



PLANNING COMMITTEE: 24th November 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/1113

LOCATION: The Bungalow Lings Wood, Lings Way

DESCRIPTION: Change of use from dwelling to supported living accommodation for two occupiers (Use Class C2) incorporating fenestration alterations to existing dwelling and garage, replacement roof to and conversion of existing garage to ancillary activity room, 2.4 metre high security fence with automated gated access, additional parking and new pedestrian steps to Lings Way

WARD: Brookside Ward

APPLICANT: Northampton Partnership Homes
AGENT: Maber Architects

REFERRED BY: Director of Planning and Sustainability
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 proposal would contribute to the requirement to meet the specialist housing needs of the Borough and would not have an adverse impact on the character and appearance of the area, neighbour amenity and parking and highway safety. The proposal is therefore in conformity with the National Planning Policy Framework, Policies H1, H5, S10, BN1, BN2 and BN9 of the West Northamptonshire Joint Core Strategy, Saved Policies E20, and H29 of the Northampton Local Plan and Policies DES1 and OS1 of the Growing Together Neighbourhood Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the change of use of the existing two bed bungalow to a supported living facility unit (Use Class C2) for two occupiers. The application has been supported by a Design and Access Statement and a Needs Statement, which detail that the proposal would provide support for and the ability to fully assess people with learning disabilities and autistic spectrum conditions to help develop their independence and introduce systems to

allow them to be placed more permanently in community settings. In addition, the submitted details indicates that there would be 2 full time members of staff on site at any one time.

- 2.2 To facilitate the conversion, the application also includes works to replace windows and doors and in the existing dwelling and garage, with the garage roof also replaced to facilitate its use as an activity room for future occupiers.
- 2.3 In addition, the proposal includes a 2.4 metres high security fence enclosing the site with automated gated access, new bin store compound, conversion of an outbuilding to a cycle store, the enlargement of the existing parking area and new pedestrian steps down to Lings Way.

3 SITE DESCRIPTION

- 3.1 The application site comprises an isolated detached two bed bungalow located to the east side of Lings Way and to the south west corner of Lings Wood Nature Reserve and Wildlife Site. The bungalow is accessed off a private drive that is shared with the Wildlife Trust. There is a footpath running to the south of the site, which is set down an embankment on a lower land level, with a recreation ground beyond.

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, and Growing Together 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:

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

Section 5 - Delivering homes

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 15 - Natural Environment

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

BN1 - Green Infrastructure
Policy BN2 - Biodiversity
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 policies are material to this application:

Policy E20 – New Development
Policy H29 – Residential Institutions

5.5 **Growing Together Neighbourhood Plan (2017)**

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) was made in April 2017, and now forms part of the development plan for Northampton. The following policies are relevant to the determination of this proposal:

Policy DES1: High quality design
Policy OS1: Local Green Spaces

5.6 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004
Residential Extensions and Alterations Design Guide SPD 2011
Northamptonshire County Parking Standards 2016
Biodiversity Supplementary Planning Document for Northamptonshire 2017
Northampton Parking Standards 2019

6 **CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Arboricultural Officer (NBC):** The Arboricultural report is well-considered, thorough and comprehensive. Provided that the control measures referred to are implemented and maintained throughout the course of the development then the trees that have been identified for retention should be protected from foreseeable harm.
- 6.2 **Ecologist (NCC):** Whilst a tree inspection would have been ideal, given the nature of the proposed development it is acknowledged that this cannot be required in this instance under planning legislation. However, any security lighting could disturb bats and therefore a lighting scheme condition should be imposed to ensure vegetation remain dark whilst simultaneously affording the security needed. As such, no objections subject to a lighting scheme condition. In addition, it is recommended that the applicant seek ecological advice when designing the lighting scheme as this would assist greatly with discharging a lighting condition.
- 6.3 **Environmental Protection (NBC):** No objections. The proposal should however be in accordance with the Council's Low Emission Strategy and include 1 electric vehicle charging point per dwelling and all boilers should meet specified minimum standards. In addition, guidance should be provided on construction hours.
- 6.4 **Highways (NCC):** No comments received.
- 6.5 **Northants Police Crime Prevention Design Advisor:** Northants Police have been consulted throughout this project by NPH and the advice has been noted and acted upon; Northants Police therefore has no objections to the change of use proposed.
- 6.6 No third party / **neighbour representations** received.

7 APPRAISAL

Principle of Development

- 7.1 The proposed development is in accordance with Policy H1 of the Joint Core Strategy, which seeks proposals for different accommodation needs including the needs of vulnerable groups, and would secure the reuse of an empty residential property in accordance with Policy H5 of the Joint Core Strategy. Therefore, it is considered that the proposed development is acceptable in principle.

