



# **PLANNING AGENDA**

**Tuesday, 18 December 2018**

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

5:00 pm

**Members of the Committee**

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

**Councillors:** Alan Bottwood, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Nazim Choudary, Zoe Smith, Arthur McCutcheon and Dennis Meredith.

**Chief Executive**

**George Candler**

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 5:00pm on 3<sup>rd</sup> July, 31<sup>st</sup> July, 4<sup>th</sup> September, 25<sup>th</sup> September, 23<sup>rd</sup> October, 20<sup>th</sup> November, 18<sup>th</sup> December 2018, and 22<sup>nd</sup> January, 19<sup>th</sup> February, 19<sup>th</sup> March, 16<sup>th</sup> April, 7<sup>th</sup> May, 4<sup>th</sup> June, 2<sup>nd</sup> July and 30<sup>th</sup> July 2019.

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, The Guildhall, St. Giles Square, Northampton, NN1  
1DE  
on Tuesday, 18 December 2018  
at 5:00 pm.

**AGENDA**

**1. APOLOGIES**

**2. MINUTES**

(Copy herewith)

**3. DEPUTATIONS / PUBLIC ADDRESSES**

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

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

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

Report of Head of Planning (copy herewith)

**7. OTHER REPORTS**

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

**9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**

**10. ITEMS FOR DETERMINATION**

**(A) N/2018/1122 - GROUND AND FIRST FLOOR EXTENSIONS, CONVERSION OF PART GROUND AND FIRST FLOOR TO FORM THREE SELF-CONTAINED FLATS. SUBDIVISION OF EXISTING RETAIL UNIT INTO TWO UNITS AND ALTERATION TO SHOPFRONT. 93 - 95 ST LEONARDS ROAD**

(Copy herewith)

**(B) N/2018/1457 - FIRST FLOOR EXTENSION WITH ASSOCIATED ALTERATIONS AND INSTALLATION OF DORMER WINDOWS AND RAISING ROOF HEIGHT. 46 BARN OWL CLOSE**

(Copy herewith)

**(C) N/2018/1461 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 169 ADNITT ROAD**

(Copy herewith)

**(D) N/2018/1463 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 144 SOUTHAMPTON ROAD**

(Copy herewith)

**(E) N/2018/1467 - CHANGE OF USE OF UNIT FROM SURE START CENTRE TO COMMUNITY CAFE (USE CLASS A3), INCLUDING THE INSTALLATION OF A CATERING KITCHEN. 16 PARK SQUARE**

(Copy herewith)

**(F) N/2018/1491 - CHANGE OF USE FROM DWELLING (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 6 HOLLY ROAD**

(Copy herewith)

**(G) N/2018/1546 - DEMOLITION OF 20NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS. GARAGES REAR OF 21 KESWICK DRIVE**

(Copy herewith)

**(H) N/2018/1576 - DEMOLITION OF EXISTING COMMUNITY CENTRE AND CONSTRUCTION OF 3NO NEW BUNGALOWS (RE-SUBMISSION FOLLOWING PLANNING PERMISSION N/2018/0448). 110 NENE DRIVE**

(Copy herewith)

**11. ENFORCEMENT MATTERS**

**12. ITEMS FOR CONSULTATION**

**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

Wednesday, 31 October 2018

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Bottwood, Choudary, Golby, Kilbride, Kilby-Shaw,  
McCutcheon, Meredith and Smith

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

#### 1. APOLOGIES

Apologies for absence were received from Councillors M Markham, Lane, Birch and Russell.

#### 2. 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/2014/1429**

Councillor T Eales  
Councillor G Eales  
Angela Bartlett  
Rob Riding  
Laura Bazely

#### 3. DECLARATIONS OF INTEREST/PREDETERMINATION

There were none.

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

There were none.

#### 5. **N/2014/1429 - OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR A SUSTAINABLE URBAN EXTENSION COMPRISING UP TO 3,000 DWELLINGS INCLUDING AFFORDABLE HOUSING; UP TO 7.2HA EMPLOYMENT LAND (CLASS B1 OFFICE/LIGHT INDUSTRY AND CLASS B2 GENERAL INDUSTRY); A LOCAL CENTRE TO ACCOMMODATE A FOOD STORE (2,230M2), 6 SHOP UNITS (750M2) FOR RETAIL (CLASS A1), PROFESSIONAL AND FINANCIAL SERVICES (CLASS A2), RESTAURANT/CAFE (CLASS A3),**



**DRINKING ESTABLISHMENT (CLASS A4) AND HOT FOOD TAKEAWAY (CLASS A5); PUBLIC HOUSE/RESTAURANT; NURSERY (CLASS D1); 2 PRIMARY SCHOOLS; SECONDARY SCHOOL; REDEVELOPMENT OF GRANGE FARM FOR CAFE/RESTAURANT/PUBLIC HOUSE OR HOTEL; EXTENSION OF THE NORTH WEST BYPASS ON THE SITE; PROVISION OF OPEN SPACE AND STRATEGIC LANDSCAPING AND WILDLIFE CORRIDORS; SURFACE WATER/FLOOD MANAGEMENT WORKS AND ASSOCIATED ENGINEERING WORKS FOR DRAINAGE AND SERVICES. DALLINGTON GRANGE. MILL LANE**

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations, addressed typographical errors within the report and included 2 additional conditions. The Committee heard that the majority of the site sat within Flood Zone 1 and that it was home to several areas of archaeological interest, including a Neolithic causeway (which would be preserved as an area of green space) and an Anglo-Saxon site. It was explained that whilst the provision of an on-site healthcare facility was not requested as part of the development, NHS England and Nene Clinical Commissioning Group (CGC) had requested financial contributions to mitigate healthcare impacts arising from the proposal. Access onto the development would be from Mill Lane, Harlestone Road/Hawksmoor Way and via a further phase of the North West Relief Road. A secondary vehicular access from Kings Heath would provide access to 100 dwellings only. The proposals include the provision of pedestrian and cycle routes into the surrounding area, and improvement to public transport links which would be secured by a Section 106 agreement. A new roundabout was proposed on Mill Lane as a response to objections to the proposed closure of Nene Way. The proposal also included improvements to Harlestone Road and the surrounding road network. The Committee heard that more green space was being provided than was required of the developer and that whilst there were a number of wildlife sites within or adjacent to the site locally designated for nature conservation, this did not prohibit developers from building, subject to appropriate mitigation and updated protected species reports being approved by the Council. A viability assessment found that for the site to remain viable only 10% of homes would be affordable. Of that 10%, 100 would be constructed early; this would be secured through the S106 Agreement. Air quality mitigation was proposed through conditions and charging points for electric and hybrid vehicles would be placed within the local centre.

Councillor T Eales, as the Ward Councillor, spoke against the item and asked the Committee to defer consideration of the application until changes had been made. She had concerns around the apparent lack of consultation and that the social housing seemed to be excluded from the rest of the development. She further stated that Kings Heath residents would struggle to access the facilities.

In response to a question, Councillor T Eales commented that she would like to see road access from Kings Heath to the proposed development.

Councillor G Eales spoke against the application and voiced concerns around highway pressures, stating that the North West Relief Road should be built before any development took place. He noted the apparent lack of meaningful consultation with residents and stated that he was concerned about S106 contributions not being spent on existing estates.

Responding to a question, Councillor G Eales commented that the proposed 100 affordable homes would be situated in a way that isolated them from the rest of the development; he deemed this unacceptable.

Angela Bartlett, spokeswoman for WASPRA, spoke against the application and stated that the North West Relief Road, as well as not being fit for purpose, would increase traffic on impacted roads by up to 80%.

Rob Riding, the agent on behalf of the applicant, spoke in support of the application and noted that the site had long been allocated as a Sustainable Urban Extension (SUE); the application represented a major investment in new homes as well as providing a further section of the North West Relief Road, 8 new sports pitches, and a net gain in biodiversity through the submission of Landscaping and Ecological Management Plans.

In response to questions, Mr Riding confirmed that play areas for children would be provided within the development. He further confirmed that normally a developer could expect to make 20% profit; the figure was lower for this development.

Laura Bazley of WSP spoke in support of the application and commented that cycle networks and bus routes would link the development to surrounding sites and the town centre. She explained that the reason behind no access from Kings Heath to the development was due to the roads on Kings Heath not being able to cope with increased traffic. She further explained that charging points for electric vehicles would be installed throughout the development.

The Development Management Team Leader explained to Members that the application had been the subject of extensive consultation, as recently as April 2018; a notice had been published in the local newspaper and notices displayed around the site. She noted that the developer was only required to mitigate the impacts of their own development and responding to a question around affordable housing, stated that the affordable housing on any new development can be subject to viability; it was not unreasonable to expect a developer to want to make a profit.

In response to further questions, the Committee heard that as per the S106 Agreement, a management company would likely be responsible for maintaining open spaces on the development.

The Head of Planning reported that on 10<sup>th</sup> September 2018, the Council resolved, through a motion, to seek alternatives to management companies wherever possible, to assuage concerns of residents and Members.

In addition, to the outline application the Development Management Team Leader reported on an application under Section 257 of the Town and Country Planning Act for the permanent diversion of Public Footpath HW44. The Development Management Team Leader reported that it was considered the diversion was necessary in order to implement the outline planning application which would result in the provision of up to 3,000 homes and other facilities in close proximity to an at grade crossing, and the potential for increased use of the crossing and increased risk to safety. The Development Management Team Leader stated that no conditions

could be imposed upon the footpath diversion; should the application be approved, consultation would subsequently begin.

She explained that trigger points for various S106 payments would be monitored by the Council, as part of conditioned requirements.

In response to a question regarding highway mitigation, the Development Management Team Leader advised that she could not confirm figures given by Ms Bartlett, but stated that traffic was expected to increase along Brampton Lane. The North West Relief Road would be subject to a planning application which would be required to mitigate the highway impacts on the surrounding road network of the proposed road. Responding to a question regarding the affordable housing proportion, she explained that there were numerous costs associated with the development and that a viability assessment was undertaken independently on behalf of the Council.

Members discussed the report.

**RESOLVED:**

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

The meeting concluded at 6:50 pm

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

**Tuesday, 20 November 2018**

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Bottwood, Choudary, Golby, Kilbride, Kilby-Shaw,  
McCutcheon, Meredith, Russell and Smith

**OFFICERS:** Peter Baguley (Head of Planning), Rita Bovey (Development  
Manager), Nicky Scaife (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 M Markham. It was noted that Councillor Lane would be arriving late.

**2. MINUTES**

The minutes of the meeting held on 23<sup>rd</sup> October 2018 were agreed and signed by the Chair.

**3. DEPUTATIONS / PUBLIC ADDRESSES**

**RESOLVED:**

That with the agreement of the Chair, the members of the public and Ward Councillors were granted leave to address the Committee:

**N/2018/0277**

Brian Hoare  
Richard Matthews  
Jonathan Best  
Martin Meech

**N/2018/0322**

Tricia Yates  
John Dingle  
Matt Golby

**N/2018/1141**

Barry Waine

**N/2018/1380**

Matthew Berry

**N/2018/1381**

Matthew Berry

**N/2018/1386**

Anita Holt  
Enam Haque

**N/2018/1393**

Councillor Stone  
Sam Rummens  
Nick Warne

**4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Oldham declared a personal interest in respect of item 10a as the Ward Councillor but advised of no predetermination.

Councillor Golby declared a predetermination in respect of item 10b and advised that he would leave the room after addressing the Committee.

Councillor Bottwood declared a disclosable and pecuniary interest in respect of items 10f and 10g as a board member for Northampton Partnership Homes (NPH).

Councillor Kilbride declared a disclosable and pecuniary interest in respect of items 10f and 10g as a board member for NPH.

Councillor Smith declared a predetermination in respect of items 10c and 10e and advise that she would leave the room after addressing the Committee.

**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 on behalf of the Head of Planning and elaborated thereon. The Committee heard that the 4 decisions reached were all refused under delegated authority. An appeal relating to 94 St Leonards Road was dismissed, the Inspector agreed with the Council that flood mitigation was insufficient and that the bedrooms were too small. An appeal relating to Westone Manor had been allowed, with the Inspector finding that as a stand-alone building, the visual impact could not be considered harmful.

**RESOLVED:**

That the report be noted.

**7. OTHER REPORTS**

There were none.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

There were none.

## 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

There were none.

## 10. ITEMS FOR DETERMINATION

### (F) N/2018/1380 - DEMOLITION OF 10NO DOMESTIC GARAGES AND CONSTRUCTION OF TWO ONE-BED FLATS AND PARKING. LOCK UP GARAGES, CAMBORNE CLOSE

At this juncture Councillors Bottwood and Kilbride left the meeting.

The Development Manager submitted a report and elaborated thereon. The Committee heard that the garages, having been built in the 70s, were no longer fit for purpose and mainly unused. The proposed development would comprise a 2 storey building containing 2 flats, 4 parking spaces for occupants and 6 for local residents. Neighbour concerns regarding parking were noted, however the Highway Authority had no comments to make.

Matthew Berry, Project Manager for NPH, spoke in favour of the application and commented that the sole user of a garage on the site would be relocated.

In response to a question, Mr Berry stated that waste storage would be located in a gated area to the side 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.

### (G) N/2018/1381- DEMOLITION OF 10NO DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW-BUILD BUNGALOWS WITH PARKING. LAND AND GARAGES ADJACENT TO ELEANOR LODGE, 25 CAMBORNE CLOSE

The Development Manager submitted a report and elaborated thereon and advised of an error within the report at paragraph 2.1, which should have read 22 spaces. Members' attention was drawn to the addendum which contained further comments from a local resident. The Committee heard that the proposed dwellings would be in-keeping with the area. The properties would be specialised homes for disabled people. 4 parking spaces would serve the properties, with 22 spaces provided for local residents.

