



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

**PLANNING COMMITTEE:** 21<sup>st</sup> November 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/0949

**LOCATION:** 33 Little Cross Street

**DESCRIPTION:** Variation of Condition 2 of Planning Permission N/2016/0772 (Demolish Existing Flats and Erect Three Storey Building with Nine Flats on Ground Floor and Nine Maisonettes on Upper Floors) to amend roof design to the three storey element, replacing capping with a parapet wall

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** rg+p Ltd

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

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1. RECOMMENDATION**

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

The proposed amendments are considered to be minor in nature. It is considered that the development as amended would have no detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the area, and would represent an appropriate use for the site. The proposed development would therefore comply with Policies S2, S3, S9, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy, Policies 1 and 24 of the Central Area Action Plan, Policies, Policies OP1, OP2, OP5 and AB2 of the Spring Boroughs Neighbourhood Plan and the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 This is an application under S73 of the Town and Country Planning Act to vary Condition 2 of planning permission N/20160772. The proposal involves minor amendments to the previously approved development, for the erection of a two to three storey building comprising 9 flats on the ground floor and a further 9 maisonettes on the upper floors.

- 2.2 The amendments as proposed consist of an increase in the overall height of the building as proposed by 525mm. The capping feature at the top of the roof would be removed from the scheme and replaced with parapet wall. The design of the proposal would be otherwise unchanged as previously approved.

### **3. SITE DESCRIPTION**

- 3.1 A two storey block of flats on site has been demolished. Construction work on the new scheme as previously approved has now commenced. The area is residential in nature with other blocks of flats nearby.

### **4. PLANNING HISTORY**

- 4.1 **N/2016/0411** - Demolition of existing 2 storey building and associated structures (Prior notification of demolition application) – Approved 28/04/2016.
- 4.2 **N/2016/0772** - Demolish existing flats and erect three storey building with nine flats on ground floor and nine maisonettes on upper floors – Approved 31/10/2016.

### **5. PLANNING POLICY**

#### **5.1 Statutory Duty**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies, Northampton Central Area Action Plan (2013), and Spring Boroughs Neighbourhood Plan.

#### **5.2 National Policies**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy 1 – All new development must demonstrate high standard of design and positively contribute to the character of an area.

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

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

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

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

##### Spring Boroughs Neighbourhood Plan

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

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

Policy OP1 – Sustainable Development Principles: New and affordable homes related to local housing demand and the needs of the community; High quality environment for residents, visitors, community groups and businesses; Infrastructure to support improved leisure,

recreational and social facilities; Better connections to adjoining areas: Security for occupiers and users through the use of design principles from “Secured by Design”.

Policy OP2 – Family Housing: Proposals for housing developments within Spring Boroughs will be supported if they contribute toward rebalancing the housing stock to ensure Spring Boroughs offers a range of dwelling types, sizes and tenures to meet local housing needs; Achieve the design principles set out in Policy OP1 including using “Secured by Design”. Proposals for affordable family housing with private outside space will be particularly encouraged.

Policy OP5 – Streets, Movement and Parking. The Neighbourhood Plan supports proposals which increase conductivity between Spring Boroughs and the wider area, particularly by direct, overlooked pedestrian routes, provided that they adhere to the principles set out in OP1. Pedestrian routes should be reconfigured to design out crime and proposals should show and increase in kerbside parking for residents and local businesses.

Policy AB2 – Central Spring Boroughs: Develop central housing area of Spring Boroughs as new residential to include a high proportion of affordable housing suitable for families. The area will include a high proportion of affordable family housing with gardens.

## **6. CONSULTATIONS/ REPRESENTATIONS**

- 6.1 **NBC Conservation** - No objection on conservation grounds; the alteration to the roofline of the building will not have an adverse impact on the setting of nearby designated heritage assets.

## **7. APPRAISAL**

- 7.1 The issues to consider are the acceptability of the proposed alterations to the development from that which was originally approved, in terms of impact on the appearance of the building and on street scene.
- 7.2 In terms of visual impact, it is considered that the proposed amendment to the roof height and design, consisting of a minor increase in height of 525mm and the use of a parapet wall rather than capping, would not have any significant impact on the overall appearance of the scheme within the street scene and hence this minor change is considered to be acceptable.
- 7.3 Regarding the impact on adjoining residents, a separation of 16m would be maintained from the neighbouring flats on one side, and a minimum of 27m from flats on the opposite side. Given this distance, which is unchanged from the originally approved plans, it is not considered that any adverse impact in respect of overshadowing or visual dominance from the proposed minor increase in overall height would cause any undue harm in the locality.

## **8. CONCLUSION**

- 8.1 The proposed development as amended would have no additional impact on the street scene or on the amenities of adjoining occupiers than would result from the scheme as originally approved.
- 8.2 In order to ensure consistency, the conditions as attached to the original approval are repeated, however as all the details have now been agreed, the conditions have been amended to refer to such agreed details.

## **9. CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans 40577/005D, 40577/001B, 40577/007B, 40577/008B, 40577/005D, 40577/007, C161095/C/001, 50126/001, 50126/002, 40577/031, 40577/011A (as amended by 40577/031).

