to an increase in the height of the roof of the bungalow. This is incorrect due to a plan printing error; in fact the roof height is to remain the same as originally approved.

9d

N/2016/0411

Prior Notification Application for the demolition of existing two storey building and associated structures

34 Little Cross Street

2 Western View - objection on the grounds that the demolition should be subject to conditions owing to the possibility of archaeological remains and the impact of redevelopment upon these.

Officer Response – the matter has been addressed in paragraph 7.4 of the report.



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 27th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes
REPORT TITLE: N/2015/0329

Hybrid application including outline planning application for the demolition of the former infirmary, former school and former nurses accommodation building and the erection of retirement village and specialist care facilities, all matters reserved except access and scale. Full planning application for the conversion and extension of the former workhouse building to comprise care apartments and car parking.

N/2015/0330

Listed building application for demolition of former schoolhouse, former nurse's accommodation building and infirmary building. Alterations and extensions to main workhouse building.

St Edmunds Hospital, Wellingborough Road

1. RECOMMENDATION

1.1 That the Committee **AGREE** that the proposed phasing plan to carry out works to the Workhouse building to be secured by planning conditions.

2. PURPOSE OF REPORT

2.1 To update the Planning Committee on the progress of the planning application and listed building consent applications in relation to the former St Edmunds Hospital site, Wellingborough Road.

3. BACKGROUND

3.1 Both the applications were considered at Planning Committee on 9th June 2015, and were approved in principle subject to:

- a) Delegated authority be granted to the Director of Regeneration, Enterprise and Planning to consider, following the submission of a viability assessment by the applicants, whether there is a clear and convincing justification that the proposed development in its current form is essential to secure the regeneration of the site, and whether the substantial public benefit of such regeneration will

outweigh the substantial harm which would be caused to the heritage assets as a result of the development.

- b) Delegated authority be granted to the Director of Regeneration, Enterprise and Planning to formulate a list of appropriate planning conditions and to consider whether, in the light of the submitted viability assessment, contributions for health and construction training including the Council's monitoring fees under a Section 106 agreement are appropriate and if so to enter into such an agreement with the developer prior to issuing the planning permission.
- c) That delegated authority be granted to the Director of Regeneration, Enterprise and Planning to secure a planning obligation by way of a S106 agreement to ensure that the development works for the workhouse building are carried out in accordance with a timescale to be agreed with the Local Planning Authority, with delegated authority being granted to the Director of Regeneration, Enterprise and Planning.

4. **LATEST POSITION**

4.1 Since then, the Council has been working closely with the applicant, encouraging them to resolve the outstanding matters in order to bring about the re-development of the site. Several of the buildings, including the three to the rear of the site (infirmary building, nurses home and school house) have also increasingly been used by rough sleepers, and have recently seen a number of fires, potentially compromising the safety of persons on the site and in surrounding premises.

4.2 The information about the issues needed to grant permission has now been submitted by the applicant Kayalef Holdings Ltd, and has been assessed by officers and independently verified. On that basis, the Director of Regeneration, Enterprise and Planning is satisfied that:

- The submitted viability assessment has demonstrated that, given the costs associated with refurbishing the Workhouse building and the regeneration of the whole site, there is a clear and convincing justification that the substantial public benefit of such regeneration will outweigh the substantial harm which would be caused to the heritage assets i.e. by the demolition of the infirmary building, nurses home and school house and alterations to the Workhouse which is the principal listed building.
- In the light of the submitted viability assessment, it is not appropriate to secure contributions for health and construction training as this would compromise the overall viability of the scheme.
- In view of the above, a Section 106 Agreement is no longer required and therefore it is now proposed to secure by conditions the requirement for submission of a phasing plan detailing the programme of demolition works and re-development of the site. This will provide for the Workhouse to be secured and made watertight once development commences, and that the refurbishment of the Workhouse is tied in with the development and phasing of the other elements of the proposal.
- The Local Lead Flood Authority has also confirmed that the revised flood risk assessment as submitted is acceptable and the impact of surface water drainage has been adequately addressed.

4.3 Members are advised that planning permission and listed building consent will be issued shortly after 27th of April.

5. CONDITIONS

N/2015/0329 – Planning Application

(1) Approval of the details of the appearance, landscaping and layout (“the reserved matters”) shall be obtained from the Local Planning Authority in writing before any development is commenced in respect of the part of the site for which outline permission is hereby granted.

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

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

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

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

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

(4) The development hereby permitted shall be carried out in accordance with the following approved plans: R118-100, R118A-102A, R118-201D, R118-202C, R118-203C, R118-205B, R118-206B, R118-207, R118-208 and R118-209.

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

(5) Prior to the commencement of any development including demolition on site, a phasing plan detailing the programme of works for the demolition and for the development of the site shall be submitted to and approved in writing by the Local Planning Authority. Development and demolishing works on site shall be carried out in accordance with the approved phasing plan.

Reason: For the avoidance of doubt and to ensure that demolition and development works on site would not prejudice the character and setting of the listed building to accord with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure that all works on site are carried out in a timely manner and to safeguard the character and setting of the listed building.

(6) Within one month of the commencement of the demolition of the curtilage listed buildings (infirmary, school house and nurses home) hereby authorised, a strategy to provide full protection of the former Workhouse building from the elements shall be submitted to and approved in writing by the Local Planning Authority. The approved protection strategy shall thereafter be implemented in full in accordance with the approved details within two months of the approval thereof and shall be retained in place until such time as the external works (viz repair and replacement of the roof, rainwater goods, walls, external doors and windows as set out in the schedule of works as required under Condition 16 below to the former Workhouse building have been carried out to the satisfaction of the Local Planning Authority as confirmed in writing.

Reason: To ensure preservation of the listed building in accordance with BN5 of the West Northamptonshire Joint Core Strategy.

(7) Prior to the commencement of development on each phase, other than demolition and site clearance works, full details of the method of the treatment of the external boundaries of the site together with boundaries to the individual elements within the site shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details and retained thereafter.

Reason: To ensure the protection of the setting of the listed building and visual amenity of the area in accordance with BN5 of the Northamptonshire Joint Core Strategy.

(8) No development shall commence on each building within the relevant phase of development until full details and samples of all external facing materials including windows and doors of that building have been 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 a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(9) Prior to work commencing on each of the listed buildings, full details of replacement fittings including windows, doors, stairways, cornices, roofs and rainwater goods for the retained listed buildings of the relevant phase of development, at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the listed buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(10) Prior to the occupation of any buildings within each phase of the development, details of the provision for the storage of refuse and materials recycling within that phase shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the premises being used for the permitted purposes and retained thereafter.

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

(11) Prior to the commencement of each phase of the development on the site, other than demolition and site clearance works, a scheme for the provision and implementation of foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and completed fully in accordance with the approved details and the approved implementation programme and maintained thereafter.

Reason: To secure the satisfactory drainage of the site in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

(12) All surface water from parking and manoeuvring areas shall be passed through a petrol interceptor, the details of which shall be submitted to and approved in writing by the Local Planning Authority, prior to disposal to groundwater, watercourse or surface water sewer and the interceptor shall be maintained thereafter.

Reason: To prevent pollution of the water environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(13) Prior to the commencement of the development, a phased Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of:

- The intended hours and duration of work;
- Details of any piling operation measures to safeguard the existing listed buildings structures and residential amenity;
- Measures proposed to minimise dust and noise;
- On and off site construction traffic management proposal;
- Vehicle routing;
- Wheel washing facilities;
- The location and waste management and site compound areas within the site relevant to that phase; and
- A method statement for the demolition of the buildings on site including details of any materials that will be salvaged and used elsewhere on the site and measures to ensure the protection of the existing buildings and curtilage listed boundary wall.