In response to a question, the Committee heard that the size of the site had reduced following the discovery of a gas main nearby. It was reported that there was a need for 1 bedroom disabled access homes.

Members discussed the report.

#### **RESOLVED:**

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

**(A) N/2018/0277 - DISTRIBUTION CENTRE (USE CLASS B8) INCLUDING RELATED SERVICE ROADS, ACCESS AND SERVICING ARRANGEMENTS, CAR PARKING, LANDSCAPING BUND AND ASSOCIATED WORKS. MILTON HAM**

Councillors Bottwood and Kilbride re-joined the meeting at this juncture.

Councillor Lane joined the meeting and confirmed that he had no interests to declare

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from local residents and several revised conditions. It was highlighted that the site had a long planning history, the most recent application having been refused by the Planning Committee in 2015. An appeal in respect of the refusal of planning permission was dismissed in 2016, with the Inspector finding that whilst warehousing was an appropriate use, the height and footprint of the proposal would cause an unacceptable level of harm. It was explained that the new proposal saw a reduction of 2m in roof height, and that landscaping and 7-8m high bunding would screen the development. The bund would project out to a non-allocated piece of land but this too would be landscaped. Details of maintenance would form part of the S106 Agreement and the Committee heard that NCC Highways and Highways England did not raise objections to the application, subject to conditions, and the mitigation secured through the Legal Agreement.

Brian Hoare spoke against the application and commented that the application was a breach of Policy B9 of the Northampton Local Plan as it extended Swan Valley into West Hunsbury. He further referenced the Local Plan by stating that any development should not be hidden but blend in, which the proposed development would not do.

Responding to a question, Mr Hoare stated that he and local residents were not opposing development on the site, and that the current application was virtually the same as one in 2002 which was considered unacceptable at the time.

Richard Matthews, a local resident, spoke against the application and commented that the application was the same as one presented in 2002. He stated that whilst the guidance was different, the application was still not suitable for the area.

In response to a question, Mr Matthews stated that the application considered in 2009 was on a smaller scale and more suitable.

Jonathan Best, consultant on behalf of the applicant, spoke in favour of the application and commented that the proposed development was a reduction of 40% in floor space compared to the previous application, and that the development would create more than 300 jobs. He further commented that no statutory objections had been received in response to the application.

In response to a question, Mr Best stated that there was no proposed greywater facility. He further stated that the Wootton Brook was sufficient to cope with the run off of water, even in cases of extreme weather.

Martin Meech, Property Director of Travis Perkins, spoke in favour of the application and stated that the company would seek occupiers for the development, or sell it on, should the application be approved. Monies raised would then be reinvested in their existing facilities in the town.

In response to a question regarding reinvestment of facilities, Mr Meech explained that the Travis Perkins Head Office was in need of renovation.

The Principal Planning Officer advised, for clarity, of a number of differences between the current and previous applications, including the bunding and that whilst the buildings would be likely to operate on a 24 hour basis; noise levels would be controlled by conditions.

Responding to questions, the Principal Planning Officer explained that the overall height of the development was 2m lower than the previous application, although there would also be a reduction in the site levels and that the distance between the proposal and the closest residence was approximately 184m. The Committee heard that the site would benefit from bunding in terms of screening the development and acting as an acoustic fence. In terms of archaeology, Members heard that a programme of archaeological investigation would take place before the development was implemented. The response to any discovery would depend upon what was found, the quantity and condition.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the prior completion of a S106 Agreement and the conditions and reasons as set out in the report and addendum.

**(B) N/2018/0322 - DEMOLITION OF EXISTING RESIDENTIAL UNIT, CONSTRUCTION OF TWO RESIDENTIAL UNITS WITH ASSOCIATED GARAGES, CONSTRUCTION OF EXTENSION TO EXISTING SELF-STORAGE (CLASS B8) FACILITY TO PROVIDE ADDITIONAL SELF-STORAGE (CLASS B8) ACCOMMODATION OVER BASEMENT, GROUND AND TWO UPPER FLOORS, PROVISION OF ASSOCIATED PLANT AND LANDSCAPING. ACCESS STORAGE SOLUTIONS, TOLLGATE WAY**

Councillor Golby moved to public seating at this juncture.

The Principal Planning Officer submitted a report and elaborated thereon. Members' attention was drawn to the addendum which contained further representations from the Lead Local Flood Authority and 2 additional conditions. The Committee heard that several trees on the site would be removed, although these were not considered to be significant. With the street scene being varied, the proposed bungalows were not considered unacceptable. It was explained that a condition had been included to remove permitted development rights for matters such as extensions and windows



on the rear elevation of the bungalows, to maintain sufficient levels of light, outlook and privacy. Members heard that there would be no adverse impact on parking and that NCC Highways had not objected to the application. It was also explained that the proposed self-storage facility was of an acceptable design, and would not lead a significant adverse impact upon amenity.

Mr Golby, as a relation of the applicants, spoke in favour of the application and commented that access to the site would be improved, the extension would act as a noise buffer and that the applicants would be happy to plant more trees to mitigate any visual impacts.

In response to a question, Mr Golby confirmed that access would remain the same, off of Mill Lane.

After addressing the Committee, Mr Golby left the room for the remainder of the discussion.

Tricia Yates, a local resident, spoke against the application and voiced concerns around the size and scale of the proposed development, commenting that it would dwarf nearby properties. She stated that the NPPF made reference to “good design” and that the proposal did not meet the requirement. She suggested that retention of trees should be considered.

In response to a question, Ms Yates stated that she was concerned about what the trees would be replaced with.

John Dingle, the agent on behalf of the applicant, spoke in favour of the application and explained that the height of the proposed extension was lower than the existing building and that it would block most of the noise coming from the site. He further explained that the bungalows had been designed so that outlook would be away from the self-storage facility, and that replacement landscaping would take place.

Members discussed the report.

#### **RESOLVED:**

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

#### **(C) N/2018/1141- CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 7 OCCUPANTS (RETROSPECTIVE). 11 ABINGTON GROVE**

Councillor Golby re-joined the meeting and Councillor Smith moved to the public seating.

The Development Management Team Leader submitted a report and elaborated thereon. The Committee heard that should the Committee approve the application, the concentration of HIMO properties in a 50m radius would be 13.3%. Notwithstanding an objection received from NCC Highways, the location was considered sustainable due to the proximity of shops and public transport links.

Councillor Smith, as the Ward Councillor, spoke against the application and stated that additional high-concentration accommodation would further exacerbate parking problems in the area.

Barry Waine, the agent on behalf of the applicant, spoke in favour of the application and stated that the property had been operating as a HIMO for 9 years and commented that there was no evidence to suggest that this use had caused a danger to the area's parking situation in that time. Mr Waine noted that a similar application nearby had been previously approved by the Planning Committee.

In response to a question, Mr Waine advised that there were currently 2 vehicles used by occupiers of the property.

The Head of Planning explained that the Planning Act allowed for retrospective applications and that every application should be considered on its own merits.

Members discussed the report.

**RESOLVED:**

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

**(D) N/2018/1280 - ENGINEERING OPERATIONS TO RAISE FRONT GARDEN LEVELS TO ACCOMMODATE ADDITIONAL OFF ROAD PARKING AND SITTING AREA. 18 TANFIELD LANE**

Councillor Smith re-joined the meeting.

The Development Manager submitted a report and elaborated thereon, advising of an additional condition to agree details of surface treatment. The Committee heard that such a minor application would normally be dealt with under delegated powers. It was explained that a condition had been included to ensure the method of treatment of the boundaries would be approved by the Council before implementation.

In response to a question, the Committee heard that should neighbours decide to do the same, there would be no risk of obstruction to the driveway.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report, with an additional condition requiring details of surface treatment to be submitted to the Council.

**(E) N/2018/1333 - CONVERSION OF 59 ABINGTON AVENUE TO A SINGLE DWELLING (CLASS C3) AND CONVERSION OF 61 ABINGTON AVENUE TO HOUSE IN MULTIPLE OCCUPATION (CLASS C4) FOR 5 OCCUPANTS. 59 - 61 ABINGTON AVENUE**

At this juncture Councillor Smith left the meeting room.

The Development Management Team Leader submitted a report and elaborated thereon. The Committee heard that should the application be successful, the concentration of HIMO properties in a 50m radius would be 16.3%. It was noted that the dwelling currently had planning permission for a 6 bed HIMO. It was further noted that due to the proposal not increasing the number of bedrooms to that previously consented, NCC Highways had not raised an objection.

In response to a question, Members were informed that should the application be successful, the applicant would be able to choose between the 2 approved plans.

Members discussed the report.

**RESOLVED:**

That the application be **REFUSED** against the officer recommendation on the grounds of over concentration.

**(H) N/2018/1386 - TWO STOREY SIDE EXTENSION, SINGLE STOREY SIDE AND REAR EXTENSION WITH FRONT PORCH AND CAR PORT. 27 THRUXTON DRIVE**

Councillor Smith re-joined the meeting.

The Development Management Team Leader submitted a report and elaborated thereon. Members' attention was drawn to the addendum which corrected an error within Condition 2. The Committee heard that the proposed development complied with the Council's policies and the "45 degree rule". It was explained that parking provision was sufficient for the development.

Anita Holt, of a neighbouring property, spoke against the application and commented that the proposed development would bring about loss of privacy issues and block light to her property, and that when finished, the property would not be in-keeping with the rest of the street. She voiced further concerns around the number of occupants living at the property as she believed it was being used as a HIMO.

Responding to a question, Ms Holt confirmed that a neighbouring property had similar extensions, however she pointed out that the property in question was set farther back than the applicant property.

Councillor Haque, the applicant and owner, spoke in favour of the application and confirmed that a single family was living in the property currently and that it was not being used as a HIMO. He stated that his application complied with all of the Council's policies.

Members discussed the report.

**RESOLVED:**

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

**(I) N/2018/1393- RETENTION OF NEW WINDOW SHUTTERS TO REAR AND SIDE OF BUILDING. 1 BILLING ROAD**

The Development Management Team Leader submitted a report and elaborated thereon. The Committee heard that the application was for the retention of new window shutters. It was explained that it was considered the appearance of the shutters adversely impacted on the character of the building and Conservation Area the recommendation was for refusal.

Councillor Stone, as the Ward Councillor, spoke in favour of the application and stated that the building stood out and already attracted unwanted attention. She commended the owners for their positive and proactive response to being broken into.

Sam Rumens, an employee of Cottons Accountants, spoke in favour of the application and commented that it represented a good compromise that did not adversely affect the building. He stated that it would be detrimental to add cumbersome internal shutters.

In response to a question, Mr Rumens confirmed that the shutters were up between 9am and 5pm. He further confirmed that the company had received guidance from the Police as to the types of shutters available.

Nick Warne, an employee of Cottons Accountants, spoke in favour of the application and stated that the shutters could not be seen from the front of the building. He further stated that the shutters could be removed without damaging the building.

In response to a question, Mr Warne explained that internal shutters would damage the building whereas the current external shutters did not.

The Development Management Team Leader explained that arch details above the windows with shutters installed, were hidden by the shutters' casing. She further explained that officers had met with the applicant to discuss alternative options, such as internal shutters, recognising that security was an issue.

The Head of Planning advised that any development within a conservation area should "preserve and enhance". He asked Members to bear in mind other means of security and stated that the Police would not give advice or make suggestions on the design of security shutters.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** against the officer recommendation.

**11. ENFORCEMENT MATTERS**

There were none.

**12. ITEMS FOR CONSULTATION**

There were none.

The meeting concluded at 8:42 pm

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



**List of Appeals and Determinations – 18<sup>th</sup> December 2018**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2017/1342</b> APP/V2825/W/18/3203447	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants (retrospective) at 38 Euston Road	<b>AWAITED</b>
<b>N/2017/1538</b> APP/V2825/W/18/3203354	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 70 Ivy Road	<b>ALLOWED</b>
<b>N/2017/1627</b> APP/V2825/W/18/3209974	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 58 London Road	<b>AWAITED</b>
<b>N/2017/1629</b> APP/V2825/W/18/3209979	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 60 London Road	<b>AWAITED</b>
<b>N/2018/0071</b> APP/V2825/W/18/3209926	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants at 39 St Michaels Mount	<b>ALLOWED</b>
<b>N/2018/0093</b> APP/V2825/W/18/3202147	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 84 Moore Street	<b>ALLOWED</b>
<b>N/2018/0300</b> APP/V2825/W/18/3201922	DEL	Erection of open porch with railings above forming balcony at Regent House, Royal Terrace	<b>DISMISSED</b>
<b>N/2018/0301</b> APP/V2825/Y/18/3201921	DEL	Listed Building Application for open porch extension with railings above forming balcony at Regent House, Royal Terrace	<b>DISMISSED</b>
<b>N/2018/0304</b> APP/V2825/Z/18/3202730	DEL	Replacement of existing illuminated freestanding 48-sheet advertising display with a 48-sheet digital LED display on side wall of 9 Campbell Street	<b>AWAITED</b>
<b>N/2018/0494</b> APP/V2825/W/18/3204356	DEL	Erection of single storey home office/showroom to rear of the property at 545 Harlestone Road	<b>AWAITED</b>
<b>N/2018/0514</b> APP/V2825/W/18/3206913	PC	Change of Use from Children's Nursery (Use Class D1) to House in Multiple Occupation (Use Class C4) for 6 occupants at 47 Holly Road	<b>ALLOWED</b>
<b>N/2018/0516</b> APP/V2825/W/18/3206303	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 9-13 Drapery, Northampton	<b>AWAITED</b>
<b>N/2018/0517</b> APP/V2825/W/18/3206306	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 27 Drapery, Northampton	<b>AWAITED</b>
<b>N/2018/0518</b> APP/V2825/W/18/3206310	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 27 Market Square, Northampton	<b>AWAITED</b>
<b>N/2018/0519</b> APP/V2825/W/18/3206313	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 7 Mercers Row, Northampton	<b>AWAITED</b>
<b>N/2018/0524</b> APP/V2825/W/18/3206316	DEL	Prior Notification of installation of solar powered telephone kiosk outside of Co-operative Bank, 59 Abington Street, Northampton	<b>AWAITED</b>
<b>N/2018/0526</b> APP/V2825/W/18/3206317	DEL	Prior Notification of installation of solar powered telephone kiosk outside of Sharpes, 1 Abington Street, Northampton	<b>AWAITED</b>
<b>N/2018/0668</b> APP/V2825/W/18/3208846	DEL	Conversion including single storey rear extension to form 2no dwellings with parking to front at 10 Kenilworth Close	<b>ALLOWED</b>
<b>N/2018/0871</b> APP/V2825/W/18/3209983	DEL	Demolition of existing single storey commercial building and construction of a 1.5 storey, single bedroom dwelling, with basement at 25 Abington Avenue	<b>AWAITED</b>
<b>N/2018/1029</b> APP/V2825/D/18/3211156	DEL	Replace existing hedge with lower brick wall to allow for rise in ground level within the site at 4 Wrekin Close	<b>AWAITED</b>
<b>N/2018/1116</b> APP/V2825/D/18/3213845	DEL	Loft conversion with rear dormer at 21 Craven Street	<b>AWAITED</b>

