



# **PLANNING AGENDA**

**Tuesday, 19 December 2017**

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

6:00 pm

**Members of the Committee**

**Councillor:** Brian Oldham (Chair), Jamie Lane (Deputy Chair)

**Councillors:** James Hill, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Julie Davenport, Jane Birch, Nazim Choudary, Zoe Smith, Arthur McCutcheon and Brian Markham.

**Interim Chief Executive**

**Simon Bovey**

If you have any enquiries about this agenda please contact [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk) or 01604 837722



# PLANNING COMMITTEE

## AGENDA

Meetings of the Planning Committee will take place at 6.00pm on 4<sup>th</sup> July, 25<sup>th</sup> July, 5<sup>th</sup> September, 26<sup>th</sup> September, 17<sup>th</sup> October, 21<sup>st</sup> November, 19<sup>th</sup> December 2017 and 16<sup>th</sup> January, 13<sup>th</sup> February, 13<sup>th</sup> March, 10<sup>th</sup> April, 8<sup>th</sup> May and 7<sup>th</sup> Jun 2018.

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

### Who Can Speak At Planning Committee Meetings?

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

### How Do I Arrange To Speak?

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

Methods of Registration:

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

by email to: [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk)

### When Do I Speak At The Meeting

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

### How Long Can I Speak For?

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

### Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.

- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, St. Giles Square, Northampton, NN1 1DE.  
on Tuesday, 19 December 2017  
at 6:00 pm.

**AGENDA**

1. **APOLOGIES**
2. **MINUTES**
3. **DEPUTATIONS / PUBLIC ADDRESSES**
4. **DECLARATIONS OF INTEREST/PREDETERMINATION**
5. **MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED**
6. **LIST OF CURRENT APPEALS AND INQUIRIES**  
Report of Head of Planning (copy herewith)
7. **OTHER REPORTS**
  - (A) **N/2017/0401 - VARIATION OF SECTION 106 AGREEMENT IN RELATION TO AFFORDABLE HOUSING PROVISION. FORMER KINGSTHORPE MIDDLE STREET, NORTHFIELD WAY**
8. **NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
9. **NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
10. **ITEMS FOR DETERMINATION**
  - (A) **N/2017/0789 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS IN 4 BEDROOMS (RETROSPECTIVE). 20 HOOD STREET**
  - (B) **N/2017/1046 - VARIATION OF CONDITIONS 13 & 14 OF PLANNING PERMISSION N/2015/1228 (DEMOLISH FORMER CAR SHOWROOM AND ERECT BUILDING WITH RETAIL (USE A1) ON GROUND FLOOR AND 14NO. FLATS INCLUDING NEW ACCESS AND ANCILLARY DEVELOPMENT, AND CREATION OF RESIDENTIAL CAR PARKING AREA) TO AMEND OPENING HOURS AND DELIVERY HOURS. 194-200 KINGSTHORPE GROVE**
  - (C) **N/2017/1161 - ENLARGEMENT OF EXISTING FLAT ROOF DORMER TO FORM UTILITY ROOM. 10 CHRISTCHURCH ROAD**

- (D) N/2017/1214 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS IN 3 BEDROOMS. 83 SOUTHAMPTON ROAD**
- (E) N/2017/1220 - PARTIAL CHANGE OF USE TO INCLUDE HOT FOOD TAKEAWAY AND CAFE/RESTAURANT USES WITH ERECTION OF EXTRACTION FLUE (PART RETROSPECTIVE). THE FORMER ECTON BROOK PUBLIC HOUSE, ECTON BROOK ROAD**
- (F) N/2017/1270 - TWO STOREY REAR EXTENSION, FRONT ROOF LIGHTS AND REAR DORMER WINDOWS, TWO STOREY FRONT BAY, ALTERATIONS TO FENESTRATION DETAILS TO FRONT AND REAR ELEVATIONS, NEW FRONT BRICK GARDEN WALL AND ALTERATIONS AND EXTENSION TO GARAGE. 53 PARK AVENUE SOUTH**
- (G) N/2017/1340 - ADDITION OF JULIET BALUSTRADES TO 6NO FLATS (NOS. 30-40) AND INSTALLATION OF NEW FULL HEIGHT GLAZED PATIO DOORS INTO EXISTING FRAMED OPENING. 30 DODDRIDGE STREET**
- (H) N/2017/1371 - NEW TWO BEDROOM DETACHED HOUSE. LAND REAR OF 133 LINDSAY AVENUE**
- (I) N/2017/1374 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 27 LUTTERWORTH ROAD**
- (J) N/2017/1402 - ALTERATION TO SHOP FRONT WITH SHUTTERS AND LEVEL ACCESS. STANDENS BARN SUPERMARKET, UNIT 2 STANDENS BARN LOCAL CENTRE, WALLEDWELL COURT**
- (K) N/2017/1444 - VARIATION OF CONDITION 8 OF PLANNING PERMISSION N/2016/0773 (ERECT SINGLE STOREY BUILDING FOR CONVENIENCE STORE) TO AMEND SHOP OPENING HOURS TO 6.30AM TO 9.00PM. 2 LITTLE CROSS STREET**
- (L) N/2017/1464 - PRIOR NOTIFICATION OF THE DEMOLITION OF TWO SECTIONS OF CONCRETE OVERHANG COVERING THE WALKWAYS AT THE END OF PARK SQUARE ENTERING INTO PARK WALK. 16 PARK SQUARE**
- (M) N/2017/1501 - PRIOR NOTIFICATION OF THE DEMOLITION OF THE TANNERS PUBLIC HOUSE. THE FORMER TANNERS PUBLIC HOUSE, 32 FARMFIELD COURT**

**11. ENFORCEMENT MATTERS**

**12. ITEMS FOR CONSULTATION**

- (A) **N/2017/1221, N/2017/1222, N/2017/1248, N/2017/1249 - APPLICATION A - OUTLINE APPLICATION FOR THE DEMOLITION OF EXISTING BARNs AND THE ERECTION OF UP TO 1750 DWELLINGS, A PRIMARY SCHOOL, A MIXED USE LOCAL CENTRE (USE CLASSES A1-A5, D1) TOGETHER WITH ASSOCIATED PUBLIC OPEN SPACE, LANDSCAPING, HIGHWAYS SUSTAINABLE DRAINAGE SYSTEMS, AND ALL ANCILLARY INFRASTRUCTURE WORKS, INCLUDING A NEW PRIMARY SUB-STATION. (APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT). APPLICATION B - OUTLINE APPLICATION FOR THE ERECTION OF UP TO 600 DWELLINGS, A PRIMARY SCHOOL, A MIXED USE LOCAL CENTRE (USE CLASSES A1-A5, D1), TOGETHER WITH ASSOCIATED PUBLIC OPEN SPACE, LANDSCAPING, HIGHWAYS, SUSTAINABLE DRAINAGE SYSTEMS AND ALL ANCILLARY INFRASTRUCTURE WORKS INCLUDING A NEW PRIMARY SUB-STATION (APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT). LAND AT DUSTON ROAD, UPPER HARLESTONE**

**13. EXCLUSION OF PUBLIC AND PRESS**

THE CHAIR TO MOVE:

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

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



## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 21 November 2017

**PRESENT:** Councillor Oldham (Chair); Councillors Birch, Choudary, Davenport, Golby, J Hill, Kilbride, Kilby-Shaw, B Markham, M Markham, McCutcheon and Smith

**OFFICERS:** Peter Baguley (Head of Planning), Rita Bovey (Development Manager), Nicky Toon (Development Management Team Leader), Ben Clarke (Principal Planning Officer), Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic Services Officer)

#### 1. APOLOGIES

Apologies for absence were received from Councillor Lane.

#### 2. MINUTES

The minutes of the meeting held on 17<sup>th</sup> October 2017 were agreed and signed by the Chair.

#### 3. DEPUTATIONS / PUBLIC ADDRESSES

##### RESOLVED:

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

##### **N/2017/1312**

Andrew Bodman  
Rod Sellers

##### **N/2017/1362**

Councillor Sally Beardsworth

##### **N/2017/1096**

Councillor Stone

##### **N/2017/0695**

Councillor Stone  
Mr Simmons

##### **N/2017/0836**

(Parish Cllr) Richard Matthews

##### **N/2017/0983**

Councillor Stone

##### **N/2017/1029**



Chris Parr

**N/2017/1034**

Councillor Stone

**N/2017/1153**

Councillor Stone

**N/2017/1157**

Stephen Pearce

Lynn Micallef

Chris Parr

**N/2017/1283**

Councillor Birch

Alan Ogilvie

Alan Borrell

Jennie Hann

**N/2017/1304**

Mark Evans

**N/2017/1305**

Vikkie Maloney

**N/2017/1391**

Laura Elliott

**N/2017/1213**

Councillor Sally Beardsworth

Patrick Cross

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Oldham declared an interest in item 10c as the Ward Councillor.

Councillor Kilbride declared a disclosable pecuniary interest in items 10d, 10f, 10k, 10m, 10n, 10q, 10t, 10u, 10v and 10w as a board member of Northampton Partnership Homes.

Councillor M Markham declared a disclosable pecuniary interest in items 10d, 10f, 10k, 10m, 10n, 10q, 10t, 10u, 10v and 10w as a board member of Northampton Partnership Homes, and a predetermination in item 12a.

Councillor Davenport declared a personal non-pecuniary interest in items 10h, 10j, 10k, 10m, 10n, 10o and 10p as the Ward Councillor.

Councillor Birch declared a predetermination in item 10p and advised that she would leave the room after addressing the Committee.

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

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

There were none.

**6. LIST OF CURRENT APPEALS AND INQUIRIES**

The Development Manager submitted a List of Current Appeals and Inquiries and elaborated thereon. It was noted that there were no further updates; all decisions were still awaited.

**RESOLVED:**

That the report be noted.

**7. OTHER REPORTS**

**(A) N/2017/1104 - APPLICATION FOR THE PERMANENT DIVERSION OF A FOOTPATH. LAND SOUTH OF BEDFORD ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that planning permission had previously been granted for the development of the site; that the footpath would be diverted around the previously approved building. Members heard that the bunding was necessary to provide visual and noise mitigation and that any inconvenience caused by the increased length of the diversion of the footpath would be offset by improvements to the path.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** that an Order be made pursuant to Section 257 of the Town and Country Act 1990 as set out in the report.

**(B) N/2017/1312 - CONSULTATION ON PROPOSALS FOR A RAIL FREIGHT INTERCHANGE (INCLUDING WAREHOUSING) AND ASSOCIATED HIGHWAY WORKS. LAND TO THE WEST OF JUNCTION 15 OF M1 MOTORWAY**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that this related to a consultation on a Nationally Significant Infrastructure Project which would be determined by the Planning Inspectorate. The majority of planned works would be in South Northamptonshire comprising an intermodal freight terminal and up to 468,000 sq. m. of warehousing and associated road infrastructure and landscaping. Works within Northampton Borough would comprise of improvements to junctions 15 and 15a of the M1 and to the A45. It was noted that 2 historic rights of way would be diverted and, whilst the plans were indicative at this stage, the development would contribute to employment in the area. It was noted that discussions were ongoing with various other consultees in relation to issues surrounding highways, air quality, drainage and flooding, amongst other matters. The development, whilst plans were

indicative at this stage, would contribute to employment in the area. The officer's report provided an overview of information submitted and the Council would be required to submit a Statement of Common Ground and a Local Impact Report at a later stage in the process.

Andrew Bodman, resident of Bugbrooke, spoke against the application and commented that new, large warehouses were already being provided at DIRFT, as well as plans to expand the site.

Rod Sellers, resident of Collingtree spoke against the application and commented that many of Roxhill's assertions are disputed and raised concerns regarding rail capacity and impact on air quality.

## **RESOLVED:**

To submit the Council's response to the consultation as detailed in section 10 of the officer's report, with an additional comment that "the site is not allocated for the development in the WNJCS (2014)."

## **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

There were none.

## **9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

### **(A) N/2017/1362 - REMODELLING AND EXTENSION OF MUSEUM. NEW COURTYARD EXTENSION TO PROVIDE A NEW SHOE GALLERY, CAFE AND MULTI-FUNCTIONAL SPACE AND TO LINK THE BUILDINGS. NEW SUB-STATION. DEMOLITION TO FACILITATE THE EXTENSION. CHANGE OF USE FROM OFFICES (CLASS B1) TO MUSEUM (CLASS D1). CENTRAL MUSEUM & ART GALLERY, 4 GUILDHALL ROAD**

Councillor Golby joined the meeting at this juncture and he declared a prejudicial interest in item 10c as the portfolio holder for education in NCC.

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. Members' attention was drawn to the addendum which contained further comments from NCC Archaeology and Anglian Water. The proposed development would be finished in brick and glazing. It was noted that the office buildings were not listed but did sit within a conservation area. The modern design intended to attract more interest. The glazing was considered suitable but as the buildings were south facing, any more would cause overheating issues. The development would provide a flexible exhibition area, café, more storage for artefacts and improvements to existing facilities.

Councillor Beardsworth addressed the Committee and stated that although she did not object to the application, she expressed concern regarding the lack of a business plan.

In response to questions, the Committee heard temperature control was important for both the comfort of museum employees and visitors and the preservation of artefacts. It was stated that any building work would be sympathetic to existing features and that the brickwork used on the exterior would be in-keeping with the current design.

Members discussed the report.

**RESOLVED:**

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

**10. ITEMS FOR DETERMINATION**

**(A) N/2016/1096 - ERECTION OF CANOPY AND DECK PLATFORM AREA (PART RETROSPECTIVE). CHILLI VILLAGE, 145 WELLINGBOROUGH ROAD**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to retain the canopy and decking. It was noted that the decking was gated to prevent rough sleepers from using it at night. The Highway Authority had stated that a licence was required for the canopy overhanging the highway.

Councillor Stone, as the Ward Councillor, spoke against the application and voiced concerns regarding drainage and the safety of the structure, in particular the wood used to build it in relation to fire safety; she also stated that one of her constituents had tried to get answers regarding the structure's safety, to no avail.

In response to questions, the Committee heard that fire safety in relation to materials was a consideration for Building Control, who were satisfied and had raised no concerns. It was also stated that drainage was a matter for Building Control.

**RESOLVED:**

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

**(B) N/2017/0695 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 7 OCCUPANTS AND 1NO. SELF-CONTAINED UNIT FOR 1 PERSON. 46 GUILDHALL ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the property's rooms all complied with Private Sector Housing requirements and that should the application be approved, the concentration of HIMO properties in a 50m radius would be 2%

Councillor Stone, as the Ward Councillor, spoke against the application and voiced concerns regarding waste and considered the proposal to be an overdevelopment; she further commented that she had never seen HIMO enforcement in the area. She stated her belief that the concentration in the area was higher than 2% and that this figure may be incorrect due to the Council not having the capacity to carry out proper investigations.

In response to questions, the Principal Planning Officer confirmed the extent of the 50m radius, and that whilst HIMO's may be present elsewhere within the town centre they were outside of the 50m radius pertinent to this application.

Members discussed the report.

**RESOLVED:**

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

**(C) N/2017/0836 - OUTLINE PLANNING APPLICATION FOR THE DEVELOPMENT OF UP TO 50 NO DWELLINGS WITH ASSOCIATED ACCESS, GREEN INFRASTRUCTURE, OPEN SPACE AND LANDSCAPING (ALL MATTERS RESERVED EXCEPT FOR ACCESS). LAND REAR OF HUNSBURY PARK PRIMARY SCHOOL, DAYRELL ROAD**

At this juncture of the meeting Councillor Golby left the room, having declared a predetermination.

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the site had been previously identified as a future school expansion site by the Northampton Local Plan. The small spur from the roundabout would be widened and turned into an access road to the site; improvements to the roundabout between Danes Camp Way and Hunsbury Hill Road would be funded by a financial contribution provided through an S106 Agreement. Amongst other items within the Section 106 Agreement, it was noted that 35% affordable housing would be secured and all dwellings would contribute to the Council's 5 year housing supply.

Richard Matthews, of West Hunsbury Parish Council, addressed the Committee and commented that although the Parish Council did not object to the principle of the application, they had concerns regarding the roundabout and what he called a "perennial problem" with buses and parents dropping off their children. He stated that that consultation only took place after the application was submitted. He suggested that the lack of objections from the Highways Authority was due to a lack of local knowledge, and asked that the Committee refuse the application until issues surrounding the roundabout were addressed.

In response to questions to officers, the Committee heard that should a future owner of the site wish to reduce the level of affordable housing on site, the Council could only agree in instances where it could be demonstrated that the previously agreed provision would render the scheme unviable. This would need to be evidence in the form of an assessment, which would be independently and robustly assessed. It was further explained that the Section 106 Agreement would secure a management strategy for the public open space on the site could be adopted by the Council or run by a management company. In any event, the Council would have the power to enforce any potential breaches of the Legal Agreement.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a Section 106 Agreement and the conditions and reasons as set out in the report.

**(E) N/2017/0983 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 11 OCCUPANTS AND INSTALLATION OF NEW WINDOWS AND DOORS. 3 ST PETERS GARDENS**

At this juncture of the meeting, Councillor Hill left the meeting.

Councillor Golby returned to his seat.

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from Councillor Stone. The Committee heard that the building, previously used as offices, had been converted into a house, without any gardens or parking. New waste and cycle storage provision was to be provided at the rear of the ground floor. The room sizes all complied with Private Sector Housing requirements, the number of occupants had been limited by a condition and should the application be approved, the concentration of HIMO properties in a 50m radius would be 3%.

Councillor Stone, as the Ward Councillor, spoke against the application and commented that there should not be HIMOs in a very historic part of the town. She questioned how a dwellinghouse for 4 people could turn into a HIMO property for 11 people and further enquired whether the concentration of HIMOs was calculated against other buildings, or specifically dwellings.

The Principal Planning Officer confirmed that the concentration figures were worked out with dwellings in mind, not businesses. He further noted that whilst there were 2 shared bathrooms, 4 bedrooms had en-suite bathrooms.

**RESOLVED:**

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

**(G) N/2017/1034 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 39 VICTORIA ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that there was a good level of amenity for future residents, that all rooms met Private Sector Housing requirements and that due to existing parking restrictions already in place, the Highways Authority had no objections.

Councillor Stone, as the Ward Councillor, spoke against the application and commented that it represented an overdevelopment in the area. She stated that families were leaving their homes due to the antisocial behaviour that was often associated with transient residents. Councillor Stone stated her belief that tipping point in the area had been reached some time ago and that the Council had to be more robust in its defence of communities.

Members discussed the report.

**RESOLVED:**

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

**(H) N/2017/1069 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 41 ABBEY ROAD**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that there was a good level of amenity in the area, the property benefitted from a reasonably sized garden with waste and cycle storage, the rooms all met Private Sector Housing requirements and the Highways Authority had not objected to the application. Should the application be approved, the concentration of HIMOs in a 50m radius would be 5.97%.

Members discussed the report.

**RESOLVED:**

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

**(I) N/2017/1091 - CONVERSION AND EXTENSION OF FORMER COUNCIL OFFICE BUILDING TO FORM RESTAURANT AND HOT FOOD TAKEAWAY, NEW RETAIL UNITS AND STUDENT ACCOMMODATION WITHIN 3 APARTMENTS, ANCILLARY BINS AND BIKE STORAGE AREAS; ERECTION OF ENTRANCE CANOPY AND AWNING; CHANGE OF USE OF FOOTWAY TO INTRODUCE OUTDOOR SEATING AREA ON FISH STREET. 14 FISH STREET**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the ground floor of the building would be converted to a restaurant with a glazed entrance; there would be additional glazing to provide the front for a new café. A canopy and outdoor seating area would also be included. The 1<sup>st</sup> and 2<sup>nd</sup> floors would be converted to student accommodation. It was noted that Environmental Health were satisfied with the various mitigation strategies in place.

**RESOLVED:**

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

**(J) N/2017/1123 - CONVERSION OF EXISTING DWELLING INTO TWO FLATS. 90 TOWCESTER ROAD**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that refuse storage to the 2 flats would be located at the front of the building and that no objections had

been received from the Highway Authority. The properties would also contribute to the Council's 5 year housing supply.

Members discussed the report.

**RESOLVED:**

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

**(L) N/2017/1153 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS - RETROSPECTIVE. 48 POOLE STREET**

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the property's rooms all complied with Private Sector Housing requirements and that the Highways Authority had not objected due to existing parking restrictions being in place. Should the application be approved, the concentration of HIMOs in a 50m radius would be 6%.

Councillor Stone, as the Ward Councillor, spoke against the application and commented that residents in the area were disheartened by the problems associated with high numbers of HIMO properties. She stated that the property was too small for 4 adults.

Members discussed the report.

**RESOLVED:**

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

**(O) N/2017/1204 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 63 OXFORD STREET**

The Principal Planning submitted a report on behalf of the Head of Planning and elaborated thereon. Members' attention was drawn to the addendum, which contained a revision of the concentration of HIMOs in the area. The Committee heard that the room sizes complied with Private Sector Housing requirements and that there were no objections from the Highways Authority. It was noted that the proposed capacity would be very similar to the property when used as a dwellinghouse.

Members discussed the report.

**RESOLVED:**

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

**(P) N/2017/1283 - PRIOR NOTIFICATION FOR THE PROPOSED INSTALLATION OF A 20M MONOPOLE SUPPORTING 3NO ANTENNA,**



**2NO DISHES AND ASSOCIATED GROUND BASED EQUIPMENT CABINET AND ANCILLARY DEVELOPMENT. TELECOMMUNICATIONS EQUIPMENT, KINGSLEY ROAD**

At this juncture of the meeting Councillor Birch moved to public seating, having declared a predetermination and her intention to speak.

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Members' attention was drawn to the addendum, which contained further objections. The Committee heard that this was a prior notification application and as such, it could only consider the siting and design of the mast; and that should the proposal be resisted, the Committee would need to suggest more suitable locations within the operational search area. It was not possible to compel a third party to accommodate the development on their land. It was noted that if a decision had not been reached 54 days after the date of receiving the application, it would be assumed approved. It was further noted that although the development would result in harm to the conservation area, it was considered the least harmful location of those looked at as other sites would have a greater impact on the historic environment, residential amenity or highway safety

Councillor Birch, as the Ward Councillor, spoke against the application and commented that whilst she acknowledged the need for the monopole, its location was cause for concern. She stated that it did not comply with various planning policies.

After addressing the Committee, Councillor Birch left the room.

Alan Ogilvie, a local resident, spoke against the application and commented that any changes within a conservation area must harmonise with and enhance existing features; he stated this was not the case, as the monopole would be visible along the treeline.

Alan Borrell, resident of Kingsley Road, spoke against the application and noted that the proposed location of the monopole was close to the tram shelter along the tree line and would detract from the overall view of the historic area. He further stated that any new development within a conservation area must conform to its surroundings.

Jackie Hann, from Clarke Telecom, spoke in favour of the application and commented that without the monopole, many peoples' mobile phones would lose their internet capabilities. She stated that the monopole had been designed in such a way that it was in keeping with nearby street furniture and that it was in full accordance with the Council's various planning policies.

In response to questions, the Committee heard that other sites had been looked at, including other tall buildings, but none were considered suitable for a variety of reasons

**RESOLVED:**

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

**(R) N/2017/1304 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 11 SOUTHAMPTON ROAD**

Councillor Birch returned to join the committee at this juncture.

The Principal Planning Officer submitted a report on behalf of the Head of Planning and elaborated thereon. Members' attention was drawn to the addendum, which contained a revised figure for the concentration of HIMO properties in a 50m radius; it had previously been calculated at 10.1%, however, new information gathered had increased that number to 11.5%. The Committee heard that the property was close to local amenities and that all of the bedrooms complied with Private Sector Housing requirements. As the change in use would result in a similar number of occupiers, the Highways Authority did not object to the application.

Mark Evans, the property owner and applicant, spoke in favour of the application and commented that there was no change to the layout of the property, there would be a reduction in the number of residents as there were currently 4, he noted that there were no Highways objections and that capacity in the area was below the recommended 15%. Mr Evans assured Members that he was an experienced and responsible landlord and that the letting agent managing the property would be visiting monthly to ensure there were no problems.

In response to questions, the Committee heard that Mr Evans intended to use his property as student accommodation and had given his contact details to neighbours.

Members discussed the report.

**RESOLVED:**

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

**(S) N/2017/1305 - TWO STOREY AND SINGLE STOREY EXTENSION. 24 DRYDALE AVENUE**

At this juncture of the meeting, Councillor Davenport left the room.

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the proposed extension would be of a single storey across the whole of the rear of the property, the materials would match the existing building and that it would not impact the neighbouring properties.

Vickie Maloney, the applicant, spoke in favour of the application.  
Members discussed the report.

**RESOLVED:**

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

## 12. ITEMS FOR CONSULTATION

- (A) **N/2017/1213 - DEVELOPMENT OF UP TO 1,050 DWELLINGS (CLASS C3), EMPLOYMENT (CLASS B1), RESIDENTIAL CARE HOME (CLASS C2), PARK AND RIDE FACILITY OF UP TO 500 SPACES, LOCAL CENTRE (CLASSES A1/A2/A3/A5), PRIMARY SCHOOL, PUBLIC OPEN SPACE AND ASSOCIATED HIGHWAYS AND DRAINAGE INFRASTRUCTURE, ALL MATTERS RESERVED EXCEPT ACCESS. LAND AT BRAMPTON LANE, BOUGHTON**

Councillor Davenport returned to her seat and Councillor M Markham left the room.

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. Members' attention was drawn to the addendum, which contained representations from Boughton Parish Council. The Committee heard the proposal related to a consultation from Daventry District Council and that Northampton Borough Council objected to a similar outline application in 2011, Daventry District Council resolved to grant consent subject for the development, subject to an S106 Agreement; this was not completed at the time. The current consultation was in relation to the same application which the applicant has now chosen to resurrect and pursue. It was noted that the application has been amended to a hybrid application comprising a detailed scheme for 380 dwellings and seeking outline consent for the remainder of the site and includes draft S106 Heads of Terms. It was further noted that substantial landscaping would be included to mitigate the impact on existing buildings within Northampton Borough.

Councillor Sally Beardsworth spoke against the application and commented that Harborough Road was well over capacity. She stated that it was important to have proper infrastructure and the North-West Bypass should be finished before development work commenced. She also voiced concern regarding the impact the proposed development would have on air quality in the area.