Development works shall be carried out in accordance with the approved CEMP.

Reason: To manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition as it is necessary to have the information prior to development commencing on site.

(14) Prior to the commencement of construction works to the approved new buildings on each phase of the development, details of the existing and proposed ground and finished floor levels of the development in relation to the adjacent listed buildings and residential properties 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 amenity and to ensure that the settings of the adjacent listed buildings is not adversely affected in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

(15) Prior to the commencement of work on each phase of the development, other than demolition and site clearance works, details of a lighting scheme for the external areas of the site relevant to that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the position and design of any lighting columns, together with specifications indicating the level of illumination across the site and hours of operation for any lighting and shall provide data on the predicted lighting levels, including the vertical illuminance levels, at all sensitive premises due to the proposed scheme. Development shall be carried out in accordance with the approved details and shall be retained as approved thereafter.

Reason: To secure a satisfactory level of illumination in the interests of crime prevention and the setting of the listed buildings in accordance with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

(16) Prior to work commencing on each of the listed buildings (former Workhouse and former gatehouse), a detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. The proposed schedule of works shall include the following:

Details of the repair and replacement of the roof, rainwater goods, floors, walls and doors (internal and external), windows, cornices and other internal fittings including replastering of walls; and the timescale, nature, scope, materials, methodology and approach to those works, including drawings where necessary. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the approved works to the listed buildings are carried out to the satisfaction of the Local Planning Authority in the interests of safeguarding the future of the listed building in accordance with BN5 of the West Northamptonshire Joint Core Strategy.

(17) No more than 50% of the accommodation within the proposed retirement village specialist care facilities shall be occupied until the internal works to the listed Workhouse building are completed in accordance with the approved schedule of works for that building as stated in Condition 16 above.

Reason: To safeguard the future of the listed building in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(18) A hard and soft landscaping scheme in relation to the part of the full planning application site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and setting of the listed building in accordance with Policy E20 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.

(19) 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 first occupation of the proposed care apartments in the former workhouse building, which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and setting of the listed building in accordance with Policy E20 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.

(20) 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 carried out. 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 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.

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 BN9 of the West Northamptonshire Joint Core Strategy.

(21) Full details of the proposed surface treatment of all access, parking areas, amenity areas and footpaths shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on each phase of the development. The development shall be carried out in accordance with the approved details

and completed prior to the occupation of the buildings within the relevant phase of development.

Reason: To secure a satisfactory standard of development in keeping with the surrounding area in accordance with Policy E20 of the Northampton Local Plan.

(22) Prior to the commencement of each phase of the development, other than demolition and site clearance works, a scheme shall be submitted to and approved in writing by the Local Planning Authority which specifies the sources of noise and vibration within that development phase whether from fixed plant or equipment or noise generated within the buildings and the provisions to be made for its control. The approved scheme shall be implemented prior to the commencement of the uses hereby permitted and retained thereafter.

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

(23) Prior to the commencement of each phase of the development, other than demolition and site clearance works, an assessment of the noise exposure of each habitable room and/or outdoor amenity spaces due to transportation noise shall be submitted to and approved in writing by the Local Planning Authority. This must take into account the likely growth of traffic over the next 15 years.

When noise levels in any habitable room or amenity space may exceed:

- Indoor habitable areas – $L_{Aeq,16H35}$ dB window open, during the daytime period (07:00 - 23:00)
- Bedrooms – $L_{Aeq,8H30}$ dB and L_{AMAX} 45 dB (for 2+events per hour) window open, during the night time period (23:00-07:00)
- Outdoor Amenity Spaces – $L_{Aeq,16H}$ 50 dB

A scheme to protect any affected habitable rooms/bedrooms or outdoor amenity spaces 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 retained thereafter.

Reason: In order to safeguard the amenities of future occupiers in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(24) The proposed development shall be carried out fully in accordance with the details as contained in the submitted revised Flood Risk Assessment reference 15/20958 dated April 2016, subject to the requirements of Condition 31 (Detailed Design of Surface Water Drainage).

Reason: To reduce the risk of flooding and in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

(25) Prior to the commencement of each phase of the development, other than demolition and site clearance works, full details of swept paths for delivery, service, refuse and emergency vehicles accessing the proposed development to demonstrate that the internal layout can adequately and safely accommodate expected vehicle access and manoeuvring 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: To secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(26) An updated site wide travel plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any development on site. The plan shall be implemented at all times that the development is occupied.

Reason: To reduce the reliance on the private cars in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

(27) Prior to the commencement of each phase of the development, other than demolition and site clearance works, 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 occupation of the buildings in each phase of the development and retained thereafter.

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

(28) The parking spaces to serve the care apartments within the former Workhouse Building and associated turning, loading and unloading spaces shown on the submitted plan reference R118A-102 Rev A, shall be laid out and marked out prior to the development being first brought into use and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or condition of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

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

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

(30) Full details of the security measures to be incorporated into the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved measures, which shall be in place before the occupation of the development for the permitted uses and retained thereafter.

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

(31) No development, other than demolition and site clearance works, shall take place until a detailed design of surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be subsequently be implemented in accordance with the approved details before the development is commenced. The scheme shall subsequently be implemented in accordance with the approved details. The details of the scheme shall include:

- a) 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.

b) A more comprehensive array of storm durations used to demonstrate that the critical storm (for discharge volume) has been used in both the analysis and the sizing of any attenuation devices.

c) The FRA proposed that most of the surface water drainage from the proposed development will infiltrate into the sub-soils. Therefore the need for an underground oversized pipe must be demonstrated and it must be demonstrated that any proposed soakaway can discharge from full or half-volume within 24 hours, to allow for subsequent storm inflow.

d) Demonstration that all exceedance flows are retained within the site boundary and drawing showing the route of overland flow from the site.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy 13 (q) of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site.

(32) No development, other than demolition and site clearance works, shall take place until a detailed scheme for the ownership and maintenance of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the local planning authority and the maintenance plan shall be carried out in full thereafter.

Reason: To ensure the future maintenance of drainage systems associated with the development in accordance with the NPPF and Policy 13 of the West Northamptonshire Joint Core Strategy by ensuring the satisfactory means of surface water attenuation and discharge from the site.

Informatives:

1. An application to discharge trade effluent must be made to Anglian Water and permission must have been obtained before any discharge of trade effluent can be made to the public sewer.

N/2015/0330 – Listed Building Consent Application

Conditions:

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

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

- (2) Prior to work commencing on each of the listed buildings (former workhouse and former gatehouse), a detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. The proposed schedule of works shall include the following:

Details of the repair and replacement of the roof, rainwater goods, floors, walls and doors (internal and external), windows, cornices and other internal fittings including replastering of walls; and the timescale, nature, scope, materials, methodology and approach to those works, including drawings where necessary. Development shall be carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the listed buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(3) Prior to work commencing on each of the listed buildings (former workhouse and former gatehouse), full details of replacement fittings including windows, doors, stairways, cornices, floors, roofs, rainwater goods for the retained listed buildings of the relevant phase of development, at a scale of 1:10 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure the protection of the integrity of the listed buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(4) Prior to the commencement of any work hereby authorised a detailed condition survey of the former workhouse building and the former gatehouse shall be carried out by a suitably qualified person and the survey report shall be submitted to and approved in writing by the Local Planning Authority. The report shall include details of the structure condition of foundations, walls, floors and floor joists, rainwater goods and roof including the results of testing for any rot or infestation. Any works identified in the report as being necessary to secure the structural integrity of the building or to preserve important features shall be carried out as soon as is necessary and in any event within a timescale to be agreed with the Local Planning Authority within four weeks of the date of survey.