**Public Inquiry**

None

**Hearings**

None

**Enforcement Appeals**

None

## Tree Preservation Order (TPO) Appeals

	None	
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The Address for Planning Appeals is:

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

Appeal decisions can be viewed at - <https://acp.planninginspectorate.gov.uk>

Local Government (Access to Information) Act 1985	Author and Contact Officer:
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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



## Addendum to Agenda Items Tuesday 18<sup>th</sup> December 2018

### 10. ITEMS FOR DETERMINATION

**Item 10a**

**N/2018/1122**

**Ground and first floor extensions, conversion of part ground and first floor to form three self-contained flats. Subdivision of existing retail unit into two units and alteration to shopfront  
93 - 95 St Leonards Road**

No update.

**Item 10b**

**N/2018/1457**

**First floor extension with associated alterations and installation of dormer windows and raising roof height  
46 Barn Owl Close**

No update.

**Item 10c**

**N/2018/1461**

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants  
169 Adnitt Road**

No update.

**Item 10d**

**N/2018/1463**

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

Since the officer's report has been published, a planning application N/2018/1717 for a change of use from a dwellinghouse to a 5 persons HIMO has been received for 161 Euston Road, which would be within 50m of the application property. If this property is included in the concentration calculation, there would be 12 properties within the 50m from the application site and the concentration would be 13.95%, which would still be below the 15% threshold.

Officer's recommendation is still for approval of the application with the reasons contained in the report.

**Item 10e**

**N/2018/1467**

**Change of Use of Unit from Sure Start centre to Community Cafe (Use Class A3), including the installation of a catering kitchen  
16 Park Square**



No update.

**Item 10f**

**N/2018/1491**

**Change of use from dwelling (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants  
6 Holly Road**

No update.

**Item 10g**

**N/2018/1546**

**Demolition of 20no domestic garages and construction of 2no new dwellings  
Garages rear of 21 Keswick Drive**

**Highway Authority** – No comments received.

A further nine letters of representation have been received. Comments can be summarised as:

- The proposal would result in a loss of privacy.
- There would be a loss of light.
- Security would be affected.
- The development would create more demand for on street car parking, and displace parking into surrounding streets.
- The garages are in use.
- The site could be more appropriately used for development

In addition, a petition signed by 165 individuals has been received. This objects to the development on the grounds that the development would have an adverse impact upon the highway system, and that there is a need for the garages.

**Officer Response:**

The impacts of the development are discussed within the committee report (within paragraphs 7.2 and 7.3), and for the reasons set out therein, it is considered that the proposal would not have a significant adverse impact on neighbour amenity. Following discussions with the Highway Authority, the scheme has been revised. No further objections, or observations, have been received and, as a consequence, it is considered that the development would not result in significant harm to the highway system. It is also noted that there are no parking restriction within Keswick Drive and therefore the development would not change the current situation.

**10h**

**N/2018/1576**

**Demolition of existing Community Centre and construction of 3no new bungalows (re-submission following planning permission N/2018/0448)  
110 Nene Drive**

**Arboricultural Officer** – the arboricultural control measures specified in the submitted report should be fully implemented and properly maintained throughout the duration of the development to prevent harm to the retained trees.

**Amended Condition 2:**

The development hereby permitted shall be carried out in accordance with the following approved plans: PH485848/ND/TP/001, (P) 01 Rev B, (P) 02 Rev B, (P) 03 Rev D, (P) 04 Rev A, (P) 0C Rev B & (P) 06 Rev C.

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



**PLANNING COMMITTEE:** 18<sup>th</sup> December 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1122

**LOCATION:** 93 - 95 St Leonards Road

**DESCRIPTION:** Ground and first floor extensions, conversion of part ground and first floor to form three self-contained flats. Subdivision of existing retail unit into two units and alteration to shopfront

**WARD:** Delapre & Briar Ward

**APPLICANT:** Mr Yogesh Chandra Patel  
**AGENT:** Mr Sharif Uddin

**REFERRED BY:** Councillor J Davenport  
**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 provide an additional retail unit and mix of house types within the local area. The proposed flats would provide adequate facilities for future occupants and would not unduly impact on the character of the street scene. The site is in a sustainable location close to local facilities and public transport routes and would provide adequate facilities for refuse storage. The proposal thereby complies with Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, H21 and H23 of the Northampton Local Plan, and the aims and objectives of the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The current application proposes to subdivision of the existing retail unit into 2 retails unit including ground and first floor rear extension to provide 2 x 1- bed and 1x 2-bed flats on ground and first floors.

2.2 Three on-site parking spaces would be provided to the rear of the property.

### **3 SITE DESCRIPTION**

- 3.1 The application site consists of a mid-terraced retail unit on the ground floor and a 3 bed-flat on the first floor.
- 3.2 The application site is located on St Leonards Road, which is a designated Local Centre with a mix of residential, retail and commercial units.
- 3.3 The local area relies predominantly on on-street parking.

### **4 PLANNING HISTORY**

- 4.1 None relevant.

### **5 PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **5.2 National Policies**

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

- Section 2- Achieving sustainable development.
- Section 5 – delivering a sufficient supply of homes.
- Section 9 – promoting sustainable development.
- Section 12 – Achieving well-designed places.

#### **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
- Policy H5- seeks to manage and safeguard existing housing stock,
- Policy S1 - Distribution of Development
- Policy S10 - sustainable development principles.
- Policy BN7- Flooding

#### **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
- Policy H6 – Primarily residential area.

- Policy H21 and H23- Conversion to Flats

## 5.5 Supplementary Planning Documents

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

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 Councillor J Davenport** - Called-in the application to be determined by Planning Committee. Concerned about parking and refuse problem in the area.
- 6.2 Councillor G Walker** - Objected to this application on the grounds of car parking in the area.
- 6.3 Environmental Health Officer** – No objections. Advice has been given in terms of the acoustic separation and fire escape.
- 6.4 Environment Agency** - No objection, subject to the recommended condition.
- 6.5 NCC Highways** – There is minimal residual parking capacity in the area, any increase in demand would further exacerbate the problems, resulting in a much greater chance of dangerous parking and conflict between residents due to a lack of parking amenity. The proposed parking would be substandard and would not be acceptable. 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. The LHA considers any impact that would compromise the safety of motorists and pedestrians to be a severe developmental impact.

Following these comments, revised plans have been provided with amended parking spaces to comply with standards. Highway Engineer has verbally confirmed that the proposed arrangement would remain unacceptable because there would not be enough room for manoeuvring from the parking spaces. Owing to the parking issues in the local area, he would maintain his objection.

## 7 APPRAISAL

- 7.1 The main issue would be to assess its impact on the character of the area and neighbouring amenity, highway safety and flood risk.

### Principle of development

- 7.2 The proposed development for the subdivision of the existing retail unit and first floor rear extension to create 3 residential flats is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Section 2 of NPPF advises that housing applications should be considered in the context of a presumption in favour of sustainable development.
- 7.3 Saved Policy H6 of the Northampton Local Plan allows for residential development in such locations providing that the development is in keeping with the character of the area and does not result in an over-intensive development of the site.
- 7.4 The application site is a previously developed land situated in a sustainable location and within the easy access of local facilities and public transport. The development of the site for residential use would also contribute to the Council’s 5-year housing land supply.

- 7.5 The Council is currently unable to demonstrate a 5-year housing supply and as such this is a material consideration in determining the application. Therefore, residential development of the site is considered acceptable subject to acceptable design, layout and parking provision.

### **Design, Appearance and Impact on the Character of Area**

- 7.6 Policies S10 and H1 of the JCS, and saved Policy E20 of the Northampton Local Plan seek to ensure high quality design in new development that is appropriate to the character of the surrounding area.
- 7.7 The proposed first floor extension to the rear would mainly be over the existing footprint so the proposal would not result in overdevelopment of the plot. There is also a small single storey extension to the rear providing an entrance lobby to the flats. A condition has been recommended for matching material, which would ensure that the proposed extensions would integrate with the existing building. The proposed extensions would not be visible from St Leonards Road and would have minimal impact on the character of the area.
- 7.8 There would be minimal alteration to the external appearance of the shopfront. The subdivision of the existing retail unit is considered acceptable and would appear as a continuation of the existing terrace. The proposal would comply with saved Policy E20 of the Northampton Local Plan.

### **Amenity**

- 7.9 Paragraph 127 of the NPPF and Policy H1 of the JCS seek to ensure high quality design and a good standard of amenity for existing and proposed occupiers. Policy E20 of the Local Plan advises that any new building should be designed and located in a manner which secures adequate standards of privacy, daylight and sunlight.
- 7.10 The proposed development would provide 3 residential units over two floors. Flat 1 would be split over two levels and Flat nos.2 and 3 will be on the first floor level.
- 7.11 The proposed extension would overlook onto the flat roof to the east and would not result in any overlooking to the neighbouring property to the side. There would be a new hallway window on the proposed side elevation facing no.97. Owing to the location of this window on the higher part of the wall, it is not considered to have any unacceptable impact on the amenity of no.97. As there is an existing obscurely glazed window on side elevation of no.97, it is considered that the proposal would not result in overlooking or loss of privacy for this neighbouring property.
- 7.12 All habitable rooms for the proposed flats would be served by adequate levels of natural light and outlook. The proposal complies with Policy H1 (f) of the JCS as it would provide satisfactory residential amenity for future residents.
- 7.13 Overall, it is considered that the proposal would not give rise to any unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

### **Highways Issues**

- 7.14 The parking requirement for the existing 3 bedroom flat on the first floor would be 2 parking spaces. According to the Northamptonshire County Council Parking Standards, the proposal (2x 1 bed flat + 1x 2bed flat) would require 4 spaces.
- 7.15 Local Highway Authority has raised objection on the basis that the proposed parking area is sub-standard and that manoeuvring out of these parking spaces would result in highway safety issues and is not acceptable.

- 7.16 The application site includes the provision of 3 parking spaces, whilst these spaces are sub-standard, they could be used for parking to serve the existing flat.
- 7.17 Moreover, the application site is located within a designated Local Centre with easy access to shops, facilities and local public transport. Owing to the site's sustainable location, a refusal on the grounds of highway impact would not be justifiable at appeal.
- 7.18 In addition, it is important to note that under the provisions of Class G of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, a retail unit can have up to 2 residential flats above without planning permission. Therefore if the subdivision of the retail unit is permitted, the upper floor could be converted into 4 flats without planning permission. Owing to this fall-back position, the proposed 3 flats are considered acceptable even without any on-site parking provision.
- 7.19 On balance, it is considered that the proposed development for the subdivision of the shop unit and extensions to create 3 residential units would not result in adverse impact on the existing parking conditions and highway safety.

### **Refuse storage**

- 7.20 The proposed scheme has provided communal refuse storage for all the flats. The proposal has demonstrated suitable provisions for the storage of refuse and re-cycling. A condition has been recommended to retain the storage areas as well as the provision of refuse storage for the commercial units.

### **Flooding**

- 7.21 The application site is located within Flood Zone 3. Environment Agency has not raised any objection subject to the condition that there would be no ground floor sleeping accommodation and the proposed mitigation measures are put in place. A condition has been recommended to ensure the same. It is therefore considered that the proposed development would comply with Policy BN7 of West Northamptonshire Joint Core strategy and advice contained in NPPF.

## **8 CONCLUSION**

- 8.1 The proposal would not have any adverse impact on the character of the area and amenity of the existing and potential occupiers. The proposed scheme would provide adequate amenity for the occupiers of the proposed flats.
- 8.2 The proposal would be in accordance with Policies H1, H5, S1 and S10 of the West Northamptonshire Joint Core Strategy, Policies H6, H21, H23 and E20 of the Northampton Local Plan, and advice within the National Planning Policy Framework.
- 8.3 The proposed development is considered acceptable and is therefore recommended for approval subject to the following conditions.

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 18/002/P03 Rev B, 18/002/P01 Rev A, 18/002/P04.

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

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

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

4. The car parking spaces as shown on the approved plan shall be provided prior to the first occupation of the flats hereby permitted and thereafter shall at all times be reserved for the parking by residents of the flats hereby permitted and there shall be no storage of goods, materials, refuse or pallets thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy E20 of the Northampton Local Plan.

5. The development hereby permitted shall be carried out in accordance with the approved Home Design Drawing 18/002/P03 "First Floor Rear Extension and Conversion into Three Self Contained Flats" and the following mitigation measures detailed within the Flood Risk Assessment: No ground floor sleeping accommodation.