Patrick Cross, on behalf of Whitehills & Spring Park Residents Association (WASPRA), spoke against the application and commented that the group did not object to more housing, but the lack of infrastructure, namely the lack of a North-West Relief Road. He questioned whether the park and ride scheme would become a reality, or if it was a box-ticking exercise by developers. Mr Cross stated that the report was very vague with little detail and urged Members to object to the application.

Members discussed the report.

### **RESOLVED:**

That amended comments be forwarded to Daventry District Council that Northampton Borough Council **OBJECT** and had concerns regarding insufficient provision of highway infrastructure prior to the delivery of the development, air quality considerations, appropriate park and ride and subject to details contained in paragraph 6.18 of the report relating to S106 requirements.

**(N) N/2017/1157 - RETENTION OF REPLACEMENT WINDOWS AT 26 - 37 & 52 - 63 & 76 - 87 CAMBOURNE CLOSE. 26 CAMBORNE CLOSE**

At this juncture of the meeting Councillor Kilbride left the room, having declared interests in the following items.

Councillors Choudary and Kilby Shaw also left the room.

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the replacement windows, which the application sought to retain, were part of a wider scheme to improve Northampton's housing stock. It was noted that the properties that had not had replacement windows were privately owned, however, both brown and white window frames in the same block of flats were not considered unacceptable.

Lynn Micallef, local resident, spoke on behalf of Stephen Pearce and herself. She spoke against the application and commented that the external doors, as well as the windows, were mismatched. She said that a 1<sup>st</sup> floor window was previously used as a way to get large items of furniture to the upper flats; the new, smaller window meant that this was now possible. She also commented that the windows, previously used as a fire escape, could no longer be used and as such, did not comply with fire regulations.

In response to questions, the Committee heard that Ms Micallef had been told that any changes would be like-for-like.

Chris Parr, Major Projects Manager for Northampton Partnership Homes, spoke in favour of the application. He commented that the steel beams in the stairways were not load-bearing and could be removed to provide access for large items to the upper floors. He noted that there was a "stay put" policy for council homes in Northampton and so the 1<sup>st</sup> floor window did not need to be a means of escape. He further noted that lighting was being upgraded across all NPH flats.

Responding to questions, Mr Parr stated that the improvements were a small part of a much larger project; extensive consultation events were held but were unfortunately not well attended.

Members discussed the report.

**RESOLVED:**

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

**(D) N/2017/0949 - VARIATION OF CONDITION 2 OF PLANNING PERMISSION N/2016/0772 (DEMOLISH EXISTING FLATS AND ERECT THREE STOREY BUILDING WITH NINE FLATS ON GROUND FLOOR AND NINE MAISONNETTES ON UPPER FLOORS) TO AMEND ROOF DESIGN TO THE THREE STOREY ELEMENT, REPLACING CAPPING WITH A PARAPET WALL. 33 LITTLE CROSS STREET**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to vary a previous application by altering the flat roof to increase the building's height.

Members discussed the report.

**RESOLVED:**

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

**(F) N/2017/1029 - DEMOLITION OF NOS. 1-6 AND 14-17 TOMS CLOSE AND DEVELOPMENT OF 21NO. NEW BUILD AFFORDABLE DWELLINGS AND ASSOCIATED LANDSCAPING. DEVELOPMENT LAND, TOMS CLOSE**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to demolish 10 properties to make space for 21 2-3 bedroom properties, with provision for 48 parking spaces. It was considered a better use of the land and would contribute to the Council's 5 year housing supply.

In response to questions, the Committee heard that the properties, as council houses, would be subject to the Right to Buy scheme.

Members discussed the report.

**RESOLVED:**

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

**(K) N/2017/1140 - RETENTION OF REPLACEMENT WINDOWS AT 24-35 REDRUTH CLOSE. 24-35 REDRUTH CLOSE**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to retain replacement windows to the block of flats.

Members discussed the report.

**RESOLVED:**

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

**(M) N/2017/1156 - RETENTION OF REPLACEMENT OF WINDOWS AT 5-16 & 37-48 COVERACK CLOSE. 5 COVERACK CLOSE**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to retain replacement windows to the block of flats.

Members discussed the report.

**RESOLVED:**

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

**(Q) N/2017/1293 - PRIOR NOTIFICATION FOR DEMOLITION OF 11NO GARAGES AT THE REAR. LOCK UP GARAGES, STANLEY ROAD**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought the approval of the demolition of 11 vacant garages. It was explained that the space would be used for parking.

Members discussed the report.

**RESOLVED:**

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

**(T) N/2017/1317 - CONVERSION OF 3NO RESIDENTIAL GARAGES AND BIN STORAGE AREAS TO A 2 BEDROOM FLAT ON THE LOWER GROUND FLOOR OF THE EXISTING BLOCK OF FLATS. GARAGE 1 GARAGE BLOCK, MOAT PLACE**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that as part of the application, the front elevation of the garages would be replaced with windows, the kitchen would be part of a through-room with light from the front window, and 1 parking space would be provided at the front of the flat.

**RESOLVED:**

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

**(U) N/2017/1391 - DEMOLISH EXISTING SINGLE STOREY ELEMENT AND CONSTRUCT NEW SINGLE STOREY REAR EXTENSION. 8 TOMS CLOSE**

The Development Management Team Leader submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought the demolition of the outbuilding and construction of a single-storey extension across the back of the property.

Members discussed the report.

**RESOLVED:**

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

**(V) N/2017/1412 - PRIOR NOTIFICATION FOR DEMOLITION OF 2NO SEMI-DETACHED DWELLINGS (41A EASTFIELD ROAD AND 2 NORTHFIELD ROAD). 41A EASTFIELD ROAD, DUSTON**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that two properties, in a bad state of repair, would be demolished and the land put to better use.

Members discussed the report.

**RESOLVED:**

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

**(W) N/2017/1416 - PRIOR NOTIFICATION FOR DEMOLITION OF GARAGE BLOCK. LOCK UP GARAGES, EDEN CLOSE**

The Development Manager submitted a report on behalf of the Head of Planning and elaborated thereon. The Committee heard that the application sought to demolish a block of flats which were considered to be surplus to requirement.

Members discussed the report.

**RESOLVED:**

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

**11. ENFORCEMENT MATTERS**

There were none.

The meeting concluded at 10:52 pm

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



**List of Appeals and Determinations – 19<sup>th</sup> December 2017**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2016/1025</b> APP/V2825/Y/17/3181261	DEL	Listed building consent application for demolition of existing conservatory and erection of two storey extension, removal of existing roof to side addition and replace with new roof and new roof light; new internal partition walls at 2 Willow Lane	<b>AWAITED</b>
<b>N/2016/1026</b> APP/V2825/W/17/3181256	DEL	Demolition of existing conservatory and erection of two storey extension; removal existing roof to side addition with new roof and roof light at 2 Willow Lane	<b>AWAITED</b>
<b>N/2016/1553</b> APP/V2825/W/17/3178646	PC	Change of use of dwelling (Use Class C3) to a house in multiple occupation (Use Class C4) for 5 residents at 75 Abington Avenue	<b>AWAITED</b>
<b>N/2016/1699</b> APP/V2825/W/17/3179291	DEL	Proposed change of use from dwellinghouse (Use Class C3) to dwellinghouse with childminding business for up to 12 children (retrospective) at 1a Meadway	<b>ALLOWED</b>
<b>N/2017/0049</b> APP/V2825/W/17/3182240	DEL	Erection of part first and second floor extension to provide 7 x Studio and 7 x 1 Bed self-contained apartments with associated cycle store and designated refuse storage including formation of an entrance lobby to apartments off St. Giles Terrace and new doors off Abington Street at Eastgate PH, 98-102 Abington Street	<b>AWAITED</b>
<b>N/2017/0053</b> APP/V2825/W/17/3179259	DEL	Conversion of garage to one bedroom flat and off road parking to front at 24 Queen Eleanor Road	<b>AWAITED</b>
<b>N/2017/0342</b> APP/V2825/W/17/3179350	DEL	Proposed 2no new single storey dwellings to the rear of 79-83 Semilong Road	<b>AWAITED</b>
<b>N/2017/0250</b> APP/V2825/W/17/3181070	PC	New 3 bedroom student accommodation annex to the rear of 2 Gray Street	<b>AWAITED</b>
<b>N/2017/0690</b> APP/V2825/W/17/3186111	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 residents at 47 Southampton Road	<b>AWAITED</b>
<b>N/2017/0769</b> APP/V2825/W/17/3183616	DEL	Appeal against Condition 1 in relation to planning permission for the Change of Use from House in Multiple Occupation (Use Class C4) to a Flexible Planning Permission of House in Multiple Occupation (Use Class C4 ) for a maximum of 4 occupants and Dwellinghouse (Use Class C3) at 105 Abington Avenue	<b>AWAITED</b>

**Public Inquiry**

None

**Hearings**

None

**Enforcement Appeals**

None

**Tree Preservation Order (TPO) Appeals**

None

The Address for Planning Appeals is:

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

Appeal decisions can be viewed at - [www.planningportal.co.uk](http://www.planningportal.co.uk)

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Mrs Rita Bovey, Development Manager  
Telephone 01604 837237  
Planning and Regeneration  
The Guildhall, St Giles Square,  
Northampton, NN1 1DE





**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley  
  
**APPLICATION REF:** N/2017/0401  
  
**LOCATION:** Former Kingsthorpe Middle School, Northfield Way  
  
**DESCRIPTION:** Variation of Section 106 agreement in relation to affordable housing provision  
  
**WARD:** Spring Park Ward  
  
**APPLICANT:** Persimmon Homes  
**AGENT:** Persimmon Homes  
  
**REFERRED BY:** Head of Planning  
**REASON:** S106 agreement  
  
**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

- 1.1 That Committee **AGREE** to vary the Section 106 Legal Agreement so that the affordable housing element is occupied on the following tenures:
- 70% (48 dwellings) Rentplus model;
  - 21% (14 dwellings) Shared Ownership; and
  - 9% (6 dwellings) Affordable Rent.

### 2. THE PROPOSAL

- 2.1 The applicant has applied to vary the existing Section 106 Agreement in order to vary the composition of the affordable housing provision, although the actual total amount of affordable housing would remain unchanged from the 35% previously agreed.

### 3. SITE DESCRIPTION

- 3.1 The application site was originally developed to provide a school to serve the surrounding residential accommodation, much of which was constructed around the same time of the school. However, the reorganisation of school provision within Northampton meant that this school site was deemed surplus to requirements and the site has been vacant since late 2007. A comparatively small proportion of the site was developed (in 2009) to form a children's centre. This land is excluded from the current application.

- 3.2 The immediate surroundings of the site are predominantly residential in character, with many of the surrounding dwellings being constructed since the 1970s. The site lies between the Kingsthorpe Recreation Ground (to the east) and allotments (to the west).

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

- 4.1 N/2015/0647 – Outline application with all matters reserved except access (from Penfold Close/Northfield Way) for residential development of up to 195 dwellings, public open space and associated access – Approved.
- 4.2 N/2016/0572 – Reserved matters application for residential development for 195 dwellings and public open space – Approved.
- 4.3 The above planning permission is the process of being implemented.

#### **5. PLANNING POLICY**

##### **5.1 Statutory Duty**

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

##### **5.2 National Policies**

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

- 5.3 Paragraph 49 requires 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. In terms of providing additional housing, planning proposals should provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50).

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

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

- 5.5 Policy H1 requires that a mixture of house types are provided, which should be of varying sizes, types and tenures. Policy H2 requires that at least 35% of developments of 15 or more dwellings should be made available for occupation as affordable housing.
- 5.6 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.

#### **6. APPRAISAL**

- 6.1 The existing Section 106 Agreement secured 35% of the development for occupation on affordable tenures. Following the approval of the Reserved Matters application, this was confirmed as being 69 dwellings. Of this, and in line with adopted Policy, 70% (48 dwellings) were to be made available on affordable rented tenures and 30% (21 dwellings) were to be occupied on shared ownership tenures.
- 6.2 Following the grant of planning permission, the developer has approached a significant number of Registered Providers (RP) to take on the management of these affordable dwellings. However, for a variety of reasons, it has not been possible to identify a RP to take on the affordable housing in its originally agreed form.
- 6.3 In response to this, the Planning Committee agreed (in May 2017) to vary the types of affordable housing so that 70% of the affordable housing be occupied on the Rentplus model and 30% is occupied utilising the Discounted Market Sales Housing model. Whilst a Deed of Variation to the Section 106 Agreement has been drafted, it is not yet signed.
- 6.4 In the intervening period, the developer (Persimmon Homes Ltd) has continued discussions with RPs in regard of the affordable housing provision. As a consequence, a new RP has been identified and it is now proposed that the 70% of the affordable housing provision to be occupied utilising the Rentplus model (as previously agreed), with the remaining 30% to be occupied on a combination of affordable rented and shared ownership tenures.
- 6.5 The Rentplus model would provide tenants with a renewable lease at affordable rented levels, but that every five years tenants would have the opportunity to purchase their property at a discounted rate. If the tenant does not wish to purchase their property, it can be offered to other tenants within the development on the same terms. If neither of these options are pursued, the dwelling would be offered to a RP, again at a reduced rate. Should no RP be forthcoming, the dwelling would be sold at open market value, but that the Council would receive a commuted sum, which would be specified within the legal agreement and that the Council would use for funding off-site provision of affordable housing.
- 6.6 Whilst there would be some changes to the tenures of the affordable housing, the overall amount would be unchanged and would remain at a policy compliant 35%. Furthermore the latest proposed amendment to the affordable housing tenures is closer to the position within the Council's adopted Affordable Housing Supplementary Planning Document than the amendment previously agreed in May.

## **7. CONCLUSION**

- 7.1 Given the similarities in models of provision and the need to ensure the delivery of new affordable housing within the Borough, it is considered that the proposed amendment is acceptable.

## **8. BACKGROUND PAPERS**

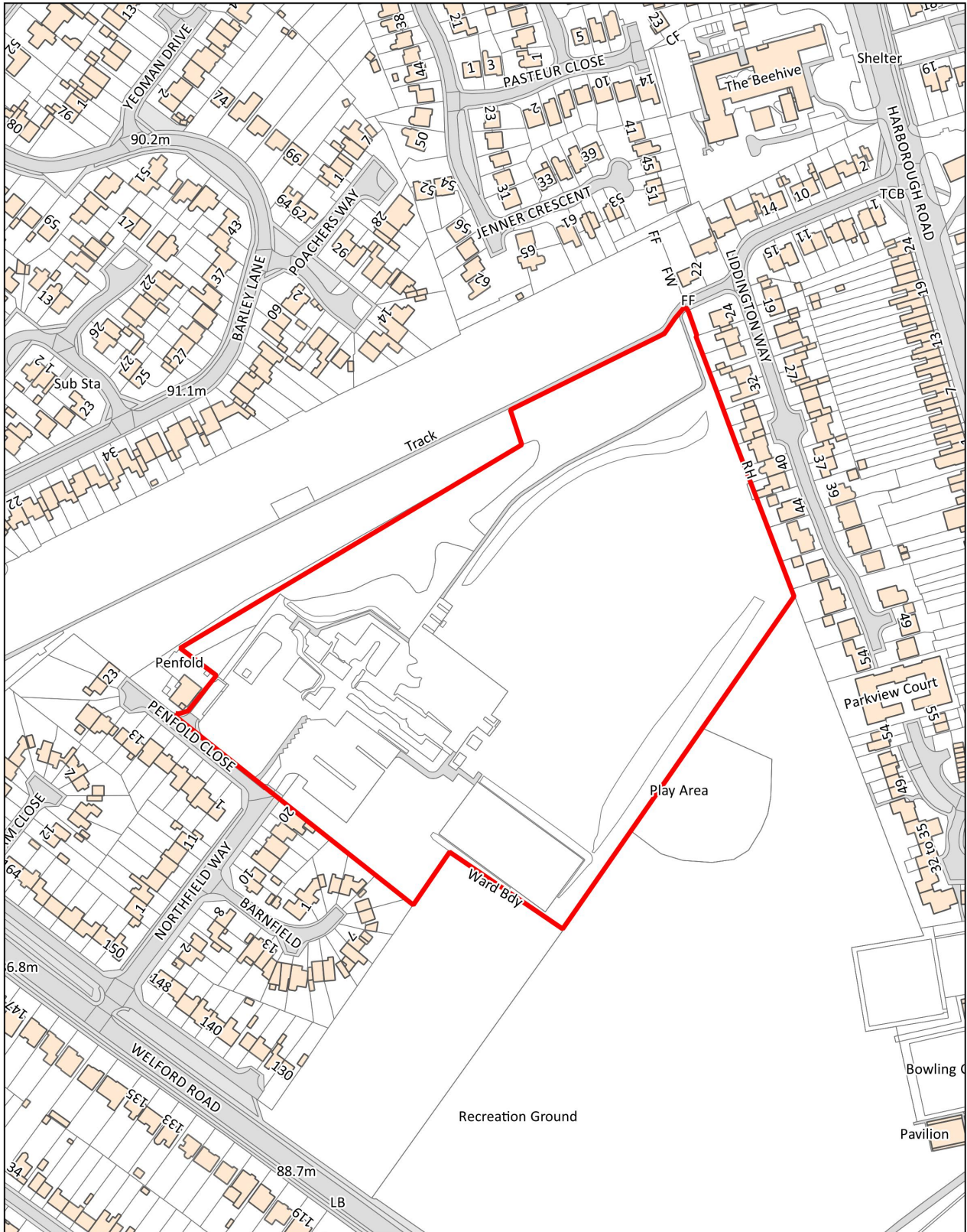
- 8.1 N/2016/0572, N/2017/0401.


## **9. LEGAL IMPLICATIONS**

- 9.1 None.

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

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Kingsthorpe Middle School</b></p>	<p>Date: 05-12-2017</p>
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## Addendum to Agenda Items Tuesday 19<sup>th</sup> December 2017

### 7. OTHER REPORTS

7a

**N/2017/0401**

**Variation of Section 106 agreement in relation to affordable housing provision  
Former Kingsthorpe Middle Street, Northfield Way**

No update.

### 10. ITEMS FOR DETERMINATION

10a

**N/2017/0789**

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants in 4 bedrooms (retrospective)  
20 Hood Street**

No update.

10b

**N/2017/1046**

**Variation of Conditions 13 & 14 of Planning Permission N/2015/1228 (Demolish former car showroom and erect building with retail (use A1) on ground floor and 14no. flats including new access and ancillary development, and creation of residential car parking area) to amend opening hours and delivery hours  
194-200 Kingsthorpe Grove**

**Queen's Park Residents Association** objecting for the following reasons:

1. It will encourage antisocial behaviour and provide a gathering point for such activities.
2. There is no popular support for this proposal.
3. There is a problem of this outlet being situated on a roundabout.
4. There is no local support for this outlet and certainly not for extended hours.

**Officer response:** The points raised have been covered in the report.

#### **Revised Condition:**

It is recommended that Condition 14 is revised as follows, for improved clarity (amendments shown in bold) :

14) Deliveries to or collection from the retail premises **on the site** shall not take place before 07:00 or after 21:00 hours on Mondays to Saturdays or at any time on Sundays or Bank or Public Holidays, with the exception of a single delivery of newspapers between 06:00 and 07:00 hours on any day that newspapers are produced and delivered to the retail premises by means of a vehicle no larger than a Category N1 vehicle as defined by the Vehicle Certification Agency (or a vehicle equivalent to such current category in the event of a future change of categorisation or

certification body) to a holding box on the Stanhope **Road** frontage of the site.

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

**10c**

**N/2017/1161**

**Enlargement of existing flat roof dormer to form utility room  
10 Christchurch Road**

No update.

**10d**

**N/2017/1214**

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants in 3 bedrooms  
83 Southampton Road**

**Additional condition:**

6) All sleeping accommodation shall only be on the first floor of the House in Multiple Occupation hereby approved.

Reason: In order to minimise flood risk in accordance with the requirements of the National Planning Policy Framework.

**10e**

**N/2017/1220**

**Partial change of use to include hot food takeaway and cafe/restaurant uses with erection of extraction flue (part retrospective)**

**The Former Ecton Brook Public House, Ecton Brook Road**

**Northamptonshire Police** - No objection in principle to change of use but recommend that premises are fitted with intruder alarm and rear fence be retained to prevent easy access into the rear space.

**Officer response** - An informative note can be added to any grant of planning permission advising applicant of need for alarm. The rear fence is currently around 2 metre high and the refuse area is securely gated off.

**Councillor Patrick Henesey (Billing Parish)** - concern on litter and suggests provision of litter bins around the building.

**Officer response** - there are 4 existing litter bins in the immediate vicinity of the site, one adjacent to the bus stop opposite the site, and others at the front, side and rear of the adjacent post office.

**10f**

**N/2017/1270**

**Two storey rear extension, front roof lights and rear dormer windows, two storey front bay, alterations to fenestration details to front and rear elevations, new front brick garden wall and alterations and extension to garage  
53 Park Avenue South**

No update.

**10g**

**N/2017/1340**

**Addition of Juliet balustrades to 6no flats (Nos. 30-40) and installation of new full height glazed patio doors into existing framed opening  
30 Doddridge Street**

No update.

**10h  
N/2017/1371  
New two bedroom detached house  
Land rear of 133 Lindsay Avenue**

No update.

**10i  
N/2017/1374  
Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants  
27 Lutterworth Road**

Section 11.1 of the report should state the development is not CIL liable.

**10j  
N/2017/1402  
Alteration to shop front with shutters and level access  
Standens Barn Supermarket, Unit 2 Standens Barn Local Centre, Walledwell Court**

No update.

**10k  
N/2017/1444  
Variation of Condition 8 of Planning Permission N/2016/0773 (Erect Single Storey Building for Convenience Store) to amend shop opening hours to 6.30am to 9.00pm  
2 Little Cross Street**

No update.

**10l  
N/2017/1464  
Prior Notification of the demolition of two sections of concrete overhang covering the walkways at the end of Park Square entering into Park Walk  
16 Park Square**

No update.

**10m  
N/2017/1501  
Prior Notification of the demolition of the Tanners Public House  
The Former Tanners Public House, 32 Farmfield Court**

**Councillor D Meredith** – Confirming no objections to the proposed demolition as the site has become a target for anti-social behaviour.

## **12. ITEMS FOR CONSULTATION**

**12a  
N/2017/1221, N/2017/1222, N/2017/1248, N/2017/1249  
Application A - Outline application for the demolition of existing barns and the erection of**

**up to 1750 dwellings, a primary school, a mixed use local centre (Use Classes A1-A5, D1) together with associated public open space, landscaping, highways sustainable drainage systems, and all ancillary infrastructure works, including a new primary sub-station. (Application accompanied by an Environmental Statement)**

**Application B - Outline application for the erection of up to 600 dwellings, a primary school, a mixed use local centre (Use Classes A1-A5, D1), together with associated public open space, landscaping, highways, sustainable drainage systems and all ancillary infrastructure works including a new primary sub-station (Application accompanied by an Environmental Statement)**

#### **Land at Duston Road, Upper Harlestone**

Amendment to Paragraph 8.3 of the report:

The level of affordable housing to be secured by this development has a significant and direct impact on this Authority as it is located within the boundaries of the Northampton Related Development Area as defined by the West Northamptonshire Joint Core Strategy. As such, the appropriate Housing Strategy Officer(s) of this Authority should be involved in the negotiation of any Section 106 agreement in relation to these matters, and in relation to the mix and type of dwellings proposed under any reserved matters application.





**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/0789

**LOCATION:** 20 Hood Street

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants in 4 bedrooms (retrospective)

**WARD:** Castle Ward

**APPLICANT:** Mr Iqbal Hussain  
**AGENT:** Mr Iqbal Hussain

**REFERRED BY:** Councillor D Stone  
**REASON:** Pressure on parking

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

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

The proposed development is considered acceptable in principle as it would not result in an overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. The site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5, BN5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

### 2. THE PROPOSAL

- 2.1 Retrospective permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 5 people in 4 bedrooms.
- 2.2 The proposal will result in no external alterations to the property. Parking would be on-street.
- 2.3 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a two storey, mid-terraced, four-bedroom property on Hood Street, located in a residential area with similar terraced properties on both sides of the street.
- 3.2 The property has a basement and a kitchen/dining and a double occupancy bedroom on the ground floor, two bedrooms on the first floor and a bathroom and WC on the first floor and a fourth bedroom on the second floor.
- 3.3 The site is in close proximity to Kettering Road and is located within the Boot and Shoe Quarter Conservation area.

### **4. PLANNING HISTORY**

- 4.1 None.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

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

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

#### **5.2 National Policies**

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

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

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

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

Paragraph 132 - In considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

#### **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: designated heritage assets & their setting will be conserved and enhanced.

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

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

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

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

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

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

Policy E26: Development in Conservation Areas - requires developments to preserve or enhance the character and appearance of the area, and not to demolish buildings which make a contribution to the character and appearance of the conservation area, where they are capable of an alternative use.

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

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

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Boot and Shoe Quarter Conservation Area Appraisal

#### 5.6 **Other Material Considerations**

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

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material

change or adverse impact on the character of the area; or more than 15% of HIMOs within a 50m radius.

- Secure the provision of adequate facilities, amenities and minimise flood risk.
- Promote use of public transport, cycling and walking and secure provision of adequate parking.
- Ensure provision of adequate refuse and recycling storage.

## 6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor D Stone** - raised objection on the basis that an additional HIMO will add to pressures on parking and will lead to overdevelopment. Calls in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** – Although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, the LHA would argue that the cumulative impact of “minor” developments such as this need to be considered as a whole and that the impact on highway safety is severe.
- 6.3 **Private Sector Housing (NBC)** - This property is a licensed HIMO for occupancy by five persons in four households. The ground floor letting room is permitted to accommodate two persons, whilst occupancy of the basement room is not permitted due to the inadequacy of natural lighting and ventilation.
- 6.4 **NBC Conservation Officer** - has not raised any objection on conservation grounds. No alterations to the external appearance of the property are shown and the use will have a neutral impact on the historic character and appearance of the Boot and Shoe Conservation Area, which derives from the physical layout and juxta position in regimented streets of factories, houses and commercial, social and religious buildings.
- 6.5 **Town Centre Conservation Area Advisory Committee** - has advised that they are very concerned of the level of HIMO in this street and of surrounding streets. These are resulting in changes to and adverse effects on the character of this conservation area and others. This includes the loss of family unit, including affordable housing for first time buyers and young families thus resulting in unbalanced communities. There are also the major traffic implications of multiple parked vehicles. The effect on schools as the number of children decreases and of course the waste management issues. The committee recommended that the 15% limit on HIMOs in any one Street should be lowered to levels used in other towns.
- 6.6 **6 representations have been** received from 5 addresses in objection. The comments have been summarised as follow:
- Inadequate utilities in the area like water/sewage and broadband.
  - Parking problem in the area.
  - Refuse issues and fly tipping.
  - Impact on the character of the conservation area.
  - Cramped development in a small property.

