



# PLANNING AGENDA

**Thursday, 21 January 2021**

This meeting will be held remotely at 5:00 pm at  
<https://www.youtube.com/user/northamptonbcTV>  
At 5:00 pm

## **Members of the Committee**

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

**Councillors:** Alan Bottwood, Mary Markham, Matthew Golby, Anna King, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Muna Cali, Naz Choudary, Arthur McCutcheon and Brian Markham.

**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 14<sup>th</sup> April, 12<sup>th</sup> May, 19<sup>th</sup> May, 9<sup>th</sup> June, 7<sup>th</sup> July, 28<sup>th</sup> July, 1<sup>st</sup> September, 29<sup>th</sup> September, 27<sup>th</sup> October, 24<sup>th</sup> November, 22<sup>nd</sup> December 2020, and 21<sup>st</sup> January, 16<sup>th</sup> February and 16<sup>th</sup> March 2021.

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?

**PLEASE BE AWARE THAT THIS MEETING WILL BE TAKING PLACE REMOTELY – SEE BELOW FOR DETAILS OF PUBLIC SPEAKER REGISTRATION/HOW TO VIEW THE MEETING**

- 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)

Once registered to speak, an invitation will be sent to join the Zoom video conferencing webinar for this meeting

### 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.

**\*\*\*Remote Meeting Access for Participants\*\*\***

- Members of the public should register to speak by email ([democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk)) or telephone (01604 837722) by 12pm on the day of the meeting.
- An invitation will be sent to Members and registered Public Speakers for the meeting via Zoom video conferencing webinar.

**\*\*\*Remote Public Access\*\*\***

- The meeting will be available to view here: <https://www.youtube.com/user/northamptonbctv/>

**NORTHAMPTON BOROUGH COUNCIL  
PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:

in This meeting will be held remotely at 5:00 pm at  
<https://www.youtube.com/user/northamptonbcTV>

on Thursday, 21 January 2021

at 5:00 pm.

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**  
(Copy to follow)
- 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** (page 1)  
Report of Director of Planning and Sustainability (copy herewith)
- 7. OTHER REPORTS**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
- 10. ITEMS FOR DETERMINATION**
  - (A) N/2017/0091 - RESIDENTIAL DEVELOPMENT OF UP TO 1,400 NO. UNITS, A MIXED USE LOCAL CENTRE INCLUDING APPROPRIATE RETAIL, HEALTHCARE AND COMMUNITY FACILITIES, A NEW PRIMARY SCHOOL, AREAS OF PUBLIC OPEN SPACE, PLAY PROVISION AND STRUCTURED LANDSCAPING, INTERNAL ROADS AND ALL ASSOCIATED INFRASTRUCTURE, AND DEMOLITION OF EXISTING SHED AT UPTON LODGE FARM (OUTLINE PLANNING APPLICATION WITH MATTERS OF LAYOUT, APPEARANCE, LANDSCAPING AND SCALE BEING RESERVED FOR SUBSEQUENT APPROVAL. UPTON LODGE FARM** (page 3)

- (B) N/2020/1212 - OUTLINE APPLICATION (WITH ACCESS DETAILS) FOR THE DEMOLITION OF EXISTING BUILDING AND STRUCTURES AND REDEVELOPMENT TO PROVIDE NEW WAREHOUSE AND DISTRIBUTION FLOORSPACE (USE CLASS B8) WITH ANCILLARY OFFICE ACCOMMODATION, ACCESS FROM LILIPUT ROAD, WITH SERVICE YARDS, PARKING, LANDSCAPING AND OTHER ASSOCIATED INFRASTRUCTURE. HOWDENS JOINERY, LILIPUT ROAD (page 51)**
- (C) N/2020/1274 - CHANGE OF USE OF BUILDING TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 52 KING EDWARD ROAD (page 65)**
- (D) N/2020/1336 - CHANGE OF USE FROM CHARITY SHOP (USE CLASS E) TO HOT FOOD TAKEAWAY (SUI GENERIS). KINGS HEATH POST OFFICE, 2 PARK SQUARE (page 73)**
- (E) N/2020/1346 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO CHILDREN'S HOME (USE CLASS C2) TO ACCOMMODATE A MAXIMUM OF 4 CHILDREN (8-18 YEARS OLD). 29 COLONIAL DRIVE (page 79)**
- (F) N/2020/1349 - CHANGE OF USE FROM CARE HOME (USE CLASS C2) TO SUPPORTED LIVING ACCOMMODATION FOR THE HOMELESS (SUI GENERIS). KINGSLEY NURSING HOME , 18 - 20 KINGSLEY ROAD (page 87)**
- (G) N/2020/1412 - SINGLE STOREY SIDE EXTENSION TO CREATE A SELF-CONTAINED GRANNY ANNEXE. 6 BROCKHALL CLOSE (page 97)**
- (H) N/2020/1528 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO CHILDREN'S HOME (USE CLASS C2) FOR UP TO 3NO CHILDREN AGED BETWEEN 8-17 YEARS OLD, TO INCLUDE SINGLE STOREY FRONT EXTENSION. 84 GRESHAM DRIVE (page 103)**

## **11. ITEMS FOR CONSULTATION**

## **12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS**

- (A) N/2020/0079 - CREATION OF 17NO NEW PARKING BAYS WITH TARMAC FINISH. GARAGE 1 LOCK UP GARAGES, COVERACK CLOSE (page 113)**
- (B) N/2020/1340 - CHANGE OF WINDOW UNIT STYLE. RIVERSIDE HOUSE, BEDFORD ROAD (page 119)**