The mitigation measure shall be fully implemented prior to occupation of the flats hereby permitted and retained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

6. Notwithstanding the submitted details, full details of refuse and recycling storage for the shop units hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the shop units hereby approved are in operation and retained thereafter.

Reason: To ensure adequate facility is provided in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

- 10.1 N/2018/1122.

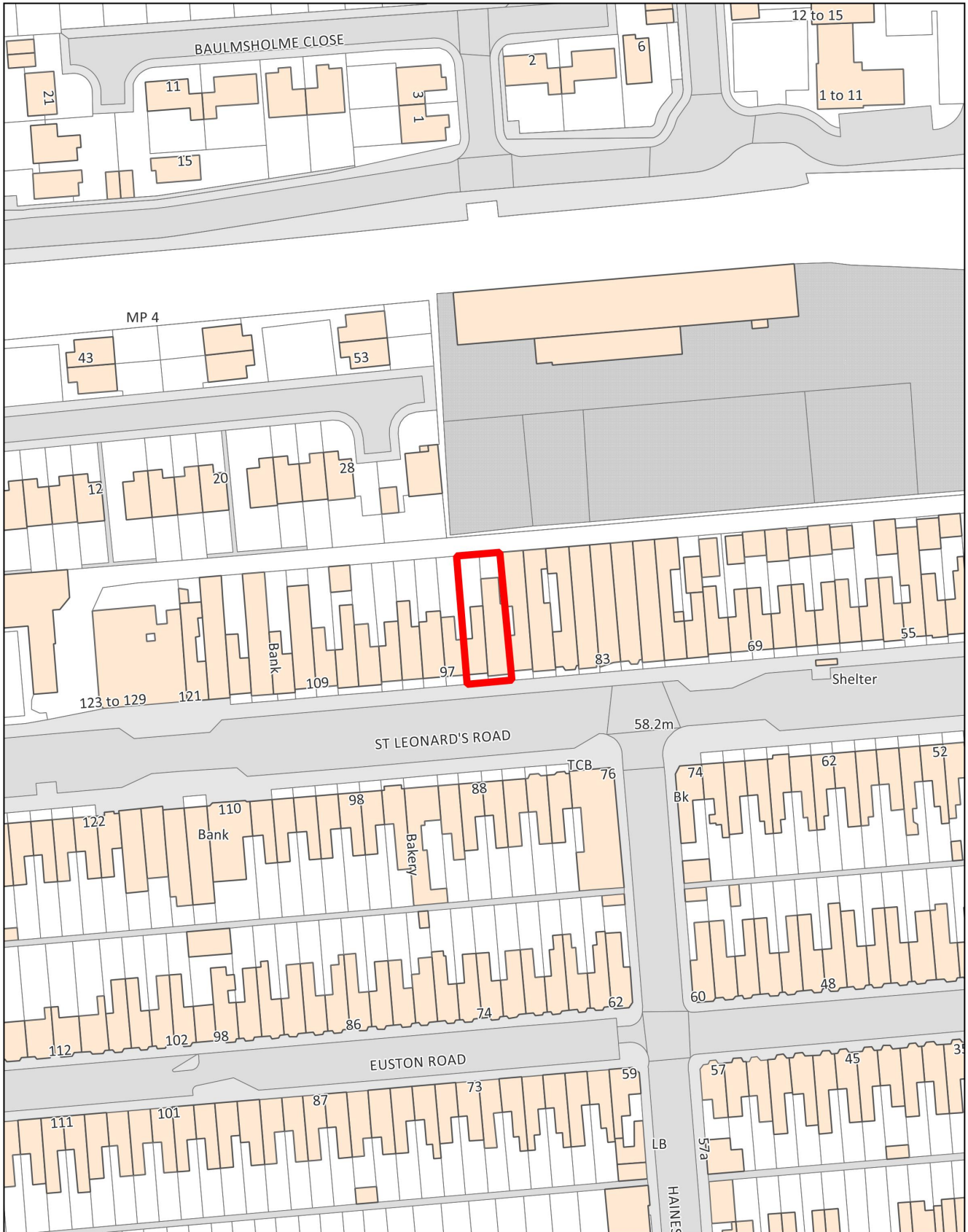
## **11 LEGAL IMPLICATIONS**

- 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.





**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **93 - 95 St Leonards Road**

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Date: 04-12-2018

Scale: 1:1,000

Drawn by: MJ



**PLANNING COMMITTEE:** 29<sup>th</sup> November 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1457

**LOCATION:** 46 Barn Owl Close

**DESCRIPTION:** First floor extension with associated alterations and installation of dormer windows and raising roof height

**WARD:** East Hunsbury Ward

**APPLICANT:** Mr G Cottrel  
**AGENT:** Toby Pateman

**REFERRED BY:** Councillor P Larratt  
**REASON:** Impact on residential amenities

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

The principle of the proposed development is considered acceptable. On balance, it is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, and neighbouring amenity. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20 and H18 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 The proposal is to erect a rear extension with a depth of 3m and width of 5.5m on the western elevation of the bungalow along its northern boundary and provide a first floor level above the existing and extended structure by raising the ridge height by 2.3m. Two pitched roofed dormers will be provided to the front, and another to the rear. Windows will be provided on the gable end of the rear extension with roof lights on its southern roof slope.

2.2 The existing building is a modestly sized bungalow with two small bedrooms. The proposed changes would result in the provision of two larger bedrooms in the roof space with more spacious accommodation on the ground floor.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located on the western side of Barn Owl Close some 90m directly south of the Grange Wood Park Residents Club. A private drive servicing a small group of 3 detached dwellings runs immediately along the southern boundary of the site.
- 3.2 As described above, the application relates to a modestly sized bungalow, it is bounded to its north by a block of two garages which provide parking for the application property and the neighbouring bungalow to its north (No. 47 Barn Owl Close).
- 3.3 Facing the application site to its east is the side elevation of a bungalow (No. 53 Barn Owl Close) set on elevated land which has three narrow windows on this elevation. One of the windows is to an en-suite bathroom and the other two to a lounge which also benefits from an opening on the eastern elevation of the building. There is a separation distance of about 12m between the front of the application property and the side elevation of No. 53.
- 3.4 To its rear (west) the application property backs onto garages attached to the gable end of a chalet bungalow (No. 45 Barn Owl Close). There is a separation distance of some 15m between the rear wall of the application bungalow and the side gable wall of No. 45.
- 3.5 There is a wide variety of house types and design in the immediate area with no distinct thread of style or character. Open frontages are a general feature of the estate.

### **4 PLANNING HISTORY**

- 4.1 None.

### **5 PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **5.2 National Policies**

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

Paragraphs 2 & 47 – Applications to be determined in accordance with the development plan.

Paragraphs 8, 10 & 38 – Achieve and approve applications for sustainable development.

Paragraph 91 – Promoting healthy and safe communities.

Paragraph 124 - Creation of high quality buildings and places, good design being integral to achieving a sustainable development.

Paragraph 212 - The Framework is a material consideration which should be taken into account in dealing with applications.

### 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:

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 policies are material to this application:

E20 – New Development (Design)

H18 – Residential Extensions

### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Residential Extensions and Alterations Design Guide SPD

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **East Hunsbury Parish Council:** No objections.

6.2 **Councillor P Larratt:** Objects to the loss of a bungalow, and the impact on residential amenities. Called in the application to be considered by Planning Committee.

6.3 Representations have been received from the occupier of a neighbouring dwelling. The objections relate to loss of light, privacy and views; dominance of the proposed development and that the development would be out of keeping with the character of the area.

## 7 **APPRAISAL**

### Main issues

7.1 The principal considerations of this application is whether the proposal is acceptable in terms of design, impact on the character and appearance of the area and residential amenity

### **Design and appearance**

7.2 There are a wide variety of different house types and designs on this part of the estate. The proposal is to extend and raise the roof of the building to create additional accommodation. The properties immediately to the north and east are bungalows beyond which are detached two storey dwellings of varying style and design. Therefore, a proposal to provide a second storey would not be out of context with the surrounding buildings.

7.3 The neighbouring bungalows to the east and north are set on elevated land, and the application building is bounded on its other boundaries by two storey detached dwellings. Therefore the proposal to increase the height of the roof level by 2.3m would be in conformity with the general height levels of the surrounding buildings.

7.4 For the above reasons, the proposal is not considered to be out of character with the area.

### **Impact on amenity**

- 7.5 The application property is separated from the dwellings to the north and west by garages where there are no issues of direct inter-visibility. The neighbouring dwelling to the south is sited across a private driveway, is set further back and has a blank gable wall facing the application building, so the residential amenities of the occupiers of these dwellings are therefore not adversely affected.
- 7.6 There is a separation distance of 12m between the front of the application property and the side elevation of the bungalow to its east (No. 53) with an intervening road and boundary treatments. The application building is sited to the west of No. 53, so any potential loss of daylight or sunlight would be so limited that would not warrant a refusal of the application. The proposal includes two new dormers to the front and a rooflight. The proposed window to the right would serve a bathroom and therefore would be obscurely glazed and a planning condition could be imposed as such. The proposed rooflight would serve a landing area which could also be obscurely glazed to reduce any perceived impact. There would be some overlooking from the proposed dormer window to the left. However, bearing in mind the separation distance and boundary planting, it is not considered that the level of overlooking would be so significant that warrants a refusal of the application. Loss of view is not a planning consideration.
- 7.7 On balance, it is considered that impact on residential amenity would be acceptable.

## **8 CONCLUSION**

- 8.1 To conclude, the site is on an existing housing estate and the principle of development on the site is therefore acceptable under the development plan. In this instance, the proposal would comply with the development plan and would not harm the character of the area or residential amenity. Therefore, it is recommended that planning permission is granted subject to conditions.

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 61-18-02.

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

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

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

4. The proposed front dormer window serving the proposed bathroom and the new rooflight serving the landing area to the front 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 adjacent properties in accordance with Policy E20 of the Northampton Local Plan.

## **10 BACKGROUND PAPERS**

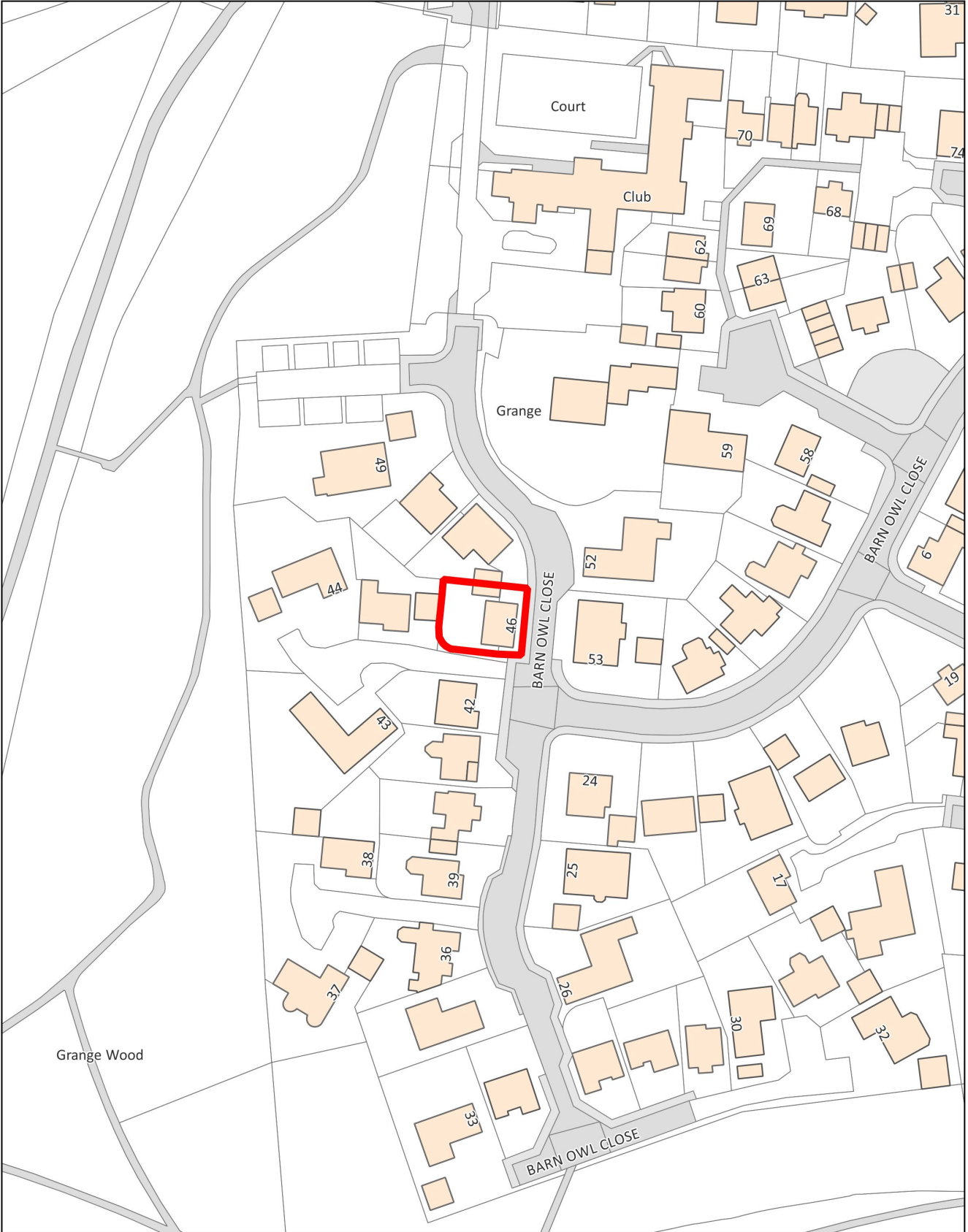
- 10.1 N/2018/1457.