## 7. APPRAISAL

### Principle of the development

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities.

Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### **Area concentration**

- 7.2 Council records evidence that there are 5 confirmed HIMOs on Hood Street and Cowper Street within a 50m radius of the application site. The use of this property as a HIMO would equate to less than 6.32% concentration in the area. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

### **Size of property and facilities for future occupiers**

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people in 4 households would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light.
- 7.4 Private Sector Housing has advised that the property is licensed for 5 people in 4 households. They are satisfied with the accommodation for 5 people with the ground floor bedroom in double occupancy, however, the basement cannot be used as a habitable room.
- 7.5 The application property has a basement so a condition has been recommended to not to use as a bedroom.
- 7.6 No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by conditions.

### **Flood Risk**

- 7.7 The application site does not lie in a Flood Zone.

### **Highways/Parking**

- 7.8 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.9 The application property is located within easy walking distance to Town Centre. It is considered that the application site is in a sustainable location within 170 metres of bus stops on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.10 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for approval for secure cycle storage.

- 7.11 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.12 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 1 compared to the existing use, as the parking requirement for a 4-bed dwelling is 3 spaces.
- 7.13 The Highway Authority has raised an objection because the local area has an existing parking problem which is detrimental to the highway safety. The Highway Engineer has advised that, although in isolation one might consider the increase in demand generated by this development to be minimal or negligible, he has further added that the cumulative impact of minor developments such as this, need to be considered as a whole and that the impact on highway safety is severe.
- 7.14 Notwithstanding this objection from Highways, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.15 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld.

#### **Impact on the Conservation Area**

- 7.16 The proposal involves no external changes so there will no impact on the setting and appearance of the Boot and Shoe Quarter Conservation Area. Moreover, the Conservation Officer has raised no objection to the proposed development for change of use.
- 7.17 It is considered that the proposed change of use would have a neutral impact on the character or appearance of the Conservation Area.

#### **Refuse storage**

- 7.18 No details have been submitted for refuse storage or bin location. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size.

#### **Amenity**

- 7.19 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

- 7.20 **Other Matters**

## **Impact on utilities in the area**

The proposed use for the property as a house in multiple occupation will have a similar impact as a large household so any impact resulting from the current application is not considered to have any adverse impact to warrant the refusal of the current application.

## **8. CONCLUSION**

- 8.1 The proposed development would not lead to an unacceptable concentration of HMOs within the locality that would adversely affect upon the character of the local area, street scene, 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.
- 8.2 The proposed development would be in accordance with the requirements of policies BN5, H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.
- 8.3 The application is recommended for approval subject to the following conditions.

## **9. CONDITIONS**

1. The development hereby permitted shall be occupied by a maximum of 5 residents in four households 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

2. The basement room shall be used as communal living room for all residents of the property and shall be maintained as such for the duration of the use hereby permitted and shall not be used as a bedroom at any time.

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

3. Full details of facilities for the refuse storage shall be submitted to and approved in writing by the Local Planning Authority within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted and retained thereafter.

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

4. 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 within one month of the date of the permission hereby granted. Development shall be carried out in accordance with the approved details and fully implemented within two months of the date of the permission hereby granted and retained thereafter.

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

**10. BACKGROUND PAPERS**

10.1 N/2017/0789.

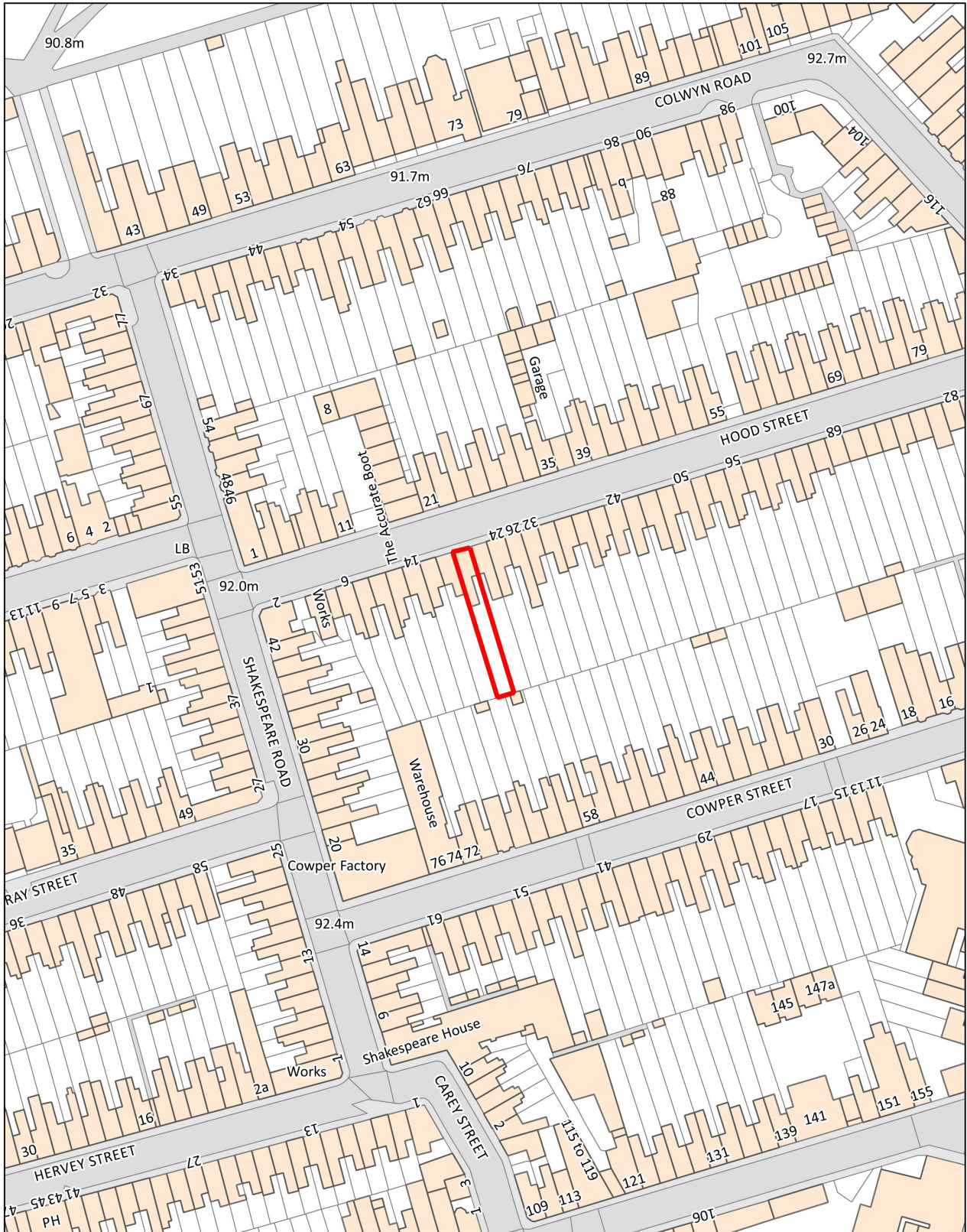
**11. LEGAL IMPLICATIONS**


11.1 The development is CIL not chargeable.

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

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





 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>20 Hood Street</b></p>	<p>Date: 05-12-2017</p>
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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1046

**LOCATION:** 194 - 200 Kingsthorpe Grove

**DESCRIPTION:** Variation of Conditions 13 & 14 of Planning Permission N/2015/1228 (Demolish former car showroom and erect building with retail (use A1) on ground floor and 14no. flats including new access and ancillary development, and creation of residential car parking area) to amend opening hours and delivery hours

**WARD:** Trinity Ward

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

**REFERRED BY:** Head of Planning  
**REASON:** The application was previously approved by Planning Committee

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

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

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

- 1.2 It is also recommended that in the event of the Legal Agreement not being completed within three calendar months of this Committee meeting, the Head of Planning be given delegated authority to either refuse or finally dispose of the application, at his discretion.

## **2. THE PROPOSAL**

- 2.1 The proposal refers to the development previously approved on this site for the erection of a two to four storey building, comprising 14 flats and a retail unit at the ground floor. This was subject to conditions, among others, controlling the opening hours (Condition 13) and the hours for delivery to the retail unit (Condition 14). The current submission is an application for the variation of these two related conditions, as set out below:

- The hours of opening would be amended from the approved hours of 8:00am and 10pm to add two extra hours per day, making the opening hours from 7:00am to 11:00pm. This would apply seven days a week.
- The hours for deliveries would be extended from the permitted hours of 8:00am to 8:00pm to add an extra two hours per day, making the hours for deliveries 7:00am to 9:00pm. This would apply on Mondays to Saturdays only.
- In addition to the above hours, it is also requested that one delivery of newspapers to a holding box, by means of a small van, is permitted, on any day when newspapers are published. This was originally to have been between the hours of 4:00am and 5:30am but this has been amended following negotiations, to be between 6:00am and 7:00am, just before the main deliveries.

## **3. SITE DESCRIPTION**

- 3.1 The application site comprises former car showroom premises on Kingsthorpe Grove which are now vacant, as well as an associated site on Trinity Avenue site, which was formerly used for car storage for the dealership. The building remains vacant.
- 3.2 The area around the site is generally characterised by housing, in the form of dense terraced housing and flats. There are some commercial premises in the area, notably the Romany Public House.

## **4. PLANNING HISTORY**

- 4.1 **N/2007/1344** - Demolition of existing buildings and erection of 19 apartments with vehicular access and parking at 194-200 Kingsthorpe Grove – Finally Disposed Of 05/03/2013.
- 4.2 **N/2015/1228** - Demolish former car showroom and erect building with retail (use A1) on ground floor and 14no flats including new access and ancillary development, and creation of residential car parking area. – Approved 14/09/2016.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

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

## 5.2 National Policies

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

The NPPF has a presumption in favour of sustainable development.

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

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

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

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

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

## 5.3 West Northamptonshire Joint Core Strategy (2014)

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

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

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

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

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

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

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

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

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

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

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

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

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

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

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

Comments received are summarised as follows:

6.1 **Environmental Health** – Prepared to support the application for variation in hours as below: Opening hours 7am-11pm, Delivery hours 7am-9pm (Monday to Saturday). Maintain objection to deliveries taking place prior to 7am due to the potential for noise and disturbance to nearby residents.

6.2 **Councillor Jane Birch** - To extend the hours of traffic and noise disruption and disturbance to local residents is not in any way acceptable. This convenience store will have a significant detrimental impact on local residents due to increased traffic, vehicle and customer noise. The extension time for large delivery trucks is also not acceptable. Stanhope Road is narrow with cars parked either side. Large delivery trucks will completely block the road and make it impassable for residents. This development will already have a negative impact on the amenity of existing residents. To extend the opening and delivery times would extend the period of disturbance and disruption to these residents into the early mornings and night time.

6.3 24 representations received from 19 different nearby residential occupiers, making the following points in summary:

- Parking not adequate for flats and shop.
- Concerned about safety with additional traffic.
- Longer hours not necessary, already late opening shops in the area.

- There will be noise issues with deliveries – engines running, doors slamming.
- Additional deliveries will lead to parking issues, lorries will block access to car park.
- Increase traffic at the times of the day when the area has issues with congestion and noise.
- Can't understand how the development will serve the community.
- Nobody wanted this development in the first place.
- Potential customers will park inappropriately.
- Would lead to additional anti-social behaviour.
- Increased number of lorries will have a detrimental effect on surrounding roads.
- Most main bedrooms directly face the street and noise is amplified.
- The development is not appropriate within a residential area.
- Contrary to the convention on human rights for peaceful enjoyment of property.
- Applicants should have revealed their true intentions in the first application.
- Methodology of the noise test is incorrect, does not consider impact to the rear of properties on Kingsthorpe Grove, from additional movements in the car park.

## **7. APPRAISAL**

- 7.1 The issues to consider are the impact on the amenities of adjoining and nearby residential occupiers as a result of the proposed increase in opening and delivery hours.
- 7.2 The development has already been approved with the opening and delivery hours as set out in the original permission. Therefore the principle of development and any impact which may be considered to occur due to the opening and delivery hours as previously approved cannot now be reconsidered. The only issues which can be considered are the extent to which the impact of the development may be increased due to the proposed extension to the opening and delivery hours.
- 7.3 The proposal entails the increase of the opening and delivery hours from what was previously approved and required by condition, by one hour in the morning and one in the evening. This would result in the shop being open from 7am to 11pm on seven days per week and deliveries taking place between 7am and 9pm on Mondays to Saturdays only, with no deliveries on Sundays and Bank Holidays.
- 7.4 In addition, the proposal includes a request for an additional single delivery of newspapers between 4am and 5.30am on any day when newspapers are published. In practice this would be almost all days of the year, as the only day when no newspapers are published is Christmas Day.
- 7.5 In support of the application a noise report has been submitted. The conclusion of this is that the environment is dominated by traffic noise and that the increased opening hours would therefore have little additional impact.
- 7.6 This report has been considered by Environmental Health officers who have concluded that the increase in opening hours or in the principal delivery hours would not result in a significantly detrimental impact on neighbouring residents. The reasoning behind this being due to the fact that these times are within the normally expected period of "daytime" activities and due to the general environment which does feature significant traffic noise. Furthermore, as the proposal is only for an additional hour in the morning and evening, when it can reasonably be expected that the number of vehicles calling at the premises would not be significant.
- 7.7 On this basis it is therefore recommended that the application be approved in respect of the opening hours and principal delivery hours, given the minimal additional impact which would result. It is further considered that a refusal on the grounds of noise impact, which would be contrary to the advice of professional Environmental Health officers, would be difficult to defend at any subsequent appeal.

- 7.8 In respect of the additional proposal for one delivery of newspapers, this was originally proposed to be between the hours of 4.00am and 5.30am. It was considered that this would have a significant impact in terms of noise and disturbance to residents, due to the early hour of the morning proposed and the fact that this would take place on seven days per week, therefore including Sundays and Bank Holidays also.
- 7.9 These concerns were raised with the applicants and in response, an amendment to these earlier delivery times has now been proposed, from 6am to 7am, which is the hour just before the main delivery period. It has also been clarified that the proposed delivery box would be on the Stanhope Road frontage rather than at the rear of the shop.
- 7.10 There would only be deliveries from one small van during these hours, which would be used to simply drop off newspapers into a lockable box. Given that this would now be at a time of the day when there would be an increased traffic flow in the area, it is considered by officers, notwithstanding the comments made by Environmental Health, the impact of such deliveries would be minimal and would not be noticeable over and above normal activity at such times of the day. The wording of the condition has been amended following discussions with the applicants to define the type of vehicle which would be used and also the location, in general terms, of the delivery box. This will ensure that the effect of this one delivery is minimised.
- 7.11 Representations which have been received from neighbouring occupiers which raise a number of issues beyond the additional impact of the extended opening and delivery hours, referring to parking, highway safety and questioning the need for the development. These are issues which were considered when the application was originally approved and therefore these cannot be revisited at this time, as even if the current application for a variation of condition is to be refused, the original permission will remain valid and can be implemented with the original hours of opening and delivery.
- 7.12 It should also be noted that the original condition refers only to bank holidays. This is an oversight as this would allow deliveries on days which are in fact public holidays, such as Christmas Day. The wording of the condition is therefore recommended to be varied to state Bank and Public Holidays, which has also been agreed with the applicants.
- 7.13 As this is a S73 application to vary the planning conditions, the planning obligations that were previously secured by a legal agreement i.e. the permanent retention of the parking area on the satellite site at Trinity Avenue to serve the development, as well as contribution towards construction training would need to be secured again via either a S106 agreement or a unilateral undertaking by the applicant. The application is therefore recommended for approval in principle, subject to the finalisation of the necessary legal agreement.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed increase in opening and delivery hours, by one hour in the morning and one in the evening would not result in a significant increase in noise and general disturbance to nearby residents, which would be sufficient to warrant a refusal of planning permission.
- 8.2 It is further considered that the proposal to have a single additional delivery on every day between 6am and 7am, by means of a small van, would not have a significantly detrimental impact as this would not generally be appreciable over and above ordinary background noise.

## **9. CONDITIONS**

1. The development hereby permitted shall be begun on or before the 14<sup>th</sup> September 2019.

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

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

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

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

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

4. Notwithstanding the submitted plans, details of visibility splays for the access entrance to the proposed Trinity Avenue car park shall be first submitted to and approved in writing by the Local Planning Authority. The visibility splays shall be provided in accordance with the approved details prior to the car park on Trinity Avenue being brought into use and retained thereafter.

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

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

- Dust mitigation measures during the construction period;
- Control of noise emanating from the site during the construction period;
- Hours of construction work for the development;
- Arrangements during the construction period to minimise the deposit of mud and other similar debris on the adjacent public highways;
- Routing agreement for construction traffic
- Details of any temporary site construction access; and
- Loading and unloading arrangements for any large vehicles.
- The construction of the development shall be carried out in accordance with the approved Construction Environmental Management Plan unless otherwise approved in writing by the Local Planning Authority.

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

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

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



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

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

8. Prior to the occupation of the building for the uses hereby approved, a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

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

9. No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval. Any site investigation found to be required under shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval. All remedial works found to be required shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase). In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

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

Where noise levels in any habitable room may exceed:

- Indoor habitable areas – LAeq, 16H 35 dB window open, during the daytime period (07:00 – 23:00)

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

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

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

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

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

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

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

13. The retail unit on the ground floor of the development hereby approved shall not remain open to the public between the hours of 23:00 and 07:00 on any day.

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

14. Deliveries to or collection from the retail premises shall not take place before 07:00 or after 21:00 hours on Mondays to Saturdays or at any time on Sundays or Bank or Public Holidays, with the exception of a single of delivery of newspapers between 06:00 and 07:00 hours on any day that newspapers are produced and delivered to the retail premises by means of a vehicle no larger than a Category N1 vehicle as defined by the Vehicle Certification Agency (or a vehicle equivalent to such current category in the event of a future change of categorisation or certification body) to a holding box on the Stanhope Frontage of the site.

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

15. Full details of the method of the treatment of the external boundaries of the site, including the boundary of the satellite parking area on Trinity Avenue, shall be submitted to and approved in writing by

the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

**10. BACKGROUND PAPERS**

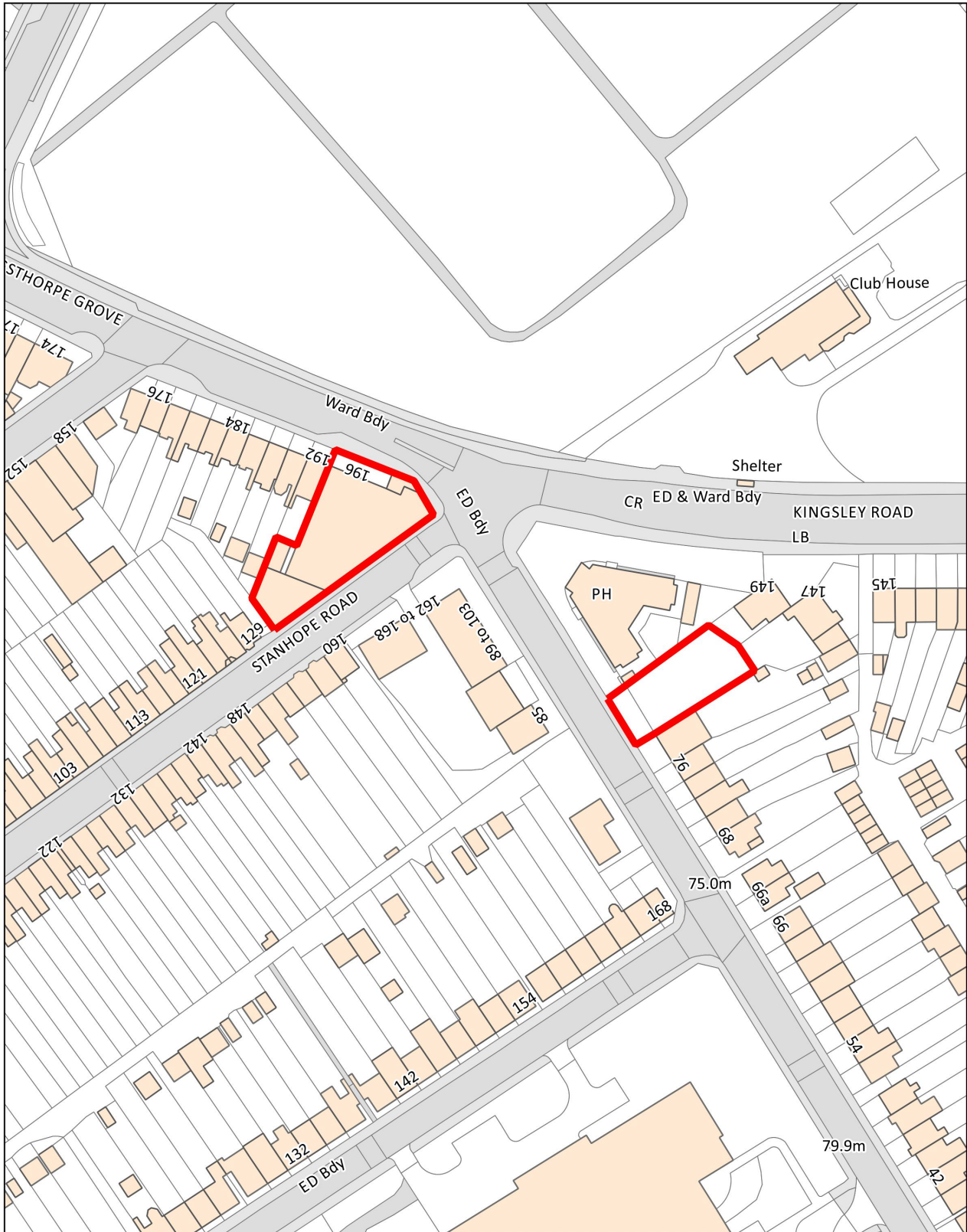
10.1 Application files N/2015/1228 and N/2017/1046.


**11. LEGAL IMPLICATIONS**

11.1 The development is CIL liable.

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

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>194-200 Kingsthorpe Grove</b></p>	<p>Date: 07-12-2017</p>
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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1161

**LOCATION:** 10 Christchurch Road

**DESCRIPTION:** Enlargement of existing flat roof dormer to form utility room

**WARD:** Abington Ward

**APPLICANT:** Mr and Mrs Steer  
**AGENT:** Mr Aaron Freebody

**REFERRED BY:** Councillor T Ansell  
**REASON:** Intrusive impact on neighbours

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

By reason of its siting, scale and design, the proposed development would not have any undue detrimental impact on the appearance and character of the host building, wider area, conservation area and adjoining neighbour amenity to comply with Policies E20, E26 and H18 of the Northampton Local Plan, S10 and BN5 of the West Northamptonshire Joint Core Strategy, the Council's Supplementary Planning Document on Residential Extensions and aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 Permission is sought for installation of a dormer at the rear of the property on a side facing roof slope to replace an existing smaller dormer. The materials would match the existing roof and the proposed side windows would be glazed with obscure glass. The dormer would have a flat roof and be used as a utility room. There would also be a rear facing window and two conservation roof lights on the flat roof.

**3. SITE DESCRIPTION**

3.1 The application site consists of a terraced dwelling along an established residential street in Abington. There is a private rear garden enclosed on 3 sides and detached garage to rear accessed off a private alleyway. The site lies within the Abington Park Conservation area, although the building is not listed.

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

4.1 No recent planning applications.

#### **5. PLANNING POLICY**

##### **5.1 Statutory Duty**

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

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

##### **5.2 National Policies**

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

- Paragraph 17- relates to amenity of other occupiers and design
- Paragraph 56 - requires good design
- Paragraph 132 - Impact on heritage assets including conservation areas

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

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

S10 Sustainable Development Principles - requires new development to achieve high quality design.

BN5 Heritage Assets - relates to impact on heritage assets including conservation areas.

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

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

E20 Design of extensions - require good design on new development.

H18 Residential extensions and alterations - relates to design and effect on neighbours amenity for domestic extensions and alterations.

E26 Conservation Areas - any development should preserve or enhance the appearance and character of conservation areas.

## 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Residential Extensions and Alterations Design Guide SPD (December 2011)

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Built Conservation (NBC)** The extension to the roof slope will be visible from the gardens of adjacent properties and in views from Albany Road but will not be prominent in views from public areas in the conservation area. It is not considered that the extension will cause substantial harm to the conservation area.

6.2 4 objections received on following grounds:

- Loss of light
- Overlooking/ loss of privacy
- Size of extension not justified
- Impact on conservation area
- Overbearing
- Out of keeping with surrounding area and local context
- Concern over dust from construction work
- Other roof extensions are generally historic or prior to designation of conservation area
- Impact on stability of building and other properties
- Drainage/ sewerage concerns
- Noise concerns

6.3 **Councillor T Ansell** - called in due to intrusive impact on adjoining property.

## 7. **APPRAISAL**

### **Main issues**

7.1 The main issues to consider are the impact on the appearance and character of the host building, street scene, Abington Park Conservation Area and amenity of adjoining occupiers/ parking.

### **Planning Policy**

7.2 Relevant planning policy is contained in the Northampton Local Plan and West Northamptonshire Joint Core Strategy. E20 of the Local Plan requires good design as does S10 of the Joint Core Strategy. H18 of the Local Plan relates to residential alterations. E26 requires development to preserve or enhance the appearance and character of the conservation area. The Council's Adopted Supplementary Planning Document on Residential Extensions stresses that dormer windows should not be overly dominant and not have an unacceptable impact on the host building or wider area.