Reason: To ensure preservation of the listed building in accordance with BN5 of the West Northamptonshire Joint Core Strategy.

(5) Within one month of the commencement of the demolition of the curtilage listed buildings (infirmary, school house and nurses home) hereby authorised, a strategy to provide full protection of the former workhouse building from the elements shall be submitted to and approved in writing by the Local Planning Authority. The approved protection strategy shall thereafter be implemented in full in accordance with the approved details within two months of the approval thereof and shall be retained in place until such time as the external works (viz repair and replacement of the roof, rainwater goods, walls, external doors and windows as set out in the schedule of works as required under Condition 2 above to the former workhouse building have been carried out to the satisfaction of the Local Planning Authority as confirmed in writing.

Reason: To ensure preservation of the listed building in accordance with BN5 of the West Northamptonshire Joint Core Strategy.

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

Reason: To ensure the protection of the integrity of the listed buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(7) Full details of the method of the treatment of the external boundaries of the site together with boundaries to the individual elements within the site shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason: To ensure the protection of the integrity of the listed buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

(8) No works authorised by this consent, other than demolition, shall take place until a scheme of hard and soft landscaping in respect of all external areas has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the protection of the setting of the Listed Buildings in accordance with BN5 of the West Northampton Joint Core Strategy.

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

Reason: In the interests of amenity and setting of the listed building in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

6. LEGAL IMPLICATIONS

6.1 As set out in the report.

7. SUMMARY AND LINKS TO CORPORATE PLAN

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



NORTHAMPTON
BOROUGH COUNCIL
 Planning Committee

PLANNING COMMITTEE: 27th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1074

LOCATION: Former St Marys Middle School, Grange Road

DESCRIPTION: Erection of 81no. dwellings comprising 1-bed flats, 2, 3 & 4 bed houses and associated access roads and open space

WARD: Eastfield Ward

APPLICANT: Westleigh Partnership Ltd
AGENT: Westleigh Partnership Ltd

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

DEPARTURE: Yes

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL IN PRINCIPLE subject to:

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

- i) 35% of the development to be used for affordable housing and that 10% of all dwellings are constructed to mobility standards;
- ii) A financial payment to fund the provision, improvements to connections and/or enhancements to areas of off-site public open space within the vicinity of the site;
- iii) A financial payment to fund the improvements of bus services within the vicinity of the site;
- iv) A financial payment to fund the provision of primary and secondary school education within the vicinity of the site;
- v) A financial payment to fund improvements to and/or the provision of pedestrian ways and/or cycle ways;
- vi) An obligation to ensure that the specification for the on-site proposed open space (including play equipment) is submitted to and approved by the Local Planning

Authority and that this is made available for public access and is maintained in perpetuity;

vii) A scheme for the provision of construction worker training opportunities and a payment towards the operation of this programme; and

viii) The Council's monitoring fee subject to the Director of Regeneration, Enterprise and Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.1.2 The Conditions as contained in Paragraph 9 below and for the following reason:

The proposed development, subject to conditions, would represent the satisfactory reuse of the land and contribute to the established housing need in Northampton. The development is of a satisfactory design and layout and would not impinge upon the amenities of surrounding occupiers or highway safety. The development is therefore in accordance with the National Planning Policy Framework, Policies H1, H2, S1, S10, and INF2 of the West Northamptonshire Joint Core Strategy and Policies E20, H17 and H32 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 of the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policy INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. THE PROPOSAL

2.1 The applicant has applied for full planning permission to erect 81 dwellings. This comprises 73 houses (breaking down to 19 two bedroom houses, 28 three bedroom houses and 26 four bedroom houses) and 8 one bedroom flats. The proposed dwellings are arranged in two groups, with 29 being accessed from Grange Road and the remaining 52 being accessed from Booth Lane South. The development would not contain any through roads; however, there would be a pedestrian link between the two elements of the development. The application also includes an area of public open space and 187 car parking spaces.

3. SITE DESCRIPTION

3.1 The application site was formerly a school; however, the site has, in the main, been cleared as the school use ceased in 2004 following a review of education provision in the Borough. Part of the site has subsequently been redeveloped to form the St Gregory's Primary School. Whilst the education use of the site has ceased, the site remains allocated in the Local Plan as being a school site.

3.2 The nature of the surrounding area is predominantly residential in character. Dwellings in the vicinity are typically of two storeys in height and are generally houses.

4. PLANNING HISTORY

- 4.1 06/0130/OUTWNN – Outline Planning Application for residential development, with all matters reserved, except access – Approved.
- 4.2 N/2011/1266 – Application to extend time limit for implementation of 06/0130/OUTWNN for residential development including means of access (all other matters reserved) – Approved 2014.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

- 5.3 The NPPF requires that new developments are of a high quality design, which secures a good standard of amenity for all existing and future occupiers of land and buildings (Paragraph 17). The same paragraph also requires the effective reuse of previously developed land and focuses significant developments on sites that are sustainable.
- 5.4 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised. This is expanded upon in Paragraph 35, where the creation of safe and secure road layout are required which minimise conflicts between pedestrians, cyclists and traffic.
- 5.5 Of particular note to residential proposals is that 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.
- 5.6 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).

5.7 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).

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

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

5.9 Policy S1 of the JCS 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.

5.10 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 also requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing.

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

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

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

5.13 Policy E20 states that new buildings should be of an appropriate design; minimising crime and anti-social behaviour; and Policy T12 necessitates that new developments have sufficient manoeuvring space for commercial vehicles.

5.14 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.

5.15 **Supplementary Planning Documents**

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

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Arboricultural Officer (NBC)** – The amenity value of a number of the trees to be removed is limited; however, it should be investigated as to whether a greater number of trees could be retained. Retained trees should be protected in the construction process.
- 6.2 **Anglian Water** - No objections, subject to a condition relating to the submission of further details relating to drainage provision.
- 6.3 **Construction Futures** – Request an obligation in the Section 106 Agreement to provide construction worker training opportunities.
- 6.4 **Development Management (NCC)** – Request that the Section 106 Agreement include obligations to fund enhancements to primary and secondary school education provision; the fire and rescue service and libraries.
- 6.5 **Environment Agency** – No objections.
- 6.6 **Environmental Health (NBC)** – Recommend conditions relating to the investigation of contamination and the securing of a Construction Environment Management Plan.
- 6.7 **Highway Authority (NCC)** – The submitted Transport Assessment should be updated to include forecast traffic flows up to 2031. Whilst it is recognised that there is an extant planning permission in place on this site, it is considered that each proposal should be judged on its own merits.
- 6.8 **Lead Local Flood Authority (NCC)** – No objections, subject to a condition relating to the submission of further details relating to drainage provision.
- 6.9 **Northamptonshire Police Crime Prevention Design Advisor** – Further details regarding boundary treatments are required. This would include some definition to the area surrounding the flats and the area of public open space. The footpath link is not overlooked for its entire length. Some of the parking courts are not overlooked by all of the dwellings that they serve.
- 6.10 **Sport England** – Make their comments in a non-statutory capacity, but have no objections subject to an obligation being secured to fund off site open space provision.
- 6.11 Letters of objection from **237 and 245 The Headlands** and **2 and 26 Thirlmere Avenue**. Comments can be summarised as:
- The development would adversely affect outlook
 - The proposal would adversely affect privacy levels
 - Traffic to the site would also increase
 - There would be insufficient security measures
 - Concerns are raised regarding noise arising from the construction process
 - Concerns are raised regarding the removal of trees
 - Additional dwellings may adversely affect the drainage system

7. APPRAISAL

Principle of the development

- 7.1 Whilst it is recognised that the site is allocated as a school site in the Local Plan, the fact that the educational use was disbanded some time ago and that there is an

extant planning permission in place to develop the site for residential purposes, which when combined with the age of the Local Plan means that the allocation carries less weight. In addition, the site would contribute towards delivering the requisite five year housing land supply within the Borough and is sustainably located. It is considered that the breach of planning policy is not unacceptable.