## **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: **46 Barn Owl Close**

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Date: 04-12-2018

Scale: 1:1,000

Drawn by: MJ





**PLANNING COMMITTEE:** 18<sup>th</sup> December 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1461

**LOCATION:** 169 Adnitt 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:** NV Pro Limited  
**AGENT:** Architectural Solutions

**REFERRED BY:** Councillor Z Smith  
**REASON:** Parking concern

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

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

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

### 2. THE PROPOSAL

2.1 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. There will be some external alterations.

2.2 Parking would be on-street.



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

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a two storey, mid-terraced, 3 bedroom property on Adnitt Road located in a residential area with similar terraced properties on the street.
- 3.2 The property has a kitchen, lounge, dining area, a WC on the ground floor, 3 bedrooms and a bathroom on the first floor and a basement room.
- 3.3 The site is in close proximity to Wellingborough Road, which is a designated District Centre with a parade of retail units. The site is within the close proximity to bus routes on Wellingborough Road.
- 3.4 The application site lies in Flood Zone 1 which means very low risk of flooding.

### **4. PLANNING HISTORY**

- 4.1 None relevant.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **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 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

#### **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  
Policy H5 - Managing the Existing Housing Stock  
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 policies are material to this application:

Policy E20 – New development

Policy H30 – Multi occupation with a single dwelling

## 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 50 metre 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 Z Smith** - raises objection on the basis that application property will exacerbate parking issues. Calls in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** – No comments received. Any comments would be reported as addendum to this report.
- 6.3 **Private Sector Housing (NBC)** – The room sizes, amenities and facilities shown indicate that the proposed HIMO would meet the requirements for a five occupant HIMO.
- 6.4 **Conservation Officer (NBC)** has advised that he has no objection on heritage grounds. The proposed use will have a neutral impact on the character and appearance of the nearby conservation area.
- 6.5 **1 representation** has been received in objection, which is summarised as follow:
- Parking issues in the area.
  - Inadequate refuse storage and fly tipping.
  - Noise issues.
  - Antisocial behaviour

## 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 7 existing HIMO within 50m radius of the application site. The use of this property as a HIMO would equate to 9.52% 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. There are other flatted developments on Adnitt Road, therefore, it is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

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

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a five occupant HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement so a condition has been recommended to use it only as a storage area.
- 7.4 Details have been submitted for cycle storage, which are deemed acceptable. A condition is recommended to retain the arrangements should permission is forthcoming.

### **Flood Risk**

- 7.5 The application site is located in Flood Zone 1 and with very low risk of flooding.

### **Highways/Parking**

- 7.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 The application property is located within easy walking distance to facilities along Wellingborough Road. It is considered that the application site is in a sustainable location within 250 metres of bus stop and within walking distance of local facilities on Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.8 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Details have been submitted for the 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 5 parking spaces, which is an increase of 3 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.

- 7.11 In this case, the Highway Authority have not commented yet. Any comments will be reported as addendum to this report.
- 7.12 Moreover, there is no evidence to support that all 5 residents would own cars. Given the number of occupants arising from the existing use and the sustainable location of the property, it is not considered that a refusal on highway grounds could be upheld at appeal.
- 7.13 Furthermore, regard must be paid to recent appeal decisions over the past few weeks 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 It should also be noted that in the most recent appeal decision, the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 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 at appeal.

#### **Refuse storage**

- 7.16 Details have been submitted for refuse storage, which are deemed acceptable. A condition has been recommended to ensure provision of such facility.

#### **Amenity**

- 7.17 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.

#### Other Matters

- 7.18 The proposed change of use will result in five bedrooms with ensuite facilities. The proposal will result in some external changes in terms of the fenestration details on the side and rear elevation. The proposed works could be carried under permitted development rights for householders/small HIMOs and are deemed acceptable and would have a neutral impact on the character of the building or wider area.

### **8. CONCLUSION**

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMOs 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 proposed development is recommended for approval subject to the following conditions.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan: 18/K87/3, 18/K87/1, 18/K87/2a.

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

3. The development hereby permitted shall be occupied by a maximum of 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. Facilities for the refuse and recycling storage as shown on drawing no.18/K87/2a shall be implemented prior to the use hereby permitted commencing 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. Facilities for the cycle storage as shown on drawing no.18/K87/2a shall be implemented prior to the use hereby permitted commencing 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.

6. The basement room shall be used as storage room only 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.

## **10. BACKGROUND PAPERS**

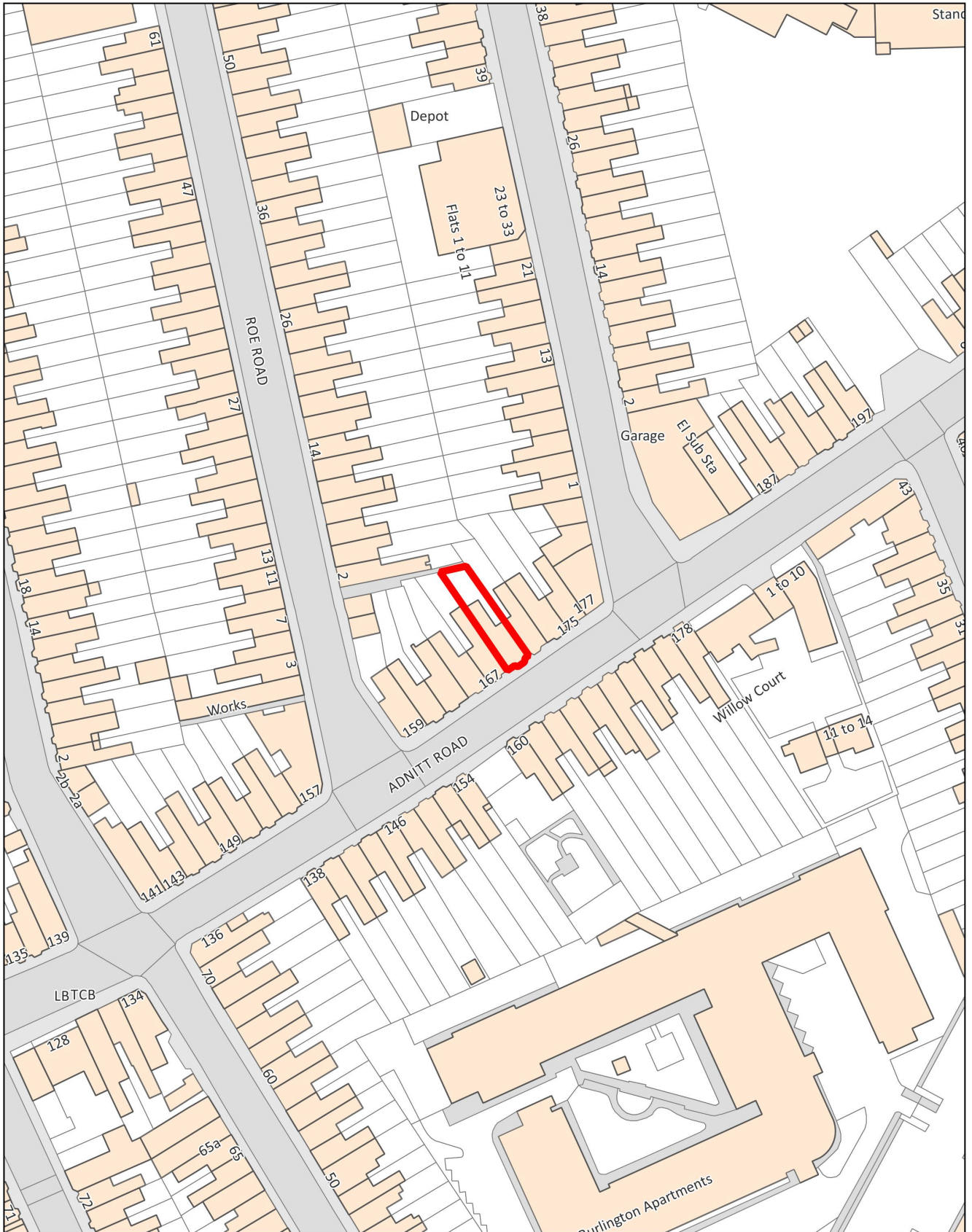
- 10.1 N/2018/1461.

## **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: **169 Adnitt Road**

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Date: 04-12-2018

Scale: 1:1,000

Drawn by: -----



**PLANNING COMMITTEE:** 18<sup>th</sup> December 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1463

**LOCATION:** 144 Southampton Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants

**WARD:** Delapre & Briar Ward

**APPLICANT:** Mr Andrew Meadows  
**AGENT:** Robinson Architecture

**REFERRED BY:** Councillor J Davenport  
**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 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 3 people. 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 property is already occupied as a HIMO and this planning application is for a retrospective permission.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a two storey, mid-terraced property on Southampton Road, located in a residential area with similar terraced properties on the street.
- 3.2 The property has been converted into a HIMO and has been rented out to 4 occupants.
- 3.3 The site is in close proximity to St. Leonard's Road, which contains some retail units and access to bus routes. In addition, London Road has a large retail store within 5 minutes walking distance.
- 3.4 The application site lies in Flood Zone 2.

### **4. PLANNING HISTORY**

- 4.1 N/2018/0867 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants. Refused by the Planning Committee on highway safety grounds on 31<sup>st</sup> July 2018.

### **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:

Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

#### **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  
Policy H5 - Managing the Existing Housing Stock  
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 policies are material to this application:

Policy E20 – New development

Policy H30 – Multi occupation with a single dwelling

## 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 50 metre 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 J Davenport** - raises objection on the basis that Southampton Road is a very busy street where parking and fly tipping are already an issue. Moreover, the 15% has already reached and calls in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** – No comments to make regarding this application.
- 6.3 **Private Sector Housing (NBC)** – The proposed room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a three occupant HIMO.
- 6.4 **2 representations** have been received in objection. The representations have 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.
  - The proposal would result in anti-social behaviour.
  - Impact on community cohesion.
  - Over concentration of the HIMOs in the area.

## 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 10 confirmed HIMOs on Southampton Road, Penrhyn Road, Euston Road and Towcester Road, within a 50m radius of the application site. The use of this property as a HIMO would equate to less than 12.8% 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 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 3 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light. Private Sector Housing has advised that they will be satisfied with the accommodation proposed meets the requirements.
- 7.4 Limited details have been submitted for cycle storage, but there is adequate space in the rear of the property that can be used for the storage of bins and bicycles, the details of which would be required by conditions.

### **Flood Risk**

- 7.5 The application site lies within the Flood Zone 2. Comments are awaited from Environment Agency (EA) on the current application. However, EA had not raised any objections on the previous application for a 4 persons HIMO, given that both applications had same proposed layout for the ground floor, the proposal is considered acceptable in principle. Any comment received from EA would be reported via the addendum.

### **Highways/Parking**

- 7.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 The application property is located within easy walking distance to facilities along St. Leonards Road. It is considered that the application site is in a sustainable location within 300 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 The Highway Authority have not raised any objections to the application.
- 7.12 In addition, there is no evidence to support that all 3 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 It should also be noted that in the most recent appeal decision, the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 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 at appeal.

#### **Refuse storage**

- 7.16 Limited 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**

- 7.17 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 current application is a resubmission for an originally refused application with the number of occupants reduced from 4 to 3. Highways Authority have not raised objection on the current application. It is considered that the current application addresses the reason for refusal on the original application.
- 8.2. 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.
- 8.3. 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.

8.4. The proposed development is recommended for approval subject to the following conditions.

## **9. CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 1806 A/ D1, 1806 A / U50 and 1806 A/ U10.

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

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

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

3. Within 1 month of the date of this permission, 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 within 2 months of the date of this permission 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. Within 1 month of the date of this permission, 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 within 2 months of the date of this permission 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**