### **Design and Impact on appearance and character of conservation area**

7.3 Although not visible from Christchurch Road, the proposed development would be conspicuous from glimpse views on the nearby Albany Road. The proposed dormer is large, however, it

would not cover the whole roof slope and is not considered to be out of scale with this part of the roof and the host building. It is noted that a comparatively larger dormer has been erected on the adjoining property at no.12 Christchurch Road. The current proposal would be constructed in more sympathetic materials with hanging tiles. The Council's Conservation Officer has no objection and due to the siting of development, it is considered that the effect on the conservation area would be acceptable and any harm would be less than substantial.

### **Impact on amenity of adjoining occupiers**

- 7.4 The proposed side facing windows would be obscure glazed and would reduce direct overlooking to the rear garden/windows of the adjacent property at no.12 Christchurch Road. In terms of light and overbearing, it is not considered that the effect is sufficiently adverse to justify a refusal of planning permission. Given the existing separation, there would be limited effect on the amenity of other adjoining properties at no. 8 Christchurch Road and property to the rear at no. 1 Ardington Road.

### **Parking**

- 7.5 Given that the proposed development would not include any additional bedrooms, there would not be any impact on car parking requirement set down in the Northamptonshire Highway Parking Standards.

### **Other issues**

- 7.6 It is unlikely that there would be significant disruption during the construction process given that this is for a temporary period only. Loss of view is not a material planning consideration. Stability and safety is a matter for Building Regulations. Drainage would be addressed under Part H of the Building Regulations. It is not considered that noise generated by the proposal would be sufficiently adverse to justify refusal of planning permission.

## **8. CONCLUSION**

- 8.1 While it is acknowledged that the roof extension is large, it is not considered prominent and the design would complement the host building, On balance, the impact on the conservation area is considered acceptable and the effect on adjoining occupiers not sufficiently adverse to justify refusal of planning permission.

## **9. CONDITIONS**

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1608-01, 02, 03A, 04A, 05.

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

- 3) The side facing windows shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority 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 property in accordance with Policy H18 of the Northampton Local Plan.

4) The external walls/cheeks of the dormer hereby approved shall be constructed with materials of the same type, texture and colour as the external roof of the existing building.

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

## **10. BACKGROUND PAPERS**

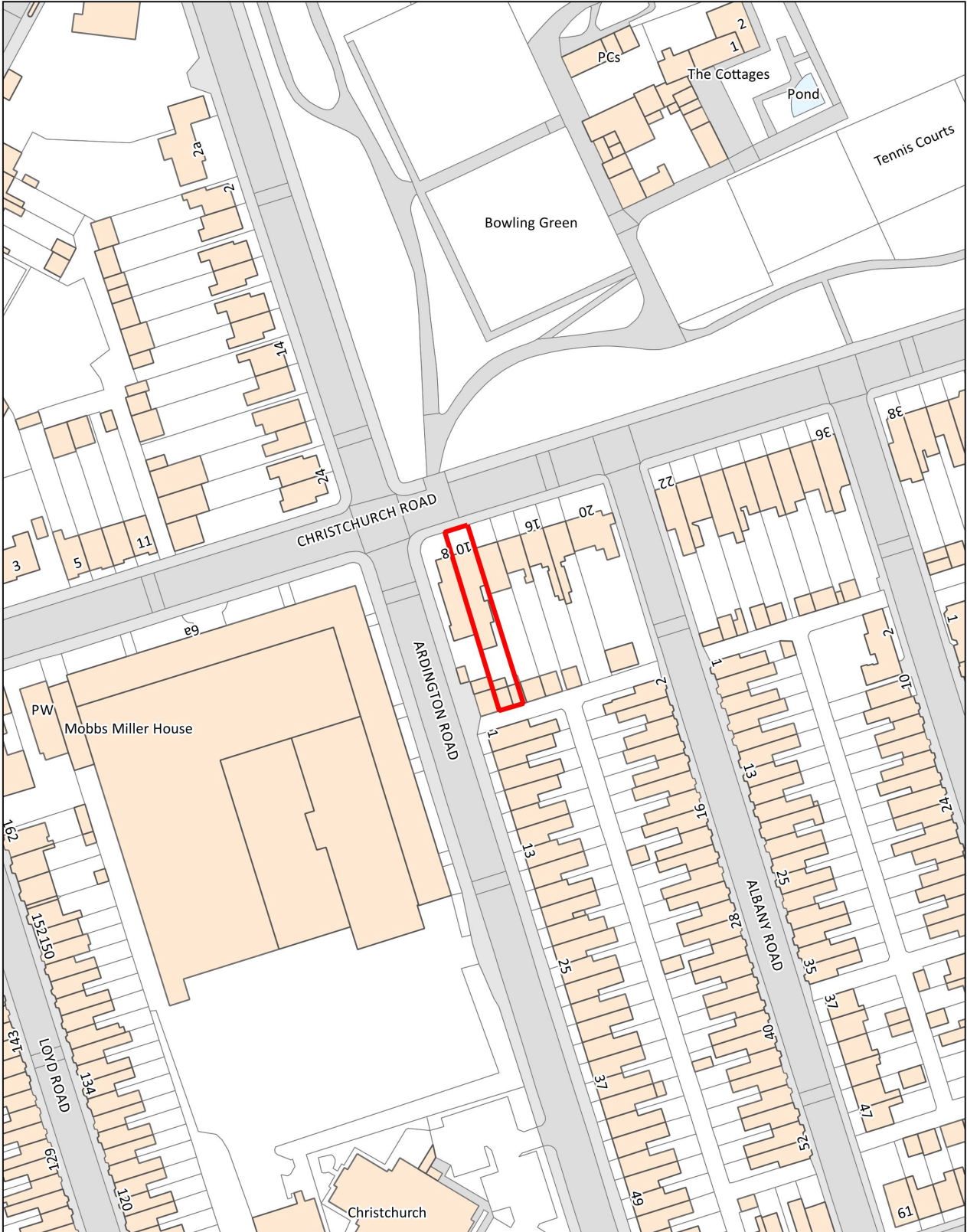
10.1 N/2017/1161.

## **11. LEGAL IMPLICATIONS**

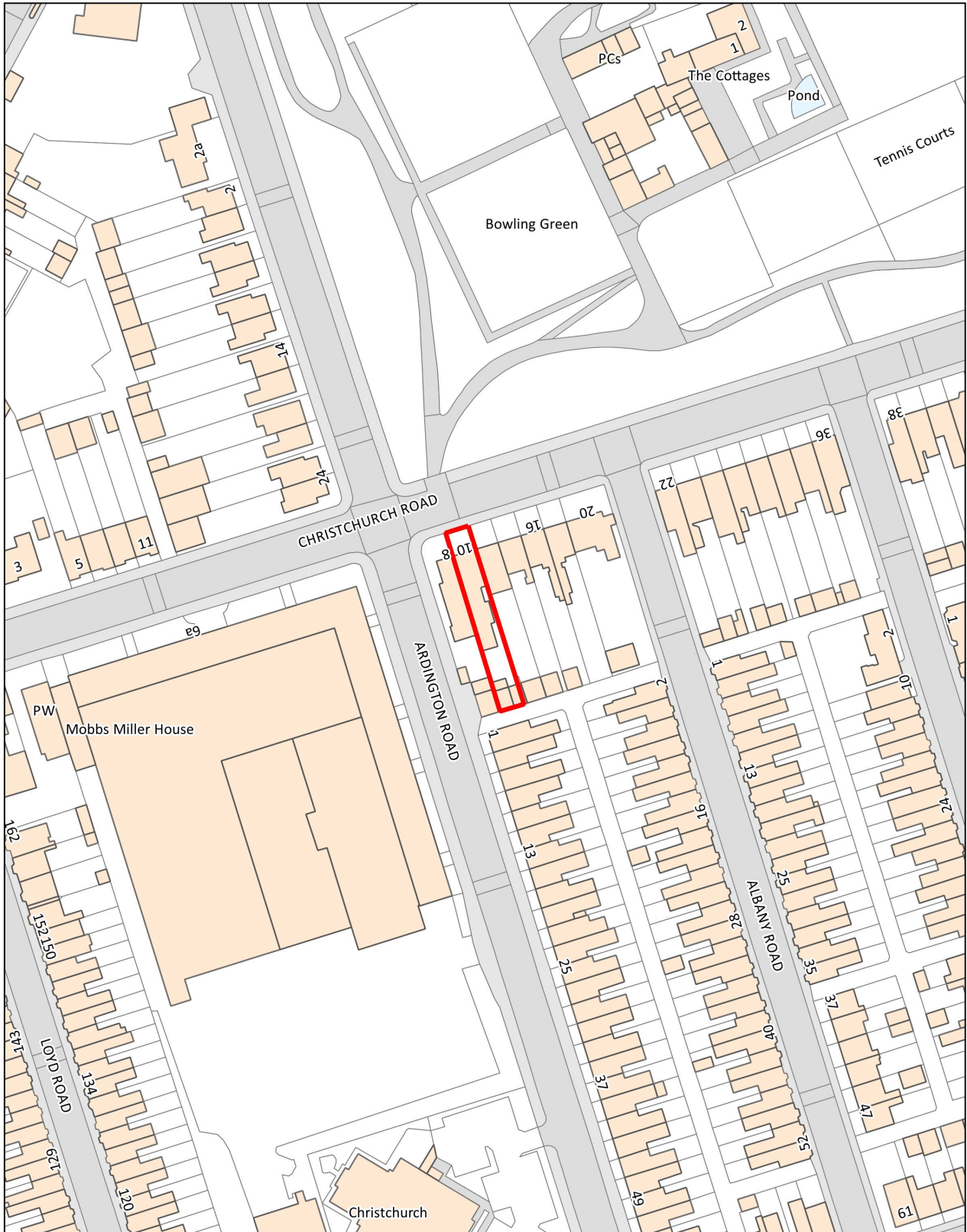
11.1 The development is not CIL liable as the additional floor space would be less than 100 square metres.

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

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>10 Christchurch Rd</b></p>	<p>Date: 05-12-2017</p>
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Title: **10 Christchurch Rd**

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Date: 05-12-2017

Scale: 1:1,250

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<b>PLANNING COMMITTEE:</b>	19 <sup>th</sup> December 2017
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>HEAD OF PLANNING:</b>	Peter Baguley
<b>APPLICATION REF:</b>	N/2017/1214
<b>LOCATION:</b>	83 Southampton Road
<b>DESCRIPTION:</b>	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants in 3 bedrooms
<b>WARD:</b>	Delapre & Briar Ward
<b>APPLICANT:</b>	Mrs Fang Dong
<b>AGENT:</b>	Mrs Fang Dong
<b>REFERRED BY:</b>	Councillor V Culbard
<b>REASON:</b>	Parking and refuse concerns
<b>DEPARTURE:</b>	No

#### **APPLICATION FOR DETERMINATION:**

##### **1. RECOMMENDATION**

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

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

##### **2. THE PROPOSAL**

2.1 Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 4 people in 3 bedrooms. No external alterations are proposed to the property. Parking would be on-street.

2.2 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

- 2.3 The application description has been amended during the course of the application and the ground floor bedroom has been omitted from the scheme. The current application is for 4 occupants in 3 bedrooms on first floor.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a two storey, mid-terraced, 3 bedroom property on Southampton Road, located in a residential area with similar terraced properties on one side of the street.
- 3.2 The property has a kitchen, dining, lounge and a bathroom on the ground floor, 3 bedrooms on the first floor.
- 3.3 The site is in a close proximity to St. Leonard's Road, which contains some retail units and access to bus routes.
- 3.4 The application site lies in a Flood Zone 3.

### **4. PLANNING HISTORY**

- 4.1 None.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **5.2 National Policies**

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

- 5.3 Paragraph 17 - Core Principles seeks to secure high quality design and a good standard of amenity for existing and proposed occupiers.
- 5.4 Paragraph 49 - Housing applications should be considered with a presumption in favour or sustainable development.
- 5.5 Paragraph 50 - states that planning should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive, and mixed communities; should plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community.

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

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

- 5.7 Policy H1 - Housing Density & Mix & Type of Dwellings - states that development should provide for a mix of house types, sizes and tenures to cater for different accommodation needs. Housing developments will be expected to make the most efficient use of land having regard to the location and setting of the site, the existing character and density of the local area, accessibility to services and facilities, proximity to public transport routes, the implications of density for affordability and viability, the living conditions provided for future residents, and the impact on the amenities of occupiers of neighbouring properties.
- 5.8 Policy H5 – Managing the existing housing stock - seeks to manage and safeguard existing housing stock, including through HIMOs, where they would not adversely impact upon the character and amenity of residential areas.
- 5.9 Policy S10 – Sustainable Development Principles - requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings

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

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

- 5.11 Policy E20 – new development should adequately reflect the character of surroundings and ensure adequate standards of privacy, daylight and sunlight.
- 5.12 Policy H30 – requires HIMOs to be of sufficient size to accommodate the proposed use and not result in an over concentration to the detriment of the character and amenity of the area or result in a substantial demand for on street parking in areas judged to be experiencing difficulties.

5.13 **Supplementary Planning Documents**

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

5.14 **Other Material Considerations**

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

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 15% of HIMOs within a 50metre 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 **Councillor V. Culbard** - raises objection on the basis that application property is on a very busy street where parking and rubbish disposal are already an issue. The proposed development would only make a difficult situation worse. Calls in the application for consideration by the Planning Committee.
- 6.2 **Councillor G. Walker** - raised objection to this application on the grounds of the loss of a family home and parking issue.
- 6.3 **Highway Authority (NCC)** – no objection on the amended scheme with three bedrooms.
- 6.4 **Private Sector Housing (NBC)** - has advised that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposed HIMO would meet the requirements for a four occupant HIMO. The property is not currently licensable as a HIMO, the Council is currently undertaking a review which may result in the introduction of an additional licensing scheme affecting the area and would be likely to affect the subject property.
- 6.5 **Environment Agency** - no objection to the amended scheme without any bedroom on the ground floor. They have advised that since the applicant has confirmed that there will be no ground floor sleeping at the proposed development, they are satisfied that the flood risk posed to future occupants of the property has been removed.
- 6.6 **3 representations** have been received from 2 neighbouring properties. The representations has been summarised as follow:
- Parking issues in the Southampton Road and wider area.
  - Inadequate refuse storage and fly tipping.
  - Noise issues.
  - Not appropriate for the area, as the development would affect the mix of the houses and would result in high density of HIMOs in the area.
  - Impact on community cohesion.

## 7. APPRAISAL

### Principle of the development

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### Area concentration

- 7.2 Council records evidence that there are 12 confirmed HIMOs on Southampton Road, Penrhyn Road and Euston Road within a 50m radius of the application site. The use of this property as a HIMO would equate to 14.77% concentration in the area. This would fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

### Size of property and facilities for future occupiers

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The three bedrooms are considered to be of sufficient size,

the room sizes are in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities are provided for single/double occupancy. A condition restricting the use of the property to a maximum of 4 people in three households would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that they are satisfied that the accommodation proposed meets the requirements.

- 7.4 No details have been submitted for cycle storage, but there is adequate space to the rear of the property that can be used for the storage of bins and cycles, the details of which would be required by conditions.

### **Flood Risk**

- 7.5 The application site lies within the Flood Zone 3. The Environment Agency had raised an objection on the original application, but the application has been amended and the ground floor bedroom has been omitted from the scheme. EA has withdrawn their objection accordingly.

### **Highways/Parking**

- 7.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either be within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 The application property is located within easy walking distance to facilities along St. Leonards Road. It is considered that the application site is in a sustainable location within 250 metres of bus stops on St. Leonards Road and Towcester Road and within walking distance of local facilities on St. Leonards Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for approval for secure cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.10 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 3 parking spaces, which is an increase of 1 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.11 In this case, the Highway Authority has not objected to the amended scheme with three bedroom HIMO.
- 7.12 Moreover, there is no evidence to support that all 4 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.13 Furthermore, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking



provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.

- 7.14 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld.

#### **Refuse storage**

- 7.15 No details have been submitted for refuse storage or bin location. There is sufficient space to the rear of the property for bin storage, a condition is recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size.

#### **Amenity**

- 7.16 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

### **8. CONCLUSION**

- 8.1 The proposed development would not lead to an unacceptable concentration of HMOs within the locality that would adversely affect upon the character of the local area, street scene, 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.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.
- 8.3 The planning application is recommended for approval subject to the conditions listed below.

### **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed floor plans as existing, Site Location Plan.

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

3. The development hereby permitted shall be occupied by a maximum of four residents in three households at any one time. No bedroom accommodation shall be provided on the ground floor at any time.

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

4. Full details of facilities for the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

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

5. 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 retained thereafter.

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

## **10. BACKGROUND PAPERS**

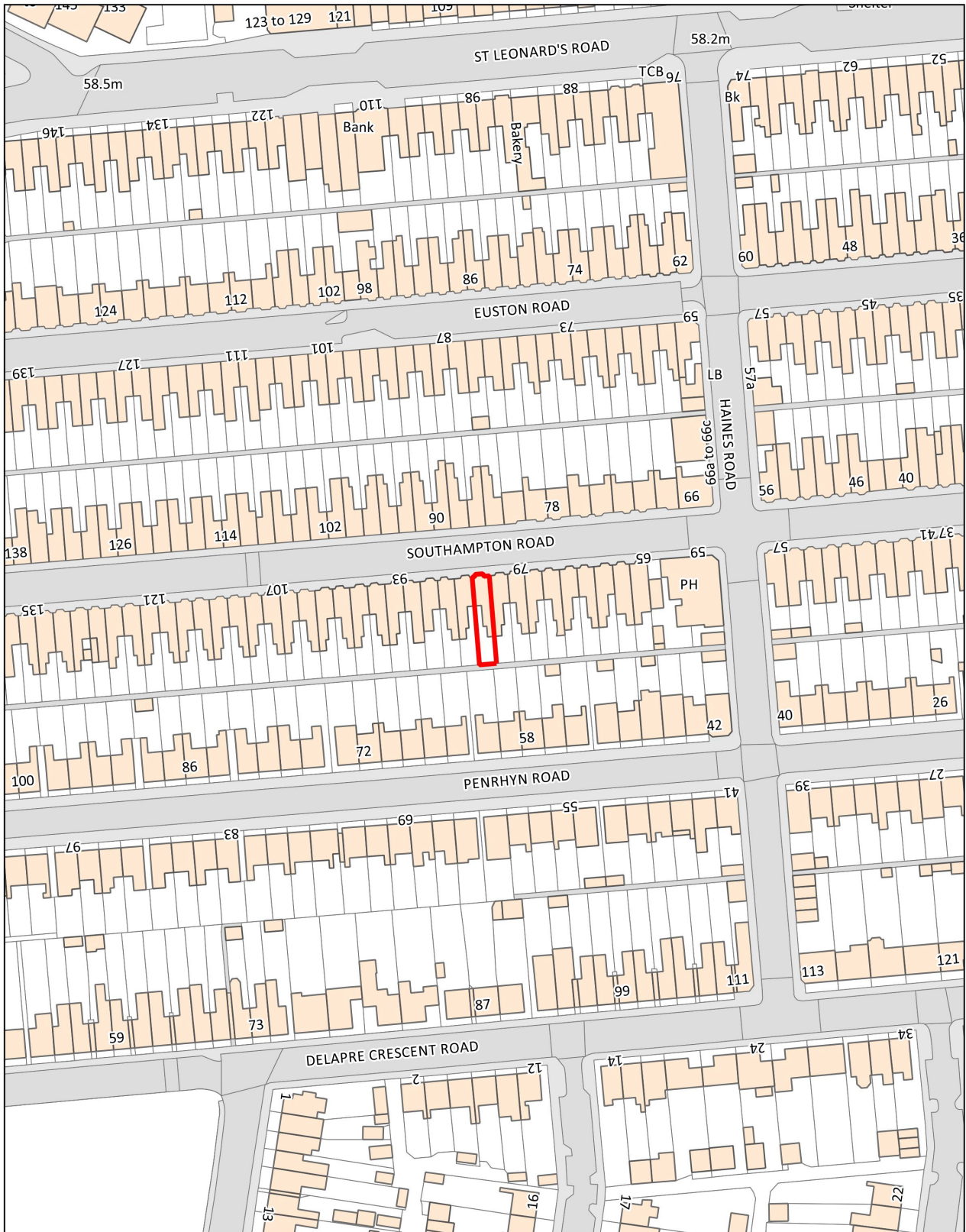
- 10.1 N/2017/1214.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is CIL not chargeable.

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

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



Title: **83 Southampton Road**

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Date: 05-12-2017

Scale: 1:1,250

Drawn by: -----





**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1220

**LOCATION:** The Former Ecton Brook Public House , Ecton Brook Road

**DESCRIPTION:** Partial change of use to include hot food takeaway and cafe/restaurant uses with erection of extraction flue (part retrospective)

**WARD:** Billing Ward

**APPLICANT:** Mr Patel  
**AGENT:** Mr Amit Chhatralia

**REFERRED BY:** Head of Planning  
**REASON:** Part Council owned land

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposed development is considered acceptable in principle and would not have any undue detrimental impact on the appearance and character of the host building, wider area, highway safety or amenity of nearby occupiers to comply with Policies E20 of the Northampton Local Plan, S10 and BN9 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 Planning permission is sought to convert part of the community centre into a hot food takeaway and café/ restaurant to be able to serve the public during operational hours. The proposed hours of use would be the same as the community centre, Mondays to Fridays 7:30am to 10:00pm, Saturday 9:00am to 11:00pm and Sundays from 9:00am to 10:00pm. The applicant has included a Noise Impact Assessment to support the planning application. The proposal also includes the installation of a metal extraction flue to the rear of the building. This element is retrospective.

**3. SITE DESCRIPTION**

3.1 The property comprises of a modern two-storey brick-built property part rendered and wooden clad and previously used as a public house. A small service yard is located to the rear

earmarked for refuse storage. The adjacent properties comprise of a variety of uses including a post office, local store, medical centre and pharmacy, all of which surround a number of shared parking areas divided by landscaping. St Andrew's Primary School is located to the north of the site. On the opposite side of Ecton Brook Road are residential properties. The site is not close to a conservation areas or listed buildings. The site is partly NBC owned land.

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

- 4.1 Planning permission was granted in 2014 (N/2014/1092) to convert the building into a community centre. A recent planning application was approved in 2017 for external render, cladding front boundary wall which has been implemented.

#### **PLANNING POLICY**

##### **5.1 Statutory Duty**

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

##### **5.2 National Policies**

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

- Paragraph 17 requires high quality design and consideration of neighbour amenity.
- Paragraph 32 seeks to ensure safe access for all.
- Paragraph 58 relates to security.
- Paragraph 64 urges local authorities to reject poor design.
- Paragraph 123 relate to noise.

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

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

S10 Sustainable Development Principles requires high quality design.  
BN9 Pollution Control relates to impact of noise.

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

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

E20 Design of new development- requires good design in terms of materials, scale and layout.

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

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG (2003)

## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received summarised as follows:

6.1 **Local Highway Authority (NCC)** - No comments.

6.2 **Environmental Health (NBC)** - No objection provided that hours of use are in line with the community centre.

6.3 **Billing Parish Council** - no comments received.

## **7. APPRAISAL**

### **Principle of use**

7.1 The application site is located adjacent to an existing school, convenience shop and post office and opposite an established residential estate. Given the character of the area, it is considered that the proposal would complement the locality and introduce a use that serves the local community and surrounding residential uses.

### **Impact on neighbouring amenity**

7.3 The site is predominantly surrounded by a mix of uses, the nearest residential properties being located over 20 metres away on the opposing side of Ecton Brook Road.

7.4 In order to control impact on neighbouring uses, a condition is proposed to control hours of use to Monday to Friday 7:30am to 10:00pm, Saturday 9:00am to 11:00pm and Sunday/Bank/Public Holidays 9:00am to 10:00pm. These are in line with those approved for the community centre. The Council's Environmental Health Officers raise no objection in terms of noise and odours and are satisfied that the above condition is agreed on any grant of planning permission. Although the use is likely to generate additional comings and goings, it is considered that the neighbour impact would be acceptable given existing separation. This complies with Policy BN9 of the Joint Core Strategy and Paragraph 17 of the NPPF in terms of noise and amenity.

### **Impact on appearance and character of host building and wider area**

7.5 The extraction flue is sited at the rear of the building. Although it is visible from Ecton Brook Road, it is considered that it is not overly prominent and is of a design and appearance in keeping with the host building. The effect on the street scene would also be reasonably limited. This accords with Policy E20 of the Northampton Local Plan and S10 of the Joint Core Strategy.

### **Parking and Highway safety**

7.6 Although the site does not benefit from its own car park, there is a reasonable sized parking area adjacent that can accommodate approximately 40 cars off road. This car park is open 24 hours and available for use by the local community free of charge. The Local Highway Authority raise no objections. This complies with Paragraph 32 of the NPPF which seeks to ensure safe access for all.

## **8. CONCLUSION**

8.1 The proposed uses are considered acceptable and would assist in securing the ongoing use of the building for community purposes. It is also considered that there would unlikely to be any

undue detrimental impact on highway safety, visual amenity and the living conditions of other properties.

## **9. CONDITIONS**

1) The development hereby permitted shall be carried out in accordance with the following approved plans: S1, S2, 01A, 02A, 03, 04, 05A, 06A, 07, 08.

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

2) The takeaway use hereby permitted shall be open only between the hours of 7:30am and 10:00pm Mondays and Fridays, on Saturdays from 9:00am to 11:00pm and on Sundays and Bank or Public Holidays from 9:00am to 10:00pm and at no other times.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

3) The refuse storage area shall be implemented in accordance with the location shown on the approved drawing S2 prior to the use hereby permitted commencing and be retained as such throughout the lifetime of the development.