- 7.2 Given that the site's current lawful planning use is a school, the development would result in the loss of a playing field. Whilst this position is noted, the site has not been used for any form of sporting facility since the school closed in 2004 and there has been no public access to the site in the intervening period. Given these circumstances and the fact that no objections have been received from Sport England, it is considered that the loss of the sports pitch should not serve as an impediment to bringing forward this development for residential accommodation.
- 7.3 The proposed development would assist in meeting the demand for new houses within Northampton. In line with the requirements of the NPPF and local planning policies, 35% of the development would be made available for occupation on affordable tenures. The Council's Interim Housing Statement advocates that these affordable dwellings be clustered together in no more than 15 units. This is to ensure that developments are mixed and sustainable in line with the requirements of the NPPF.
- 7.4 In this specific case, the affordable housing has been clustered together in the northern section of the site. This results in 29 affordable dwellings being sited together. This is a breach of the Interim Housing Statement and has been the subject of discussions with the applicant. The result of these discussions is that it has emerged that a redesign of the development in order to create two separate clusters of affordable dwellings would create significant delays in the delivery of the proposal. This is therefore likely to call into question the overall delivery of the scheme as there is a strict timetable for the delivery of the development. In addition, a redesign of the scheme is likely to impact upon the final development value. This would therefore reduce the viability of the scheme and would impact on the development's ability to provide the full 35% affordable housing (which are of a type that will contribute to addressing the housing need) and other Section 106 Agreement obligations.
- 7.5 In light of this situation and given the significant need to deliver new housing of all tenures within the existing urban area, it is considered that on a pragmatic basis the current proposed arrangement of affordable housing is acceptable as it ensures that there is a contribution to addressing the housing need for dwellings of all types of tenure within the Borough.
- 7.6 Whilst the previous land uses would not suggest that there are any particular contamination issues that would be a barrier to the site being developed for residential accommodation, in order to ensure that the potential of ground contamination is fully investigated, a number of conditions are recommended. These would also cover the eventuality of unsuspected contamination being discovered during the construction process.
- 7.7 By reason of the scale of the proposed development, it is also recommended that a Construction Environment Management Plan be secured via condition. This would cover matters such as the hours that construction works would take place, the routing of construction traffic and wheel washing. This therefore minimises the impacts that the construction would have on the surrounding residential properties.

Design and appearance

- 7.8 The proposed development comprises buildings of two storeys in height. This ensures that the proposed development is compatible with the prevailing vernacular. This ensures that the development would not form an incongruous feature within its predominantly suburban setting. The proposed dwellings have been designed so that their appearance reflects the traditional form of development within the vicinity. The applicant has also submitted an indicative palette of materials, which ensures that the proposed scheme would be constructed from materials that are complimentary to the surrounding area. This therefore ensures that the development would not have an adverse impact upon the character and appearance of the locality. The materials would be secured via a condition in the event of an approval.
- 7.9 The layout of the proposed development, which combined with the comparatively limited heights of the proposed buildings, is sufficient to ensure that neighbour amenity in terms of considerations would not be unduly affected. The layout of the development also ensures that the proposed developments have a good standard of amenity. In addition to the proposed area of public open space, all of the houses would have sufficient garden spaces, which is necessary to ensure a good standard of development.
- 7.10 The proposed road layout of the development sees vehicular access points sited in Booth Lane South and Grange Road; however, the design of the development prevents vehicles from crossing the entirety of the site. This layout therefore prevents 'rat-running' from occurring and assists in creating an appropriate character and residential environment. The proposed layout does include a pedestrian route linking the northern and southern sections of the site. Whilst this does not feature dwellings overlooking the path for its entire length due to the constrained and irregular shaped site, a condition is recommended that would ensure that it is lit. This would contribute to creating a secure form of environment.
- 7.11 The majority of dwellings would feature in curtilage car parking, which is a secure form of development. In order to achieve the proposed number of dwellings and due to the unusual shape of the site, some communal parking areas are required. These spaces are located adjacent to well used areas of the site and would also be overlooked by habitable windows associated with a number of dwellings. As a consequence, the general layout is considered to be acceptable.
- 7.12 The area of public open space is well surveyed by the surrounding dwellings, which is likely to ensure that this space is secure and well used. In order to prevent indiscriminate car parking on the edges of this space and in line with the advice of Northamptonshire Police's Crime Prevention Design Advisor, a condition is recommended that would ensure the Council approves some boundary treatment to this space (such as a low level, post and rail fence).
- 7.13 The condition would also secure details of all boundary treatments to the site, including individual plot boundaries. This condition would be phrased in such a way so as to ensure that the boundary treatments are implemented prior to the first occupation of the development and are retained thereafter. This measure would ensure that the proposed development is secure and the security of adjoining properties would not be adversely affected.
- 7.14 In line with Council policy, the legal agreement would secure that 10% of the development would be constructed to appropriate mobility standards. This also ensures a mixture of house types within the development that would meet the various needs of the community.

Highway impacts

- 7.15 The proposed access points have been assessed by the Highway Authority and there are no objections to these. The accesses have appropriate visibility along Booth Lane South and Grange Road which means that vehicles entering and leaving the existing highway system can do so safely. In addition, the applicant has demonstrated that the large vehicles (such as refuse lorries) can safely manoeuvre throughout the site.
- 7.16 The development includes the provision of 187 car parking spaces to serve the 81 dwellings. This provision is considered acceptable and a condition is recommended to ensure that it is provided in a timely manner prior to the first occupation of each dwelling.
- 7.17 The applicant has submitted a Transport Assessment in support of the application. Whilst it is noted that the Highway Authority have raised some concerns regarding the submitted Traffic Assessment and in particular the fact that it does not forecast traffic flows up to 2031. In response to this matter, weight does need to be given to the fact that planning permission exists for up to 86 dwellings (i.e. five more than that sought within the application) and this permission could still be implemented. This fall back position is therefore of great significance in the determination of this planning application.
- 7.18 As the quantum of development now proposed is smaller than that allowed in the extant 2014 planning permission, it therefore follows that it is highly unlikely that the level of traffic arising from the current proposal would be any greater than that previously deemed acceptable. As a result, it is concluded that this development would not have any substantially larger highway impacts than the extant scheme. As a consequence, an updated transport assessment is not reasonably required.
- 7.19 In order to support more sustainable means of travel and to ensure consistency with the previous extant approval, the Section 106 Agreement would ensure the payment of financial contributions towards the provision and enhancement of footpaths and cycleways within the vicinity of the application site in addition to enhancements to bus services.
- 7.20 In accordance with the advice of the Highway Authority, a condition is recommended that would ensure the submission of an updated travel plan.

Trees and ecology

- 7.21 The application site has been assessed for the presence of ecology. It has been demonstrated that there is no evidence of badgers on the site. In addition, it is unlikely that a former well managed playing field surrounded by dense residential accommodation would be a particular attractive environment for badgers, particularly as records for the wider area also indicate a lack of activity by this species.
- 7.22 As the site does not contain any areas of open water the presence of species such as water voles, otters and white-clawed crayfish can also be discounted. The lack of a water body also discounts the possibility of great crested newts being present on the site and the separation distances between the application site and the closest attractive environment for newts are likely to discount the potential for an existing newt population to disperse and colonise the application site. As the site does not adjoin any sites that would be suitable for habitation by reptiles, their presence can also be discounted.

