

**PLANNING COMMITTEE:** 12<sup>th</sup> May 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0416

**LOCATION:** Dover Court, St James Road

**DESCRIPTION:** Additional storey to existing block of flats to create 10no new flats with new bin and cycle stores

**WARD:** St James Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** LMR Designs

**REFERRED BY:** Director of Planning and Sustainability  
**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 principle of additional residential development on the site is acceptable and, as part of a balanced assessment, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S10, H1, H2, C2, BN2, BN7 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

### **2 THE PROPOSAL**

2.1 The application seeks planning permission for an additional storey to Dover Court to create 10 new flats operated by Northampton Partnership Homes (NPH). The new third floor flats would comprise 3 x 1 bed units and 7 x 2 bed units. The additional storey would have a flat roof with anthracite grey cladding panels. The proposal also includes a new cycle store for 10 bikes and an additional 2 bays to the existing bin store.

2.2 The application has been amended since its submission to reduce the size of the extension and the number of flats from 17 to 10 units and also amend the cladding details to the new storey.

- 2.3 In addition, the revised details have been accompanied by an outline construction method statement, which details that a crane would be used for the construction of the additional storey and estimates a 4 week build period.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located to the north side of St James Road and to the west of the Brampton Branch of the River Nene such that it falls within Flood Zone 2. It is close to Northampton Railway Station, which is to the east of the site beyond the river. A petrol filling station and commercial businesses are located to the south side of St James Road and there are residential flats and houses to the west and north of the site.
- 3.2 The application site comprises an apartment block containing 53 flats, all but one of which are 1 bed units, and a parking area containing 24 car parking spaces together with external bin and cycle stores. The apartment block has a L-shaped plan form and is three storey in scale with a flat roof and a buff brick elevation treatment. It fronts onto St James Road and has a vehicular access off Byfield Road.

### **4 PLANNING HISTORY**

- 4.1 N/2017/0013: Installation of automated entry gate system to carpark. Approved.
- 4.2 N/2016/1385: Change of use of two existing communal rooms within a block of flats into two one bedroom self-contained dwellings. Approved.

### **5 PLANNING POLICY**

#### **5.1 Statutory Duty**

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

Section 5 - Housing Supply

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well designed places

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

#### **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  
Policy H2 - Affordable Housing  
Policy C2 – New Developments  
Policy BN2 - Biodiversity  
Policy BN7 - Flood risk  
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:

Policy E20 - New Development (Design)

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

Planning out Crime in Northamptonshire SPG 2004  
Northamptonshire County Parking Standards 2016  
Northampton Parking Standards 2019

### 6 **CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Anglian Water:** There is available capacity for the foul drainage for this development and the sewerage system also has available capacity. The surface water drainage strategy submitted with the application is unacceptable, but this matter can be addressed by condition.
- 6.2 **Development Management (NCC):** Due to the minimal number of pupils expected to be resident in the development, no education s106 contributions are sought. A financial contribution is sought for libraries. Recommend the imposition of a condition to secure the provision of fire hydrants and sprinklers.
- 6.3 **Environment Agency:** No objection to the above application as there are no changes to the existing ground floor.
- 6.4 **Highway Authority (NCC):** Object to this application as it does not provide any additional parking to accommodate the increased demand from the 10 new apartments.
- 6.5 **Lead Local Flood Authority (NCC):** No objections as the development does not include additional ground works.
- 6.6 **Public Protection (NBC)**
- Noise – The glazing specification within the submitted noise assessment is accepted for road noise and it is also accepted that the facade is not dominated by rail noise. However, no ventilation strategy is proposed (trickle ventilation would not be appropriate) and this will also be required to address air quality constraints.
  - Air Quality – The site is partially in the St James Road Air Quality Management Area and therefore the locality of the site exceeds the government guidelines for Nitrogen Dioxide. The proposal would introduce new sensitive receptors and compliance would be required with the Council's Low Emission's Strategy including bespoke ventilation proposals to make the development acceptable on air quality grounds.
  - Constructions hours – Construction hours should be limited to protect residential amenity.
- 6.7 **Police Crime Prevention Design Advisor** – No fundamental objection to the creation of an additional storey on this building but will want to see measures within the building to reduce opportunities for unauthorised circulation. Any building with more than 25 flats should have

compartmentalisation to reduce opportunities for nuisance with fob-controlled access to stair cores; the creation of an additional floor could prompt an upgrade to the access control throughout the building and Northants Police would strongly recommend such a measure. The access control system should be audio visual with no trades buttons with the postman having fob access. Those flats on the new floor should have PAS 24: 2016 rated doors with key to thumb turn locks.