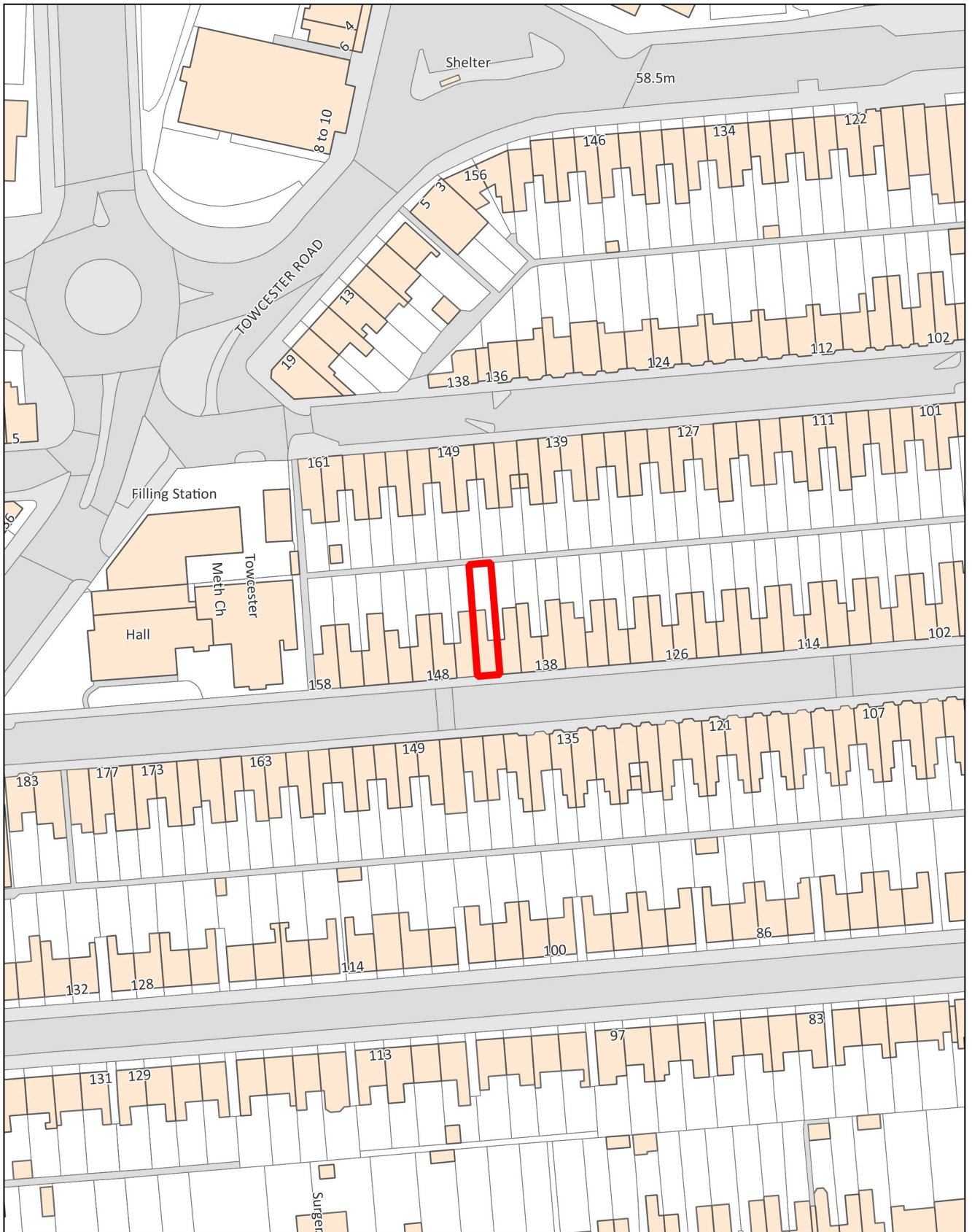
10.1 N/2018/1463

## **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: **144 Southampton Road**

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Date: 04-12-2018

Scale: 1:1,000

Drawn by: MJ





**PLANNING COMMITTEE:** 18<sup>th</sup> December 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1467

**LOCATION:** 16 Park Square

**DESCRIPTION:** Change of Use of Unit from Sure Start centre to Community Cafe (Use Class A3), including the installation of a catering kitchen

**WARD:** Kings Heath Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** N/A

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

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1 RECOMMENDATION**

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

The proposed change of use would have no adverse impact on the vitality and viability of the local shopping centre or on the amenities of adjoining residents and would provide enhanced facilities for the local community. The proposal thereby accords with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The proposal entails the change of use of an existing Sure Start Centre which provides community education, to a Community Café which would provide light refreshments only. No external alteration is proposed.

**3 SITE DESCRIPTION**

3.1 The application site comprises a ground floor commercial unit which is in use as an education centre. This is located within the Kings Heath shopping centre.

3.2 There are existing residential flats above the shop units.



## **4 PLANNING HISTORY**

- 4.1 N/2002/0837 - Change Of Use From Retail Shop To Parents Information Centre – Approved 07/08/02.

## **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:

Section 8 – Promoting Healthy and Safe Communities

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

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

Policy S10 – Sustainable Development Principles  
Policy BN9 – Planning for Pollution Control

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

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

R9 - Districts and local centres: change of use from shops

### **5.5 Supplementary Planning Documents**

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

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** – No objections subject to conditions requiring details of any external air handling plant and requiring grease filtering, and conditions restricting delivery and opening times.
- 6.2 **Local Highway Authority** – No comments received, any comments will be reported to Committee by means of the addendum.

## **7 APPRAISAL**

- 7.1 The issues to consider relate to the impact on the vitality and viability of the local shopping centre and on the amenities of adjoining and nearby residential occupiers.
- 7.2 The shop unit in question is currently used as an education and information centre, following approval of this use in 2002. The unit is therefore not in a retail use and therefore there is no loss of retail floorspace as a result of the proposal.
- 7.3 The remainder of the shopping centre has a range of shops including a large convenience store, pharmacy, hairdresser, specialist food shop. It is considered that the introduction of a community café would enhance the mix of units in this small centre and would provide enhanced community facilities.
- 7.4 In respect of the impact on adjoining occupiers, the proposal is for a café only, providing light snacks, baked potatoes etc. There would therefore be no significant impact in terms of odours and it has been confirmed that there is no proposal for any external air handling equipment.
- 7.5 In respect of parking demand, there is no specific parking for this unit or indeed the local centre overall. In this respect, it is not considered that the proposed use would result in any greater demand for parking than the existing use and would generally serve those from the local area. Given the isolated location of the centre, it is not considered that there would be significant passing trade. Comments from the Local Highway Authority have not been received at the time of writing this report and any received will be reported to Committee by means of the addendum.
- 7.6 There are residential flats above the application premises. However, it is not considered that the proposed use would create unacceptable noise and disturbance that would adversely affect the amenity of the residents, subject to a planning condition restricting the opening hours of the unit.

## **8 CONCLUSION**

- 8.1 The proposed change of use would have no adverse impact on the character of the shopping centre or on the amenities of adjoining and nearby residential occupiers and would provide improved facilities for the local community.

## **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: PL-KH 16-002.

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

(3) The premises shall only be open to customers between the hours of 08:00 to 22:00 on Mondays to Saturdays and between the hours of 10:00 to 14:00 on Sundays and Bank or Public Holidays and at no other time.

Reason: In the interests of the protection of residential amenities in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(4) Deliveries shall be made to the site only between the hours of 07:30 to 22:00 on Mondays to Saturdays and at no other time.

Reason: In the interests of the protection of residential amenities in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(5) Prior to the premises being brought into use for the purpose hereby permitted, details of means to prevent grease, fat and food debris from entering the foul drainage system serving the premises shall be submitted to the Local Planning Authority for prior approval. The approved scheme shall be installed prior to the premises opening and shall thereafter be maintained in accordance with the approved details.

Reason: In the interests of the protection of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

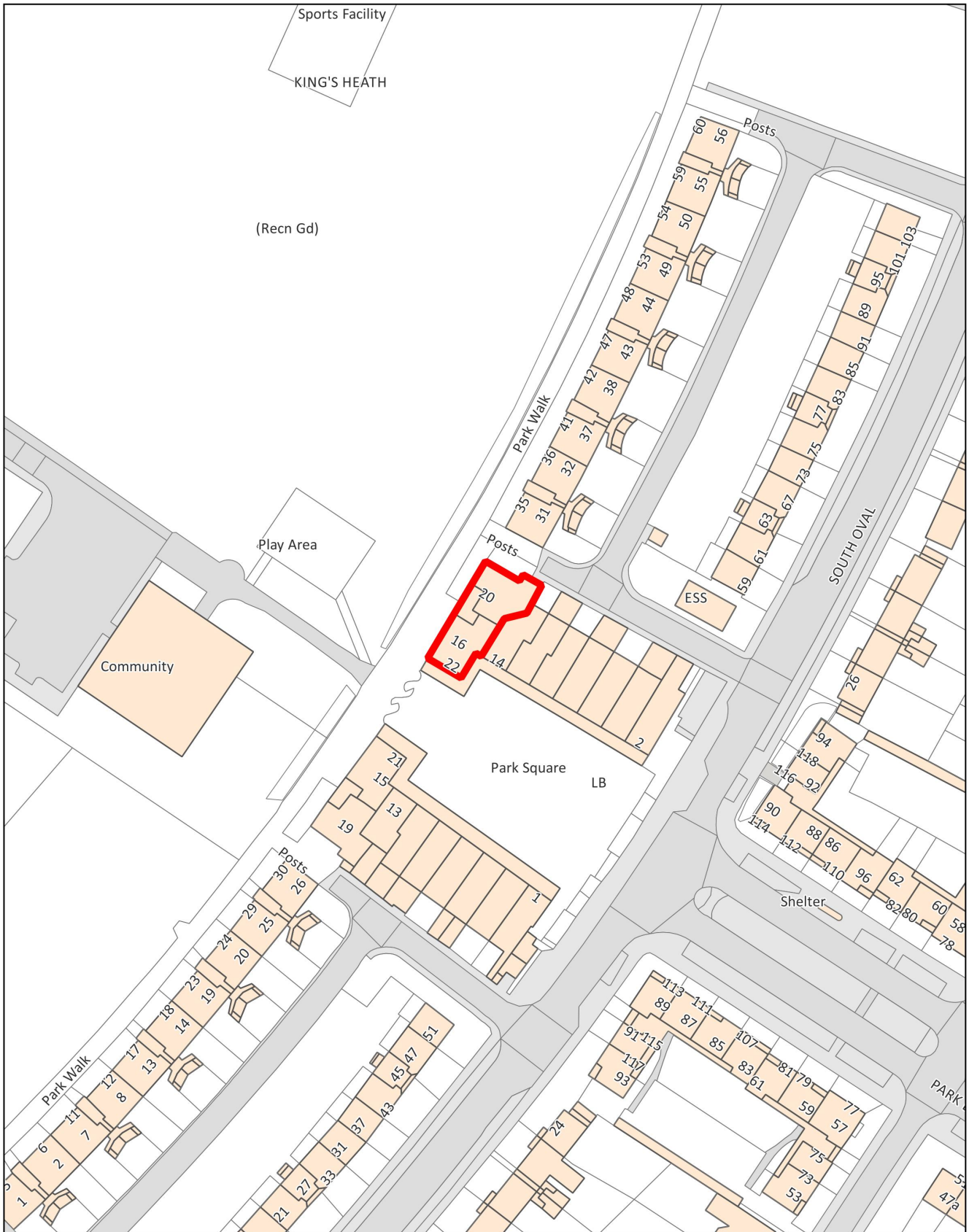
10.1 Application file N/2018/1467.

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

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Date: 04-12-2018

Scale: 1:1,000

Drawn by: MJ



**PLANNING COMMITTEE:** 18<sup>th</sup> December 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1491

**LOCATION:** 6 Holly Road

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

**WARD:** Abington Ward

**APPLICANT:** Sergei  
**AGENT:** Pat Dooley

**REFERRED BY:** Councillor D Stone  
**REASON:** Parking concern

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

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

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

### 2. THE PROPOSAL

2.1 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. There will be some external alterations including one new ground floor window to the side elevation and removal of an existing window on the first floor.

2.2 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, 3 bedroom property on Holly Road located in a residential area with similar terraced properties on the street.
- 3.2 The property has a kitchen, lounge, bedroom and a WC on the ground floor, 3 bedrooms and a bathroom on the first floor and a basement room.
- 3.3 The site is in close proximity to Kettering Road, which includes retails and commercial units. The site is within the close proximity to the bus routes on Kettering Road.
- 3.4 The application site lies in Flood Zone 1.

### **4. PLANNING HISTORY**

- 4.1 None relevant.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **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 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

#### **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  
Policy H5 - Managing the Existing Housing Stock  
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 policies are material to this application:

Policy E20 – New development

Policy H30 – Multi occupation with a single dwelling

## 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 50 metre 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 D Stone** - raises objection on the basis that application property will exacerbate parking issues. Calls in the application for consideration by the Planning Committee.

6.2 **Highway Authority (NCC)** – No comments received. Any comments would be reported as an addendum to this report.

6.3 **Private Sector Housing (NBC)** – The room sizes, amenities and facilities shown indicate that the proposed HIMO would meet the requirements for a four occupant HIMO.

6.4 **8 representations** have been received in objection, which are summarised as follow:

- Parking issues in the area.
- Inadequate refuse storage and fly tipping.
- Noise and anti-social behaviour
- Impact on community cohesion
- Impact on the character of the area.

## 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 7 existing HIMO within 50m radius of the application site. The use of this property as a HIMO would equate to 8.51% 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. There is a mix of dwelling houses and a flatted development on Holly Road and Abington Avenue, therefore, it is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.

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

- 7.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 people would ensure over-development does not occur. Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a four occupant HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement so a condition has been recommended to ensure that it is used as a storage area only.
- 7.4 Details have been submitted for cycle storage, which are deemed acceptable. A condition is recommended to retain the arrangements.

### **Flood Risk**

- 7.5 The application site is located in Flood Zone 1 and with very low risk of flooding.

### **Highways/Parking**

- 7.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 The application property is located within easy walking distance to facilities along Kettering Road. It is considered that the application site is in a sustainable location within 250 metres of bus stop and within walking distance of local facilities 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.
- 7.8 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Details have been submitted for the cycle storage.
- 7.9 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.10 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 1 compared to the existing use, as parking requirement for a 4-bed dwelling is 3 spaces.



- 7.11 In this case, the Highway Authority have not commented yet. Any comments will be reported as addendum to this report.
- 7.12 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 recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site (on the same street at no.47) 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 It should also be noted that in the most recent appeal decision the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 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 at appeal.

#### **Refuse storage**

- 7.16 Details have been submitted for refuse storage, which area deemed acceptable. A condition has been recommended to retain the arrangement and provision.

#### **Amenity**

- 7.17 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.

#### Other Matters

- 7.18 The proposed change of use will result in four bedrooms with ensuite facilities. The proposal will result in some external changes in terms of the fenestration details on the side elevation. The proposed works could be done under permitted development rights for householders/small HMOs and are deemed acceptable. It is considered that these changes would have a neutral impact on the character of the building or wider area.

### **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. The proposed development is recommended for approval subject to the following conditions.

## **9. CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plan: 18/K88/2, 18/K88/1 and 18/K88/3.

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

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

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

4. Facilities for the refuse and recycling storage as shown on drawing no18/K88/2 shall be implemented prior to the use hereby permitted commencing 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. Facilities for the cycle storage as shown on drawing no18/K88/2 shall be implemented prior to the use hereby permitted commencing 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.