Reason: In the interests of residential amenity to comply with the aims and objectives of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

10.1 N/2017/1220.

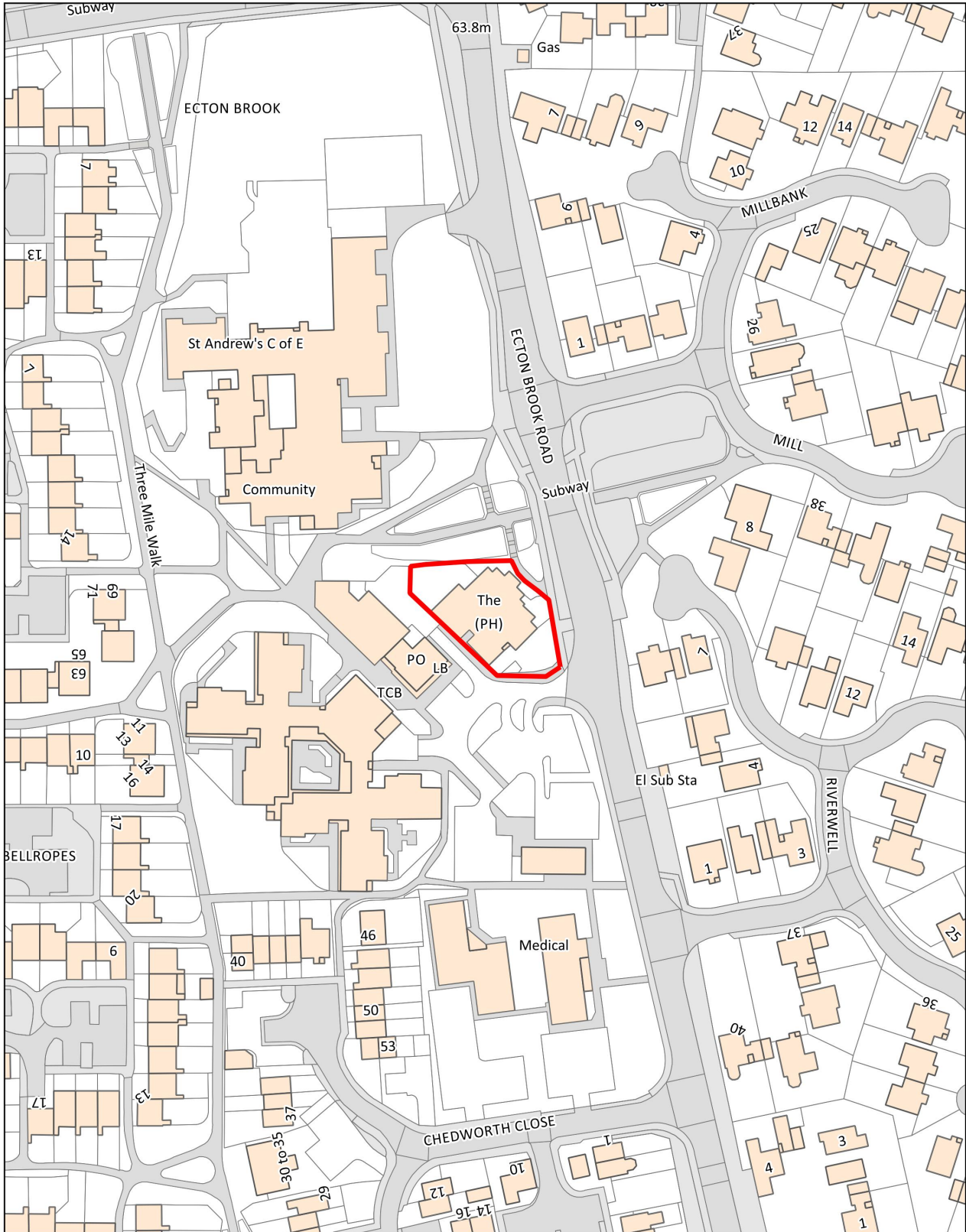
## **11. LEGAL IMPLICATIONS**

11.1 The development is not CIL chargeable.

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

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





 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Ecton Brook Public House</b></p>	<p>Date: 05-12-2017</p>
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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1270

**LOCATION:** 53 Park Avenue South

**DESCRIPTION:** Two storey rear extension, front roof lights and rear dormer windows, two storey front bay, alterations to fenestration details to front and rear elevations, new front brick garden wall and alterations and extension to garage

**WARD:** Abington Ward

**APPLICANT:** Mrs Donna Varnsberry  
**AGENT:** Mr David Suter

**REFERRED BY:** Councillor T Ansell  
**REASON:** Overdevelopment and impact on neighbour

**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, subject to conditions, would have a neutral impact upon the character and appearance of the Abington Park Conservation Area and highway safety and would have an acceptable impact on neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S10, and BN5 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20, E26 and H18 of the Northampton Local Plan, and the Residential and Alterations Design Guide SPD.

**2. THE PROPOSAL**

- 2.1 The application seeks full planning permission for a two storey rear extension, front roof lights and rear dormer windows, two storey front bay window, alterations to fenestration details to front and rear elevations, new front garden wall, and alterations and extension to garage.
- 2.2 The two storey rear extension would have a flat roof and chamfer to both rear corners. It would measure 6.2 metres in width, 4.2 metres in depth and 6.2 metres in height.
- 2.3 The roof alterations to the existing dwelling comprise two front conservation style roof lights and three flat roof dormer windows to the rear elevation.

- 2.4 The proposed front bay window would be located to the northern side of the front elevation and would be two storey with a flat roof to match the height and design of the existing front bay window.
- 2.5 The alterations to fenestration details include a replacement first floor window to the centre of the front elevation and a new patio door to the rear elevation to infill an existing recessed canopy area.
- 2.6 The new front boundary wall treatment would comprise a 0.7 metre high brick wall with 0.7 metre high railings on top between 1.1 metre high brick pillars.
- 2.7 The alterations and extension to garage would comprise the conversion of the northern third of the existing garage structure into a study/gym, including the insertion of patio doors facing onto the garden, and the erection of a porch style extension to the remaining double garage. The porch extension to the garage would be located in the rear garden adjacent to the northern side boundary and would have a flat roof. It would measure 2.3 metres in width, 1.8 metres in depth and 2.4 metres in height.
- 2.8 The proposal has been amended since its submission. The application originally proposed front dormers and a single storey bay with first floor balcony and these additions have been replaced by the front roof lights and two storey bay window. In addition, a new roof extension was proposed to the existing garage, incorporating first floor accommodation, and this element of the proposal has also been omitted with a new garage porch and part conversion of the garage to a study instead.

### **3. SITE DESCRIPTION**

- 3.1 The application site is located to the western side of Park Avenue South and falls within the Abington Park Conservation Area. It comprises a mid-terraced two storey terraced dwelling with brick and roughcast/pebbledash rendered elevations and a tiled roof. The application property benefits from a two storey bay window to the southern side of the front elevation and a single storey flat roof projection to the rear elevation adjoining the southern side boundary, with a double and single garage to the rear of the plot.
- 3.2 The application property is neighboured by No. 53 Park Avenue South to the north and No. 55 Park Avenue South to the south. Abington Park is located to the front of the site, on the far side of Park Avenue South, and there is a shared access drive / service road to the rear of the site which serves the rear of properties fronting both Park Avenue South and Garrick Road. Nos. 17, 19 and 21 Garrick Road back on the shared access drive immediately to the rear of the site.
- 3.3 Properties in the locality are generally from the early years of the 20<sup>th</sup> century and are strongly influenced by crafts based building traditions, and include a number of buildings by Scottish architect Alexander Anderson (such as No. 55). The application property is in a row where every building is individually designed and built separately, with the buildings making extensive use of features such as boldly projecting bay windows, gables and porches to assert their individuality, with the use of common materials such as brick and tiles, and render helps to unify the group. Although, the application property is relatively simple in design compared to its neighbours and as such appears relatively innocuous in the streetscene.

### **4. PLANNING HISTORY**

- 4.1 None relevant.

### **5. PLANNING POLICY**

## 5.1 **Statutory Duty**

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

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

## 5.2 **National Policies**

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

Paragraphs 6, 7, 8 and 14 set out that the presumption is in favour of sustainable development.

Paragraph 17 details the core planning principles and these include to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 32 details that decisions should take account of whether safe and suitable access to the site can be achieved for all people and that development should only be refused on transport grounds where the impacts of development are severe.

Section 7 requires good design.

Section 12 seeks to conserve heritage assets in a manner appropriate to their significance and advises that great weight should be given to an asset's 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 S10 requires development to satisfy a range of sustainable development principles.

Policy BN5 designated and non-designated heritage assets and their settings will be conserved and enhanced.

## 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 requires the design (including layout, siting, form, scale and materials) of new buildings to reflect the character of its surroundings and ensure adequate standards of residential amenity.

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

Policy H18 details that extensions will be granted subject to the design and appearance of the extension and its relationship to the existing area being acceptable and the effect upon adjoining properties.

## 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Residential Extensions and Alterations Design Guide SPD

## 5.6 **Other Material Considerations**

Abingdon Park Conservation Area Assessment 2005

## 6. **CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Councillor Tony Ansell** – Called this application in to be heard at Committee on the basis that it causes over development and would have a negative impact on No. 51 Park Avenue South.

6.2 **NBC Conservation Officer** - No objection on conservation grounds to the revised plans, which delete the previously proposed dormers and balconies from the front elevation. As now proposed, the alterations to the front elevation will have a limited and acceptable impact on the street scene within the Conservation Area.

6.4 12 third party letters of objections were received to the application as originally submitted. These letters included the following points:

- The overall extension to the house is disproportionately large in scale in comparison to the size of the house, garden and plot.
- The proposals would dominate and overwhelm the architecturally distinctive No. 55 Park Avenue South.
- The three front dormers would appear too congestion for the pitch of the existing roof (Officer Note: The application has been amended to replace the front dormers with roof lights).
- The three rear dormers would appear oppressive and look down directly into the neighbouring garden of No. 55 Park Avenue South.
- The two storey rear extension due to its large size would result in a loss of daylight to the adjacent ground floor and first floor rooms at No. 51 Park Avenue South and would also be overbearing, intrusive and result in overshadowing such that it would adversely impact on the enjoyment of the garden at this property.
- The side window in the two storey side extension would overlook the garden at No. 55 and the extension would reduce the daylight to a side kitchen window at this property.
- The first floor windows in the rear extension and new rear dormer windows would overlook the rear garden of No. 51 Park Avenue South.
- The two storey extension would be an overbearing building that would dominate the skyline and reduce the light and privacy of many properties on Garrick Road.
- Proposal would change the outlook of properties on Garrick Road and is not in keeping with the character of the area.
- The proposal would be overdevelopment and set a precedent for other proposals in the area.
- Adding further parking demand to this area is an issue.
- Conservation Area will be affected by inappropriate structures; proposal is a disregard for the historical significance of the area.

- The roof extension to the garage would be large and overpowering, overlooking and reducing the light to rear gardens of properties in Garrick Road and the side neighbours to Park Avenue South, and likely used as and would have the appearance of an independent house (Officer Note: The application has been amended to omit this element of the proposal)
- 6.5 In addition, a third party letter of observation was received in response to the application as originally submitted. This letter suggested that the resulting garage would appear to have the appearance of a dwelling.
- 6.6 Following the amendments of the application, which included the omission of the roof extension to the garage and the replacement of the previously proposed front dormers and first floor front balcony with roof lights and a two storey bay window (as detailed above), a further 2 third party letters of objection have been received. These letters include the following points:
- Any change to the size of the existing garage is objectionable.
  - The retention of the proposed rear dormers and two storey rear extension would result in the development still being overdevelopment and impinging on the privacy of the small gardens at the back.
  - The two storey extension is unchanged and therefore its impact on neighbours is unchanged, particularly the outlook from the habitable rooms from No. 51 Park Avenue South; the extension would contravene the Council's 45 degree line guidance.

## **7. APPRAISAL**

### **Principle of development**

- 7.1 The proposal is for ancillary development to the existing residential use of the application property and is therefore acceptable in principle.

### **Heritage and design**

- 7.2 The application property is located in the Abington Park Conservation Area and, as such, special attention must be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, with great weight given the conservation of the heritage asset.
- 7.3 The proposed two storey front bay window has been designed to match the size and design of the existing front bay window and would result in the application property having a symmetrical and well balanced appearance that would reflect other properties in the locality. The front roof lights would be conservation style and, given that the neighbouring property to the south (No. 51 Park Avenue South) benefits from multiple roof lights to the front elevation, it is considered that the two new roof lights would not appear out of place in the streetscene. In addition, No. 51 also benefits a low brick wall with railings between brick piers similar to the current proposal.
- 7.4 Turning to the proposals to the rear of the site, the rear of the application property is less visible from public vantage points due to the access drive running along the rear of Park Avenue South, being lined by garages and relatively high boundary walls. In any event, the proposed porch extension to the garage is small in size with a flat roof design to match the existing garage. The two storey rear extension is relatively large with a flat roof, however flat roofed projections are found in the Conservation Area and the extension would have generous chamfers to the rear corners that would help soften the scale of the extension and reflect the character of projections on properties in the locality. The three dormer windows would provide quite a busy roof slope, however the dormers would be on the rear roof slope. In addition, other properties in the vicinity of the site benefit from dormer windows, including a large box dormer on the rear roof slope of No. 49 Park Avenue South to the south, and the provision of three smaller dormers is preferable to such a large addition. Whilst the porch extension to the garage and two storey rear extension

to the dwelling would both encroach into the garden area, these additions would be located to opposite corners of the garden and as such the proposals would not result in an unduly cramped form of development.

- 7.5 Overall, in light of the above and having regard to the statutory duties and government guidance as set out above, it is considered that the proposed additions both individually and cumulatively would preserve the character and appearance of the Conservation Area.

### **Residential amenity**

- 7.6 In respect to residential amenity, the new and enlarged rooms that would be provided as part of the proposal would all be served by windows and as such, and given that a useable area of private amenity space would remain to the rear of the property, the proposed development would provide adequate amenity for future occupiers.
- 7.7 With regard to the amenity of neighbouring properties, the proposed works to the front of the property would not have an adverse impact.
- 7.8 Turning to the proposed development to the rear of the site, the proposal has been amended to remove the new roof and associated first floor accommodation to the existing garage to seek to reduce the impact of the proposals on the amenity of neighbours. The revised garage proposals, comprising the conversion of part of the garage to a study and a small porch, would not have a significant impact on the amenity of any neighbouring property.
- 7.9 The new second floor rear dormers on the dwelling would be over 28 metres from the two storey rear elevations of the backs of properties on Garrick Road and the two storey rear projection would be some 24 metres from the backs of these properties. As such, it is considered that the new dormers and rear extension would not adversely impact on the amenity of the occupiers of properties on Garrick Road.
- 7.10 With respect to the impact of the proposed rear dormers and two storey rear extension on the side neighbours (Nos. 51 and 53 Park Avenue South), the application property already benefits from rear facing windows and it is considered that the additional rear facing windows in the dormers and two storey extension would not unacceptably change the privacy enjoyed by the occupiers of these neighbouring properties. However, it is recommended that conditions are imposed to require the window in the chamfer to the northern side to be obscure glazed and to also, for the avoidance of any doubt, prevent the insertion of any additional windows at first floor level in the two storey extension. Furthermore, the proposed two storey extension is set away from No. 55 such that it would not significantly impact on this neighbour from a visual or daylighting perspective. The extension would run parallel with the boundary with No. 51, however the dwelling at this neighbouring property is set further back in its plot than the application dwelling and the extension has also been designed with a chamfer to limit the impact on this property. Furthermore, based on officer site measurements and the applicant's plans, the proposal would not impinge on a 45 degree line drawn from the quarter point of the ground floor patio doors of No. 51. As such, and given that the extension is located to the northern side of No. 51, it is considered that this two storey addition would not have an objectionable impact on No. 51 in terms of visual appearance or the level of daylight received by this property.
- 7.11 Overall, it is considered that the proposal would provide a good standard of amenity for future occupiers and would not have an objectionable impact with regard to the amenity of any neighbouring property.

### **Parking and highway safety**

- 7.12 Apart from the rear garage, there is no other on-site parking facility to serve the development. The existing property benefits from four bedrooms and as such, and mindful that standard garages are not counted as parking spaces under the Parking Standards, the proposal would have no further parking or highway safety implications as no additional number of bedrooms is proposed.

## **8. CONCLUSION**

- 8.1 The development, subject to conditions, would have a neutral impact upon the character and appearance of the Abington Park Conservation Area and the highway safety and an acceptable impact on neighbour amenity. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S10, and BN5 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20, E26 and H18 of the Northampton Local Plan, and the Residential and Alterations Design Guide SPD.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: PA4 Issue 4, PA5 Issue 4, PA6 Issue 3, and PA10 Issue 2.

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

3. Prior to the commencement of the construction of the new boundary wall hereby permitted, full details of the brickwork and metal railings for the boundary wall 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: In the interests of visual amenity to ensure that the extension harmonises with the existing building and preserves the character of the conservation area in accordance with Policies H18, E20 and E26 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy

4. The external walls and roof of the front bay window and rear extension to the dwelling hereby permitted shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building and preserves the character of the conservation area in accordance with Policies H18, E20 and E26 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.

5. The window frames in the front bay window hereby permitted shall be timber and painted white to match the window frames in the existing bay window to the front elevation of the application property.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building and preserves the character of the conservation area in accordance with Policies H18, E20 and E26 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.



6. The roof lights hereby permitted shall be conservation type and have no parts that project above the plane of the roof

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building and preserves the character of the conservation area in accordance with Policies H18, E20 and E26 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.

7. The external walls/cheeks of the dormers hereby approved shall be constructed with materials of the same type, texture and colour as the external roof of the existing building or in accordance with materials that have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building and preserves the character of the conservation area in accordance with Policies H18, E20 and E26 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.

8. The north west facing first floor window in the chamfer of the proposed two storey rear extension hereby permitted shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority 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 property in accordance with Saved Policies E20 and H18 of the Northampton Local Plan.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed at first floor level in the proposed two storey extension hereby permitted.

Reason: To safeguard the privacy of adjoining properties in accordance with Saved Policies E20 and H18 of the Northampton Local Plan.

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

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building and preserves the character of the conservation area in accordance with Policies H18, E20 and E26 of the Northampton Local Plan and Policy BN5 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

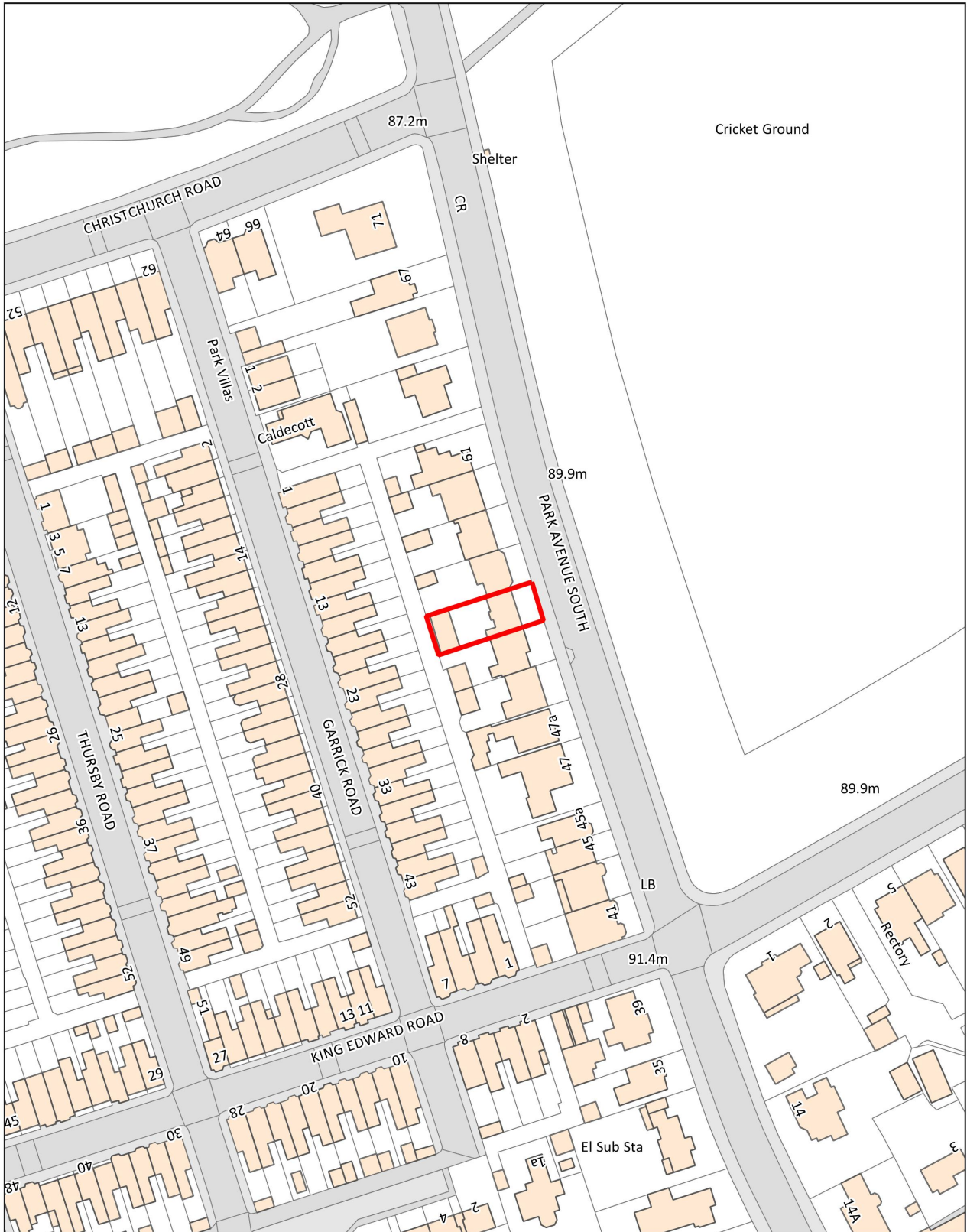
- 10.1 None.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable.

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

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>53 Park Avenue South</b></p>	<p>Date: 05-12-2017</p>
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<b>PLANNING COMMITTEE:</b>	19 <sup>th</sup> December 2017
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>HEAD OF PLANNING:</b>	Peter Baguley
<b>APPLICATION REF:</b>	N/2017/1340
<b>LOCATION:</b>	30 Doddridge Street
<b>DESCRIPTION:</b>	Addition of Juliet balustrades to 6no flats (Nos. 30-40) and installation of new full height glazed patio doors into existing framed opening
<b>WARD:</b>	Castle Ward
<b>APPLICANT:</b>	Keepmoat Regeneration Engie
<b>AGENT:</b>	Halsall Lloyd Partnership
<b>REFERRED BY:</b>	Head of Planning
<b>REASON:</b>	Council owned land
<b>DEPARTURE:</b>	No

## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

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

The design and appearance of the proposed development is acceptable and would not lead to any unacceptable impacts on the character of the existing building, local area and adjacent residential amenity. The proposed development would be in accordance with Policy 1 of the Central Area Action Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, the Spring Boroughs Neighbourhood Plan and the aims and objectives of the National Planning Policy Framework.

### 2. THE PROPOSAL

#### 2.1 Addition of Juliet balustrades to 6no flats (Nos. 30-40) and installation of new full height glazed patio doors into existing framed openings.

### 3. SITE DESCRIPTION

#### 3.1 The site comprises a 1960s three storey block of flats on Doddridge Street/St Marys Street, close to Castle Hill United Reformed Church, a Grade II listed building. The south elevation of the site faces onto the Sol Central leisure complex.

### 4. PLANNING HISTORY

4.1 None.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

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

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

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

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

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 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 includes:

Policy 1: Promoting design excellence, all new development within the central area must demonstrate a high design standard.

### **5.5 Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD

### **5.6 Other Material Considerations**

#### Spring Boroughs Neighbourhood Plan

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

The following policies are relevant to the determination of this proposal

OP1 – Sustainable Development – proposals will be supported where it can be shown that it supports local community. Development should enhance amenity of nearby residents and the character and appearance of the local area.

## **6. CONSULTATIONS/ REPRESENTATIONS**

6.1 **NBC Conservation Officer** – no objection.

## **7. APPRAISAL**

7.1 The issues to be considered are the impact of the proposed Juliet balustrades and new full height glazed patio doors into the existing framed openings, in terms of their visual impact and any impact on the amenities of adjoining occupiers, and character of the original building.

7.2 The proposal will replace the three windows on the south projecting gable end, which are located on the ground, first and second floors of the building, the window on the ground floor of the principal south elevation and the two windows on the west projecting gable end located on the first and second floors.

7.3 The windows will be replaced with French doors which will be inserted into the existing framed openings measuring an overall size of 1.2m by 2.1m. The external steel Juliette balustrade will be attached across the lower level of the proposed French doors on each of the six flats.

7.4 The building is located close to Castle Hill United Reformed Church, a Grade II listed building. NBC Conservation Officer was consulted and made no objection and noted that the proposed alterations would not harm the setting of the nearby heritage asset.

7.5 The area consists of a mix of high rise residential developments of different designed and ages, with the Sol Central leisure complex located directly to the south of the site. It is therefore not consider that the French doors and balustrades would be out of keeping with the area, and would have a neutral impact in terms of visual amenity in the area. In fact the proposed development would add interest to the existing building and represent further upgrading of housing stock by Northampton Partnership Homes.

## **8. CONCLUSION**

8.1 In conclusion, it is considered that the proposed addition of the Juliet Balustrades and the installation of new full height glazed patio doors into existing framed openings would have no adverse impact on the street scene, the amenities of adjoining occupiers or the character and appearance of the original building. The development would be in line with Development Plan Policy and the objectives of the NPPF.

## **9. CONDITIONS**

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 200, 201 and 012.