## **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.

Planning Service

Director of Planning and Sustainability: Peter Baguley



## List of Appeals and Determinations – 21<sup>st</sup> January 2021

### Written Reps Procedure

Application No.	DEL/PC	Description	Decision
<b>N/2019/1174</b> APP/V2825/W/20/3258793	DEL	Variation of Conditions 2 and 7 and removal of Condition 3 of Planning Permission N/2017/1442 (Conversion of part of building to 2no dwellings) to amend location of parking areas for the new dwellings, retain accesses as existing and replace proposed boundary walls with fencing at Billing Arbours House	<b>AWAITED</b>
<b>N/2019/1335</b> APP/V2825/W/20/3257246	DEL	2no new dwellings with off road parking at Billing Arbours House	<b>AWAITED</b>
<b>N/2019/1374</b> APP/V2825/W/20/3259799	DEL	New detached two storey dwelling, double garage and associated hard landscaping at 74 Barley Lane	<b>AWAITED</b>
<b>N/2020/0036</b> APP/V2825/W/20/3255691	DEL	Change of Use of Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 7 occupants at 104 Lower Thrift Street	<b>DISMISSED</b>
<b>N/2020/0099</b> APP/V2825/W/20/3254573	DEL	Garden room extension at 1 Frosts Court, High Street, Wootton	<b>AWAITED</b>
<b>N/2020/0100</b> APP/V2825/Y/20/3254574	DEL	Listed Building Consent Application for garden room extension for 1 Frosts Court, High Street, Wootton	<b>AWAITED</b>
<b>N/2020/0101</b> APP/V2825/D/20/3256391	DEL	Loft conversion with front and rear rooflights at 102 Ashby Wood Drive	<b>DISMISSED</b>
<b>N/2020/0177</b> APP/V2825/W/20/3258634	DEL	Change of Use from Dwellinghouse (Use Class C3) to Residential Institution (Use Class C2) for a 3-bedroom Children's Care Home including alterations to windows and doors at Little Norway Lodge, Houghton Lane	<b>ALLOWED</b>
<b>N/2020/0178</b> APP/V2825/W/20/3259658	DEL	Erection of new Dwelling on land adjoining 39 Cottingham Drive	<b>AWAITED</b>
<b>N/2020/0229</b> APP/V2825/W/20/3256999	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants (retrospective) at 46 Adams Avenue	<b>AWAITED</b>
<b>N/2020/0366</b> APP/V2825/W/20/3259493	DEL	Variation of Conditions 1, 4 and 5 of Planning Permission N/2017/0515 (Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective)) to increase the maximum number of occupants to 5 and permit the basement for use as a bedroom at any time at 5 Essex Street	<b>AWAITED</b>
<b>N/2020/0389</b> APP/V2825/W/20/3256183	DEL	Conversion of ground and basement from 1no flat into 2no flats and installation of windows at 22 Watkin Terrace	<b>AWAITED</b>
<b>N/2020/0663</b> APP/V2825/W/20/3258808	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 7 occupants, including new rear door and rear dormer at 17 Holly Road	<b>DISMISSED</b>
<b>N/2020/0731</b> APP/V2825/D/20/3263364	DEL	Conversion of front garden to driveway and vehicular crossover off Booth Lane South at 111 Booth Lane South	<b>AWAITED</b>
<b>N/2020/0794</b> APP/V2825/W/20/3261949	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 25 Beaconsfield Terrace	<b>AWAITED</b>

### Public Inquiry

None

### Hearings

None

### Enforcement Appeals

None

### Tree Preservation Order (TPO) Appeals

None

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  
Background Papers  
The Appeal Papers for the appeals listed

Author and Contact Officer:  
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Telephone 01604 837237  
Planning Service  
The Guildhall, St Giles Square,  
Northampton, NN1 1DE





**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/0091

**LOCATION:** Upton Lodge Farm  
Weedon Road

**DESCRIPTION:** Residential development of up to 1,400 no. units, a mixed use local centre including appropriate retail, healthcare and community facilities, a new primary school, areas of public open space, play provision and structured landscaping, internal roads and all associated infrastructure, and demolition of existing shed at Upton Lodge Farm (outline planning application with matters of layout, appearance, landscaping and scale being reserved for subsequent approval).

**WARD:** Upton Ward

**APPLICANT:** Mr Simon Dougall  
**AGENT:** Mr Mark Walton

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Major application requiring S106 agreement

**DEPARTURE:** No

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## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a Section 106 Agreement to secure:

- i) 15% on-site affordable housing;
- ii) Off-site highway improvements;
- iii) Provision of public transport and infrastructure;
- iv) Travel plan/monitoring;
- v) Primary school provision – 1.9 ha site for primary school for 2-form entry school and financial contribution;
- vi) Healthcare contribution;
- vii) Provision of local centre and community facilities;
- viii) Construction Futures – provision of employment training weeks and financial contribution;
- ix) Open space provision, including a contribution for off-site outdoor sports provision, and future maintenance arrangements including maintenance of SuDs;

- x) Council's monitoring fee, subject to the Head of Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.2 The conditions as set out below and for the following reason:

The National Planning Policy Framework supports sustainable housing development and economic growth. The site is allocated for development as a Sustainable Urban Extension under Policy N9A of the West Northamptonshire Joint Core Strategy. The proposed development of the site for up to 1,400 dwellings forms a significant and vital component of the Borough Council's 5 year housing land supply. The development of the site in conjunction with the adjacent Norwood Farm site will also assist in the delivery of Phase 2 of the Sandy Lane Relief Road. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal is in accordance with the requirements of the National Planning Policy Framework, Policies N9A, SA, S1, S2, S3, S4, S7, S9, S11, C2, RC2, H1, H2, H4, BN1, BN2, BN5, BN7, BN9, INF1, INF2 and N10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

- 1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.
- 1.4 Furthermore, due to the nature and complexity of the planning conditions, it is recommended that delegated authority be given to the Head of Planning in consultation with the Chair of Planning Committee to amend or add conditions as appropriate.

## **2 THE PROPOSAL**

- 2.1 The application is an outline application with all matters reserved, except for access. A more detailed explanation of the development proposals is contained within the previous committee report, a copy of which is attached to this report.
- 2.2 The application was Approved in Principle by Members of the Planning Committee on 30<sup>th</sup> July 2019 subject to the completion of a S106 legal agreement. Discussions are ongoing in respect of the S106 legal agreement.
- 2.3 The application is being brought back to Committee as following the Approval in Principle of the scheme, the applicants are seeking to amend a number of conditions to better reflect the intended phased delivery of the site and that the development of the site may be carried out by a number of developers. As the S106 has not yet been signed, the application has not yet been determined and so can be re-considered.
- 2.4 For clarification, the principal of development of the site as proposed has previously been accepted by Members and the submitted plans and supporting documentation has not altered from that previously considered and Approved in Principle. The matter for consideration is therefore as to whether the amendments to conditions as proposed are acceptable.

## **3 SITE DESCRIPTION**

- 3.1 The application site comprises a site area of approximately 70 hectares of predominantly greenfield land, currently used for agricultural purposes situated to the west of the built up area of Northampton and adjoining the boundary with South Northamptonshire Council.