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

2. The scheme shall be implemented and completed fully in accordance with the approved surface water management strategy and the approved implementation programme as set out in Hydrock Technical Note dated 10/11/16 and maintained thereafter.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

3. The development shall take place in accordance with the programme of archaeological work as set out in CFA Archaeology LTD Draft Written Scheme of Investigation dated 13/09/16. Following completion of archaeological fieldwork a report will be produced and submitted to the Local Planning Authority in accordance with the approved programme including where appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to enable investigation to take place early.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

5. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained in accordance with Barton Hyett Associates Arboricultural Survey, Impact Assessment and Protection Plan Reference F.1794 as amended by drawing shown on drawing 50126/005 dated 23/01/17. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN3 of the West Northamptonshire Joint Core Strategy.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. 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

7. Development shall continue to be carried out in full accordance with the details of the approved Construction Environmental Management Plan (CEMP) in accordance with Willmott Partnership Homes – Little Cross Street Construction Environmental Management Plan submitted 04/11/16 and within agreed timescales.

Reason: To minimise the environmental impact and disturbance to existing residents, vegetation and wildlife during construction of the development in accordance with in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. The development shall be implemented and completed in accordance with the details of the approved Surface Water Drainage scheme as set out in Hydrock Technical Note dated 10/11/16 and drawing C161095/C/001 T2 dated 25/02/16.

Reason: To reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy by ensuring the satisfactory means of surface water attenuation and discharge from the site.

## **10. BACKGROUND PAPERS**

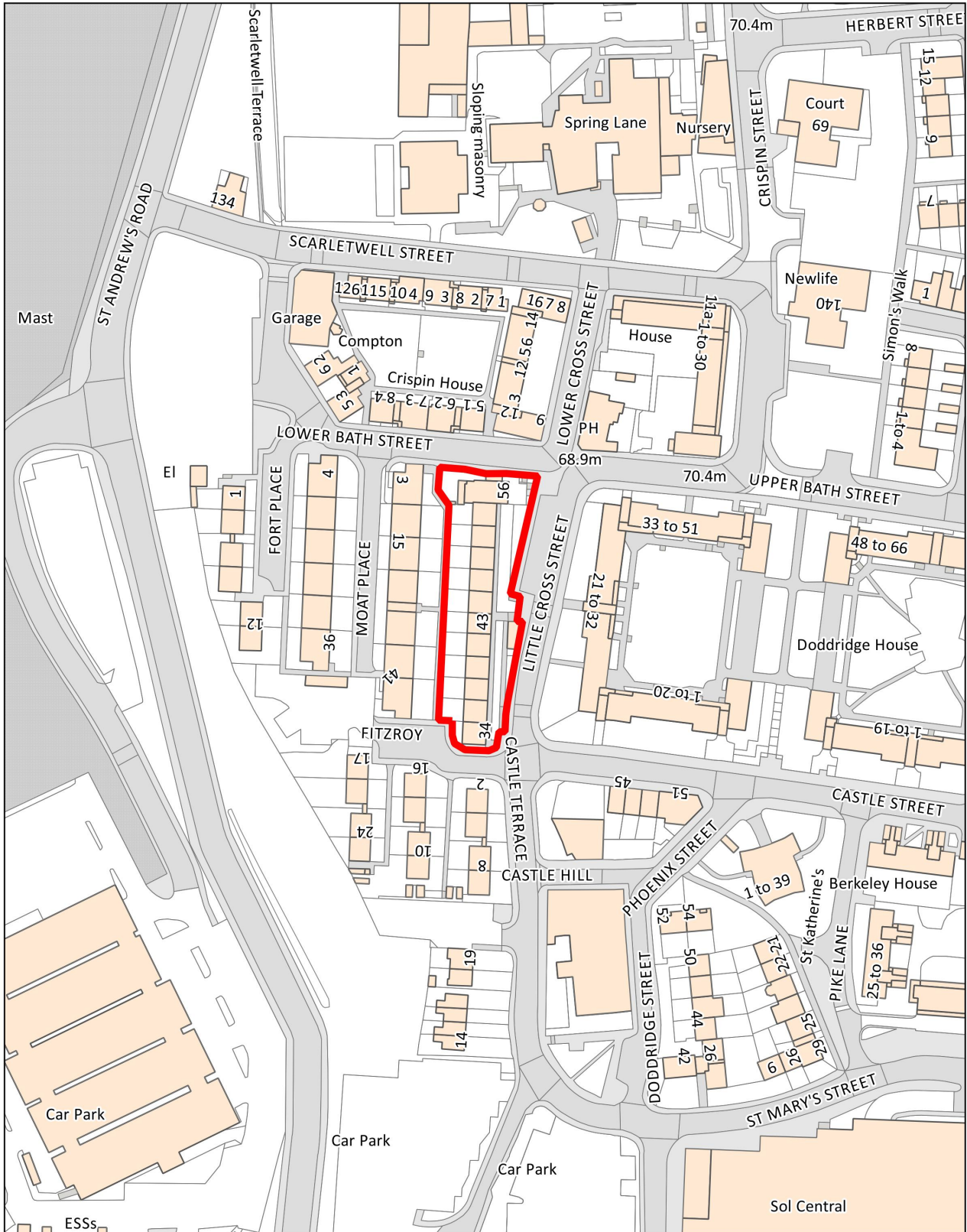
- 10.1 Application files N/2016/0772 and N/2017/0949.

## **11. LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable.

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

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



<p>Title: <b>33 Little Cross Street</b></p>	<p>Date: 09-11-2017</p>
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