

Addendum to Agenda Items Tuesday 31st July 2018

7. OTHER REPORTS

Item 7a

Prior Notification applications for the demolition of garages in Thorplands

No update.

10. ITEMS FOR DETERMINATION

10a

N/2017/1583

Installation of freestanding two storey restaurant with associated drive through, car parking and landscaping and associated works. Installation of 1no. External play area, 2no customer order displays and associated canopies Morrisons Superstore, Kettering Road

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph and section numbers have changed as stated below:

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 (Officer Note: The transport section now has a dedicated highway safety paragraph which in Paragraph 109 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe).

Section 12 - Achieving well-designed places.

Section 14 - Meeting the challenge of climate change, flooding and coastal change.

Section 15 - Conserving and enhancing the natural environment.

A further ten additional letters of objection have been received. These letters predominantly re-iterate the various neighbour objections that are summarised in paragraph 6.4 of the Committee Report and cover issues such as character of the area, traffic and highway safety, neighbour amenity (including noise, odour and air quality), health and wellbeing, littering and anti-social behaviour. These matters are all addressed in the Committee Report and, as part of a balanced assessed, it is considered that objections cannot be sustained on any of these grounds.

Although, it should be highlighted that a number of the additional objection letters question, in particular, why the County Highway Authority are not objecting to the application in light of the recently submitted Transport Addendum identifying capacity issues in the area. However, and for the avoidance of doubt, the Highway Authority comments on the application were made following the receipt of the Transport Addendum. Furthermore, the rationale behind the transport conclusions are set out in Paragraphs 6.3 and 7.17-7.24 in the Committee Report and detail in summary that, whilst there would be an impact on the highway network, this impact would only be minor such that it would not be severe in NPPF terms. As such, and given that the County Highway Authority do not object to the application, it is considered that a refusal of the applications on highway grounds could not be sustained.

One of the additional representations is from **Kingsley Park Allotment Association** and raises

new issues relating to the publicity of the application and the impact of the proposal on the vehicular access to the allotments, including the safety of this access, the need for traffic mitigation measures and also queries whether the vehicle movements from the allotments have been taken into account – the representation details that between 200-300 people visit the allotments, the vast majority by car. Addressing these matters in turn, the publicity of the application included the display of site notices and therefore accords with national requirements. In terms of highway matters, the County Highway Engineer has provided the following additional comments:

“Although I understand the safety concerns of the allotment users, the Local Highway Authority does not believe that the increase in the level of traffic resulting from this development would have a quantifiable negative impact on highway safety at this access. It would therefore not be acceptable to consider safety measures, if indeed there are any that could be implemented for this access, as a result of the development for what is a pre-existing issue.”

Finally, it should be noted that one of the additional representations highlights that the applicant offers a delivery service from a number of their outlets. Such deliveries would be ancillary to the proposed restaurant and takeaway use and would not generate significantly different activities on the site from the drive through element of the proposed development.

10b

N/2018/0446

**Development of 4no semi-detached dwellings with associated parking
Lock up garages, Witham Way**

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph and section numbers have changed as stated below:

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 (Officer Note: see comments for 10a relating to highway safety).

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment.

10c

N/2018/0450

**Development of 8no semi-detached dwellings with associated parking
Open space, Derwent Drive**

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph and section numbers have changed as stated below:

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 (Officer Note: see comments for 10a relating to highway safety).

Section 12 - Achieving well-designed places.

Section 15 - Conserving and enhancing the natural environment.

10d

N/2018/0614

**Listed Building Application for internal works incorporating room repair to walls of H6 and H9 classrooms as well as removal of modern partition walls to stairs
Quinton House School Upton Hall, Upton Lane**

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph numbers have changed as stated below:

Paragraph 124 - good design is a key aspect of sustainable development.

Paragraph 189 - requires that applicants describe the significance of any heritage assets.

Paragraph 192 - seeks to ensure the significance of heritage is sustained.

Paragraph 193 - great weight should be given to an assets conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 - any harm to, or loss of, the significance of a heritage asset should require clear and convincing justification.

10e

N/2018/0671

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

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph numbers have changed as stated below:

Paragraph 108 - applications should ensure safe access for all.

Paragraph 127 (Design) - decisions should ensure developments add to the overall quality of the area, are visually attractive and are sympathetic to the local character; create places with a high standard of amenity for existing and future users; decisions should create places that are safe, inclusive and accessible.