- 3.2 To the northwest and west of the site are open fields which comprise the Norwood Farm site, situated within South Northamptonshire Council's boundary, and currently the subject of a separate outline planning application for up to 1,900 dwellings and associated infrastructure. The immediate north and east the site is bound by residential development at St Crispin, Berrywood Fields and Princess Marina Hospital. The villages of Harpole and Kislingbury within South Northamptonshire are located to the west and south west respectively.
- 3.3 The A4500, Weedon Road, forms the southern boundary of the site, from which the junction and first section of the Sandy Lane Relief Road (SLRR) extends through the site towards the northern boundary. St. Crispin Drive winds through the eastern part of the site. A Public Right of Way, KP16/LB1, runs along the northern boundary of the site, but outside of the application site. An existing watercourse runs along the western boundary of the site.
- 3.4 Upton Lodge Farm and associated group of buildings is located broadly within the centre of the site, with a bungalow located immediately to south of Upton Lodge Farm, both accessed from Weedon Road. The site surrounds a retirement development to the south east of the site near to Weedon Road.
- 3.5 St. Crispin Conservation Area is located to the north of the site within which are a number of listed buildings. Harpole and Kislingbury Conservation Areas area situated to the west and south west. Upton Hall is a listed building located outside of the application site to the south of Weedon Road, beyond which is a Scheduled Ancient Monument site, a former medieval village.
- 3.6 The site is interspersed with hedgerows, with an established group of trees to the north eastern boundary and in the vicinity of Upton Lodge Farm, both to be retained.
- 3.7 The land is undulating with a general rise in land levels from the south western corner of the site to the north eastern corner, and a rise to the north to the ridge of higher ground towards St. Crispins, and a fall to the south towards Weedon Road and the River Nene beyond.

## **4 PLANNING HISTORY**

- 4.1 N/2007/0308 - Development of housing, community and education facilities, employment, park and ride and country park - Outline application. Finally disposed of 16/01/18. Alternative application submitted (current application).
- 4.2 N/2016/0575 – Scoping Opinion for Upton Lodge development. Issued 1/06/16.
- 4.2 N/2006/1329 & N/2006/1330 - Construction of Sandy Lane Relief Road and associated landscaping and infrastructure works. NCC application. Approved 22/02/07.

## **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 the Northampton Local Plan (1997) saved policies.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **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  
Paragraph 148 - Planning system should support the transition to a low carbon future.  
Paragraph 163 - Ensuring development does not increase flood risk  
Paragraph 165 - Incorporating sustainable drainage systems in major developments  
Section 12 - Achieving well designed places  
Section 15 - Conserving and enhancing the natural environment  
Section 16 - Conserving and enhancing the historic 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 N9A - Northampton Norwood Farm/Upton Lodge SUE  
Policy SA - Presumption in Favour of Sustainable Development  
Policy S1 - The Distribution of Development  
Policy S2 - Hierarchy of Centres  
Policy S3 - Scale and Distribution of Housing Development  
Policy S4 - Northampton Related Development Area  
Policy S7 - Provision of Jobs  
Policy S9 - Distribution of Retail Development  
Policy S10 - Sustainable Development Principles  
Policy S11 - Low Carbon and Renewable Energy  
Policy C2 - New Developments  
Policy RC2 - Community Needs  
Policy H1 - Housing Density and Mix and Type of Dwellings  
Policy H2 - Affordable Housing  
Policy H4 - Sustainable Housing  
Policy BN1 – Green Infrastructure Connections  
Policy BN2 – Biodiversity  
Policy BN5 – The Historic Environment and Landscape  
Policy BN7 - Flood Risk  
Policy BN9 - Pollution control  
Policy INF1 - Approach to Infrastructure Delivery  
Policy INF2 - Contributions to Infrastructure Requirements  
Policy N10 – Convenience Shopping Needs Outside Northampton Town Centre

### 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 (design)

### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Northampton Parking SPD (2019)  
Planning out Crime in Northamptonshire SPG 2004  
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)  
Biodiversity SPD for Northamptonshire (adopted September 2017)  
Planning Obligations SPD (2013)

## 5.6 Other Material Considerations

Northampton Green infrastructure Plan (2016)  
Open Space, Sport and Recreation Needs Assessment and Audit (2009)  
Infrastructure Delivery Plan Update (2017)

## 6 CONSULTATIONS/ REPRESENTATIONS

6.1 Consultation responses remain as on the previous committee report dated 30<sup>th</sup> July 2019 attached to this report.

## 7 APPRAISAL

7.1 The amendments to conditions relate to minor wording alterations in respect of a limited number of conditions.

7.2 **Condition 6** in relation to the submission of a detailed Masterplan and Design Code, amended in part to include wording in bold as below:

- The proposed layout **principles and approach to** use and function of open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.

7.3 **Condition 18** amended to refer to specific approved Framework Travel Plan document.

7.4 **Condition 22** relating to drainage amended to incorporate the submission of a surface water drainage phasing plan and adapted to allow for drainage to be delivered in phases as follows:

22. No development shall take place until a surface water drainage phasing plan for the application site has been submitted to and approved in writing by the Local Authority. No development shall take place in each surface water drainage phase as identified by the approved phasing plan until full details of the surface water drainage scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall be based on the approved Flood Risk Assessment and on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development and should demonstrate the surface water run-off generated up to and including the 1 in 200 year plus climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The details of the scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- ii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and other flow control devices.

The schemes shall subsequently be implemented in accordance with the approved details relevant to that phase prior to occupation of the relevant phase.

Reason: To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy.

7.5 **Condition 23** amended to reflect phased delivery of drainage as follows:

23. No development of a relevant phase as identified in the approved surface water drainage phasing plan shall take place until a scheme for the maintenance and upkeep of the surface water drainage system proposed for that phase has been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter in relation to the relevant phase. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: To ensure the future maintenance of the drainage systems associated with the development and in the interests of flood prevention in accordance with the requirements of Policy BN7 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.

7.6 **Condition 26** amended to reflect phased delivery of drainage as follows:

26. Before any above ground works commence in a drainage phase as identified in Condition 22 above a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings within a phase shall be occupied until the works have been carried out in accordance with the foul water strategy approved for that particular phase.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7.8 The proposed amendments are considered acceptable and not adversely impact on the design, drainage or highway mitigation measures for the site.

## 8 CONCLUSION

8.1 The NPPF supports sustainable housing development and economic growth. The development of the site for up to 1,400 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement. The development of the site in conjunction with the adjacent Norwood Farm site will also assist in the delivery of Phase 2 of the SLRR.

8.2 The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the NPPF and the submitted WNJCS (as subsequently modified) and subject to the recommended conditions and planning obligations contained within the associated 106 agreement development of the site as proposed is considered acceptable.

## 9 CONDITIONS

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") in any phase shall be submitted to and approved in writing by the local planning authority before any development in that phase begins and the development shall be carried out as approved.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and application for approval of all remaining reserved matters shall be made within ten years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin no later than two years from the date of approval of the first of the reserved matters, and development of any subsequent phase shall begin no later than two years from the date of approval of the reserved matters for that phase.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The number of dwellings to be constructed shall not exceed 1,400.

Reason: To accord with the requirements of Policy N7 of the West Northamptonshire Joint Core Strategy.