6. The basement room shall be used as storage room only 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.

## **10. BACKGROUND PAPERS**

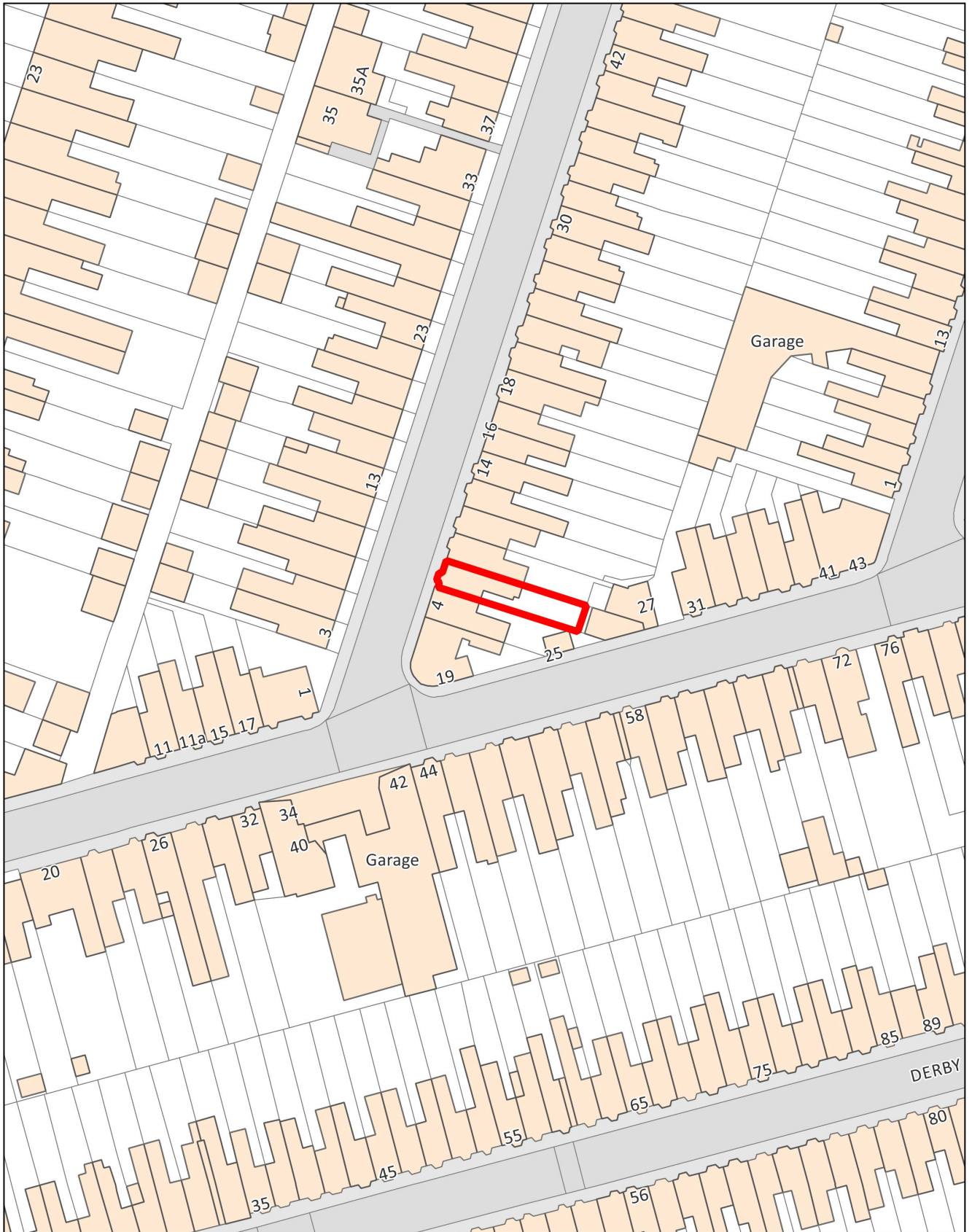
- 10.1 N/2018/1491.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **6 Holly Road**

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Date: 04-12-2018

Scale: 1:850

Drawn by: MJ



<b>PLANNING COMMITTEE:</b>	<b>18<sup>th</sup> December 2018</b>
<b>DEPARTMENT:</b>	<b>Planning Service</b>
<b>HEAD OF PLANNING:</b>	<b>Peter Baguley</b>
<b>APPLICATION REF:</b>	<b>N/2018/1546</b>
<b>LOCATION:</b>	<b>Garages rear of 21 Keswick Drive</b>
<b>DESCRIPTION:</b>	<b>Demolition of 20no domestic garages and construction of 2no new dwellings</b>
<b>WARD:</b>	<b>Eastfield Ward</b>
<b>APPLICANT:</b>	<b>Northampton Partnership Homes</b>
<b>AGENT:</b>	<b>Baily Garner LLP</b>
<b>REFERRED BY:</b>	<b>Head of Planning</b>
<b>REASON:</b>	<b>Council owned land</b>
<b>DEPARTURE:</b>	<b>No</b>

## 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 result in the satisfactory reuse of this site and would not cause significant harm to the character and appearance of the surrounding area, neighbour amenity and the highway system, whilst securing a satisfactory level of accommodation for the future occupiers of the development. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework, Policies S1, S10 and H10 of the West Northamptonshire Joint Core Strategy, and Policy E20 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 The applicant seeks planning permission to demolish the existing garage court, which has seen diminished use over recent times, and replace it with two 1 bedroom, semi-detached dwellings. These would feature rear gardens that would contain storage and clothes drying facilities. In addition, seven car parking spaces would be provided.

### 3 SITE DESCRIPTION

3.1 The application site consists of existing garage court, constructed in a single storey, unremarkable style. The surrounding area is characterised by the presence of residential accommodation, of

which the majority front onto the surrounding highway network. As a consequence, the application site is adjacent to the rear boundaries of a number of properties. A number of existing dwellings feature accesses onto Keswick Drive (of both pedestrian and vehicle type), and it is understood that these accesses would be retained should the proposed development come forward.

- 3.2 The application site is a short cul-de-sac that forms a spur from the main Keswick Drive. The site is also in close proximity to Churchill Avenue, which contains a number of residential dwellings. Typically, the properties to the north and west are two storey houses, whilst those to the east are bungalows.

## **4 PLANNING HISTORY**

- 4.1 None.

## **5 PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **5.2 National Policies**

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

Paragraphs 7-12 - Presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

### **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

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

### **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 Nine objections have been received. Comments can be summarised as:
- The proposal will lead to a loss of privacy.
  - The development will have an adverse impact on security.
  - On street car parking is in short supply in the vicinity.
  - The garages could be utilised for parking and storage.
  - The new dwellings would have designated parking, but existing properties would not.
  - The development would encourage on street car parking that would have an adverse impact on highway safety.
  - The development would result in vehicles being displaced onto Churchill Avenue and Keswick Drive, which would impact on the free flow of traffic.
- 6.2 As a result of discussions with the Highway Authority, the scheme has been amended. The consultation period had not concluded at the time of preparing this report. Any further representations will be reported to Committee via the addendum, which will be circulated prior to the committee meeting commencing.

## **7 APPRAISAL**

- 7.1 The application site is located in an area characterised by the presence of residential accommodation. As a consequence, it is considered that the delivery of additional dwellings would be complementary towards the prevailing character. Moreover, it is noted that the Council cannot, at this stage, demonstrate a five year housing land supply. This development would make a contribution, albeit small, to addressing the shortfall of new housing within the Borough.
- 7.2 Whilst it is appreciated that the surrounding area is characterised by dwellings that face away from the application site, thereby resulting in a number of rear gardens in close proximity to the application site, it is considered that owing to the separation distances, this arrangement would not cause significant harm to the amenities of surrounding properties owing to a loss of privacy. In addition to the preceding conclusion, it is considered that the positioning, and heights, of the proposed dwellings are such so as to prevent a significant loss of light and outlook to the occupiers of surrounding properties. In order to provide certainty of this consideration, a condition is recommended that would remove permitted development rights for the installation of any future extension.
- 7.3 The proposed dwellings would have access to sufficient light and outlook, in addition to appropriately sized rear gardens. These would contain sufficient room for the drying of clothes, a shed, and refuse storage. Furthermore, in order to promote a secure form of development, a condition would enable the Council to approve details of the boundary treatments at an early stage in the development process.
- 7.4 Whilst it is appreciated that the proposed dwellings are of a relatively simple design, they are consistent with the general functional design of the wider area. As consequence of the prevailing vernacular, it is considered that the proposal would not have a significant adverse impact upon the visual amenity of the locality. Furthermore, the design of the dwellings has been enhanced through the addition of a porch, which add interest to the general façade. For these reasons, and the fact that an appropriate level palette of materials has been proposed, it is considered that the design of the proposed dwellings is acceptable.
- 7.5 Whilst it is appreciated that the proposal would result in the loss of a number of garages, the proposal is unlikely to cause significant harm to the highway system. The reasons for this being that it would appear that the garage court does not appear to be used to a high level, which is possibly exacerbated by the fact that some of the garages are likely to be difficult to access. Furthermore, it is noted that a number of dwellings within the vicinity have their own in curtilage car parking and that an appropriate amount of off street car parking has been proposed for the new dwelling.

- 7.6 It is noted that representations received by the Council have commented upon the possibility of on street car parking associated with the development impeding visibility from other vehicular accesses in Keswick Drive. In response to this, it is considered that such opportunities for on street car parking already exist. Given that appropriate car parking has been provided as part of this proposal, it is considered that the proposal is unlikely to significantly alter this situation. As a consequence, it is considered that the proposal is unlikely to lead to a significant highways impact.
- 7.7 The scheme has been revised over the course of the application process in order to increase the width of the pavement in front of the dwellings, which would ensure that pedestrians accessing and leaving the proposed dwellings would have a suitable, and safe, means of access to the properties. This is considered important in order to promote sustainable means of travel associated with the development.

## **8 CONCLUSION**

- 8.1 It is considered that the development represents an appropriate land use, which would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity and the highway system. Accordingly, the proposal is compliant with the requirements

## **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: (P)01; (P)02; (P)03; (P)04; (P)05; (P)06; SCH-001; SCH-002; SCH-003; and PH487100/KDG/TP/001.

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

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

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no dormers shall be constructed in the roof of the dwellings hereby permitted.

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

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

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

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

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan.

7. The development hereby permitted shall be carried out in accordance with the materials specified on drawing SCH-001.

Reason: In the interests of visual amenity in accordance with the requirements of Policy E20 of the Northampton Local Plan.

8. The car parking and manoeuvring areas as shown on drawing (P)02 shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

9. Prior to the commencement of construction works, a desk top study in respect of possible contaminants within the site and a site investigation shall be designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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

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

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

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

## **10 BACKGROUND PAPERS**

10.1 None.

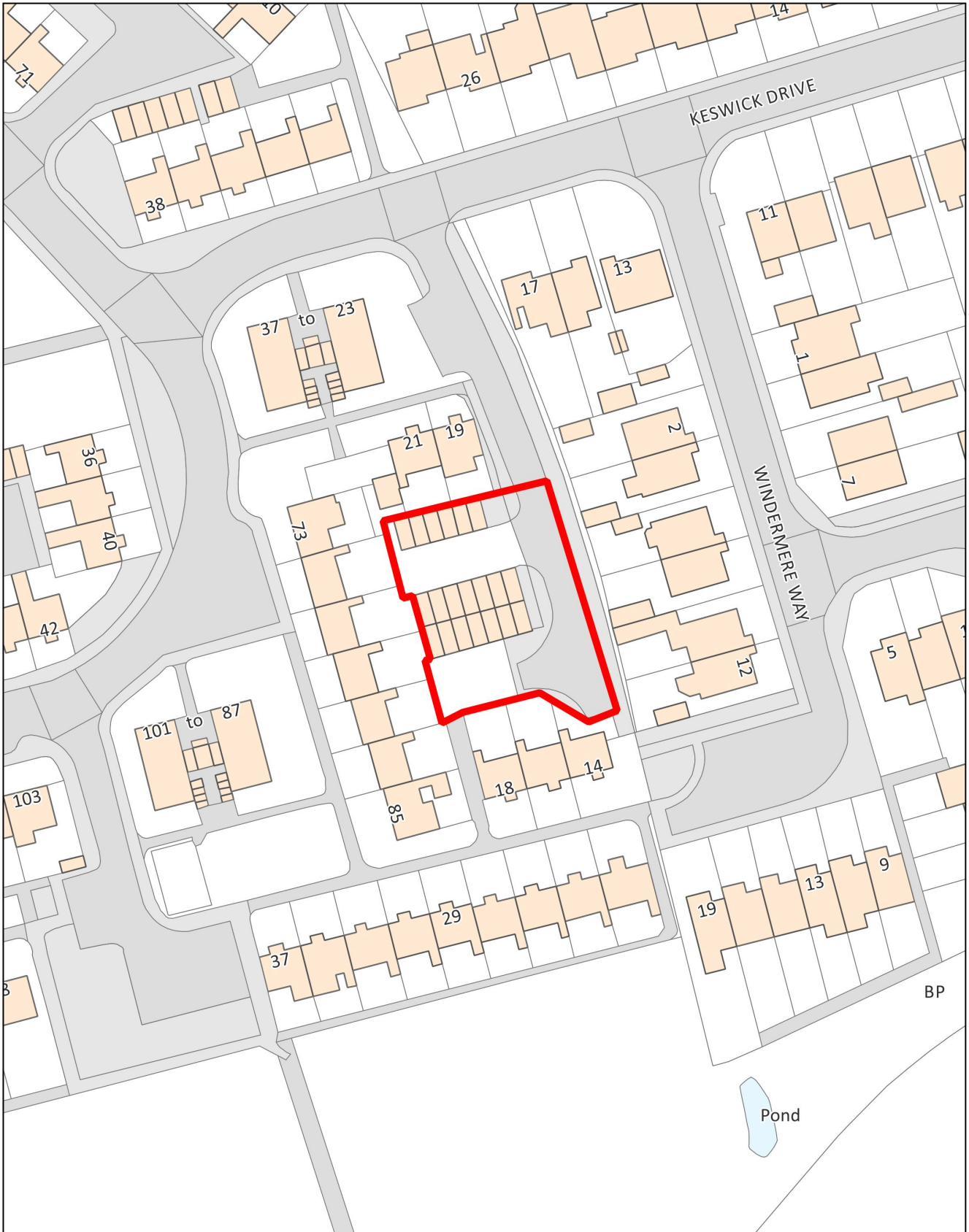
## **11 LEGAL IMPLICATIONS**

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.