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

## **10. BACKGROUND PAPERS**

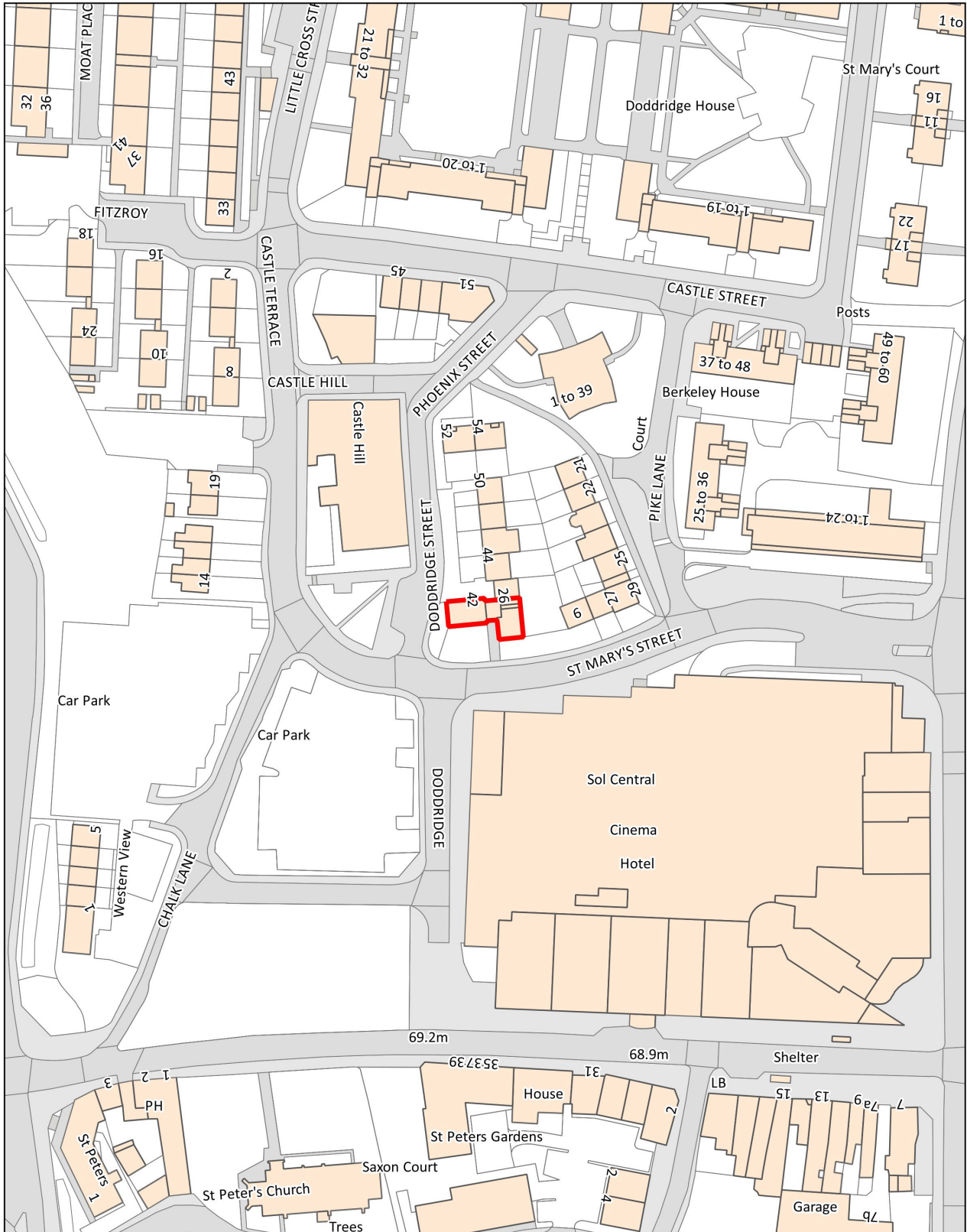
10.1 None.

**11. LEGAL IMPLICATIONS**

11.1 The development is CIL liable.

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

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



Title: **30 Doddridge Street**

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Date: 05-12-2017

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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1371

**LOCATION:** Land rear of 133 Lindsay Avenue

**DESCRIPTION:** New two bedroom detached house

**WARD:** Eastfield Ward

**APPLICANT:** Mr Naz Choudary  
**AGENT:** RJA Designs

**REFERRED BY:** Head of Planning  
**REASON:** The Applicant is an elected Member

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION:**

**REFUSAL** for the following reasons:

- 1) Due to the size of the application site and relationship with adjacent properties, the proposed development would offer limited amenity space around the proposed dwelling. It is considered that the proposal would represent an overdevelopment of the site and result in a cramped form of development detrimental to the appearance and character of the area and residential amenity of nearby and future occupiers contrary to Policy E20 of the Northampton Local Plan, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and National Planning Policy Framework.
- 2) Due to the limited separation between the proposed dwelling and rear of nos. 131 and 133 Lindsay Avenue, the development would have a detrimental impact on the residential amenity of the occupiers of these properties in terms of overbearing, restricted outlook and visual intrusion contrary to Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy and aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

- 2.1 Planning permission is sought for the erection of a two storey detached dwelling. The proposed house would have lounge, diner and kitchen at ground floor and 2 en-suite bedrooms above. There would be a small garden to the side and rear garden and the provision of two off-road parking spaces. Access would be via Beech Avenue. The front elevation would be finished in



render painted white to match adjoining properties and with a tiled roof. The footprint of the new house measures 8.5m by 6.6m.

### **3. SITE DESCRIPTION**

3.1 The site is located on a vacant piece of land at the end of the rear garden of no. 133 Lindsay Avenue. The site is rectangular in shape and largely overgrown, measuring 135 square metres. It is not in a conservation area or close to any listed buildings. The site is also adjacent to the side elevation of no. 170 Beech Avenue, a two storey end terrace dwelling with rear garden 25 metres long. Most of the properties on Beech Avenue benefit from on-street parking.

### **4. PLANNING HISTORY**

4.1 Planning permission was granted in 2014 for a 3 bedroom detached dwelling, although at the time the site area was significantly larger including part of the garden of no. 131 Lindsay Avenue. The current proposal involves a much smaller site area.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **5.2 National Policies**

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

- Paragraph 17: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- Paragraphs 32 and 35: create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.
- Paragraph 47: requires Authorities to have a five year housing land supply.
- Paragraph 49: advises that housing applications should be considered with a presumption in favour of sustainable development.
- Paragraph 57: requires development to be of a good quality 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 – seeks to achieve the highest standards of design and to protect, conserve and enhance heritage assets and their settings.

Policy H1: Housing Density and Mix and Type of dwellings – considers the location and setting of the site, the character of an area, living conditions for future residents and amenities of occupiers

of neighbouring properties. The principles of Policy H1 require that development should make most efficient use of land.

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

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

Policy E20: New Development - requires new development to reflect the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and be located in a manner which ensures adequate standards of privacy, daylight and sunlight.

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

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG (2003)

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

Comments received summarised as follows:

6.1 **Local Highway Authority (NCC)** - commented on original plans in terms of vision splays, drainage, access gradients.

6.2 **Environmental Health (NBC)** - no objections.

### 7. **APPRAISAL**

#### **Main issues**

7.1 The main issues to consider are the principle of residential development, impact on the appearance and character of the area, neighbour amenity, residential amenity of future occupiers and parking/highway safety.

#### **Planning Policy**

7.2 The National Planning Policy Framework (NPPF) promotes sustainable forms of development and encourages efficient use of land. It requires good design and urges Local Authorities to reject inadequate design (Paragraph 64.). Paragraph 32 encourages safe access for all. Policies S10 and H1 of the West Northamptonshire Joint Core Strategy also encourage high quality design and adequate amenity for future occupiers and neighbours. Policy E20 of the Local Plan requires good design and gives consideration to privacy and sunlight/residential amenity.

#### **Principle of development**

7.3 The site is located within a primarily residential area as identified in the Local Plan. Within such an area the principle of residential development is considered acceptable, subject to matters of detail being acceptable and in line with Development Plan Policy. The development of a dwelling would contribute, albeit in a small way, towards the Borough's five year housing supply.

#### **Planning History**

7.4 In 2014, planning permission (reference N/2014/0717) was granted for a single dwelling and the site area included part of the rear garden of no. 131 Lindsay Avenue. The planning permission has since lapsed. The current application is significantly different in that the application site is

much smaller than the previous approval, therefore the previous decision is not material to the determination of the current application.

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

- 7.5 The character of the surrounding area typically consists of terraced and semi-detached properties set on substantial plots of land with reasonable length gardens some 20 metres deep. Due to the degree of site coverage and remaining surrounding land, it is considered that the proposal would lead to overdevelopment of the site, with limited space around the proposed dwelling and significantly reducing the length of garden to the existing dwelling. The resultant form of development would appear cramped and out of keeping with the existing character of the area with a very limited rear and side garden. This fails to comply with Policy E20 of the Northampton Local Plan and S10 of the Joint Core Strategy on good design.
- 7.6 The proposed dwelling will be two storey with front facing gable roof that spans approximately half of the house's frontage. The front gable would echo many of the nearby properties further along Beech Avenue. It is considered that the appearance would be in keeping with the street scene in general. The proposed render would match that on nearby properties.

### **Impact on amenity of adjoining occupiers**

- 7.7 Policy H1 of the Joint Core Strategy and Policy E20 of the Northampton Local Plan require good standards of residential amenity in terms of light, privacy and outlook. In this instance, the side wall of the proposed house would be within 10 metres of the rear elevation of no. 133 Lindsay Avenue. Due to the limited separation, massing and height of the proposed development, it is considered that the proposal would be visually intrusive and overbearing on the neighbouring properties. It would also lead to loss of outlook from their existing rear facing windows. In addition, the rear wall would be very close i.e. within one metre to the boundary with no. 131 Lindsay Avenue and again would have an impact on the enjoyment of their back garden. The effect on the side of no. 170 Beech Avenue would be limited due to the siting of the two properties.

### **Amenity of future occupiers**

- 7.8 Given that all habitable rooms would be served by windows, it is considered that there would be adequate light and outlook. As per paragraph 7.5 above, the proposed rear garden would result in unsatisfactory residential amenity for future occupiers due to its minimal size at only 1 metre deep. The proposal would be contrary to Policy H1 of the Joint Core Strategy.

### **Parking and Highway safety**

- 7.9 The proposal is for a two bedroom dwelling which requires two off-road parking spaces to accord with Local Parking standards. Access would be taken from Beech Avenue and the applicant proposes vision splays in either side of the access point. The submitted plans also appear to comply with Local Highways Standing Advice.

## **8. CONCLUSION**

- 8.1 Although the proposal would contribute to the Council's 5 Year Housing Land Supply and bring a vacant and unsightly plot of land back into use, it is considered that the proposal is unacceptable and for the reasons cited above and the application is recommended for refusal. On balance, the benefits of the proposed scheme do not outweigh the concerns to the extent that a positive recommendation can be made.

## **9. BACKGROUND PAPERS**

9.1 N/2017/1371.

**10. LEGAL IMPLICATIONS**

10.1 The development is CIL liable as it would result in creation of a new dwelling house.

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

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



Title: **133 Lindsay Avenue**

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Date: 07-12-2017

Scale: 1:1,250

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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1374

**LOCATION:** 27 Lutterworth Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

**WARD:** Abington Ward

**APPLICANT:** Mr S Kooner  
**AGENT:** Architectural Solutions

**REFERRED BY:** Councillor D Stone  
**REASON:** Parking and refuse concerns

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposed development is considered acceptable in principle as it would not result in an over concentration of similar uses within the vicinity of the site, and would provide adequate facilities for future occupants. The site is in a sustainable location close to the amenities along the Wellingborough Road and is close to local public transport routes and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

- 2.1 Change of Use from a dwellinghouse (Use Class C3) to house in multiple occupation (HIMO) (Use Class C4) for 5 occupants.
- 2.2 The site lies within an Article 4 Direction Area which removes permitted development rights for a change of use from a dwelling to a HIMO.

**3. SITE DESCRIPTION**

- 3.1 The application site is located in Lutterworth Road, which consists of traditional terrace houses. The property has a rear garden and parking is provided on-street along Lutterworth Road.

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

- 4.1 None.

#### **5. PLANNING POLICY**

##### **5.1 Statutory Duty**

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

##### **5.2 National Policies**

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

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

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

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

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

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

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

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

Policy S10: requires development to satisfy a range of sustainable development principles including through achieving the highest standards of sustainable design; maximising

opportunities for reuse and recycling; and promoting walking and cycling and protecting, conserving and enhancing the natural and built environment and heritage assets and their settings.

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

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

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

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

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

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

#### 5.6 **Other Material Considerations**

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

Proposals for HIMOs should:

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

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

Comments received are summarised as follows:

6.1 **NBC Private Sector Housing** - The room sizes and facilities shown on the plans are sufficient to meet the requirements for a five person HIMO.

6.2 **NCC Highways** – advised that a parking beat survey be undertaken due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of demand for on street parking.

6.3 **Councillor D. Stone** – concerned about the concentration of HIMOs in this area, parking and refuse. Called in the application.

6.4 **Neighbours** – two neighbouring properties objected in relation to anti-social behaviour, lack of parking and noise. One also thought that the plans were not accurate in showing the number of bedrooms. Concerned that mature tree in the rear garden maybe removed and also concerned to the type of tenants who could be occupying the property.



## **7. APPRAISAL**

### **Principle of Use**

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### **Area Concentration**

- 7.2 The surrounding area is predominantly residential in character. It would appear from Council records that there are eight other HIMOs within a 50m radius of the application site that either are existing or have consents (in addition to this application). The addition of a further HIMO as proposed would lead to a concentration of 12.5%, this would fall within the 15% maximum threshold recommended by the Council's HIMO Interim Policy Statement. As such, the HIMO proposed would not lead to any significant impact on the character and amenity of the surrounding area as a result and the principle is therefore considered acceptable.

### **Size of property and facilities for future occupiers**

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing confirm that the accommodation proposed would be acceptable for 5 residents.
- 7.4 Details have been submitted for cycle storage and bin storage which will be located at the rear of the property, within the communal garden area, which is accessed via the kitchen located on the ground floor.

### **Highways/Parking**

- 7.5 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.6 The application sites does not benefit from any on-site parking. The nearest bus stops on Billing Road is approximately 149 metres from the property and the property is within approximately a 5 min walk to the facilities on the Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.7 Within such area, the IPPS recommends that storage space should be provided which is accessible to cycle users. The plans indicate that two secured cycle sheds on the rear boundary and three on the side boundary will be provided in the rear garden area.
- 7.8 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.

- 7.9 The Northamptonshire Parking Standards state that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom and where the proposal is less than this requirement, the Local Highway Authority (LHA) will require a parking beat survey of the surrounding streets, to ascertain whether the additional parking demand resulting from the change of use can be accommodated.
- 7.10 The proposed development will produce a demand for 5 parking spaces, which is an increase of 2 compared to the previous dwelling, as the parking requirement for a 4-bed dwelling is 3 spaces. In this case, no on-site parking is proposed. The LHA requested a car parking beat survey due to the unknown pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street in the immediate area.
- 7.11 The applicant declined to produce a parking beat survey to accompany the application on the grounds that it was unreasonable. They felt the proposal is located in a sustainable location 400m from a bus stop and the shopping area of Wellingborough Road, and complies with the IPPS on these matters.
- 7.12 There is no evidence to support that all 5 residents would own cars or that the proposal would lead to an increase in parking demand in the area. Given the number of occupants arising from the existing use and the sustainable location of the property, and given recent appeal decisions, it is not considered that a refusal on highway grounds could be upheld at appeal.

### **Amenity**

- 7.13 All the bedrooms are of reasonable sizes and would meet the IPPS requirements for a HIMO. The bedrooms measure between approximately 10m<sup>2</sup> to 18m<sup>2</sup> in floor area. Where there is a separate lounge and kitchen the standards require at least 6.5m<sup>2</sup> floor area. In this instance the kitchen is 15m<sup>2</sup> and the lounge is 14m<sup>2</sup>. On this basis, the space standards would be acceptable.
- 7.14 Two neighbour objections were received, relating to the lack of parking, noise and anti-social behaviour. It is acknowledge that not all residents will have a car, and that the property is within walking distance of local shops, restaurants and public houses. Therefore vehicle dependency is not a necessity. There is no evidence to demonstrate that the proposal would generate an adverse amenity impacts such as anti-social behaviour and noise over and above those created by a conventional family dwelling.
- 7.15 The HIMO is intended to provide accommodation for five persons, which includes the conversion of the dining room on the ground floor to a bedroom. The first floor would remain unchanged with three bedrooms and one bathroom and the second floor would remain unchanged providing a fifth bedroom and en-suite, which is clearly indicated on the plans. There is a tree located in the rear garden. This is not a protected tree and there is no restriction if the owners would wish to remove it. However, there is no indication on the plans that it will be removed. The applicant has outlined that the dwelling will be let to professional persons, however the change of use to a HIMO does not stimulate the nature of the occupants and this is not a material planning consideration.
- 7.16 The Local Planning Authority has an obligation to determine planning applications submitted for consideration. Permission should be forthcoming unless it can be demonstrated that there would be significant harm on the character of an area or its residents. In this instance harm cannot be demonstrated and the application is recommended for approval.

## **8. CONCLUSION**

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect the character of the local area or street scene. Nor would the

development have significant adverse impacts on neighbour amenity or parking provision. The property is of sufficient size to accommodate the use as proposed.

- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Councils Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

## **9. CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 17/K78/2b, 17/K78/3

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

2. 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.

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

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

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

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

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

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

6. The basement area shall be used for storage and shall not be used as bedrooms at any time.

Reason: To ensure satisfactory living condition in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

## **10. BACKGROUND PAPERS**

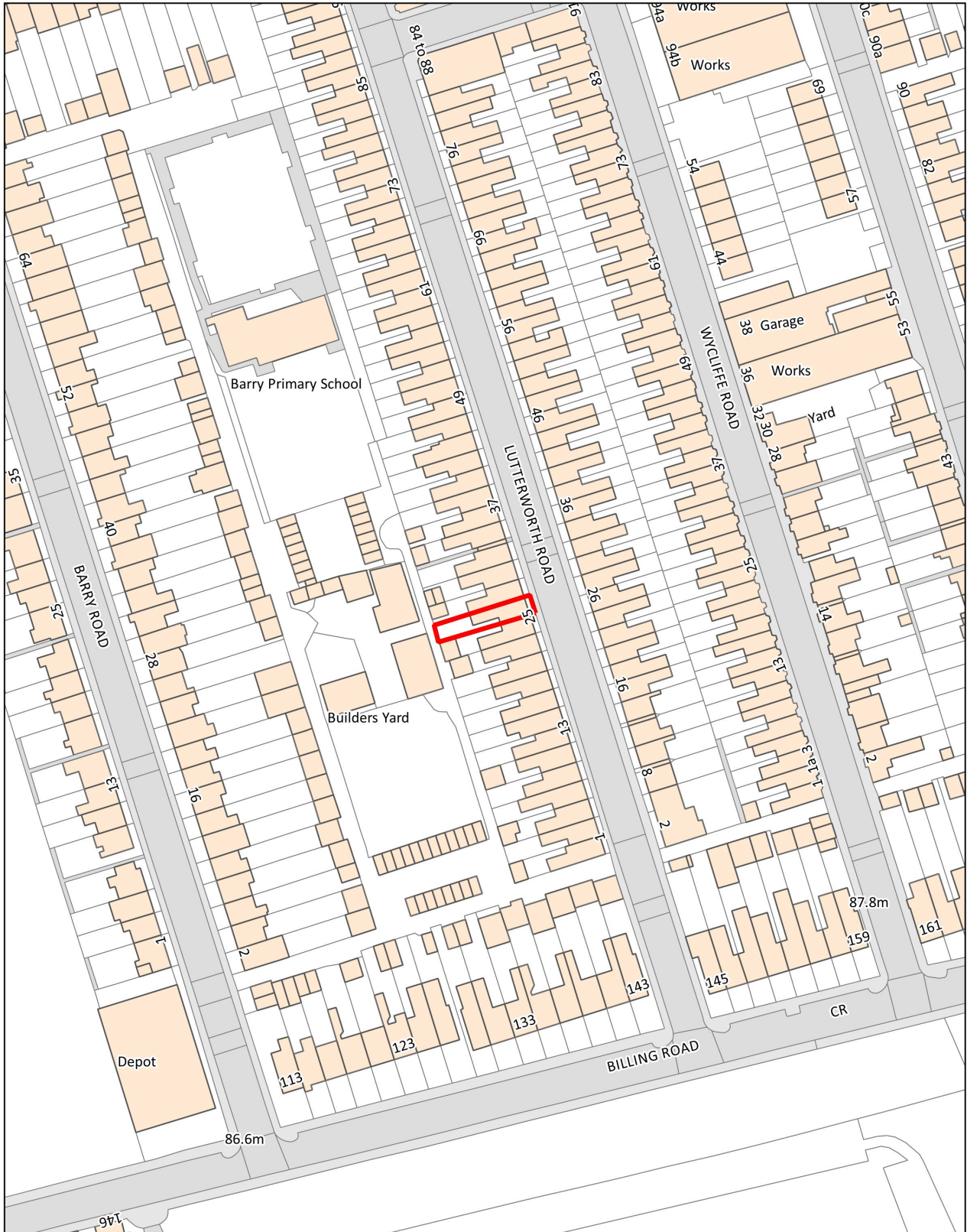
- 10.1 None.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is CIL liable.

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

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



Title: **27 Lutterworth Road**

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Date: 05-12-2017

Scale: 1:1,250

Drawn by: -----



**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1402

**LOCATION:** Standens Barn Supermarket, Unit 2 Standens Barn Local Centre, Walledwell Court

**DESCRIPTION:** Alteration to shop front with shutters and level access  
**WARD:** Riverside Ward

**APPLICANT:** Mr D Patel  
**AGENT:** A Chhatralia

**REFERRED BY:** Head of Planning  
**REASON:** Council owned land

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

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

The proposed development would have no adverse impact on the street scene or on the amenities of residential occupiers in the vicinity and thereby complies with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

### 2. THE PROPOSAL

2.1 The proposal entails the insertion of a replacement shopfront including roller shutters and the provision of a level access ramp.

### 3. SITE DESCRIPTION

3.1 The site comprises an established shop unit located within a residential area. The building is single storey and adjoins an existing hot food takeaway.

### 4. PLANNING HISTORY

4.1 None relevant.

### 5. PLANNING POLICY

5.1 **Statutory Duty**

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

## 5.2 National Policies

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

## 5.3 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. Policy of particular relevance is:

Policy S10 – Sustainable Development Principles

## 5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 - Design

## 5.5 Supplementary Planning Documents

Northamptonshire Shopfront Design Guide SPD 2011  
Planning out Crime in Northamptonshire SPG 2004

## 6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Police Crime Prevention Design Adviser** - The use of solid shutters creates an undesirable streetscape, reducing light and vibrancy from the shop onto the street and providing a solid surface on which to graffiti. Northants Police do not recommend the use of solid shutters and therefore object to their use in this instance.

## 7. APPRAISAL

- 7.1 The issues to consider are the impact on the street scene and any impact on the amenities of neighbouring residents or businesses.
- 7.2 In respect of the visual impact, it can be noted that the existing shopfront at the premises comprises a white metal shopfront together with a roller shutter, which is similar in general terms to the proposed replacement shopfront. In visual terms the new shopfront would improve the appearance of the shop simply by being new, but would otherwise not have a significant visual impact.
- 7.3 The proposed roller shutter would also be of a similar appearance to the existing shutter and also to the existing shutter at the neighbouring premises. However, the shutter would be of a solid design and therefore would result in a very stark appearance when closed. This is contrary to the shopfront design guide and also led to an objection being received from the Police Crime

Prevention Design Adviser as reported above, who has raised the concern that this would be more prone to attracting graffiti as well as producing a less attractive environment, which in itself would encourage anti-social behaviour.

7.4 On this basis, amendments were requested, to instead provide a perforated shutter. In response to this the applicants, through their agent, have confirmed that perforated shutter can be provided and the details could be submitted through the discharge of necessary planning condition.

7.5 Also included in the proposal is the alteration of the ground level to the front of the shop, to provide a level access for disabled customers. It is considered that this would not lead to any adverse visual impact whilst also providing an improved facility for customers.

7.6 No adverse impact on nearby residents is foreseen as a result of the proposals, other than as a result of the visual impact of solid shutters as proposed.

## **8. CONCLUSION**

8.1 In conclusion, it is considered that the proposal would not lead to any adverse visual impact, nor any impact on the amenities of any residential occupiers in the area, subject to an amendment to the shutters.

## **9. CONDITIONS**

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

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

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: 17BP/01, 17BP/02 A, 15.10.2017 Draft Ver 3.0.

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

(3) Notwithstanding the submitted plans, full details of the proposed roller shutter, which for the avoidance of doubt shall be of a perforated design, shall be submitted to and approved in writing by the Local Planning Authority prior to its installation and the shutter shall thereafter be installed in accordance with such approved details and retained thereafter.