5. The development and all reserved matters applications shall pursuant to this permission shall not materially depart from the following plans and parameters:

- Site Location Plan UD.10
- Illustrative Masterplan v5a UD.02
- Green Infrastructure Framework UD.03
- Density UD.06
- Access and Movement UD.04
- Building Heights UD.07

6. Prior to submission of any reserved matters application, a detailed Masterplan and Design Code covering the whole site shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code shall be formulated having regard to the submitted Design and Access Statement, and respond to the recommendations of Building for Life 12, and shall include the following details:

- A phasing plan for the development, including an affordable housing phasing plan;
- The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
- Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
- The proposed layout principles and approach to use and function of open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.
- The approach to and design principles applied to parking (on street and off-street).
- The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
- Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
- The design principles that will be applied to the development to encourage security and community safety.
- Design principles that will be applied to the mixed use areas, local centres and employment areas;

- External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods
- Design principles for the incorporation of Sustainable Urban Drainage Systems (SUDS) throughout the development.
- Design principles for the incorporation of Electric Vehicle Charging points throughout the development

Thereafter, any reserved matters application for any phase of development shall comply with the principles established by the approved masterplan and within the approved Design Code.

Reason: In the interests of securing a sustainable and secure development in accordance with the requirements of Policies S10 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Prior to the submission of any reserved matters application, a detailed phasing plan for the development that identifies stages at which each element of the proposed development (including the local centre, open space, community facilities, open space, play equipment, primary school, housing, highway infrastructure and SUDs) shall be commenced, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the timely provision of facilities and to ensure the delivery of a sustainable and satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Contemporaneously with the submission of reserved matters applications for each phase of development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of BREEAM “very good” (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority. No development in that phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved sustainability strategy.

Reason: In the interests of the environment and to promote sustainable development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

9. As part of each reserved matters application details of existing and proposed ground levels and finished floor levels of the development in relation to adjoining land levels shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

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

10. As part of each reserved matters application, a scheme shall be submitted for approval in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development as identified in the submitted Design and Access Statement. The approved details shall be implemented concurrently with the reserved matters development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.



11. As part of each reserved matters application for each phase of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients, within that phase shall be submitted to the Local Planning Authority. No development in that phase shall take place until the details have been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

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

12. Before any above ground works commence, engineering and construction details, including co-ordinates and levels for the remaining section of the Sandy Lane Relief Road up to the northern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of any of part of the development hereby permitted.

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

13. Before any above ground works commence, engineering and construction details for the provision of the priority junction access from and the widening of St. Crispin Drive to incorporate a 6.5m carriageway width from the access to the Main Road/Kent Road Roundabout, shown indicatively on WYG Drawing No. 001 Rev A, and which shall include a 3m footway/cycleway, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.

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

14. Before any above ground works commence, engineering and construction details for the provision the spine road linking the Sandy Lane Relief Road and St. Crispin Drive shown indicatively on the Illustrative Masterplan drawing no. UD.02 and the Access and Movement Plan drawing no. UD.04 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of the 301<sup>st</sup> dwelling.

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

15. Before any above ground works commence, full engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority, and the works shall be carried out in accordance with the approved details as follows:

- Berrywood Road/Berrywood Drive junction mitigation, replacing the roundabout with signal control, (as shown indicatively on WYG Drawing Number 006) to be delivered prior to occupation of the 301<sup>st</sup> dwelling hereby permitted.
- A43 Swan Valley/Cobb Drive junction mitigation, implementation of partial traffic signal control ( as shown indicatively on WYG Drawing Number 007) to be delivered prior to occupation of the 301<sup>st</sup> dwelling hereby permitted.

- M1/A43/Swan Valley junction mitigation, implementation of partial traffic signal control (as shown indicatively on WYG Drawing Number 008) to be delivered prior to occupation of the 301<sup>st</sup> dwelling hereby permitted.

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

16. Details for the provision of two bus stops (with shelters and associated infrastructure) on the bottom section of Kent Road shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Details for the provision of marked bus stops westbound, together with the provision of marked bus stops and shelters eastbound on the Upton Lodge spine road and the neighbouring sections of the Sandy Lane Relief Road and St. Crispin Drive in 4 locations along the spine road shall be submitted to and approved in writing by the Local Planning Authority. All eastbound stops shall be equipped with real time displays. The bus stops shall be provided in accordance with the approved details prior to the occupation of the 301<sup>st</sup> dwelling hereby permitted.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

18. Prior to the 1<sup>st</sup> occupation of a residential phase submit a Residential Travel Plan setting out measures to be implemented in accordance with the approved Framework Travel Plan (dated January 2017 prepared by WYG ref: "Upton Lodge Sustainable Urban Extension" Framework Travel Plan RT90070-51-TP). The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

19. No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

20. The development shall not commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

- a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges onto the highway, a proposed Routing Agreement, followed by all construction traffic drivers, to and from the site which shall include an A4 sized map to be given to all construction traffic drivers;
- b) Location of access points for site traffic for that phase of development;
- c) Detailed measures for the control of dust during the construction phase of development;

- d) The location and size of compounds;
- e) The location and form of temporary buildings, adverts and hoardings;
- f) Details for the safe storage of any fuels, oils and lubricants;
- g)) Construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
- h) A scheme for the protection of areas and species of ecological interest and for the mitigation of any possible harm to such areas or species in accordance with the principles set out in the Outline Construction Ecological Management Plan dated September 2018 by Ecology Solutions Ltd;
- i) Details of any temporary lighting;
- j) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
- k) Measures for the control of noise emanating from the site during the construction period;
- l) Construction Plant Directional signage (on and off site);
- m) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
- n) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: In the interests of the protecting the surrounding environment and amenity, and highway impacts in accordance with Policies S10 and BN9 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.

21. In the event that any of the streets associated with the residential element of the development hereby approved are not being proposed for adoption as public highway, details of a site management company and an associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of development. The streets shall be laid out and constructed to an adoptable standard to ensure safe and practicable operation, and any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

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

22. No development shall take place until a surface water drainage phasing plan for the application site has been submitted to and approved in writing by the Local Authority. No development shall take place in each surface water drainage phase as identified by the approved phasing plan until full details of the surface water drainage scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy shall be based on the approved Flood Risk Assessment and on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development and should demonstrate the surface water run-off generated up to and including the 1 in 200 year plus climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The details of the scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
- ii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and other flow control devices.

The schemes shall subsequently be implemented in accordance with the approved details relevant to that phase prior to occupation of the relevant phase.

Reason: To reduce the risk of flooding both on and off site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework by ensuring the satisfactory means of surface water attenuation and discharge from the site. This is a pre-commencement condition to ensure timely submission of details.