- 7.23 The site has limited scope for bird nesting and whilst the rough grassland to the south of the site is likely to provide an attractive hunting ground for barn owls, its limited quantity and lack of similar environments within the vicinity means that it is unlikely that it would support a population of barn owls. The lack of quantity of this grassland also means that the presence of bats living on the site can be discounted.
- 7.24 In respect of flora, there is no evidence of any particular species of ecological note and as consequence, the bringing forward of this site for residential development would not cause any undue detrimental harm on ecology.
- 7.25 Although the site contains a comparatively small number of trees, none of these have protected status. As a result of this, it is not possible to insist upon the retention of all trees on this site. In addition, those that are identified to be removed are necessary in order to ensure that the development contains suitable vehicular and pedestrian visibility splays and that a good level of amenity would be secured for future residents. In addition, a condition is recommended that would ensure the protection of retained trees (including those within third party ownership) during the construction process.

Flooding and drainage

- 7.26 It is noted that no objections from the Environment Agency have been received with regards to flood risk. This is of note as the level of permeable surface would be reduced by the proposed development. In order to prevent flooding on the site or in the wider area and in line with the advice of the Lead Local Flood Authority, a condition is recommended that would enable the Council to approve details of a drainage scheme and for this to be implemented prior to the first occupation of the development and for it to be retained thereafter.

Legal Agreement

- 7.27 By reason of the scale and type of development, a Section 106 Legal Agreement is required. The Community Infrastructure Levy Regulations specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:
- i) Necessary to make the development acceptable in planning terms;
 - ii) Directly related to the development; and
 - iii) Fairly and reasonably related in scale and kind to the development.
- 7.28 35% of the dwellings would be affordable housing. 70% of these dwellings would be for social or affordable rent and 30% intermediate ownership. This would ensure that the development provides a mixture of housing to provide a varied community in line with the requirements of national and local planning policies.
- 7.29 In addition, the legal agreement would also secure various measures in order to promote more sustainable means of travel.
- 7.30 With exception of a comparatively small number of flats, the development predominantly contains family accommodation. It is therefore likely that the development would place a greater pressure on school provision within the area and with reference to the legal tests as described previously, an obligation to secure enhancements to primary and secondary education is necessary and reasonable in order to mitigate the impacts of the development.

- 7.31 The County Council has also requested a payment for the provision of the fire service and library facilities. There is no adopted development plan policy support for these requests and it is not clear what facilities would be secured by this obligation. Therefore, it is not considered that this request can be supported. The County Council have also requested that a fire hydrant is provided. This is a matter that would be addressed under the relevant building regulations and does not need to be replicated as part of the planning process. As a consequence, the aforementioned legal tests have not been complied with.
- 7.32 A small area of public open space has been provided within the development and therefore an obligation is recommended to be included within the legal agreement in order to ensure that this is maintained, and that play equipment is provided and made available for public access in perpetuity. Notwithstanding this, it is unlikely that this space is large enough to meet all of the recreation needs of all of the future occupiers of the development. In addition, the development would result in the loss of some land that has been most recently used as open space. In order to overcome this, the legal agreement would include an obligation for the provision or enhancement of off-site open space.
- 7.33 The development will also make a payment and provide opportunities for the provision of construction worker training.

8. CONCLUSION

- 8.1 It is considered that the proposal represents an acceptable use of the site and an appropriate design and scale has been proposed. Subject to various conditions and the completion of a Section 106 Legal Agreement, it is considered that the impacts of the development can be appropriately mitigated and accordingly, the application 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 attached schedule of approved plans.

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

3. The development hereby permitted shall be constructed in accordance with the materials detailed on drawings 40367 125a and 40367 127.

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 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 details are agreed in a timely manner.

5. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries and to the area of public open space shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

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

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

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

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

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

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

8. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant

sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

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

9. Notwithstanding the details submitted, full details of lighting to serve the pedestrian link adjacent to Plot 31 (as shown on drawing 40367 001H) shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of Plot 31 and shall be retained thereafter.

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

10. Full details of the provision for the storage of refuse and materials for recycling to serve the flats 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(s) hereby permitted and thereafter retained.

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

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

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

12. 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 the National Planning Policy Framework.

13. Prior to the first occupation of the premises hereby approved, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall be implemented at all times that the development is occupied unless otherwise agreed in writing by the Local Planning Authority.

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

14. 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. This condition is required in order to ensure the agreement of such details in a timely manner.

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

Reason: To prevent the increased risk of flooding, both on and off site in accordance with the requirements of the National Planning Policy Framework. This condition is required to ensure details are submitted in a timely manner.

16. The car parking spaces and vehicle manoeuvring areas as shown on drawing 40367 001H 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 requirements of the National Planning Policy Framework.