Reason: For the avoidance of doubt and to ensure that the impact on the street scene is acceptable, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

10.1 Application file N/2017/1402.

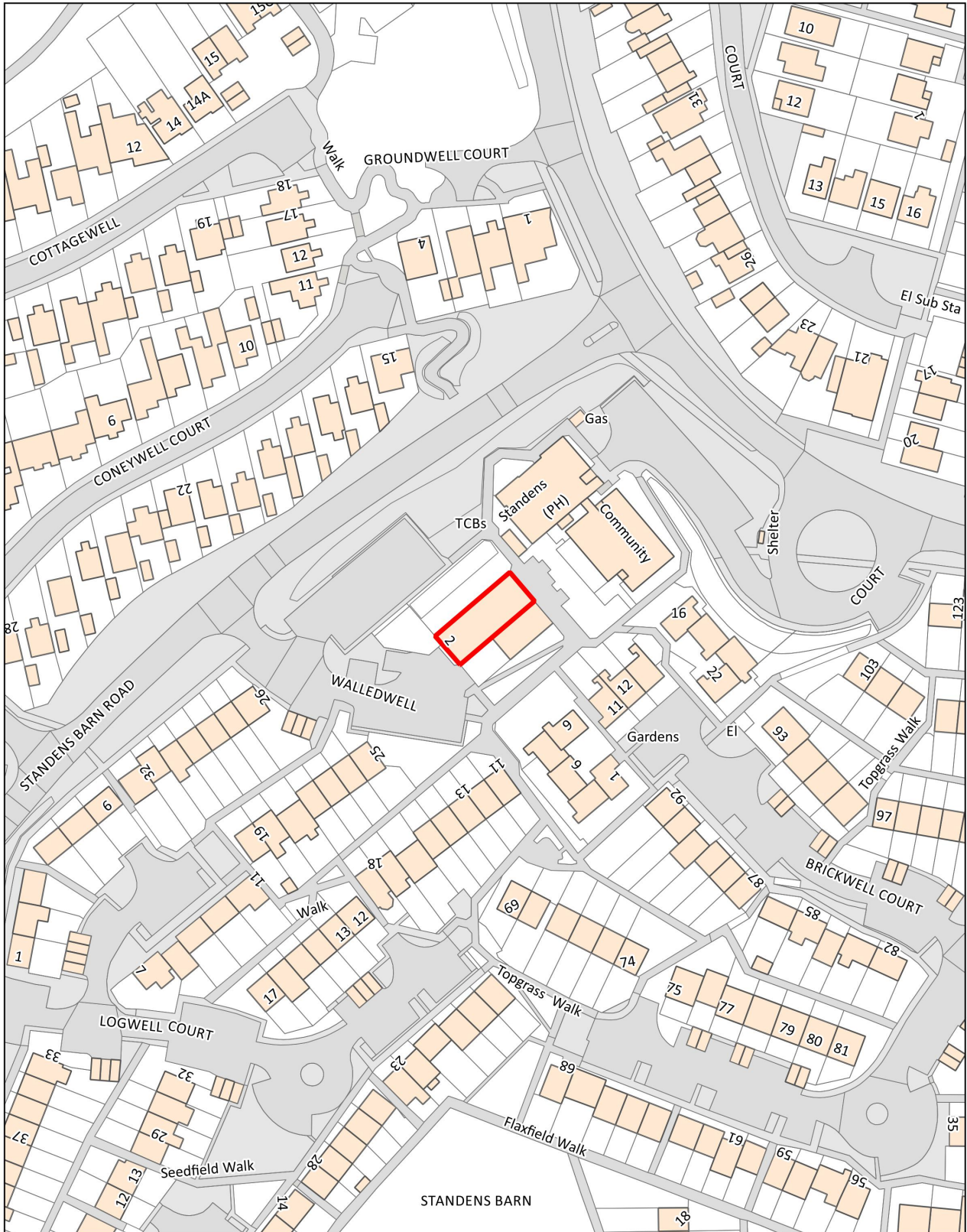
## **11. LEGAL IMPLICATIONS**


11.1 The development is not CIL liable.

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

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





 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>Unit 2 Standens Barn</b></p>	<p>Date: 05-12-2017</p>
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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1444

**LOCATION:** 2 Little Cross Street

**DESCRIPTION:** Variation of Condition 8 of Planning Permission N/2016/0773 (Erect Single Storey Building for Convenience Store) to amend shop opening hours to 6.30am to 9.00pm

**WARD:** Castle Ward

**APPLICANT:** Mr & Mrs Patel  
**AGENT:** Mr & Mrs Patel

**REFERRED BY:** Head of Planning  
**REASON:** Council owned land

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposed extension of opening hours would not have a significantly increased impact on the amenities of neighbouring residential occupiers whilst also providing improved facilities for residents. The proposal thereby complies Policy 1 of the Central Area Action Plan, Policy OP1 of the Spring Boroughs Neighbourhood Plan, S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposal is for the change of the opening hours of the shop from the hours approved of between 7:30am and 7:30pm to extended hours of between 6:30am and 9:00pm.

**3. SITE DESCRIPTION**

3.1 The application site comprises a recently constructed retail unit which was approved by the Planning Committee in 2016.

**4. PLANNING HISTORY**

4.1 N/2016/0773 - Erect single storey building for convenience store – Approved 27/07/2016.

## **5. PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **5.2 National Policies**

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

Paragraph 14 - supports sustainable economic development.

Paragraph 17 - advises on the need to proactively drive and support sustainable economic development; seek high quality design; encourage the effective use of land.

Paragraph 19 - places considerable weight on the need to support sustainable economic growth, operating to encourage and not act as an impediment to sustainable growth.

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

Paragraph 70 – seeks to ensure positive planning for community facilities to enhance the sustainability of communities and residential environments and ensure that social, recreational and cultural services the community needs are delivered.

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

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

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

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

Policy S10: Sustainable Development Principles – seeks, amongst other things, to achieve high standards of sustainable design; protect, conserve and enhance the natural environment and built environment; and minimise pollution from noise, air and run off.

Policy N1: Regeneration of Northampton – supports development in the Town Centre and Central Area for office, retail, leisure and service development providing high quality urban design and public realm, and protecting heritage assets and historic character through managed change. It

further supports proposals that address factors of deprivation within communities such as Spring Boroughs.

Policy N11: Supporting Areas of Community Regeneration aims to support the regeneration of Spring Boroughs by working in partnership with service providers and the community to address the key principles of delivering inclusive, sustainable communities which includes creating local opportunities for employment and business development. This policy also is the policy context for the Spring Boroughs Neighbourhood Plan.

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

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

Policy 24 – Spring Boroughs: Spring Boroughs will be regenerated consistent with encouraging a more balanced community in terms of: age, wealth, household size and reducing the turnover of residents through appropriate provision of housing management, housing types and tenures, access to necessary social and physical infrastructure. In addition proposals should seek to enhance the setting of the Castle Mound and Grade II Listed Castle Hill United Reform Church.

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

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

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

6.1 **Environmental Health** – No objections.

### **7. APPRAISAL**

7.1 The issues to consider are the impact on the amenities of adjoining and nearby residential occupiers as a result of the proposed increase in opening hours.

7.2 The hours as currently approved are from 7:30am to 7:30pm on all days of the week and this would be increase under the current proposals to allow a starting time of 6:30am - one hour earlier - and a closing time of 9:00pm - one and a half hours later.

7.3 The applicants previously operated the shop in its previous location at the opposite end of Little Cross Street, this shop as demolished recently to allow for regeneration of the area and for which the shop the subject of this application is the replacement.

7.4 In their submission as part of the current application, the applicants state that the former shop operated from 6:30am until 8:00pm.

7.5 Whilst the shop is now in a different location, its relationship to the nearest residential properties is similar to that of the former shop, in that it is beneath and adjacent to residential occupiers. In fact the door of the new shop is more distant from the nearest residential occupier and it is considered that the impact would be similar to that which previously was experienced. Although the permitted closing time would be an hour later than that which reportedly occurred at the previous location, it is not considered that this would result in a significant impact and it can be noted that no objection to the proposed hours has been made by Environmental Health officers.

7.6 It can be further noted that there would be no alteration to the delivery hours which would remain as 8:00am to 8:00pm, thereby meaning that there would not be an increased impact in this regard.

## **8. CONCLUSION**

8.1 It is considered that the proposed increase in opening hours would not result in any significant adverse impact on the amenities of adjoining and nearby residential occupiers whilst additionally resulting in an improved provision of services for such occupiers also.

8.2 As this is a variation of conditions application, it is necessary to repeat the previous conditions, where applicable. Where these have been discharged the conditions have been amended to require compliance with the previously approved details. Where details have not been agreed, submission of the details will still be required and the conditions have been revised appropriately.

## **9. CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan: 40720/010B, Ground floor plan: 40720/009D, retail sections: 40720/006F, Retail elevations: 40720/005H, Landscape proposals: 50126/003C.

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

2. Full details of all external lighting and CCTV shall be first submitted to and approved in writing by the Local Planning Authority within one month of the date of this decision. The approved details shall be fully implemented within one month of the approval thereof and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

3. Within one month of the date of this decision, a scheme shall be submitted to the Local Planning Authority that specifies the external sources of noise on the site and the provisions to be made for its control (this might include air conditioning units and extract fans). The scheme agreed shall be implemented within one month of the approval thereof and shall be retained thereafter and the applicant shall demonstrate that the scheme as agreed has achieved its design criteria.

Reason: In order to safeguard the amenities of adjoining/nearby occupiers and in accordance with Policy S20 of the West Northamptonshire Joint Core Strategy.

4. Provision for the storage of refuse and materials for recycling shall be made as shown on drawing 40720 / 11E as approved under condition 7 of planning permission N/2016/0773 and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy 1 of the Central Area Action Plan.

5. The retail unit hereby approved shall not remain open to the public between the hours of 21:00 and 06:30 on any day.

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

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

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

**10. BACKGROUND PAPERS**

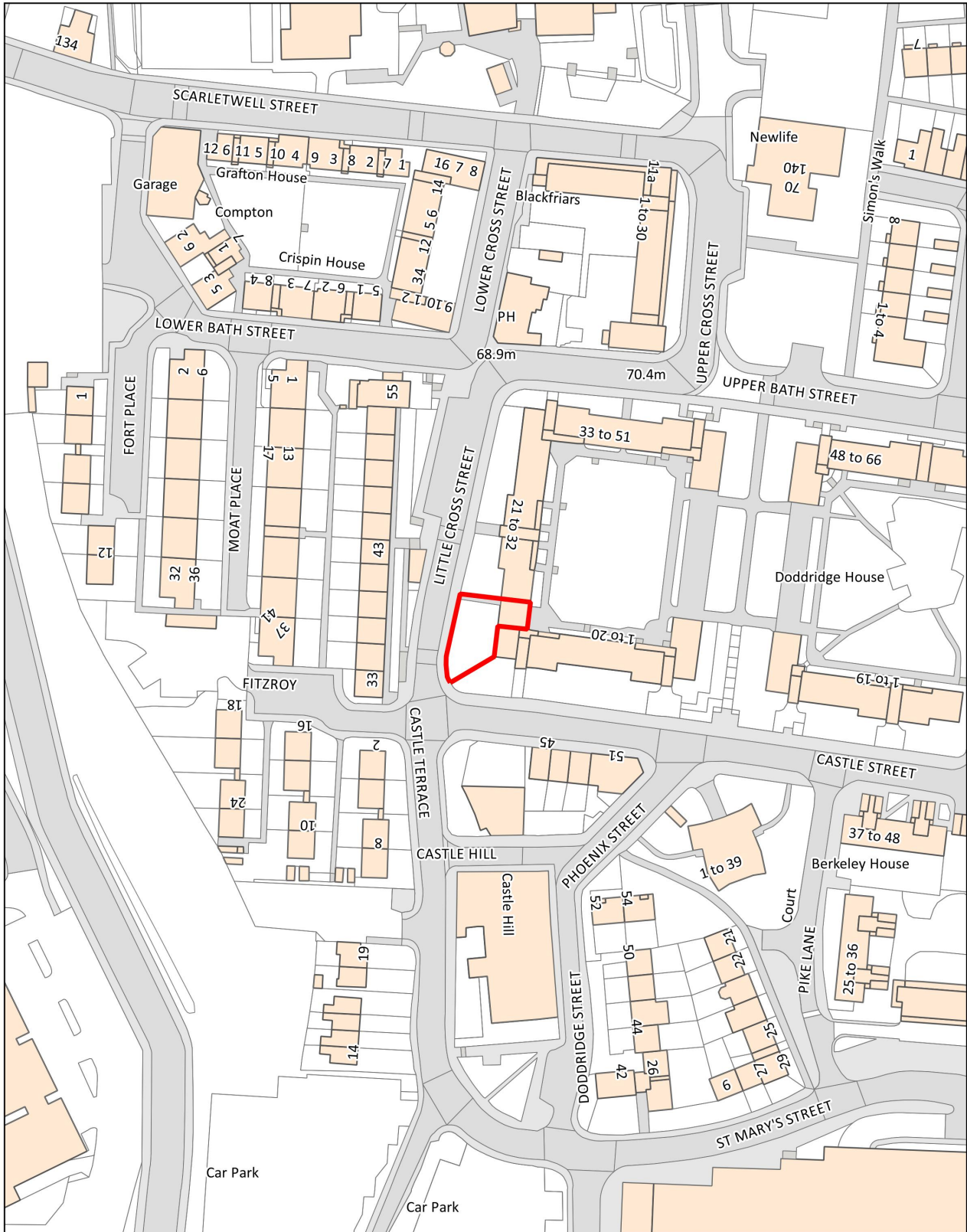
10.1 Application files N/2016/0773 and N/2017/1444.

**11. LEGAL IMPLICATIONS**

11.1 The development is not CIL liable.

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

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



Title: **2 Little Cross Street**

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Date: 05-12-2017

Scale: 1:1,250

Drawn by: -----



<b>PLANNING COMMITTEE:</b>	19 <sup>th</sup> December 2017
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>HEAD OF PLANNING:</b>	Peter Baguley
<b>APPLICATION REF:</b>	N/2017/1464
<b>LOCATION:</b>	16 Park Square
<b>DESCRIPTION:</b>	Prior Notification of the demolition of two sections of concrete overhang covering the walkways at the end of Park Square entering into Park Walk
<b>WARD:</b>	Kings Heath Ward
<b>APPLICANT:</b>	Northampton Partnership Homes
<b>AGENT:</b>	Northampton Partnership Homes
<b>REFERRED BY:</b>	Head of Planning
<b>REASON:</b>	Council owned land
<b>DEPARTURE:</b>	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 Northampton Local Plan, West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

### 2. THE PROPOSAL

- 2.1 The application is for the proposed demolition of two concrete overhangs that provide sections of covered walkways to the north western end of Park Square. The sections of overhangs to be demolished measure some 13 metres in width, 6 metres in depth and 3.5 metres in height. The works are part of the overall strategy by Northampton Partnership Homes to upgrade the building stock in Kings Heath and are specifically proposed to prevent trespassers climbing up onto the overhangs and gaining access to the first floor flats.

### 3. SITE DESCRIPTION

- 3.1 The application site is located to the northwest end of Park Square, adjacent to Park Walk and Kings Heath Park. The concrete overhangs, the subject of the application, do not provide formal



balconies for the first floor dwellings at Park Square and only act as covered walkways for pedestrians in Park Square.

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

- 4.1 N/2017/0330: Removal of existing balconies and replace with new Window Winrail system at 1-23 Park Square. Approved.

#### **5. PLANNING POLICY**

##### **5.1 Statutory Duty**

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

##### **5.2 National Policies**

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

Paragraph 17 – Core Planning Principles

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

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

S10 – Sustainable development principles.

BN9 – Planning for Pollution Control

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

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

E20 – New Development

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

- 6.1 **Building Control** – No comments received.

- 6.2 **Environmental Health** - Reviewed the prior notification application and have no comments as to the method of demolition or proposed restoration.

#### **7. APPRAISAL**

- 7.1 For a Prior Notification for demolition application under Class B of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as

amended), the only considerations are the matters in relation to the method of demolition and any proposed restoration of the site. The principle of demolition is not a consideration.

- 7.2 The application has been accompanied by a structural report and this details that the demolition of the canopies would be a four step process involving the slab being cut as close to the existing brickwork as possible; the slab being cut into manageable sections for removal; remediation of the exposed slab using flashing/tanking and a protecting cover strip; and finally the existing columns would be taken down to 0.45 metres below ground level with the slabs and block pavements reinstated.
- 7.3 Environmental Health has reviewed the application and raised no objections to the method of demolition.
- 7.4 Whilst no comments have been received from Building Control, it is noteworthy that the demolition works will also be subject to a separate notification under the Building Act.

## **8. CONCLUSION**

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

## **9. CONDITIONS**

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

## **10. BACKGROUND PAPERS**

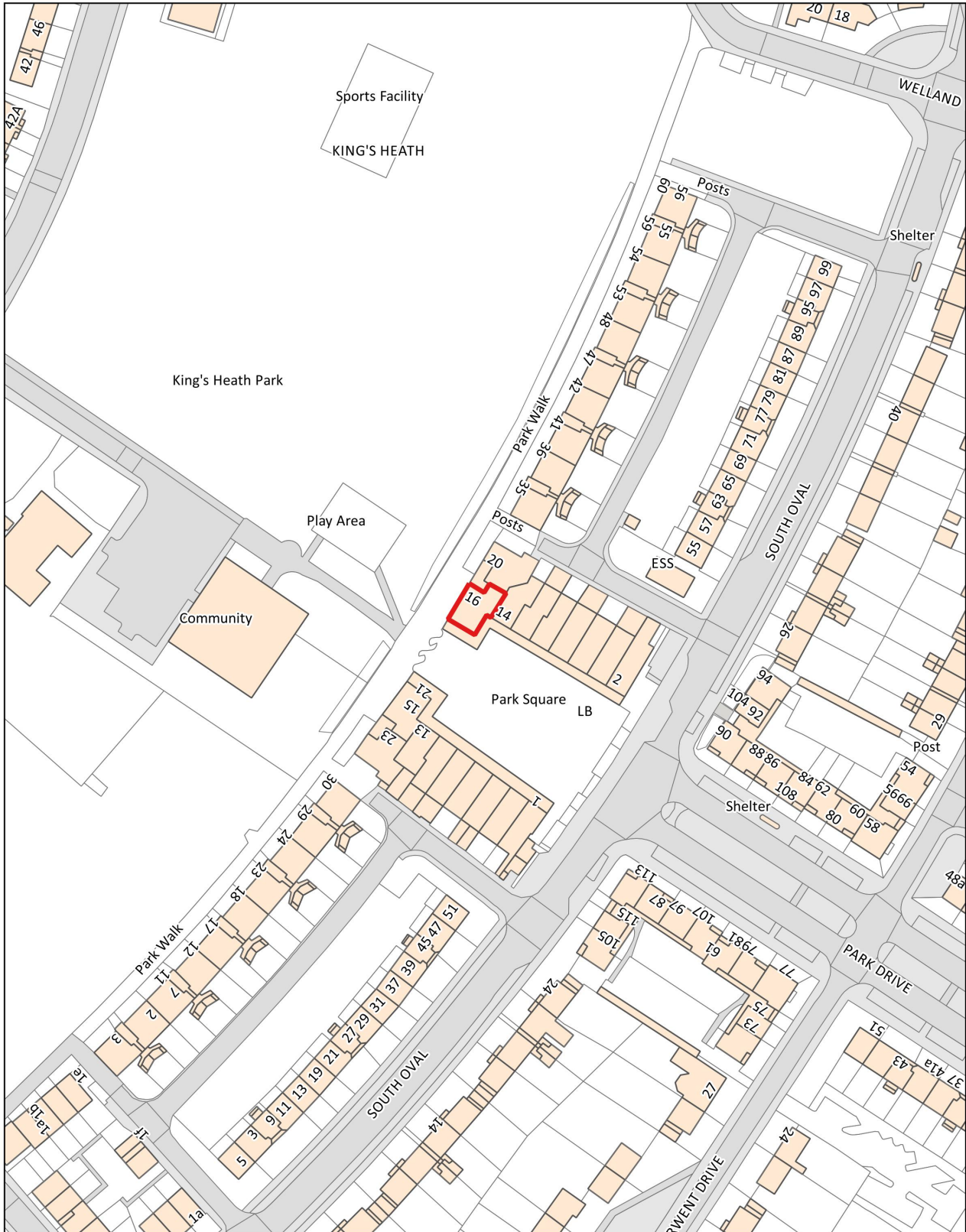
- 10.1 N/2017/0330.

## **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: **16 Park Square**

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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1501

**LOCATION:** The Former Tanners Public House, 32 Farmfield Court

**DESCRIPTION:** Prior Notification of the demolition of the Tanners Public House

**WARD:** Talavera Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Northampton Partnership Homes

**REFERRED BY:** Head of Planning  
**REASON:** Council owned land

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

- 1.1 That the Authority's **PRIOR APPROVAL WILL NOT BE REQUIRED** for the method of demolition and proposed restoration of the site for the following reason:
- 1.2 The means of demolition and the proposed restoration of the site are considered to be acceptable and would be consistent with the aims and objectives of policies of the Northampton Local Plan, West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

**2 THE PROPOSAL**

- 2.1 The application is for the proposed demolition of the existing public house building, which is currently vacant. It is understood that this demolition is proposed, pending a planning application to redevelop the site for housing.

**3 SITE DESCRIPTION**

- 3.1 The application site consists of a disused public house, which has been constructed in a relatively unremarkable design. The surrounding area is characterised by the presence of residential accommodation. However, the application site is adjacent to a small neighbourhood centre that contains some retail units.

**4 PLANNING HISTORY**

- 4.1 None relevant.

## **5 PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **5.2 National Policies**

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

Paragraph 17 – Core Planning Principles

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

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

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

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

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

E20 – New Development

## **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 **Environmental Health** – Would seek controls over matters relating to mitigation from the demolition process and hours in which demolition works would take place.

6.2 As the consultation period has not expired at the time that this report was prepared, any further responses will be provided to members, via means of the addendum that will be circulated to members prior to the committee meeting commencing.

## **7 APPRAISAL**

7.1 For a Prior Notification for demolition application under Class B of Part 11, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), the only considerations are the matters in relation to the method of demolition and any proposed restoration of the site. The principle of demolition is not a consideration.

7.2 The proposed method of demolition includes the use of site fencing with lockable gates, the display of safety signs, checking for asbestos then carrying out a soft strip of the building, demolition using a mechanical excavator and associated use of a dust suppression system, due

care to protect adjoining dwellings, sorting and salvage of demolished materials, ensuring the site is left safe overnight and full compliance with Health and Safety Executive directives.

- 7.3 Environmental Health has confirmed that the method of demolition is acceptable. It is noted that the Environmental Health have requested a condition regarding the introduction of measures to suppress dust. However, the submitted method of demolition states that a dust suppression system (comprising a fine mist water spray) will be available on site. Given that the matter for consideration within this application is the precise method of demolition, it is considered that this matter has been satisfactorily addressed. It is also recommended that the approval of the method of demolition, be subject to an informative note providing advice on the hours of demolition works to seek to avoid noise nuisance to neighbours.
- 7.4 It also is noteworthy that the demolition works will also require separate approval under the Building Regulations.
- 7.5 It is understood that the proposed demolition is to facilitate the redevelopment of this site for residential accommodation. This would be the subject of a further application for planning permission in the future, which would provide the opportunity to assess the merits of the redevelopment of this site and the impacts on neighbouring properties and the highway system.

## **8 CONCLUSION**

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

## **9. CONDITIONS**

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

## **10. BACKGROUND PAPERS**

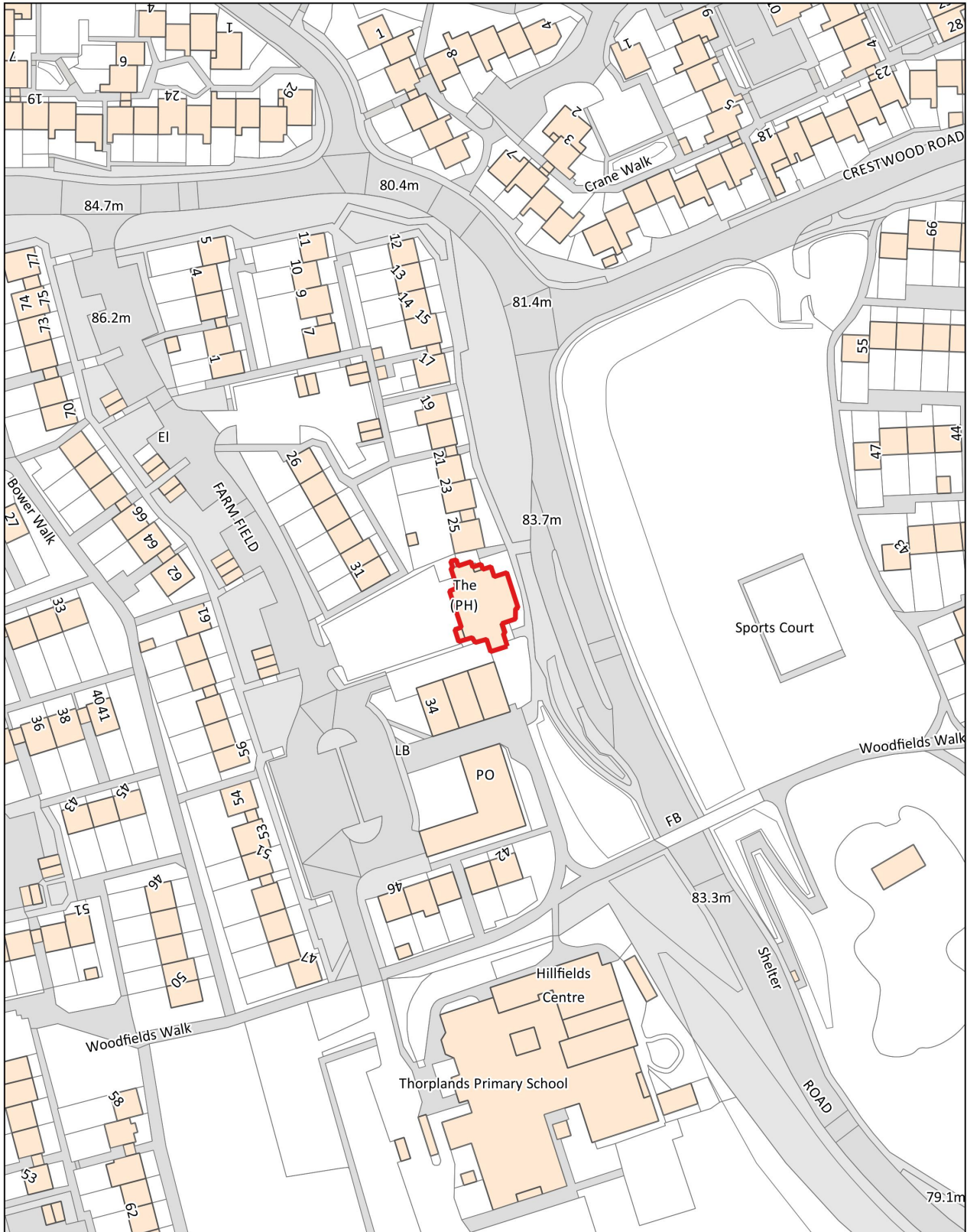
- 10.1 N/2017/1501.

## **11. LEGAL IMPLICATIONS**

- 11.1 None.