NORTHAMPTON  
BOROUGH COUNCIL

Title: **Garages rear of 21 Keswick Drive**

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Date: 04-12-2018

Scale: 1:810

Drawn by: MJ



**PLANNING COMMITTEE:** 18<sup>TH</sup> December 2018  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1576

**LOCATION:** 110 Nene Drive

**DESCRIPTION:** Demolition of existing Community Centre and construction of 3no new bungalows (re-submission following planning permission N/2018/0448)

**WARD:** Kings Heath Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner LLP

**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 provide an acceptable living environment for future residents and would have no undue detrimental impact on the amenities of neighbouring and nearby occupiers. The development would be in keeping with the character and appearance of the area. The level of parking proposed would be acceptable and would not lead to a detrimental impact on highway safety and amenity. The proposed development would therefore comply with Policies S1, S10, H1 and RC2 of the West Northamptonshire Joint Core Strategy, Policies H6, H17 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

### 2 THE PROPOSAL

2.1 Permission (N/2018/0448) has been granted in June 2018 by the Planning Committee for the demolition of the Community Centre at Nene Drive and to erect a terrace of three bungalows. The Community Centre has since been demolished and the foundations laid for the dwellings. This application has been submitted to allow for a minor change in the elevational details which provide for a staggered drop in the height of each bungalow of about 0.2m, to follow the change in land levels. Furthermore, instead of a footway running along the front of the bungalows, each dwelling

will now have a separate path linking directly to Nene Drive. The houses would have one bedroom, built to mobility housing standards and would be finished in traditional materials of brick and tile.

- 2.2 The proposal also includes the provision of a total 20 parking spaces to serve the new dwellings and existing residents.

### **3 SITE DESCRIPTION**

3.1 The application site is located within a cul-de-sac which is accessed from Nene Drive on the Kings Heath Housing Estate. The site was previously occupied by the Nene Drive Community Room which was a single storey building located at the centre of the cul-de-sac surrounded by a landscaped area. The site is surrounded by single storey dwellings, one two storey dwelling and communal parking that serves all of the properties.

3.2 The community room has recently been demolished.

### **4 PLANNING HISTORY**

4.1 N/2018/0448 - Demolition of existing Community Centre and construction of 3no new bungalows – Granted 08.06.2018.

4.2 N/1988/0211 - erection of 34 bungalows, 1 warden's house and 1 communal hall with new access road and 21 car parking spaces.

### **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:

Paragraphs 2 & 47 – Applications to be determined in accordance with the development plan.

Paragraphs 8, 10, 11 & 38 – Achieve and approve applications for sustainable development.

Paragraph 59 – To support the Government's aim of significantly boosting the supply of homes.

Paragraph 91 – Promoting health and safe communities.

Paragraph 103 – Manage growth to achieve sustainable transport.

Paragraph 117 - Promoting an effective use of land in meeting the need for homes and other uses whilst safeguarding and improving the environment and ensuring safe and healthy living conditions.

Paragraph 123 - Making optimal use of land by achieving appropriate densities.

Paragraph 124 - Creation of high quality buildings and places, good design being integral to achieving a sustainable development.

Paragraph 212 - The Framework is a material consideration which should be taken into account in dealing with applications.

### 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 and mix and type of dwellings  
Policy RC2 – Community Needs  
Policy S1 – Distribution of Development  
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 policies are material to this application:

Policy E20 – New development  
Policy H6 – Other housing development: within primarily residential areas  
Policy H17 – Housing for people with disabilities

### 5.5 **Supplementary Planning Documents**

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

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** - Recommends conditions regarding contamination, vehicle charging points, gas fired boilers and hours of construction work.
- 6.2 **NCC Highways** – Had commented on the previous application note that there is little manoeuvring room in and out of the spaces but as there are already parking spaces there and they are wider than normal bays it is not a concern in this instance. No objections to the current application.

## 7 **APPRAISAL**

- 7.1 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers.
- 7.2 The West Northamptonshire Joint Core Strategy seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 Saved Policy H6 of the Northampton Local Plan allows for residential development in such residential locations providing that the development is in keeping with the character of the area and does not result in an over-intensive development of the site and does not result in the loss of facilities for which there is a need in the area.
- 7.4 The principle of development and impact on residential amenity has been accepted through the previous approval N/2018/0448. The development of the site for residential use would also

contribute to the Council's 5-year housing land supply. Development of the site has commenced following grant of planning permission and the Nene Drive Community Room has been demolished. This application proposes very minor changes to the details already approved.

### **Design and Appearance**

- 7.5 Other than a stagger in the roofline and direct footway links, the design and appearance of the dwellings remain as before. They will be finished in traditional materials of brick and tile with white UPVC windows. It is considered that these are in keeping with the character of the area in terms of their appearance and scale. The proposal for 3 dwellings on the plots is similar to the density of the 3 dwellings to the west of the site.

### **Residential amenity**

- 7.6 The impact on adjoining occupiers will remain as previously considered. The properties will front onto the car park area to the east of the site. There will be a separation distance of 26 metres between the front of the proposed dwellings and the front of the dwellings on the opposite side of the car park. To the south of the site the side of plot 3 will face onto the car park. There will be a separation distance of 24 metres between the side of plot 3 and the rear of properties to the south. The rear gardens of the proposed dwellings will back onto the public footpath that runs to the rear of the site and the front of nos. 104, 106 and 108 Nene Drive. These properties are staggered and there will be a separation distance of approximately 20 metres between them. To the north of the site the side of plot 1 sides onto the public footpath that wraps around the rear and side of the site and beyond this the front elevations of 62 and 64 Nene Walk. There is a separation distance of 10 metres between the side of the proposed dwellings and the properties to the north. This is the same as the relationship between the bungalows to the rear with properties to the north. Whilst it is acknowledged that there will be some overshadowing to the fronts of these properties, due to the single storey height of the proposal, the impact is not considered to be significant enough to warrant refusal.
- 7.7 In terms of overlooking it is noted that there will be side windows in the north and south elevations. These will be secondary windows to living/dining/kitchen areas. Due to the relationship between the proposal and the properties to the north, it is considered that the north side window should be conditioned to be obscure glazed to prevent overlooking. In addition a planning condition is recommended to remove permitted development rights for future extensions to enable the Local Planning Authority to assess any future extensions.

### **Design of the development and living conditions of future occupiers**

- 7.8 The dwellings as proposed are considered to be of an appropriate design and would provide a good level of amenity for the future occupiers. They have been designed to comply with mobility home standards to provide homes for a specially identified need. Garden areas although small would provide an appropriate level of amenity space for future occupiers and are commensurate with surrounding properties. Due to the orientation of the dwellings, an appropriate outlook and level of daylight would be available from the rear of all the proposed houses.

### **Highway Safety and Parking**

- 7.9 There are currently 21 communal spaces within the cul-de-sac. Proposed plans indicate that three disabled parking spaces will be introduced. Considering that the communal parking spaces would previously have been used by visitors to the community room the replacement by 3 one bedroomed dwellings would not significantly increase demand. It can be concluded that the proposal will not unduly impact on highway safety and will provide an appropriate level of parking for future residents. It is also noted that the comments received from the Local Highway Authority indicate no objections to the proposal.

### **Trees and Landscaping**

- 7.10 Development on the site has commenced and the site cleared including the removal of trees. The Arboricultural Officer has no objections to the proposal on tree-related grounds previously.

### **Other Matters**

- 7.11 Public Protection Officers has recommended that electric vehicle charging points should be provided and that boilers should meet a minimum standard. As there is currently no dedicated planning policy to support this, it is considered unreasonable to apply a planning condition to this effect.

## **8 CONCLUSION**

- 8.1 The proposed design and appearance of the dwellings are acceptable subject to conditions. Moreover, the residential development of the site would contribute towards the Council's 5-year housing supply. The proposed development would be in keeping with the character of the local area and the overall relationship between the proposed and existing properties is acceptable and would not have any unacceptable adverse impact on the residential amenity of neighbouring properties. The parking arrangement is considered acceptable.
- 8.2 The proposal would therefore comply with Policies S1, S10 and H1 and RC2 of the West Northamptonshire Joint Core Strategy, saved Policies H6, H17 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: PH485848/ND/TP/001, (P) 01 Rev A, (P) 02 Rev A, (P) 03 Rev C, (P) 04, (P) 05 Rev B & (P) 06 Rev B.

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

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

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

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

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

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

Reason: To prevent overdevelopment of the site and to safeguard the amenities of future residents, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

6. 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 on the side elevations of the proposed development.

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

7. The side window in the north elevation 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 properties in accordance with Policy E20 of the Northampton Local Plan

8. All construction works shall take place between 7:30am and 6pm on Mondays to Fridays and 8:30am and 1pm on Saturdays and no work on Sundays, Bank Holidays and Public Holidays.

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

9. The disabled parking spaces of the development hereby permitted as shown on the approved drawing no. (P) 03 Rev C shall be fully implemented prior to the occupation of the development and retained thereafter.

Reason: To ensure adequate provision is made for people with disabilities in accordance with Policy H17 of the Northampton Local Plan.

## **10 BACKGROUND PAPERS**

- 10.1 N/2018/0448 & N/2018/1576.

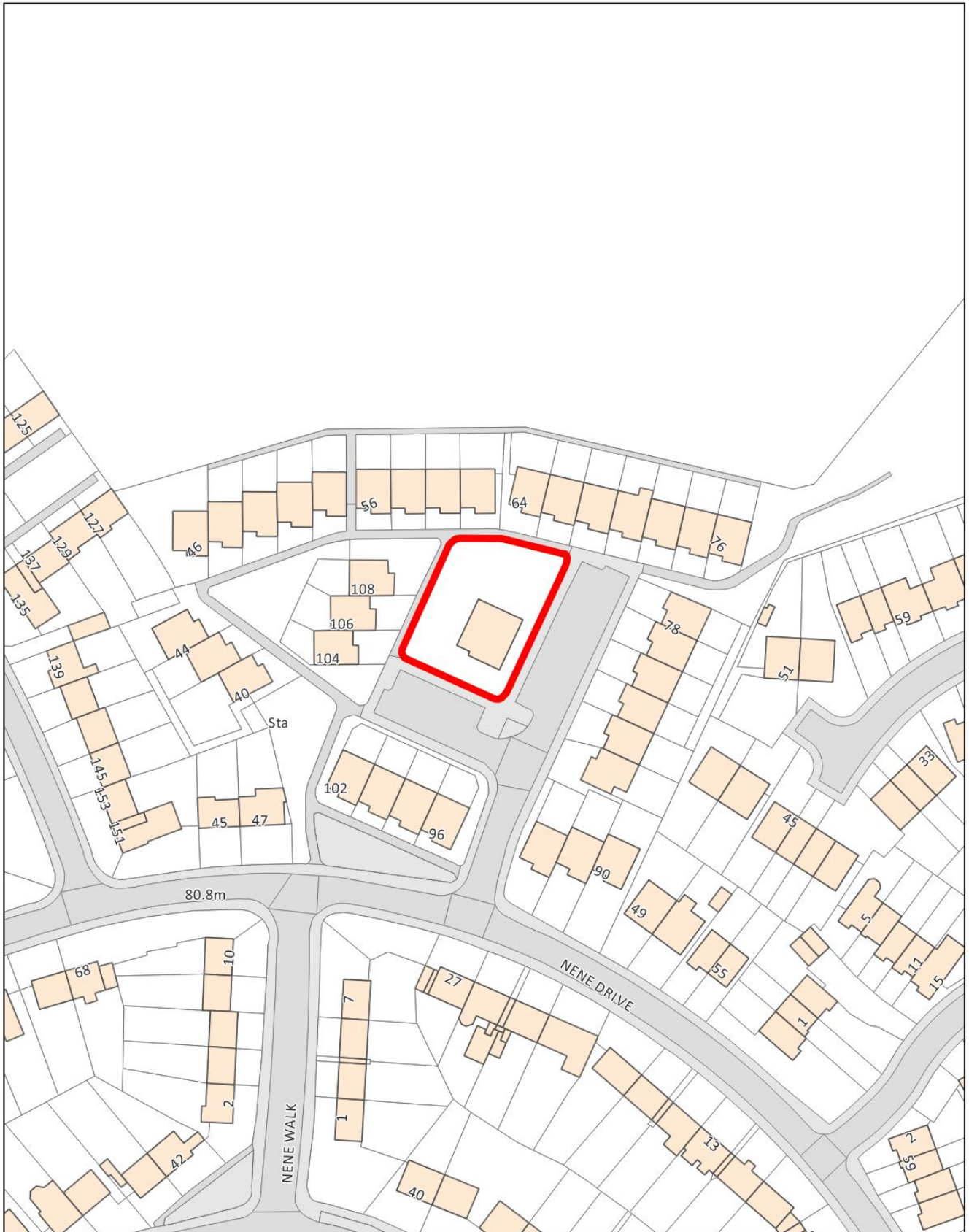
## **11 LEGAL IMPLICATIONS**

- 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: **110 Nene Drive..**

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Date: 04-12-2018

Scale: 1:1,000

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