- 6.8 **5 third party objections** have been received. These letters include the following points:
- Development should be focussed on the outskirts of the town, not the town centre.
  - There are existing issues with tenants, crime, homeless people and anti-social behaviour in these flats. Additional flats will not address these matters and the block should be redeveloped before adding any further flats.
  - Development would overlook other buildings
  - Concerned regarding the introduction of additional noise sources from the flats above.
  - Construction noise and activities will disturb existing occupiers including shift workers.
  - There is insufficient parking at present and this will be exacerbated by the proposals.
  - Additional parking should be the priority over more flats.
  - Additional residency would increase pollution
  - Unclear if the construction of the building would allow for an additional storey.
- 6.9 **1 third party letter of comment** has been received. This letter requests the provision of safe green spaces for children to play in the locality.

## **7 APPRAISAL**

### **Principle of development**

- 7.1 The application site is in a residential area within the urban area of Northampton and, therefore, development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 Notwithstanding the above, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for ten additional affordable housing units would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

### **Flood Risk**

- 7.3 The application property is in Flood Zone 2 and comprises a major development such that it has been accompanied by a Flood Risk Assessment with details of surface water drainage in accordance with the requirements of Policy BN7 of the Joint Core Strategy and the guidance in the NPPF. Furthermore, the Environment Agency and Lead Local Flood Authority have assessed the proposal and raise no objections due to the proposed extension being at upper floor level. It is noted that whilst Anglian Water advise that there is sufficient sewerage capacity for the proposed development, they are seeking revised details relating to surface water drainage. However, as the proposal would not increase the impermeable area within the site, it is considered that it would not be reasonable to condition details of surface water drainage. As such, no objections are raised to the proposal with regards to flood risk and surface water drainage.

### **Layout and design**

- 7.4 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF, which advises that planning should always seek to secure high quality design.

- 7.5 The existing property occupies a prominent corner location on St James Road and comprises a large apartment block with a three storey scale, L shaped plan form, buff brick elevation treatments and a flat roof. There is some variety in the design and scale of buildings in the surrounding area, including three storey flat roofed apartments with white rendered elevations to the rear of the site and storey flats and two storey houses to the west of the site with gabled roofs and either buff brick or red multi brick elevation treatments.
- 7.6 The application proposals would add an additional storey onto the apartment building. This new storey would be a flat roofed structure to reflect the form of the existing building and the contrasting grey cladding would facilitate a more subservient and lightweight appearance to the additional storey. Furthermore, the set-back from the edge of the building would help reduce its prominence. It is noted that there are no other four storey properties in the immediate locality. However, there is considerable variety in the height of built form in the local area with the neighbouring three storey flats to the west of the site and the three storey commercial building to the south of St James Road having large pitched roof forms. As such, it is considered that the extended property would not appear out of scale with other properties in the streetscene and its design would integrate acceptably with the existing apartment block.
- 7.7 The application also proposes single storey bin and cycle structures that would be adjacent to and similar in appearance to existing structures on the site and would not detract from the streetscene.
- 7.8 Overall, it is considered that the proposal would have an acceptable impact of the character and appearance of the area.

### **Residential amenity**

- 7.9 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.10 In terms of the residential amenity of neighbours, the existing application building is some 12 metres away from the nearest boundary with a neighbouring residential property to the site and the new storey would be recessed 1.5 metres from the edge of the application building. Therefore, it is considered that the proposed extension would not appear unacceptably intrusive or overbearing when viewed from any neighbouring property and nor would it reduce the daylight received by occupiers of any neighbouring property. Furthermore, the additional storey would not result in an unacceptable increase in overlooking. The bin and cycle stores would comprise small single storey structures that would not adversely impact on the residential amenity of any property. The concerns regarding noise impacts to lower floors are noted, however this would be addressed via insulation under the Building Regulations. It is acknowledged that there would be some disruption to existing occupiers during construction works and, therefore, it is recommended that a Construction and Environmental Management Plan (CEMP) is required by condition to seek to minimise such impacts. As such, subject to CEMP and bin storage conditions, it is considered that the proposal would not have a detrimental impact on the residential amenities of any neighbouring property.
- 7.11 Turning to the amenities of future occupiers of the new dwellings, all habitable rooms would be served by windows affording outlook and the new dwellings would have acceptable floor areas. The scheme has been assessed by Environmental Health and, subject to conditions relating to glazing formats and air quality, it is considered that the noise and air quality impacts associated with St James Road can be mitigated. In addition, the proposal has been amended to include additional bin stores. It is noted that the application property does not benefit from any meaningful outdoor amenity space, however the site is neighboured by open space to the eastern side. As such, and subject to the aforementioned conditions, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers.