10. BACKGROUND PAPERS

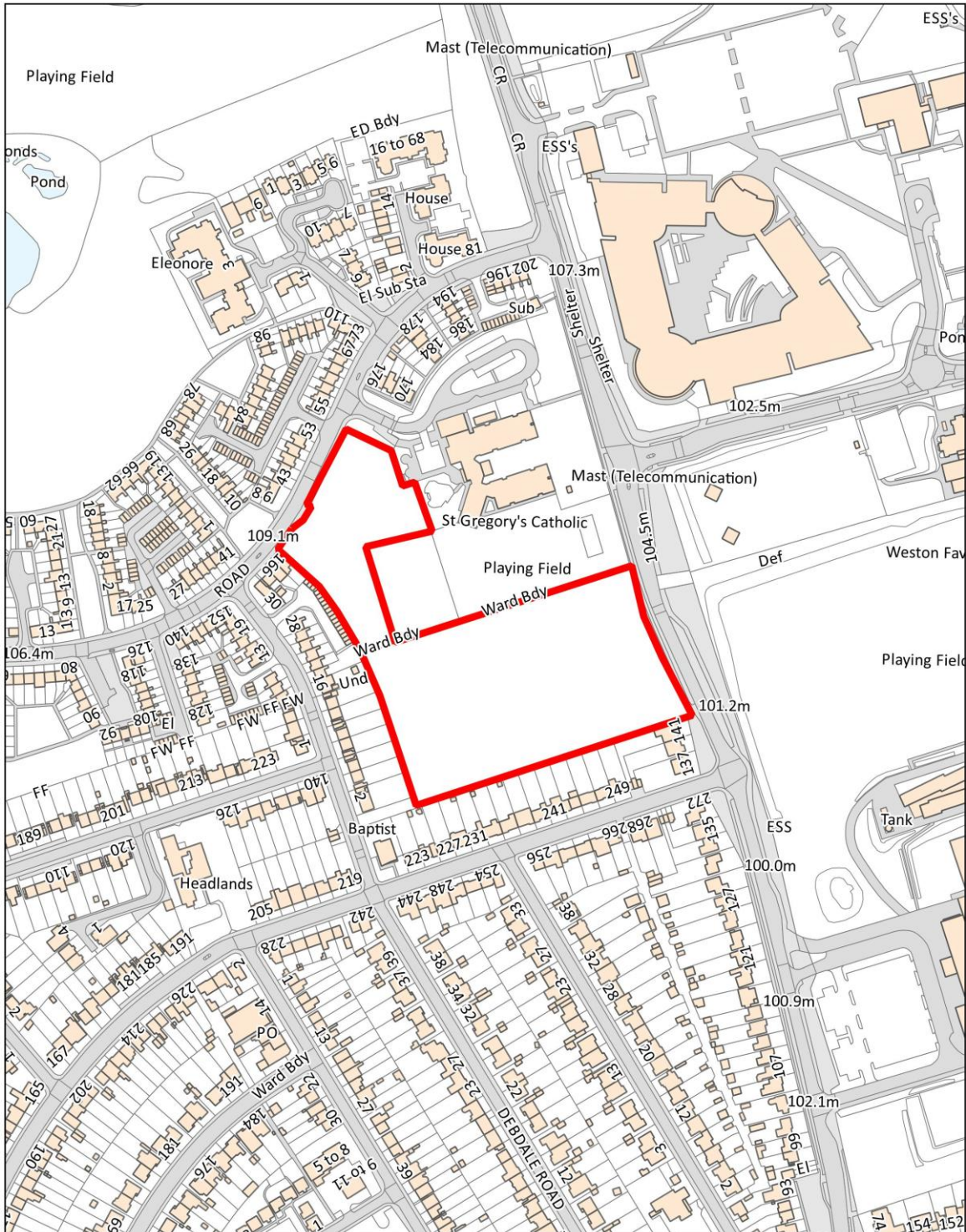
10.1 None


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: Former St Marys Middle School</p>	<p>Date: 14-04-2016</p>
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		<p>Drawn by: Plannir</p>



PLANNING COMMITTEE: 27th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1384

LOCATION: 23 Norfolk Street

DESCRIPTION: Change of use from residential (Use Class C3) to house in multiple occupation for four residents (Use Class C4) - Retrospective application

WARD: Semilong Ward

APPLICANT: Amanda Holland
AGENT: Amanda Holland

REFERRED BY: Councillor L Marriott
REASON: Loss of family home, parking, refuse, noise and disturbance

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

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

2. THE PROPOSAL

2.1 Retrospective permission is sought to change the use from a single dwelling to a house in multiple occupation (HIMO) for 4 people. No external alterations are proposed. A parking beat survey has also been submitted to support the application.

3. SITE DESCRIPTION

- 3.1 A two storey mid-terrace dwelling (with basement) of the late Victorian era, within a residential area as so designated in the Northampton Local Plan. The area is included in the Article 4 Direction which has removed permitted development rights for Use Class C4 use.
- 3.2 The property fronts directly on to the street and has a short rear garden, with no car parking spaces provided on site. The site is in a residential area of similar style housing.
- 3.3 The property is currently in use as a HIMO for four occupants.

4. PLANNING HISTORY

- 4.1 None.

5. PLANNING POLICY

5.1 Statutory Duty

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

5.2 National Policies

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

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

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

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

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

5.3 West Northamptonshire Joint Core Strategy (2014)

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

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

affordability and viability, the living conditions provided for future residents, the impact on the amenities of occupiers of neighbouring properties.

Policy H5 - seeks to manage and safeguard existing housing stock, including through HMOs 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 HMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.5 **Supplementary Planning Documents**

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

5.6 **Other Material Considerations**

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

Proposals for HMOs 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 HMOs within a 50m radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Private Sector Housing** – this property is licensed for 4 occupants in 4 households. No objection to the application.

6.2 **Councillor L. Marriott** – called in the application to be determined by the Planning Committee. Application will cause a reduction in family homes in the area; caused noise and nuisance to neighbours; too many HMOs already exist in the area and this application will add to the problems already created; refuse problems; add to parking problem in the area.

- 6.3 **Highway Authority** – requested a Parking Survey be provided due to known pressure in the area for on-street parking. Following submission of the parking beat survey, it can be concluded that there is sufficient residual parking capacity to accommodate the proposed change of use, without negatively affecting highway safety.

7. APPRAISAL

Principle of the development

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

- 7.2 In principle, houses in multiple occupation are considered to be acceptable in a residential area.

Size of property

- 7.3 The plans indicate one bedroom, a lounge, kitchen, and a WC/shower room on the ground floor and three bedrooms on the first floor. The response from Private Sector Housing indicates that the property can accommodate 4 people from four separate households, and holds a licence for the same under the Housing Act 2004. It is considered that the application therefore complies with Principle 2 of the Council's adopted Planning Policy Statement on HIMOs, that adequate facilities and amenities would be provided for occupants.

Area Concentration

- 7.4 Updated Council records evidence that the application would not lead to an over-concentration of HIMOs within a 50m radius of the application site i.e. there would be a total of 7 HIMOs within the 50m radius, which would equal 7% out of 102 properties. The application therefore complies with Principle 1 of the Council's adopted Planning Policy Statement on HIMOs, which states that '*... applications 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.*'

- 7.5 The Interim Planning Policy Statement on Houses in Multiple Occupation was adopted in November 2014. Since that time, Council records as to existing HIMOs have been updated, and the Policy Statement is under review. As at 1st April 2016, there are currently no other properties within 50m of the application site that are suspected HIMOs. The Planning Department continues to liaise closely with the Private Sector Housing on these matters.

- 7.6 It is considered that this method of assessing HIMO concentration in an area would acceptably safeguard existing housing stock, as is required by Policy H5 of the West Northamptonshire Joint Core Strategy.

Parking

- 7.7 No off-street parking is provided, however, the applicant has stated that bicycle storage space is available in the rear garden, and also the site is located within walking distance (within 400m) of main bus routes. This therefore complies with Principle 3 of the Council's adopted Planning Policy Statement on HIMOs.

- 7.8 Due to known pressure in the area for on-street parking, the Highway Authority requested a Parking Survey which has been provided. They have concluded from this data that there is

sufficient residual on-street parking capacity to accommodate the change of use, without negatively affecting highway safety.

Bin Storage

- 7.9 The applicant has stated that space is available in the rear garden for the storage of refuse. This is therefore considered to be in compliance with Principle 4 of the Council's adopted Planning Policy Statement on HMOs.

Amenity

- 7.10 The proposed use falls within Use Class C4, which categorises this as a residential use, which in planning terms should not generate significant amenity impacts, such as noise or anti-social behaviour upon local residents over and above those created by a more conventional dwelling house. Indeed, without the Article 4 Direction, planning permission would not have been required for this change of use.
- 7.11 Issues surrounding noise disturbance and refuse disposal by the current occupants of the house have been raised by Cllr. Marriott. The applicant has since responded that the complaints have been dealt with proactively.
- 7.12 Such matters as the unsatisfactory handling of refuse and noise disturbance are the landlord's responsibility under The Management of Houses in Multiple Occupation (England) Regulations 2006 and would be included in the tenancy agreement, and also part of the Council's Licencing process. Such matters would also fall under the Environmental Protection Act 1990 if the anti-social behaviour is arising from HMOs.
- 7.13 The recent Appeal Decision for 76 Somerset Street illustrates this point, as follows:

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

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

8. CONCLUSION

- 8.1 Taking the above into account, it is considered that the use of this property as a HMO for 4 people is in compliance with Policy requirements, and is therefore recommended for approval.

9. CONDITIONS

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

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

- (2) 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.

- (3) Refuse storage and bicycle storage areas in the rear garden shall be retained hereafter.

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

- (4) The basement area shall not be used for habitable accommodation at any time.

Reason: For the avoidance of doubt and to avoid overdevelopment of the site in the interests of amenity in accordance with Policy H5 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

- 10.1 N/2015/1384

11. LEGAL IMPLICATIONS

- 11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **23 Norfolk Street**

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Date: 14-04-2016

Scale: 1:1,250

Drawn by: Plannir



PLANNING COMMITTEE: 27th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0259

LOCATION: 279 Main Road, Duston

DESCRIPTION: Variation of Condition 2 of planning permission N/2015/0811 (Erection of detached 3-bed dwelling at the rear together with parking spaces and widening of existing vehicular access) for alterations to roof form

WARD: New Duston Ward

APPLICANT: Mr Tim Hadland
AGENT: T R Dobraszczyk RIBA

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Applicant is a Council Member

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The development would have no significant additional impact on local and residential amenity as compared to the scheme previously granted planning permission and as such would therefore be acceptable as the development would contribute to the Borough's five year housing land supply.