23. No development of a relevant phase as identified in the approved surface water drainage phasing plan shall take place until a scheme for the maintenance and upkeep of the surface water drainage system proposed for that phase has been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter in relation to the relevant phase. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: To ensure the future maintenance of the drainage systems associated with the development and in the interests of flood prevention in accordance with the requirements of Policy BN7 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.

24. All subsequent reserved matters applications shall accord with the recommendations of the approved Flood Risk Assessment and Drainage Strategy document reference number A090070-51 Revision Version 2 dated January 2017 prepared by WYG Consultants and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

25. Prior to occupation of each phase a Verification Report for the installed surface water drainage system for that phase shall be submitted to and approved in writing by the Local Planning Authority based on the approved Flood risk assessment and Drainage Strategy document reference number A090070-51 Revision Version 2 dated January 2017 prepared by WYG Consultants. These shall include:
- a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos
  - c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
  - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

26. Before any above ground works commence in a drainage phase as identified in Condition 22 above a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings within a phase shall be occupied until the works have been carried out in accordance with the foul water strategy approved for that particular phase.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of Policy BN7 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.

27. Any unexpected suspect contamination discovered during the development of the site shall be reported to the Local Planning Authority forthwith. The unexpected contamination shall be assessed and remediated by methods agreed with the Local Planning Authority prior to the occupation of the development.

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.

28. Concurrently with the reserved matters submission for each phase, a noise assessment of the exposure of proposed residential premises based on the Noise Assessment prepared by WYG (A090070-51), with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted to and approved in writing to the Local Planning Authority. The assessment shall take into account the likely growth of traffic over the next 15 years. Where any habitable room or outdoor amenity space cannot achieve the noise levels recommended by the World Health Organisation, a scheme to protect outdoor amenity space and any affected habitable rooms shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

29. Concurrently with the reserved matters submission for each phase, a Low Emissions Strategy, based on the mitigation measures as detailed in the Air Quality Mitigation and Damage Cost Calculation by WYG dated July 2019, shall be submitted for that phase for approval in writing by the Local Planning Authority. The strategy should be based on the include an assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, rapid charging points, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

The Low Emissions Strategy shall contain target for emission reductions and timescale, with pollution savings quantified. The strategy shall be implemented in accordance with the strategy as approved.

Reason: In the interests of improving air quality and reducing greenhouse gases in accordance with the requirements of Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

30. Prior to the submission of each reserved matters application, details of the need and scope for updating any protected species surveys shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The supplementary surveys shall be of an appropriate type for the habitats and/or species present and survey methods shall follow national good practice guidelines, and shall be used to inform the preparation of ecological measures and mitigation within the Landscape and Ecological Management Plan. The development shall be carried out in accordance with any approved mitigation measures contained therein.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

31. Concurrently with the reserved matters submission for each phase, a Landscape and Ecological Management Plan (LEMP) shall be submitted for approval in writing by the Local Planning Authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

32. No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation for development impacts on badgers has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

33. No development shall take place (including any demolition, ground works, and site clearance) in until a method statement for barn owl mitigation (in accordance with paragraph 6.1.4, Upton Lodge Northamptonshire Daytime Bat and Barn Owl Assessment by WYG and dated December 2016) has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;

- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details at least six months prior to works to or demolition of any buildings on site, and shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

34. Any works to existing buildings to be retained on site within Upton Lodge Farm shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
  - b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
  - c) a statement in writing from a suitably qualified ecologist to the effect that (s)he does not consider that the specified activity/development will require a licence.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

35. No development shall take place in each phase of development until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in relation to Design, Demolition and Construction – Recommendations", including details of timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase of development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

36. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to Design, Demolition and Construction – Recommendations', have been submitted for approval in writing by, the Local Planning Authority for that phase of the development. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

37. The development hereby permitted shall include a single anchor convenience store (Use Class A1) of no more than 294 square metres (gross internal floor area) and no more than four retail units

(which shall be used for purposes falling within Use Classes A1, A2, A3, A4 and A5) of no more than 69 square metres each (gross internal floor area).

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of Policies N9a and N10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