### **Parking and highway safety**

- 7.12 The County and Borough Councils' Parking Standards provide guidance on the parking requirements for residential developments. In addition, Paragraph 109 details developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 7.13 The Parking Standards indicate that one parking space should be provided per bedroom for residential dwellings, which would equate to 54 spaces for the existing building and an additional 17 spaces for the proposed extension. There are currently 24 parking spaces within the application so there is an existing shortfall under the guidance. Furthermore, the proposal does not include any new car parking, meaning the existing shortfall would be exacerbated by the proposed development and the Highway Engineer objects on this basis. However, the supporting text in the County Parking Standards detail that flatted schemes should be treated on their own merit based on the character of the area and the guidance in the Standards. In this instance, there are very limited opportunity for additional parking on the site and any such parking would detract from the character of the area. In addition, the locality benefits from parking restrictions in the form of double yellow lines such that there are controls to prevent on-street parking in inappropriate locations in the vicinity of the site. Furthermore, the site is located on the outskirts of the town centre such that it would be uncharacteristic for high levels of parking to be provided on site. It should be acknowledged that the site is in a highly sustainable location that is adjacent to a railway station, bus stops and a cycle route and within walking distance of Northampton Town Centre and St James End Local Centre such that a relaxation of the parking guidance would be merited. Also, the proposal includes 10 additional cycle parking spaces which could be secured by condition. Although, as well as the concerns of Highways, the representations from residents regarding insufficient car parking for existing occupiers of apartment block are also noted.
- 7.14 Overall, the extended apartment block only benefitting from approximately a third of the parking sought under the Standards is considered to comprise harm arising from the proposed development. However, this harm is limited by the highly sustainable location of the site, such that facilities and other forms of transport are readily accessible, and the parking restrictions in the locality of the site providing mechanisms to prevent inappropriate parking on the highway. On balance, it is considered that the parking harm is outweighed by the benefits arising from the provision of ten affordable housing units to contribute to the Council's five year housing land supply.

### **Other considerations**

- 7.15 The Northampton Parking Standards seek the provision of electric vehicle charging points for new residential developments. However, as the proposal would not provide any additional parking spaces and thus occupiers would need to rely on sustainable form of transport, it is not considered that it would be reasonable to require the provision of electric vehicle charging points by condition.
- 7.16 The comments of residents and the Police regarding crime and anti-social behaviour are noted. Therefore, it is recommended that a condition is imposed to secure the implementation of measures to seek to reduce opportunities for crime and create a safe environment for occupiers of the proposed development.
- 7.17 NCC Development Management has sought a s106 financial contribution for libraries and a condition relating to sprinklers and hydrants. However, the scheme is for less than 15 units and there is currently no policy basis for the library contribution such that it would be unreasonable. Furthermore, matters such as sprinklers are addressed under the Building Regulations.

## **8 CONCLUSION**

- 8.1 To conclude, the site is in an existing residential area close to Northampton town centre and the principle of residential development on the site is therefore acceptable under the development plan. Notwithstanding this, the Council cannot presently demonstrate a five year housing land supply and, therefore, it is necessary to assess the proposal against the presumption in favour of sustainable development. In this instance, whilst there would be some harm arising from the

exacerbation of the existing parking shortfall on the site, the proposed development is in a highly sustainable location with parking restrictions in the locality such that the harm would only be limited and outweighed by the benefits arising from the provision of ten affordable housing units. 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: 18-096-001, 18-096-002, 18-096-003, 18-096-004, 18-096-005, 18-096-006, 18-096-007, 18-096-008, 18-096-009C, 18-096-010D, 18-096-011D, 18-096-012B, 18-096-013, and 18-096-014.

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

3. Prior to the commencement of the development hereby permitted, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP which shall include:

- i Details of access, tracking and routing to and from the site for construction vehicles
- ii Parking for site operatives and visitors
- iii Storage areas for plant and materials
- iv Crane position
- v The erection and maintenance of security fencing/hoardings and lighting
- vi Welfare and other site facilities
- vii Working hours and delivery times
- viii Measures to control noise, vibration, dust and fumes during site preparation works and construction
- ix Measures to prevent dust, mud and other debris being deposited on the surrounding highway.

Reason: To minimise the impact of the development during the construction phase in accordance with the Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

4. The external facing materials for the additional storey hereby approved shall be Kingspan 600mm Cladding Panels finished in RAL 7016 Anthracite Grey.

Reason: In the interests of visual amenity in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

5. The windows to serve the development hereby permitted shall be provided in accordance with the glazing specification detailed in the submitted Noise Report (reference MDR/J3894b) and retained thereafter.

Reason: To protect future occupiers of their dwellings and in the interests of residential amenity in accordance with Policies H1, BN9 & S10 of the West Northamptonshire Joint Core Strategy.