Design and layout

- 7.2 The application does not propose any extensions to the existing property with the only external alterations relating to fenestration changes and a replacement flat roof to the existing garage to facilitate its conversion to an activity room for residents.
- 7.3 The proposal also includes the conversion of an existing outbuilding to the rear of the site to a cycle store and a new bin store enclosure to the western side of the site together with an enlarged parking area. The new parking area would involve the removal of some low-level vegetation adjacent to the northern boundary with Lings Wood and the submitted plans also show the removal of two trees to the rear of the site. However, the Arboricultural Officer raises no objections to the scheme subject to conditions to secure the mitigation measures and construction methods specified in the submitted Arboricultural Report.
- 7.4 In addition, the proposal includes new secure 2.4 metres high fencing to the boundaries of the site, which would result in the development having the appearance of a secure institution. However, it must be acknowledged that the site is isolated and would potentially house vulnerable persons. Furthermore, it is set back from Lings Way and the footpath that runs to the south of the site. As such, subject to the fencing being finished in green, it is considered that it would not have an adverse impact on the character and appearance of the area.

Residential amenity

- 7.5 The application property comprises an isolated dwelling and as such the proposed change of use and associated works would have no implications for the residential amenity of any other property. It is noted that Environment Health suggest that guidance is provided related to construction hours to reduce impacts on local residents, but given the location of the site and the nature of the works to implement the scheme it is not considered that it reasonable or necessary to control this via a condition.
- 7.6 Turning to the amenity of future occupiers, all habitable rooms would be served by windows and the residents would have their own bedrooms and bathrooms facilities with a shared kitchen, dining and living room that is adjoined to the supervisor's office and also a separate activity room. In addition, each resident would have their own garden area with a larger communal garden area to the rear. Overall, it is considered that the proposal would afford a high standard of amenity for future occupiers of the care facility.

Parking and highway safety

- 7.7 The application proposals would utilise the same vehicular access arrangements as the existing property, namely an access drive off Lings Wood shared with the Wildlife Trust. However, it would include an additional gate to ensure the care facility is secure and also steps down to Lings Way to provide a direct pedestrian link to Lings Way which includes bus stops in relatively close proximity to the site. In addition, the existing parking area for the property would be enlarged to ensure at least 4 vehicles can park on the site.

- 7.8 The Parking Standards indicate that one parking space should be provided per full time equivalent staff together with an additional visitor space per 3 beds. The proposal is for a two bed care facility with two staff and thus the proposal would satisfy the Parking Standards. Furthermore, subject to conditions limiting the number of staff and residents on site at any one time and requiring the provision of the proposed parking spaces and cycle storage, it is considered that the proposal would not have a significant impact on the transport network. As such, no objections are raised to the proposal on parking or highway safety grounds.

Other considerations

- 7.9 The Northants Police Crime Prevention Design Advisor has advised that the scheme has been designed in response to advice from the Police and is acceptable.
- 7.10 The County Ecologist initially suggested that there was potential for the scheme to impact on protected species. However, the application is primarily for a change of use with limited external works and, following discussions, the County Ecologist has raised no objections subject a condition to ensure that any new lighting (e.g. lighting required on security grounds) does not adversely impact on bats.
- 7.11 It is noted Environmental Protection have suggested that details are secured of electric vehicle charging points and controls are imposed on the standards of boilers. However, as the proposal is for a change of use, it is considered that it would not be reasonable to require electric vehicle charging points by conditions and matters relating to boilers are addressed under the Building Regulations.

8 CONCLUSION

- 8.1 To conclude, it is considered that the proposal would contribute to the requirement to meet the specialist housing needs of the Borough and would not have an adverse impact on the character and appearance of the area, neighbour amenity and parking and highway safety. The proposal is therefore in conformity with the National Planning Policy Framework and Policies H1, H5, S10, BN1, BN2, and BN9 of the West Northamptonshire Joint Core Strategy, Saved Policies E20 and H29 of the Northampton Local Plan, and Policies DES1 and OS1 of the Growing Together Neighbourhood Plan.

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: 00101 S2 P02, 00102 S2 P02, 00103 S2 P05, P3336-CJR-XX-ZZ-DR-E-7100 S3.02, 00104 S2 P04, 00105 S2 P02, 00106 S2 P03, and 00107 S2 P03.

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

3. The development hereby permitted shall be used as a supported living / care facility only and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: For the avoidance of doubt and in the interests of ensuring a satisfactory standard of development, residential amenity and parking provision as the application has been assessed on details submitted in accordance with the requirements of Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

Reason: In the interests of the amenity of the area and neighbouring residents, highway safety in accordance with Policy H1 and H5 of the West Northamptonshire Joint Core Strategy.

5. There shall not be more than two members of staff on site at any one time.

Reason: In the interests of the amenity of the area and neighbouring residents, and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

6. The development shall thereafter be constructed in accordance with the tree protection and working methods/measures specified in the submitted Arboricultural Impact Assessment and Method Statement Report (reference JN2027_Fv1).

Reason: In the interests of the character and appearance of the locality and biodiversity in accordance with Policies H1, BN1, BN2 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

7. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, full details of all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of appearance of the locality, residential amenity, crime prevention and protected species in accordance with Policies H1, BN1, BN2 and S10 of the West Northamptonshire Joint Core Strategy.