10.1 N/2017/0091

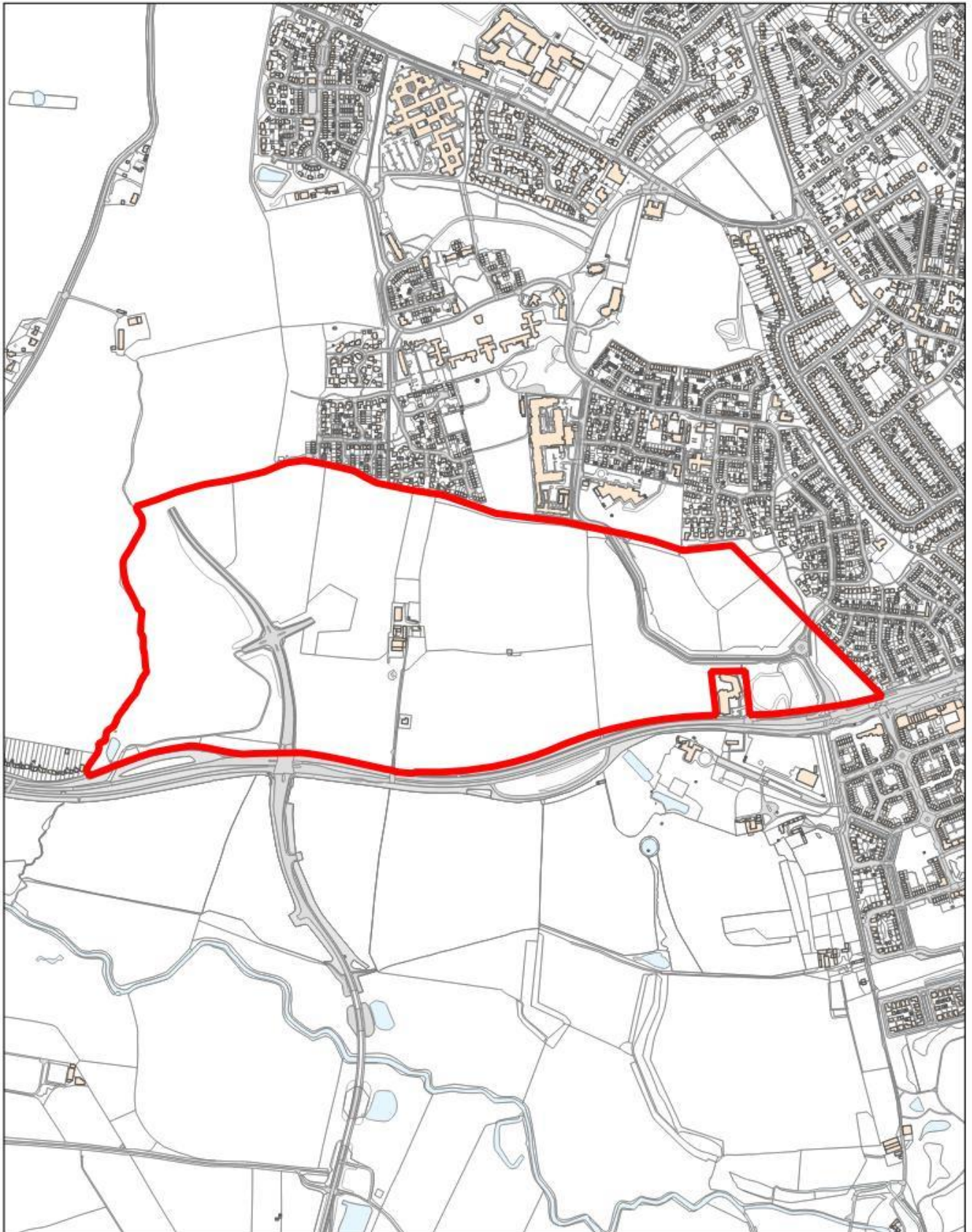
## **11 LEGAL IMPLICATIONS**

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: **Upton Lodge Farm**

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Date: 13-01-2021

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**PLANNING COMMITTEE:** 30<sup>th</sup> July 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/0091

**LOCATION:** Upton Lodge Farm, Weedon Road, Upton

**DESCRIPTION:** Residential development of up to 1,400 no. units, a mixed use local centre including appropriate retail, healthcare and community facilities, a new primary school, areas of public open space, play provision and structured landscaping, internal roads and all associated infrastructure, and demolition of existing shed at Upton Lodge Farm (outline planning application with matters of layout, appearance, landscaping and scale being reserved for subsequent approval)

**WARD:** Upton Ward

**APPLICANT:** Homes England  
**AGENT:** WYG

**REFERRED BY:** Head of Planning  
**REASON:** Major Application requiring S106 Agreement

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION:**

**1 RECOMMENDATION**

- 1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a Section 106 Agreement to secure:
- i) 15% on-site affordable housing;
  - ii) Off-site highway improvements;
  - iii) Provision of public transport and infrastructure;
  - iv) Travel plan/monitoring;
  - v) Primary school provision – 1.9 ha site for primary school for 2-form entry school and financial contribution;
  - vi) Healthcare contribution;
  - vii) Provision of local centre and community facilities;
  - viii) Construction Futures – provision of employment training weeks and financial contribution;
  - ix) Open space provision, including a contribution for off-site outdoor sports provision, and future maintenance arrangements including maintenance of SuDs;
  - x) Council’s monitoring fee, subject to the Head of Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.1.2 The conditions as set out below and for the following reason:

The National Planning Policy Framework supports sustainable housing development and economic growth. The site is allocated for development as a Sustainable Urban Extension under Policy N9A of the West Northamptonshire Joint Core Strategy. The proposed development of the site for up to 1,400 dwellings forms a significant and vital component of the Borough Council's 5 year housing land supply. The development of the site in conjunction with the adjacent Norwood Farm site will also assist in the delivery of Phase 2 of the Sandy Lane Relief Road. The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal is in accordance with the requirements of the National Planning Policy Framework, Policies N9A, SA, S1, S2, S3, S4, S7, S9, S11, C2, RC2, H1, H2, H4, BN1, BN2, BN5, BN7, BN9, INF1, INF2 and N10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

1.1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **2 THE PROPOSAL**

2.1 The application is an outline application with all matters reserved, except for access.

2.2 The submitted illustrative Framework Masterplan and Design and Access Statement indicates the following uses:

- Approximately 37 hectares of residential land providing up to 1400 dwellings;
- Primary school (1.9ha site);
- Local centre and community use (0.9ha) comprising an anchor convenience store (up to 294m<sup>2</sup>), up to 4 complimentary retail units (up to 69m<sup>2</sup> each) with apartments above;
- Approximately 24 hectares of green space including strategic landscape, allotments, balancing ponds, amenity green space, play space, parks and gardens;
- Highway infrastructure.

The majority of the group of buildings comprising Upton Lodge Farm, located centrally within the site, and within the area of the proposed local centre/community use area, are intended to be retained with the potential to be converted to community use (subject to local need), with the exception of the demolition of a shed to the south of the main farm buildings. An existing bungalow on site would be retained with access from Weedon Road.

2.3 The primary vehicular access to the site would be from an existing spur from Weedon Road, forming part of Phase 2 of the Sandy Lane Relief Road, which would continue into the Norwood Farm site to the north and subsequently to Berrywood Road. A second vehicular access would be from St. Crispin Drive which winds through the eastern part of the application site.

## **3 SITE DESCRIPTION**

3.1 The application site comprises a site area of approximately 70 hectares of predominantly greenfield land, currently used for agricultural purposes situated to the west of the built up area of Northampton and adjoining the boundary with South Northamptonshire Council.

- 3.2 To the northwest and west of the site are open fields which comprise the Norwood Farm site, situated within South Northamptonshire Council's boundary, and currently the subject of a separate outline planning application for up to 1,900 dwellings and associated infrastructure. The immediate north and east the site is bound by residential development at St Crispin, Berrywood Fields and Princess Marina Hospital. The villages of Harpole and Kislingbury within South Northamptonshire are located to the west and south west respectively.
- 3.3 The A4500, Weedon Road, forms the southern boundary of the site, from which the junction and first section of the Sandy Lane Relief Road (SLRR) extends through the site towards the northern boundary. St. Crispin Drive winds through the eastern part of the site. A Public Right of Way, KP16/LB1, runs along the northern boundary of the site, but outside of the application site. An existing watercourse runs along the western boundary of the site.
- 3.4 Upton Lodge Farm and associated group of buildings is located broadly within the centre of the site, with a bungalow located immediately to south of Upton Lodge Farm, both accessed from Weedon Road. The site surrounds a retirement development to the south east of the site near to Weedon Road.
- 3.5 St. Crispin Conservation Area is located to the north of the site within which are a number of listed buildings. Harpole and Kislingbury Conservation Areas area situated to the west and south west. Upton Hall is a listed building located outside of the application site to the south of Weedon Road, beyond which is a Scheduled Ancient Monument site, a former medieval village.
- 3.6 The site is interspersed with hedgerows, with an established group of trees to the north eastern boundary and in the vicinity of Upton Lodge Farm, both to be retained.
- 3.7 The land is undulating with a general rise in land levels from the south western corner of the site to the north eastern corner, and a rise to the north to the ridge of higher ground towards St. Crispins, and a fall to the south towards Weedon Road and the River Nene beyond.