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

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



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>The Tanners Ph, 32 Farmfield Court</b></p>	<p>Date: 07-12-2017</p>
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**PLANNING COMMITTEE:** 19<sup>th</sup> December 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/1221 & N/2017/1249 (Application A)  
 N/2017/1222 & N/2017/1248 (Application B)

**LOCATION:** Land at Duston Road, Upper Harlestone, Northamptonshire

**DESCRIPTION:** Application A - Outline application for the demolition of existing barns and the erection of up to 1750 dwellings, a primary school, a mixed use local centre (Use Classes A1-A5, D1) together with associated public open space, landscaping, highways sustainable drainage systems, and all ancillary infrastructure works, including a new primary sub-station. (Application accompanied by an Environmental Statement)

Application B - Outline application for the erection of up to 600 dwellings, a primary school, a mixed use local centre (Use Classes A1-A5, D1), together with associated public open space, landscaping, highways, sustainable drainage systems and all ancillary infrastructure works including a new primary sub-station (Application accompanied by an Environmental Statement)

**WARD:** Other Authority

**APPLICANT:** J S Bloor (Northampton) Ltd  
**AGENT:** White Peak Planning Limited

**REFERRED BY:** Head of Planning  
**REASON:** Major Fringe Applications

**DEPARTURE:** No

**APPLICATIONS FOR CONSULTATION BY DAVENTRY DISTRICT COUNCIL AND SOUTH NORTHAMPTONSHIRE COUNCIL:**

- 1. RECOMMENDATION**
  - 1.1 That Northampton Borough Council has **NO OBJECTION** in principle subject to the recommendations as set out in Paragraphs 8.2 to 8.12 of this report.
- 2. THE PROPOSAL**
  - 2.1 This report relates to four consultations received from both Daventry District Council (DDC) and South Northamptonshire Council (SNC), relating to two outline applications submitted to both authorities in relation to the development of a site allocated for a Sustainable Urban Extension



under Policy N4 of the West Northamptonshire Joint Core Strategy (JCS). The site extends across the boundary with both authorities, and to the immediate west of the Northampton Borough boundary. Policy N4 of the JCS promotes development of the site for in the region of 2,550 dwellings, a primary school and a local centre and associated infrastructure and open space.

- 2.2 Application A, relates to an outline application, with all matters reserved except for access, for the demolition of the existing barns on site and the erection of 1,750 dwellings, a 3-form entry primary school, a mixed use local centre (comprising of Use Classes A1 (shops), A2 (financial and professional services), A3 (restaurants and cafes), A4 (drinking establishments), A5 (hot food take-away) and D1 (non-residential institutions), together with public open space, landscaping, highways, sustainable drainage systems and ancillary infrastructure works, including a new primary sub-station. New vehicular accesses are proposed from New Sandy Lane, Roman Road and Port Road. The site relates to 83 hectares of land comprising the majority of the site allocated under Policy N4.
- 2.3 Application B, relates to an outline application on a 30 hectare site within the overall 83 hectare site, and is submitted as an initial phase of development reflecting the proposed Masterplan for the larger site. The application seeks outline approval, with all matters reserved except for access, for the erection of 600 dwellings, a 3-form entry primary school, a mixed use local centre (Use Classes A1-A5 and D1), together with associated public open space, landscaping, highways, sustainable drainage systems and all ancillary infrastructure works, including a new primary sub-station. Vehicular access is proposed from New Sandy Lane and Port Road.
- 2.4 The application is supported by an Environmental Statement, a Transport Assessment and Design and Access Statement.
- 2.5 The applications relate solely to land under the applicant's ownership, Bloor Homes. The remainder of the land under the policy allocation is under separate ownership and expected to come forward as separate applications. The submitted Masterplan shows an indicative layout for the whole of the Policy N4 allocation site.

### **3. SITE DESCRIPTION**

- 3.1 The site lies to the north west of Northampton, west of New Duston and to the north of Harpole. The application site is approximately 83 hectares in total, with Phase 1 comprising approximately 30 hectares within the larger site. The overall site comprises of predominantly agricultural fields, with a small area of woodland towards the south, and includes the buildings of Heath Farm and Fleetlands Farm. The larger site is bordered by New Sandy Lane along the majority of its eastern boundary, beyond which is the residential area of New Duston. Roman Road defines the southern boundary of the site, Port Road extends across the northern section of the site, with woodland beyond the northern boundary, and agricultural land to the west.
- 3.2 Dallington Brook flows in an easterly direction across the centre of the site extending from west to east. The site generally falls towards Dallington Brook with levels rising towards the southern boundary adjacent to Roman Road and, to the north of the brook, levels rise towards the north western boundary. A public footpath borders the northern and part of the western boundary of the site.
- 3.3 To the immediate south of the site beyond Roman Road, is the Northampton Norwood Farm/Upton Lodge SUE site, allocated under Policy N9A of the JCS. An application for Norwood Farm is currently under consideration by South Northamptonshire Council, the proposals for which include Phase 2 of the Sandy Lane Relief Road which would link to the application site, and also incorporates development within part of the land allocated for development under the

Northampton West SUE allocation. An application for Upton Lodge is currently under consideration by Northampton Borough Council (NBC).

- 3.4 To the north west of the site beyond Harlestone Road is the Northampton Kings Heath SUE, allocated under Policy N7 of the JCS, part of which has been developed within the Daventry boundary, the remainder of which is the subject of a current outline application under consideration by NBC.

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

4.1 No relevant planning history.

4.2 Screening Opinions were issued by Daventry District Council and South Northamptonshire Council in May 2016, confirming the requirement for an Environmental Statement, followed by the issue of a Scoping Opinion by both Authorities in June 2016.

4.3 Permission was granted by DDC in October 2017, for the construction of 52 dwellings including public open space, balancing pond and associated infrastructure for part of the Northampton West site, adjacent to Whites Lane and Harlestone Road.

#### **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).

##### **5.2 National Policies**

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

Paragraph 17 in part seeks to secure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 34 requires that developments that are likely to generate significant movement are located where the need to travel is minimised and sustainable transport modes can be maximised.

Paragraph 35 requires that developments are designed to create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Paragraph 49 advises that housing applications should be considered in the context of a presumption in favour of sustainable development. Where a five year supply of deliverable sites cannot be demonstrated the relevant housing supplies policies should not be considered up-to-date.

Paragraph 50 seeks to deliver a wide choice of high quality homes with local planning authorities identifying the size, type, tenure and range of housing required to reflect local demand.

Paragraph 56 promotes the importance of good design in sustainable development.

Paragraph 103 seeks to ensure that development does not increase flood risk elsewhere and at paragraph 100 that inappropriate development is avoided in areas at risk of flooding.

Paragraph 117 requires that biodiversity is conserved or enhanced when considering development proposals.

### 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 S4: Northampton Related Development Area - advises that provision will be made for about 28,470 net additional dwellings with the Northampton Related Development Area in the period 2011-2029.

Policy S5: Sustainable Urban Extensions – seeks to focus development outside the urban areas on areas allocated for sustainable urban extensions.

Policy S9: Distribution of Retail Development – seeks to accommodate retail floorspace firstly within appropriate town centres.

Policy S10: Sustainable Development Principles - seeks to ensure development achieves the highest standards of sustainable design; protects, conserves and enhances the natural and built environment and heritage assets and their settings; promotes the creation of green infrastructure networks and enhancement of biodiversity; and minimises pollution from noise, air and run off.

Policy S11: Low Carbon and Renewable Energy – Sustainable urban extensions should contribute to reductions in carbon emissions and adapt to effects of climate change through sustainable development principles.

Policy C2: New Developments - aims for new development to achieve modal shift targets by maximising travel choice from non-car modes and mitigate impacts on the highway network.

Policy RC2: Community Needs - requires new development to make provision for community facilities and public open space.

Policy H1: Housing Density and Mix and Type of Dwelling - requires that new housing development provides for a mix of house types, sizes and tenures to cater for different accommodation needs having regard to the location and setting of the site; existing character and density; proximity to public transport routes; living conditions for future residents; and impact on amenity of neighbouring properties.

Policy H2: Affordable Housing - should be provided at 35% as an integral part of the development.

Policy BN2: Biodiversity - seeks to ensure that development enhances or maintains existing designations and assets or delivers a net gain in biodiversity.

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

BN7 Flood Risk: requires that all new development will demonstrate that there is no risk of flooding to existing properties and proposed development is safe and shall seek to improve existing flood risk management.

Policy BN9: Planning for Pollution Control - development which is likely to cause or result in exposure to pollution or risks to safety will need to demonstrate provision of opportunities to minimise and reduce pollution issues.

Policy INF1: Approach to infrastructure Delivery - requires that new development is supported by and provides good access to infrastructure including physical, green and social elements and integrates with adjoining communities.

Policy N4: Northampton West SUE allocates land for the provision of in the region of 2,550 dwellings, a primary school, a local centre to include local retail facilities of an appropriate scale, healthcare services and community facilities, necessary highway works including a financial contribution to the North West Bypass and the Kingsthorpe Corridor (A508); an integrated and sustainable transport network; structural greenspace and wildlife corridors, archaeological and ecological assessment and mitigation; sport and recreation provision; and flood risk management.

Policy N10: Convenience shopping needs outside Northampton Town Centre – provision will be made for local convenience shopping of an appropriate scale at new local centres within the Sustainable Urban Extensions.

#### 5.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Upper Nene Valley Gravel Pits Special Protection Area Supplementary Planning Document

Biodiversity Supplementary Planning Document for Northamptonshire

#### 5.5 **Material Consideration**

Northampton Green Infrastructure Plan (May 2016)

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

6.1 Not applicable as NBC is a consultee.

### 7. **APPRAISAL**

#### **Principle of Development**

7.1 The site is allocated under Policy N4 of the JCS for development as a Sustainable Urban Extension as part of the Northampton Related Development Area and, therefore, the principle of the development of the site may be seen as broadly acceptable.

7.2 The submitted illustrative Masterplan for the larger site indicates provision, alongside the residential development, for a primary school, local centre, areas of green and recreational space, sustainable urban drainage and highway infrastructure. The mix is considered appropriate to achieve a sustainable development providing services and facilities for future residents.

7.3 The development of the site would make a significant contribution to the housing requirements identified within the JCS as part of the Northampton Related Development Area, and the principle of development as proposed is therefore considered acceptable.

## **Landscape and Visual Impact**

- 7.4 The site currently comprises agricultural land to the north west of Northampton and is visually prominent within the surrounding area. It is therefore inevitable that the development of both Site A and Site B will have a visual impact on the character of the area.
- 7.5 The application is supported by a Landscape and Visual Impact Assessment. The submitted illustrative Masterplan and Design and Access Statement indicate that the majority of the Dallington Brook Corridor will be retained and enhanced as a green corridor. Perimeter hedgerows and trees and a number of internal hedgerows will be retained. The proposed sports pitches and open space have been located on areas of high ground to the west of the site, with existing boundary hedges to be retained and enhanced, which would assist in softening the relationship of the development with the agricultural land to the west. The submitted plan also indicates a green corridor along New Sandy Lane to assist in screening views of the development from the existing edge of Duston, and an area of woodland planting is proposed along the eastern boundary of the proposed local centre.
- 7.6 The site has been allocated for development as part of the JCS. The development as proposed would continue the extent of built development to the west of the Northampton boundary whilst providing a significant green buffer to the west. Detailed design and landscaping would be considered at reserved matters stage, the appropriateness of which would assist in assimilating the development into the surrounding landscape.

## **Design**

- 7.7 Policy H1 of the JCS seeks to achieve a minimum average density of 35 dwellings per hectare within sustainable urban extensions. The applications propose a mix of housing densities throughout the site ranging from 30 to 45 dwellings per hectare (dph), with lower densities proposed north of Port Road.
- 7.8 Building heights on the northern part of the site beyond Port Road are proposed up to 2.5 storeys high, and the remainder of the site predominantly 2 to 2.5 storeys but allowing for 3-storeys in some key locations. The commercial elements of the scheme, the primary school and local centre would be a maximum height of 2-storeys.
- 7.9 The Design and Access Statement indicates a potential mix of detached, semi-detached and terraced units and flats, ranging from 1 to 5-bedroom properties, with a proportion of all new housing to be affordable, the type and tenure of which is to be determined.
- 7.10 The site is separated from existing residential development to the west by New Sandy Lane. Pedestrian links are proposed to the surrounding area via a signalised crossing to the south of the proposed new access on New Sandy Lane, and a further pedestrian crossing proposed on Port Road, west of the existing bridge. Existing public rights of way are proposed to be retained and incorporated into the site. The development as proposed appears to indicate an appropriate level of connectivity to the surrounding area
- 7.11 Precise details of scale, layout, appearance and landscaping would be matters for consideration at reserved matters stage.

## **Local Centre**

- 7.12 A mixed use local centre is proposed under both applications, on an area of land 1.71 ha in size, located centrally within the site adjacent to the proposed vehicular access and new pedestrian crossing on New Sandy Lane, and is intended to be easily accessible for both new residents and existing residents in the surrounding area. The submitted details advise that the local centre is

anticipated to comprise a convenience store (approximately 500 sq. m), a public house/restaurant (approximately 1,000 sq. m) and local community facilities.

- 7.13 Delivery of the local centre is intended to form part of Phase 1 of the development and would therefore assist in the sustainability of the new development coming forward. The local centre is relatively central to the application site and would be reasonably well related to existing residential development in Northampton Borough to the east. The location is considered acceptable, subject to the scale of retail development proposed being appropriate to meet the needs of the development, such that it would not lead to any adverse impact on the vitality and viability of the town centre.

### **Education**

- 7.14 An area of land located centrally within the site is proposed for a primary school, with provision made for 3.11 hectares of land, to provide a 3-form entry primary school and associated playing fields, adjacent to the proposed vehicular access from New Sandy Lane. It is intended that the primary school land is made available as part of Phase 1.
- 7.15 Secondary Education forms part of the CIL Regulation 123 List for both Daventry and South Northamptonshire Council. The County Education Authority has been consulted by both authorities.

### **Open Space and Recreation**

- 7.16 Site A proposes the provision of 27.35 hectares of open space, and Site B, 12.6 hectares. The open space on Site A would comprise of the retention of an area of ridge and furrow in the north western corner of the site, the provision of 6 sports pitches, a green corridor along Dallington Brook, along the main spine road through the site, and adjacent to New Sandy Lane, and areas of amenity space throughout the site. Within Site B, the open space would comprise of part of the green corridor along Dallington Brook, part of the spine road and New Sandy Lane, and areas of amenity green space.
- 7.17 As the application site forms part of the Northampton Related Development Area, open space requirements should accord with Northampton Borough Council open space requirements as set out in the Council's 'Planning Obligations Strategy' Supplementary Planning Document (February 2013). The open space requirement based on Northampton Borough Council standards would be 25.59 hectares for Site A, and 8.77 hectares for Site B and, on this basis, the overall provision of open space is considered appropriate. However, the submitted details do not provide any definition of the proposed typologies of open space provision or the area of land proposed for each typology, such as children's play space or allotments. It is therefore considered that these elements should be clarified so that specific open space provision can be appropriately assessed against existing provision and requirements to enable the development to deliver the most appropriate type and location of open space for the development and the surrounding area in the interests of sustainable development.
- 7.18 Northampton Borough Council are in the process of reviewing the 'Northampton Open Space, Sport and Recreation Study' as part of the Local Plan, Part 2, and therefore, the provision and type of open space throughout the development should form continued discussion with NBC.

### **Highways**

- 7.19 The application is accompanied by a Transport Assessment and a Framework Travel Plan, which seeks to encourage the use of sustainable transport modes.

- 7.20 The application proposes three new primary points of access to the north, south and east of the site, with an indicative secondary access proposed to serve the development to the north of Port Road. The primary accesses at New Sandy Lane and at Port Road are proposed for delivery as part of Phase 1 (Site B). The applications propose a reduction in speed limits along New Sandy Lane from Roman Road to Harlestone Road to 40mph, and to 30mph proposed on Roman Road and Port Road along the site frontage.
- 7.21 The New Sandy Lane access will comprise a roundabout with an uncontrolled pedestrian crossing to the site, and a new 3m wide shared footway/cycleway from the site access on New Sandy Lane to a proposed signalised crossing to the south of the access roundabout.
- 7.22 The proposed access on Roman Road will comprise a roundabout with an uncontrolled pedestrian crossing to the site access, and a 3m wide footway/ cycleway east of the junction along the northern side of Roman Road between the site access and Sandy Lane. Roman Road is proposed to be widened to 6m along the site frontage.
- 7.23 The Port Road access will comprise a roundabout with uncontrolled pedestrian crossings across all arms of the junction to connect to the north and south of the development. A 2m wide footway is proposed on both sides of Port Road along the frontage, with the footway on the southern side of Port Road ending prior to the existing bridge across New Sandy Lane. A pedestrian crossing will be provided west of the bridge to enable pedestrians on the southern side to cross and continue eastwards using the existing footway.
- 7.24 It is envisaged that a shared footway/cycleway will be provided throughout the development along primary routes. The existing bridleway along the western boundary of the site will be retained and incorporated into the site layout. The submitted plans also show two indicative pedestrian and cycle crossing points across Dallington Brook and pedestrian crossing across New Sandy Lane and Port Road.
- 7.25 The Transport Assessment indicates that discussions have been held with Stagecoach to establish the delivery of public transport links from the site to Northampton Town Centre and Northampton Rail Station, and the potential for extending existing surrounding bus services into the site and for linking with new bus services which may come forward as part of the other SUEs along the western boundary of Northampton. The provision of public transport will be a matter for further discussion with the Highway Authority, and is envisaged to evolve as the Masterplan is developed and through subsequent reserved matters application.
- 7.26 The development as proposed would link to Sandy Lane Relief Road Phase 2, linking the A4500 Weedon Road and Berrywood Road. This remaining section of the Sandy Lane Relief Road (SLRR) is proposed to be provided by the Norwood Farm site to the south, an application for which is currently under consideration by SNC. In addition, as part of the mitigation measures in relation to highway impacts, Policy N4 of the JCS requires the development to make a financial contribution towards the North West Bypass (now referred to as the North West Relief Road) and the Kingsthorpe corridor (A508). Highways England are also seeking contributions towards the Northampton Growth Management Scheme. It is understood that these financial contributions would be sought as S106 contributions by the relevant planning authorities, where not covered by CIL.
- 7.27 The submitted Transport Assessment concludes that 430 dwellings can be accommodated prior to the completion of the Sandy Lane Relief and/or the North West Relief. The Highway Authority has been consulted on both applications and, at the time of writing this report, further information has been requested from the applicants.
- 7.28 The details of parking provision would be a matter for consideration at reserved matters stage.

## **Ecology**

- 7.29 The application is supported by an Ecological Impact Assessment and a Green Infrastructure Parameter Plan.
- 7.30 Two proposed wildlife sites are located immediately adjacent to the site, the Sandy Lane Verge, a grassland road verge located immediately adjacent to the north eastern boundary, and the Round Oak Plantation, a coniferous woodland located immediately adjacent to the northern site boundary.
- 7.31 The report identifies the presence of badgers, bats, birds and a low population of grass snake on site, but concludes that Great Crested Newts are considered to be absent from the site. The ecology report recommends a precautionary approach to site clearance to ensure impact on any species on site is appropriately managed. Any works affecting bat roosts on site would require a license from Natural England.
- 7.32 The proposal seeks to retain all 'important' hedgerows throughout the site as part of the development, and would provide areas of natural and semi-natural green space, with green corridors along Dallington Brook, the main spine road. The proposal appears to make provision for appropriate green links along the New Sandy Lane corridor extending towards the Northampton Kings Heath SUE to the north of the site beyond Harlestone Road.
- 7.33 The Northampton Green Infrastructure Plan (May 2016) (NGIP) promotes the delivery of multi-functional green space to enable the delivery of environmental and quality of life benefits for local communities. The Masterplan as proposed appears to set out the green infrastructure in accordance with proposed structural greenspace indicated in the NGIP. The proposal should ensure that due regard is paid to the requirements of the NGIP and that an appropriate Biodiversity Management Plan is secured to outline how these spaces will be managed to ensure the conservation and enhancement of habitats.
- 7.34 Natural England has been consulted on the development proposals and will respond directly to the relevant planning authorities.

## **Historic Environment**

- 7.35 The application is supported by a Heritage Desk-Based Assessment which includes an assessment of heritage assets within and surrounding the site.
- 7.36 The illustrative Masterplan shows preservation of an area of ridge and furrow within the northern part of the site as open space. The County Archaeologist has been consulted directly and in response advises that, subject to conditions for a programme of archaeological work, the archaeology on site does not present an overriding constraint to development of the site.
- 7.37 There are no conservation areas or listed buildings in Northampton Borough within the immediate vicinity of the application site that would be affected by the proposed development and as such, there is no objection to the development proposal in this regard.

## **Flood Risk and Surface Water Drainage**

- 7.38 The application is supported by a Flood Risk Assessment and Surface Water Management Strategy. The report identifies that the majority of the site lies within Flood Zone 1 (less than 1 in a 1000 annual probability of river flooding) with the area around Dallington Brook situated within Flood Zone 3 (having 1 in 100 or greater annual probability of river flooding).



- 7.39 The submitted details advise the proposed surface water strategy seeks to restrict surface water runoff rates to the existing greenfield runoff rates, with surface water managed up to the 1 in 200 year plus climate change event. This would be in accordance with the requirements of Policy BN7 of the JCS. The report advises that the site provides limited opportunity for infiltration and, therefore, envisages that a significant volume of storage would be provided in attenuation ponds within the site, although the location and form of surface water storage to be provided is proposed to be confirmed at the detailed planning application stage.
- 7.40 The Environment Agency and Lead Local Flood Authority have been consulted directly and will respond to the relevant planning authorities. Subject to there being no objection from the relevant statutory consultees, and securing appropriate mitigation measures for the provision of an appropriate surface water drainage strategy and maintenance of appropriate surface water drainage management, there is no objection in this regard.

### **Other Matters**

- 7.41 Technical reports in relation to flood risk and drainage, contamination, air quality and noise, ecology have been submitted as part of the Environmental Statement. The relevant statutory bodies and internal consultees have been consulted by both SNC and DDC, the response of whom will be considered by relevant Local Planning Authorities.

### **Affordable Housing, S106 and Community Infrastructure Levy (CIL)**

- 7.42 Policy H2 of the JCS requires the provision of 35% affordable housing throughout both sites, the requirement for which would form part of the Section 106 Agreement. The location, type and tenure of the affordable housing is yet to be agreed.
- 7.43 The development of the site will be CIL liable and subject to the requirements of both SNC's and DDC's Regulation 123 lists which include the following:

**SNC** – Sustainable Transport Measures identified in the Infrastructure Delivery Plan; A43 junction in South Northamptonshire; education (excluding primary schools), strategic leisure, fire and rescue, and cemeteries.

**DDC** – education (excluding primary schools); walking and cycling routes; public transport; A45 Daventry Development Link; canal and waterway network improvements; indoor and outdoor sports; cemeteries; public realm; green infrastructure; strategic waste infrastructure; town centre parking; and fire and rescue service buildings and equipment.

- 7.44 In addition, where requirements are not covered by CIL, a number of Section 106 developer contributions would be required including the provision of primary education, healthcare, highway infrastructure, maintenance of public open space, and SUDS maintenance and management. No further details have been submitted in respect of the developer contributions and it is recommended that, particularly in relation to the provision of affordable housing, both SNC and DDC engage with the Borough Council in S106 negotiations in this regard.

## **8. CONCLUSION**

- 8.1 The applications proposed relate to a site allocated for development under Policy N4 of the JCS which actively encourages the development of the site as a Sustainable Urban Extension. The submitted illustrative Masterplan provides an appropriate indication of how the proposed layouts for each application would relate to the development of the overall SUE site. The development of the site would make a significant contribution towards the housing requirements identified within the JCS. The application therefore accords in principle with the requirements of this policy subject to ensuring appropriate provision of the facilities, infrastructure and mitigation required by

the specific aspects of the policy. Therefore, subject to the considerations outlined in Paragraph 8.2 below, it is considered that there is no overall objection to the development as proposed.

- 8.2 It is acknowledged that the delivery of the site is subject to a requirement for financial contributions towards the delivery of the North West Relief Road which, along with other SUEs to the west and north west of Northampton, would make a significant contribution towards the delivery of this major road infrastructure. It is also acknowledged that the delivery of the Sandy Lane Relief Road is the subject of an application on land outside of the applicant's control. Notwithstanding this, the Council would request that the relevant Local Planning Authorities along with the County Highway Authority, ensure that sufficient provision is made to mitigate the impacts of the development on the existing highway network as is deemed appropriate and as early as feasible as part of the delivery of the development.
- 8.2 Appropriate provision is secured for sustainable transport measures throughout the site and to provide links to the surrounding area, including the provision of appropriate public transport provision, cycle and footpath links.
- 8.3 The level of affordable housing to be secured by this development has a significant and direct impact on this Authority. As such the appropriate officers of this Authority should be involved in the negotiation of any Section 106 agreement in relation to these matters and in relation to the mix and type of dwellings proposed under any reserved matters application.
- 8.4 The primary school and local centre should be delivered in the first phase of the development as proposed to ensure the delivery of a sustainable development.
- 8.5 A condition requiring the submission of a Construction Environment Management Plan (CEMP), including vehicle routing.
- 8.6 Appropriate consideration is given to contamination and air quality impacts arising from the proposed development and necessary mitigation measures be included.
- 8.7 Appropriate provision and contributions are made for education and healthcare requirements to meet the needs of the proposed development.
- 8.8 The application site forms part of the Northampton Related Development Area. As such open space provision should be based on the standards required by Northampton Borough Council as defined in the Council's 'Planning Obligations Strategy' Supplementary Planning Document (February 2013). Furthermore, the Council are currently undertaking a review of the Northampton Open Space, Sport and Recreation Study' as part of the Local Plan, Part 2 and therefore, the provision and type of open space throughout the development should form continued discussion with NBC.

In addition, further clarification should be sought on the proposed quantum of space for each open space typology so that specific open space provision can be appropriately assessed against existing provision and requirements, to enable the development to deliver the most appropriate type of open space for the development and the surrounding area in the interests of sustainable development.

- 8.9 Appropriate consideration and mitigation of flood risk and drainage matters to meet the requirements of the Environment Agency and the Lead Local Flood Authority.
- 8.10 Appropriate consideration is given to 'Green Initiatives' as part of the development proposals in accordance with the requirements of Policies S10 & S11 of the West Northamptonshire Joint Core Strategy.

- 8.11 The provision of Green Infrastructure is delivered in accordance with the recommendations of the Northampton Green Infrastructure Plan (May 2016) to ensure appropriate links to the surrounding area and adjoining SUE sites and is secured to outline how these spaces will be managed to ensure the conservation and enhancement of habitats.

**9. BACKGROUND PAPERS**

- 9.1 N/2017/1221, N/2017/1222, N/2017/1248 and N/2017/1249

**10. LEGAL IMPLICATIONS**

- 10.1 None in relation to Northampton Borough Council. The development is CIL liable.

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

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



Site A

KEY  
 Site boundary

**Northampton West**  
 300+ Homes

Drawn by: LAD    checked by: S/BA/2018/01/17  
 Date: 15/03/18    checked by: SB    Date: 20/06/2017  

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