6. Prior to the occupation of the development hereby permitted, an air quality assessment together with a ventilation and cooling scheme to serve the new flats shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of the development hereby permitted and thereafter retained and maintained in accordance with the approved details.

Reason: To protect future occupiers of their dwellings and in the interests of residential amenity in accordance with Policies H1, BN9 & S10 of the West Northamptonshire Joint Core Strategy.

7. Prior to the occupation of the dwellings hereby permitted, full details of security measures including access control and the security performance of doorsets to serve the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of a safe and secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

8. The new bin and cycle stores hereby approved shall be implemented in full prior to the occupation of the development hereby permitted and retained thereafter.

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

## **10 BACKGROUND PAPERS**

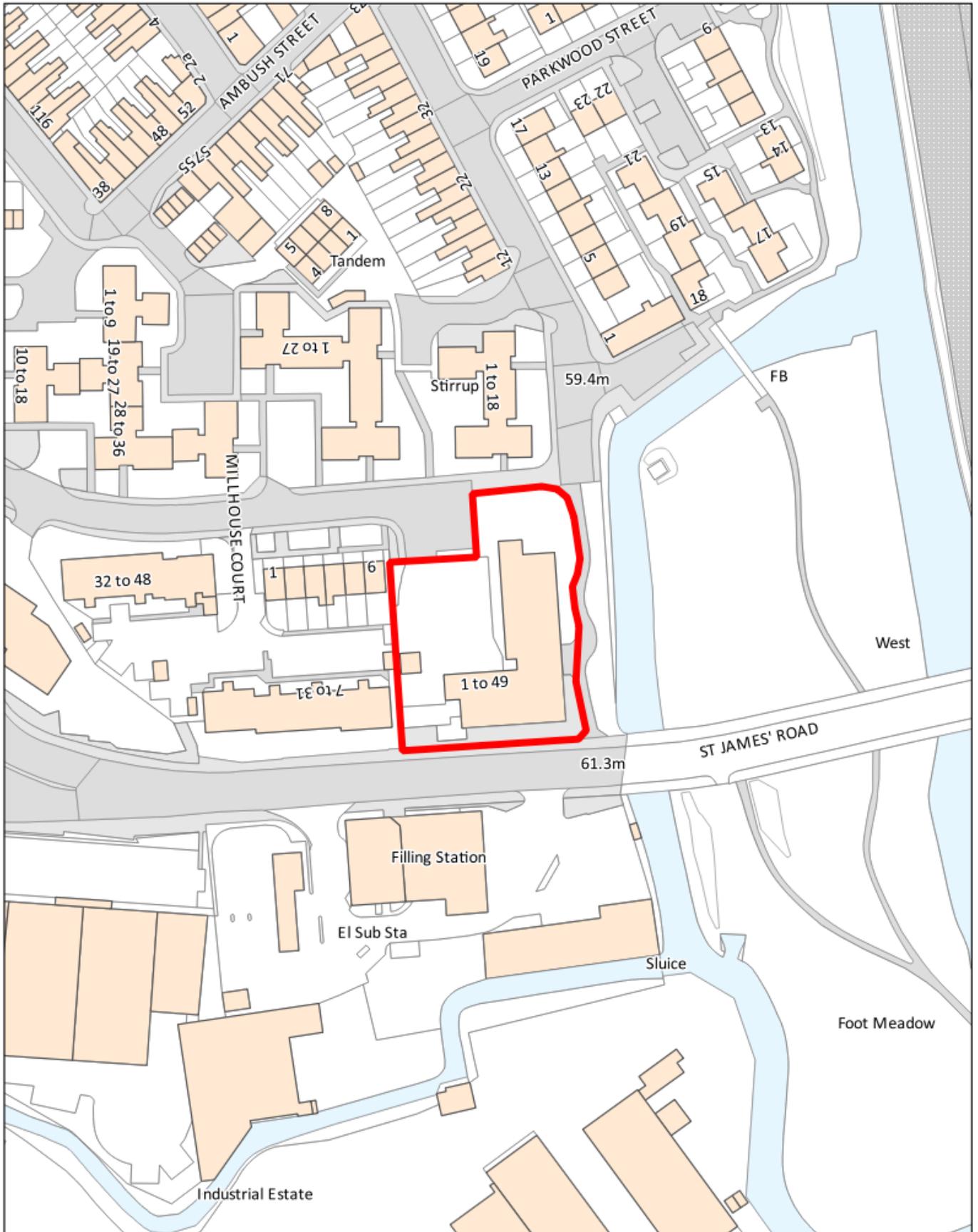
- 10.1 N/2017/0013; N/2016/1385 and N/2019/0416.

## **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: **Dover Court. St James Road**

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Date: 23-04-2020

Scale: 1:1,250

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