2. THE PROPOSAL

2.1 The application seeks planning permission to vary a condition restricting the development to a particular plan in relation to the grant of planning permission for a detached bungalow. This plan indicated a building with a straightforward ridged roof and conventional gables. It is now proposed to erect a slightly higher (approximately 0.3metres) roof with a half hipped or clipped gable roof form. As part of the new plan an attic rooflight has been removed and a first floor window in the eastern side of the bungalow is proposed.

3. SITE DESCRIPTION

3.1 The site forms part of the rear garden to 279 Main Road, a large detached dwelling with a substantial garden area. Much of the end of the garden where the dwelling is proposed is overgrown.

3.2 The site is within a residential area and is bordered on three sides by residential properties.

4. PLANNING HISTORY

4.1 Planning permission N/2006/0812 granted for detached dwelling to side of 279 Main Road in 2006. The development was implemented.

4.2 Planning permission N/2015/0275 refused for the erection of a detached 3-bed dwelling at the rear together with parking spaces and widening of existing vehicular access in June 2015.

4.3 Planning permission N/2015/0811 granted for the erection of a detached 3-bed dwelling at the rear together with parking spaces and widening of existing vehicular access in September 2015. Proposed dormer window removed from previous refusal.

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:

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

Part 7 requires good design.

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

Policy H1 - Housing Density, Mix and Type of Dwellings

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

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards SPG 2003

5.6 Other Material Considerations

Duston Neighbourhood Plan

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

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

H4 supports the principle of small scale development on large gardens subject to adequate amenity, direct frontage access, conservation area requirements being met and provision of natural landscaping.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Duston Parish Council** – no comments.

6.2 **277A Main Road** - objecting regarding the appearance of the dwelling and expressing concerns over the determination of the previous application and the decision making process.

7. APPRAISAL

7.1 The principle of residential development on the site has been established with the previous grant of planning permission and as such there is no need to revisit the arguments as to whether this is acceptable or not. The matter which needs to be addressed is whether the form of the bungalow now proposed would result in any unduly additional impact over and above the permitted scheme.

7.2 It is not considered that the increase in the height or shape of the roof would adversely impact upon the character and appearance of the area, or make the bungalow a more prominent visual feature within the locality. There are a range of different roof heights and styles of property in the vicinity and as such the development now proposed would generally fit in with this.

7.3 It is also not considered that the changes to the permitted scheme would have any additional impact upon residential amenity. The relationships with neighbouring properties would be the same as previously approved and conditions removing permitted development rights for windows and extensions, including dormer windows, would still apply.

7.4 The introduction of a side window serving the roof space is not considered to have any adverse impact on residential amenity as this is indicated as being obscure glazed and to serve the loft space only.

8. CONCLUSION

8.1 It is therefore considered that the development would have no unduly adverse additional impact to the approved scheme.

9. CONDITIONS

(1) The development hereby permitted shall be begun before the 4th September 2018.

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: 2307/4 & 5.

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

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition as the materials are a fundamental part of the development process.

(4) Prior to the commencement 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 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 E20 of the Northampton Local Plan. This is a pre-commencement condition to allow full consideration of the retention of existing foliage in the context of the development process.

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

Reason: To prevent overdevelopment of the site and to safeguard the amenities of neighbouring residents in accordance with Policy E20 of the Northampton Local Plan.

(6) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional window(s) shall be installed in the proposed development.

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

(7) The first floor side window shall be glazed with obscured glass before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

(8) 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 as ground levels are a fundamental part of the development process.

(9) Prior to the commencement of development, full details of the proposed surface treatment of the access drive and parking areas 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: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to allow for the agreed details to be implemented at the earliest opportunity.

(10) 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 prior to the commencement of development, implemented prior to the occupation or bringing into use of the building and thereafter maintained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to allow for the refuse storage to be fully incorporated into the development process.

(11) The access improvements indicated on the approved plan shall be implemented in full prior to the first occupation of the development hereby permitted.

Reason: To ensure adequate access in the interests of road safety to accord with the National Planning Policy Framework.

10. BACKGROUND PAPERS

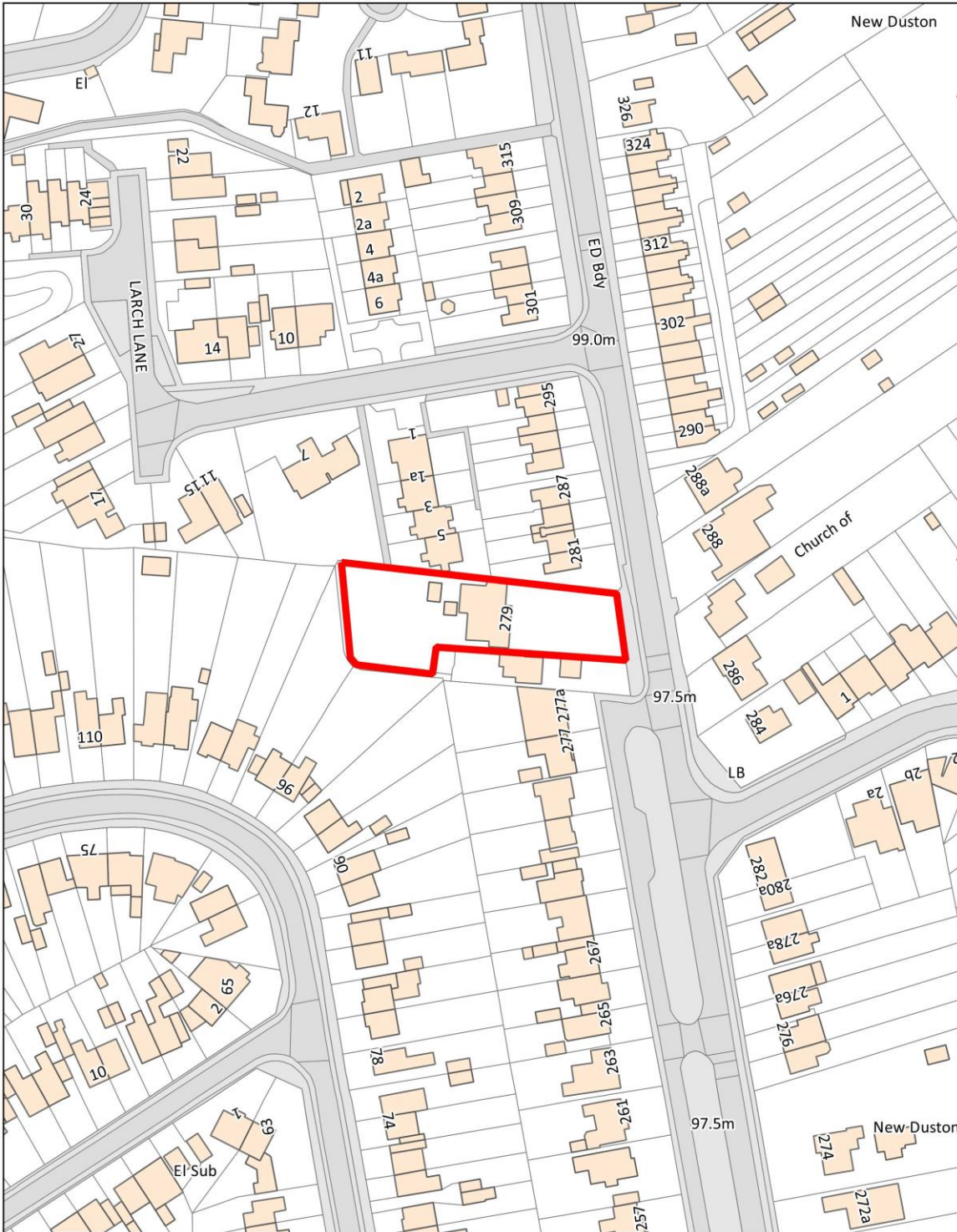
10.1 N/2016/0259

11. LEGAL IMPLICATIONS

11.1 None

12. SUMMARY AND LINKS TO CORPORATE PLAN

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



Title: **279 Main Road**

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Date: 14-04-2016

Scale: 1:1,250

Drawn by: Plannir



PLANNING COMMITTEE: 27th April 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2016/0411