## **4 PLANNING HISTORY**

- 4.1 N/2007/0308 - Development of housing, community and education facilities, employment, park and ride and country park - Outline application. Finally disposed of 16/01/18. Alternative application submitted (current application).
- 4.2 N/2016/0575 – Scoping Opinion for Upton Lodge development. Issued 1/06/16.
- 4.3 N/2006/1329 & N/2006/1330 - Construction of Sandy Lane Relief Road and associated landscaping and infrastructure works. NCC application. Approved 22/02/07.

## **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 the Northampton Local Plan (1997) saved policies.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **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  
Paragraph 148 - Planning system should support the transition to a low carbon future.  
Paragraph 163 - Ensuring development does not increase flood risk  
Paragraph 165 - Incorporating sustainable drainage systems in major developments  
Section 12 - Achieving well designed places  
Section 15 - Conserving and enhancing the natural environment  
Section 16 - Conserving and enhancing the historic 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 N9A - Northampton Norwood Farm/Upton Lodge SUE  
Policy SA - Presumption in Favour of Sustainable Development  
Policy S1 - The Distribution of Development  
Policy S2 - Hierarchy of Centres  
Policy S3 - Scale and Distribution of Housing Development  
Policy S4 - Northampton Related Development Area  
Policy S7 - Provision of Jobs  
Policy S9 - Distribution of Retail Development  
Policy S10 - Sustainable Development Principles  
Policy S11 - Low Carbon and Renewable Energy  
Policy C2 - New Developments  
Policy RC2 - Community Needs  
Policy H1 - Housing Density and Mix and Type of Dwellings  
Policy H2 - Affordable Housing  
Policy H4 - Sustainable Housing  
Policy BN1 – Green Infrastructure Connections  
Policy BN2 – Biodiversity  
Policy BN5 – The Historic Environment and Landscape  
Policy BN7 - Flood Risk  
Policy BN9 - Pollution control  
Policy INF1 - Approach to Infrastructure Delivery  
Policy INF2 - Contributions to Infrastructure Requirements  
Policy N10 – Convenience Shopping Needs Outside Northampton Town Centre

### 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 (design)

### 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Upper Nene Gravel Pits Special Protection Area SPD (adopted September 2017)  
Biodiversity SPD for Northamptonshire (adopted September 2017)  
Planning Obligations SPD (2013)

## 5.6 Other Material Considerations

Northampton Green infrastructure Plan (2016)  
Open Space, Sport and Recreation Needs Assessment and Audit (2009)  
Infrastructure Delivery Plan Update (2017)

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

### 6.1 NCC Highways – no objections subject to the following measures:

- The completion of the Sandy Lane Relief Road (SLRR) to the northern boundary of the site and securing of land adjacent to SLRR for future dualling (condition/S106).
- Completion of the spine road linking the SLRR to St. Crispins Drive prior to the occupation of the 301<sup>st</sup> dwelling (condition).
- Public Transport enhancements – to include provision of 2 bus stops with shelters and associated infrastructure on bottom section of Kents Road; the provision of a new bus service through the development and associated bus stops and infrastructure; the provision of one 28 day multi-operator travelcard for use through Northampton (or equivalent) to each new household.
- Provision of walking and cycling enhancements – comprising a 3m shared footway along the entire length of one side of the proposed road with appropriate controlled crossing facilities. Incorporation of footway/cycle provision along proposed 'green links' shown in illustrative Masterplan.
- Construction Environment Management Plan.
- Details of a site management company and associated management and maintenance methodology of streets in the event streets are not proposed for adoption.
- Approval of Full Travel Plan

Conditions to secure the following off-site highway mitigation measures:

- Berrywood Road/Berrywood Drive junction mitigation – replacing the roundabout with signal control – shown indicatively on WYG Drawing Number 006. To be delivered prior to occupation of the 301<sup>st</sup> dwelling, having first submitted to the LPA and agreed full engineering and construction details.
- A43 Swan Valley/Cobb Drive junction mitigation – implementation of partial traffic signal control – shown indicatively on WYG Drawing Number 007. To be delivered prior to occupation of the 301<sup>st</sup> dwelling, having first submitted to the LPA and agreed full engineering and construction details.
- M1/A43/Swan Valley junction mitigation – implementation of partial traffic signal control – shown indicatively on WYG Drawing Number 008. To be delivered prior to occupation of the 301<sup>st</sup> dwelling, having first submitted to the LPA and agreed full engineering and construction details.

A S106 Agreement to secure the following financial contributions:

- Upton Valley Way East/Nectar Way/Corrolla Way - £50,000 contribution payable prior to occupation of the 301<sup>st</sup> dwelling.

- Hunsbury Road/Danes Camp Way/Hunsbury Hill Road - £50,000 contribution payable prior to occupation of the 301<sup>st</sup> dwelling.
  - Harlestone Road corridor improvement – contribution of £100,000 payable prior to occupation of the 301<sup>st</sup> dwelling.
- 6.2 **Highways England** – no objection. Request a contribution towards the NGMS delivered through CIL.
- 6.3 **Anglian Water** – no objection. Recommend condition for the submission and approval of a foul water drainage strategy.
- 6.4 **Environment Agency** – no objection.
- 6.5 **Lead Local Flood Authority** - No objection subject to conditions for a surface water drainage scheme, details of maintenance and upkeep of the proposed scheme and reserved matters complying with the approved scheme.
- 6.6 **Public Protection** – recommend condition in respect of unexpected contamination, a scheme for the assessment and appropriate mitigation as necessary for the impact of road noise on proposed occupiers, a Construction Environment Management Plan, noise and odour control and mitigation in relation to the proposed local centre, and mitigation measure in respect of air quality impacts to include the provision of EV charging points throughout the development, provision/upgrade of bus service to a Euro VI bus, and promotion of sustainable transport measures through a Travel Plan.
- 6.7 **NBC Conservation** – no objection, the revised Heritage Statement now includes an assessment of the significance and impact of the development on the heritage assets closet to the site, and the information now submitted, and conclusions drawn from it are appropriate and acceptable.
- 6.8 **Historic England** – no objection subject to appropriate consideration of heritage assets in accordance with statutory requirements.
- 6.9 **NCC Archaeology** – no objection in principle, subject to appropriate mitigation in respect of archaeological interests within the site, and conditions to ensure archaeological investigation is undertaken within the development parcels in a coherent manner
- 6.10 **NCC Ecologist** – no objection. The 2016 Badger Survey is very comprehensive and provides a broad picture and good idea of the complexity of the badger situation on and around the site. Because of their mobility the badgers will need regular surveying, so the report is acceptable for the purposed of the outline proposal. A condition requiring an Ecological Design Strategy for badger mitigation as each phase of the development comes forward will be required. Updated ecological surveys in general will also be required for each phase. A license will also be required from Natural England in respect of any works affecting bats. Conditions are also recommended in respect of a Construction and Environmental Management Plan, and a Landscape and Ecological Management Plan. In addition, a condition is required for mitigation in respect of barn owls in association with the proposed demolition of the farm building.
- 6.11 **Natural England** – proposal is unlikely to affect any statutory protected sites or landscapes, pleased Green Infrastructure has been designed in response to the existing landscape features and aims to deliver biodiversity enhancement. South West corner of the site is within Nene Valley Nature Improvement Area (NIA) and consideration should be given to this.
- 6.12 **Northamptonshire Badger Group** – raise concern regarding development at Norwood Farm, Upton Lodge Farm and Land West of St. Crispin Drive and the impact on the welfare of badgers and setts within these areas. There is real concern that badgers will be moved multiple times, be pushed to an area where another clan of badgers already live, or have reduced foraging areas. The badger sites in the area must be looked at holistically. Raise general concern regarding quality of ecology reports.