Additional objection received from a neighbour on parking and concerns over proposed toilet opening off a kitchen and food preparation area.

10f

N/2018/0700

**Conversion and extension including additional floor, proposed balconies and external alterations to form 40 no. apartments. New bin and cycle storage and new residents play area. Alteration to car park layout and erection of boundary fencing
Overslade House, 11 Overslade Close**

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph and section numbers have changed as stated below:

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 9 - Promoting sustainable transport (Officer Note: see comments for 10a relating to highway safety).

Section 12 - Achieving well-designed places.

Section 15 - Conserving and enhancing the natural environment.

10g

N/2018/0734, N/2018/0735, N/2018/0736

Extension of existing car park and installation of new barrier to car park

Car Parks, Bouverie Walk, Stockley Street and Melbourne Walk

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph numbers have changed as stated below:

Paragraph 108 - applications should ensure safe access for all.

Paragraph 127 (Design) - decisions should ensure developments add to the overall quality of the area, are visually attractive and are sympathetic to the local character; create places with a high standard of amenity for existing and future users; decisions should create places that are safe, inclusive and accessible.

10h

N/2018/0782

Creation of wetland habitat areas, reed beds, banked margins and new islands in and around three balancing/amenity lakes, together with clearance of overgrowth around lake edges to open up views and make surrounding footpaths safer.

Brook View, Billing Brook Road

For note, the agenda refers to the agent for the application as DT Design. This is an error and there is no agent for this application.

The agenda also refers to the application being in Talavera Ward. For clarification, Kingfisher Lake is in Talavera Ward, but Cygnet and Dragonfly Lakes are within Brookside Ward. Councillors for both Wards have been advised of the application and committee date.

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

Paragraph 91 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction;
- b) are safe and accessible; and
- c) enable and support healthy lifestyles.

Paragraph 93 - Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.

Paragraph 127 (design) - establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

10i

N/2018/0845

Variation of Condition 1 of Planning Permission N/2016/1264 (Variation of Condition 1 of planning permission N/2000/981 to allow the use of the building as a free school) to allow the Spires Academy to occupy the building for longer than the consented period for a further 12 months until 15 February 2020

The Spires Academy, Station Close

No further comments received following expiration of consultation period.

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this application. Paragraph numbers have changed as stated below:

Paragraph 127 - Create places with a high standard of amenity for existing and future users.
Section 9 - Promoting sustainable transport (Officer Note: see comments for 10a relating to highway safety).
Section 12 - Achieving well-designed places.
Paragraph 94 advises taking a proactive, positive and collaborative approach to ensuring the provision of sufficient school places to meet the needs of existing and new communities.

10j

N/2018/0867

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

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph numbers have changed as stated below:

- 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.

10k

N/2018/0876

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, together with basement new window
93 Turner Street**

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph numbers have changed as stated below:

- 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.

Proposed plan has been amended since the publication of the Committee Report, therefore Condition 2 has been changed below.

Amended Condition 2:

The development hereby permitted shall be carried out in accordance with the following approved plan: Block Plan/ Location Plan and C 69 – 2 Rev B.

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

10l

N/2018/0883

**Installation of shutters to all windows, security fencing (2.4m high) and security cameras
St Crispins Community Centre, St Crispin Drive**

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for

this application. Paragraph numbers have changed as stated below:

Paragraph 127 (Design) - decisions should ensure developments add to the overall quality of the area, are visually attractive and are sympathetic to the local character.

Paragraph 192 (Heritage Assets) - In determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

10m

N/2018/0916

Loft conversion with rear dormer (Part retrospective)

21 Oakley Street

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph numbers have changed as stated below:

Paragraph 127 (Design) - decisions should ensure developments add to the overall quality of the area, are visually attractive and are sympathetic to the local character.

Paragraph 192 (Heritage Assets) - In determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

10n

N/2018/0923

Development of 4no dwellings with associated parking

Lock Up Garages, West Oval

No further comments received following expiration of consultation period.

A revised NPPF has been issued since the publication of the Committee Report, however the thrust of the revised NPPF is largely the same as the 2012 version in terms of its relevance for this application. Paragraph and section numbers have changed as stated below:

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 9 - Promoting sustainable transport (Officer Note: see comments for 10a relating to highway safety).

Section 12 - Achieving well-designed places.

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