LOCATION: 34 Little Cross Street

DESCRIPTION: Prior Notification Application for the demolition of existing 2 storey building and associated structures
WARD: Castle Ward

APPLICANT: Mr Christopher Parr
AGENT: Mr Christopher Parr

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: NBC owns the land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

- 1.1 That the Authority's **Prior Approval will not be required** for the method of demolition and proposed restoration of the site for the following reason:

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

2. THE PROPOSAL

- 2.1 The application is made under Part 11 of Schedule 2 of The Town and Country Planning (General Permitted Development) Order 2015. This requires a developer, before the demolition of a building commences, to apply to the Local Planning Authority (LPA) for a determination as to whether the prior approval of the Authority is required for the method of demolition and any proposed restoration of the site. The LPA has 28 days to determine such a matter otherwise the works may proceed.
- 2.2 It is proposed to demolish the building using machinery and to leave the site in a condition for future re-development.

3. SITE DESCRIPTION

3.1 The site comprises a two storey block of flats located to the west of Lower Cross Street, with a ground floor shop unit at the Lower Bath Street end. The flats are currently unoccupied and boarded up.

4. PLANNING HISTORY

4.1 No relevant history.

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 Central Area Action Plan (2013), 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.

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 requires the highest standards of sustainable development.

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 policy include:

Policy 24: Spring Boroughs

5.5 Other Material Considerations

Spring Boroughs Neighbourhood Plan

Following a successful referendum on the 10 March 2016, the Spring Boroughs Neighbourhood Plan now carries significant weight.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Councillor Stone** requested that the application be referred to Committee as local people had not been consulted.

6.2 **The Friends of Northampton Castle** have expressed concerns regarding the impact on possible archaeology within the site.

7. APPRAISAL

7.1 For Prior Notification for demolition, the only considerations are the matters in relation to the means of demolition and the proposed restoration of the site.

7.2 It is considered that demolishing the building using mechanised means would be appropriate for this building and in this location. Similarly restoring the site to a condition to potentially allow for future development is also considered to be acceptable. The site will also be secured by fencing and lockable gates.

7.3 With regard to the issue of consultation the only requirement under the Prior Notification process is for a site notice to be erected by the applicant. This has been done.

7.4 It is not considered that the demolition works would result in any significant additional ground intrusion and that the matter of archaeology would need to be addressed when any proposals to redevelop the site are considered. However, an informative will be attached to any decision to advise the applicant to be mindful of potential archaeological remains on site.

8. CONCLUSION

8.1 The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the West Northamptonshire Joint Core Strategy, the Central Area Action Plan, the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

9. CONDITIONS

9.1 Schedule 2 Part 11 of The Town and Country Planning (General Permitted Development) Order 2015 stipulates that where prior approval is not required, the development shall be carried out "in accordance with the details submitted with the application".

10. BACKGROUND PAPERS

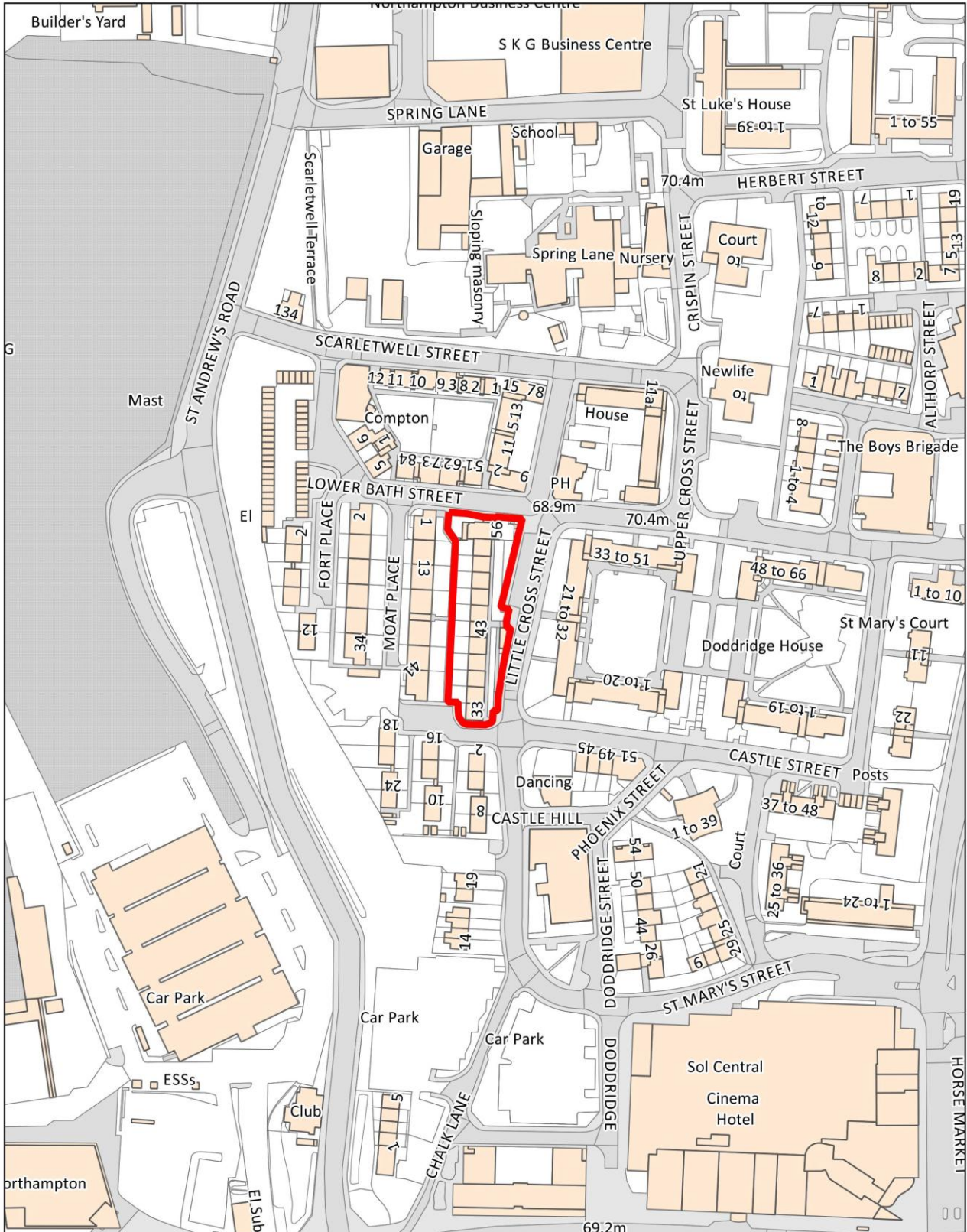
10.1 N/2016/0411


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: 34 Little Cross Street</p>	<p>Date: 15-04-2016</p>
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