8. Prior to the first use of the development hereby permitted the enlarged car parking area shall be laid out in accordance with the details shown on the approved plans and the construction methods/details specified in the submitted Arboricultural Impact Assessment and Method Statement Report (reference JN2027_Fv1) and thereafter retained.

Reason: To ensure a satisfactory standard of development and in the interests of highway safety in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

9. Prior to the occupation of the development hereby permitted, the refuse storage enclosure within the site shall be provided in accordance with the details shown on the approved plans and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.

10. Prior to the occupation of the development hereby permitted, facilities for the storage of bicycles to serve the development shall be provided in accordance with the details shown on the approved plans and thereafter retained.

Reason: To secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.

11. The new fencing hereby permitted shall be finished in a green colour or in accordance with details that have previously been submitted to and approved in writing by the local planning authority and retained in that colour thereafter

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.

10 BACKGROUND PAPERS

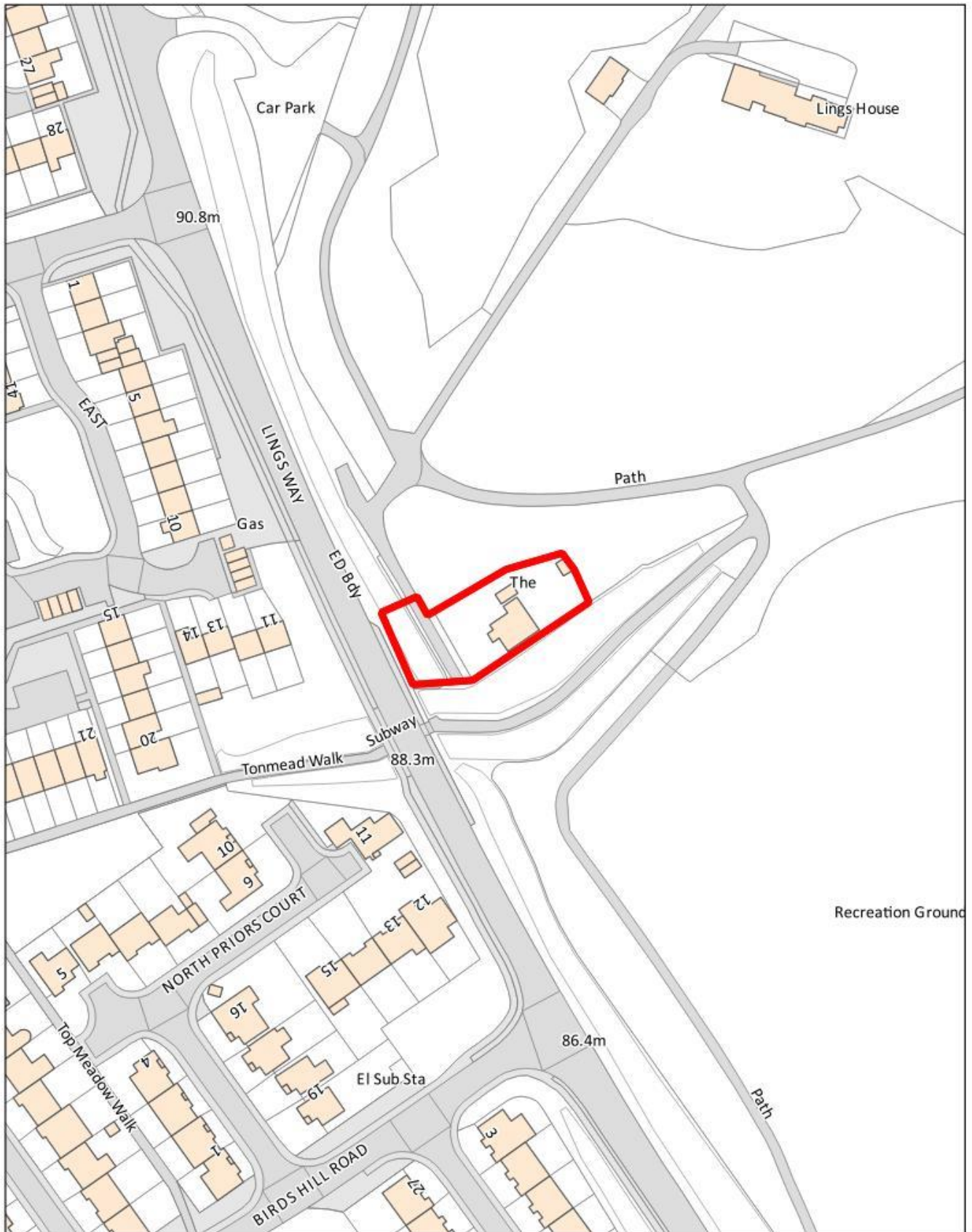
10.1 N/2020/1113.

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: **Lings Way**

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Date: 12-11-2020

Scale: 1:1,250

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