- 6.13 **NBC Housing Strategy** - Policy H2 of the West Northamptonshire Joint Core Strategy Part 1 (adopted 2014) requires that 35% of the dwellings on sites over 15 dwellings should be affordable housing. This is subject to a viability assessment on a site by site basis.

The Borough Council's Affordable Housing Interim Statement (2013) sets out the Council's position on affordable housing in more detail including the Tenure Split (Key Principle 7), the Size of Property (Key Principle 8) and the Affordable Housing Clustering and Phasing (Key Principle 10).

A range of sizes and types of dwellings should be provided on the site to reflect the needs of the Borough, however there is a particular need for houses for families providing 2 and 3 bedroom accommodation with private garden space. In addition, there is an identified need for housing for older people and supported housing. As far as possible this specific housing should be close to services and facilities such as local centres, health facilities including a GP and pharmacy, bus stops and provide attractive and safe walking routes.

- 6.14 **Northamptonshire Police** – recommends rear parking courts are restricted unless adequately secured, the design of the estate should comply with Secure by Design principles, play space should be overlooked but separated from the nearest dwellings by a well-used road to reduce noise nuisance by inappropriate use. Preference for bigger 'destination' parks and green spaces.
- 6.15 **Sport England** - no objection, subject to a financial contribution towards the provision of off-site sports facilities.
- 6.16 **Construction Training** - request the provision of 2275 training weeks and a financial contribution.
- 6.17 **NHS England** - request a financial contribution towards primary healthcare provision to mitigate impacts of development.
- 6.18 **NCC Development Management** - request the provision of a 1.9ha primary school site and a contribution towards primary provision, advise secondary education contributions would be sought through CIL, request contributions towards fire and rescue infrastructure costs, a condition for the provision of fire hydrants, a contribution towards enhancement of library facilities.
- 6.19 **NCC Planning Policy** - the Minerals Safeguarding report accompanying the application demonstrates the proposal meets Policy 32 of the Northamptonshire Minerals and Waste Local Plan (MWLP). The developer should monitor this and the volumes of mineral that are extracted.
- 6.20 **South Northamptonshire Council** – recommend the provision of 35% affordable housing, recommend study area of heritage assets is widened to 5km, request NBC ensure approved parameter plans show the Sandy Lane Relief Road (SLRR) within the Upton Lodge site up to the boundary with the Norwood Farm site and a requirement that the SLRR is constructed up to the boundary with the Upton Lodge site (by condition and S106) using co-ordinates; request to be party to S106 discussions in relation to off-site open sports provision; consideration of secondary school provision, submission of phasing plan and lighting assessment should be provided as part of EIA.
- 6.21 **Upton Parish Council** – Already dissatisfaction with residents about lack of local facilities in area, e.g. secondary schools, NHS provision, local shopping amenities, public transport, and leisure services to enhance social cohesion. It should be ensured that essential services are actually providable. Unreasonable environmental impact, given scale of development. Increase in traffic, due consideration must be given to ensure traffic flow is maintained with joined up thinking. The south/north spine road should be a limited access dual carriageway Parish consider the approval of plans that disregard the JCS sets a dangerous precedent for the area.
- 6.22 **Harpole Parish Council** – raise concern regarding the provision of hospital facilities, advise medical centre and other infrastructure should be put in place before housing is built; badgers frequent the area and need to be considered; 'road to nowhere' needs to be completed to take

excess traffic; question whether it complies with Strategic Development Framework; drainage in area needs improving; difficult to look at this development in isolation of all the other developments.

6.23 **Ramblers Association** – Right of Way Bridleway Upton LB1/ Harpole KP16 runs along the eastern and northern boundaries of the site. An assurance is given this will be retained on the northern side by integrating it with the green links and open spaces. No objection subject to satisfactory safeguarding of use of the bridleway by equestrians.

6.24 **National Grid** – no objection.

6.25 15 representations have been received. Comments are summarised as follows:

- Encroachment on natural green land, why not develop brownfield sites within Northampton
- Loss of open space
- Impact on wildlife
- Hope hedge by allotments will be retained
- Increased impact on traffic congestion and struggling traffic network
- Increased pollution
- St. Crispin's Drive will have number of feeder roads to proposed development. The road currently has a large amount of school traffic which also park along the road. Additional roads joining this will reduce parking and increase risk to pupils and wider community due to traffic collision.
- Junction on St. Crispin's Drive will cause further congestion, a roundabout should be considered
- Need to ensure suitable parking provision
- No provisions for Secondary School children
- Doctors to service a medical centre
- School, shops, surgery and community facilities should be in place before houses
- Concern regarding noise and dust that will emanate from building work
- Absurd that any further development at St. Crispins is being considered, until original Hospital site and Clock Tower are redeveloped
- Development of site would encroach on villages
- Pumping station details to cope with this development
- Noise assessment does not take into account other planned development in the area
- Broadly supportive of development, but walking and cycling measures are weak

## 7 APPRAISAL

### Background and Context

7.1 The application site forms part of a larger site allocated under Policy N9A of the JCS as Northampton Norwood Farm/Upton Lodge Sustainable Urban Extension. The policy overall sets out the following requirements:

- In the region of 3,500 dwellings;
- 2 primary schools;
- A local centre to include local retail facilities of an appropriate scale (including a small convenience store), health care services and community facilities;
- Local employment opportunities;
- Sandy Lane Relief Road Phase 2;
- Integrated transport network focused on sustainable transport modes, including public transport, walking, and cycling with links to adjoining area, employment areas and Town Centre;
- Structural greenspace and wildlife corridors, including provision of country park;
- Open space and recreation provision;

- Archaeology, ecological and ground stability assessment and required mitigation; and
  - Flood risk management
  - Necessary infrastructure to be phased alongside development.
- 7.2 An outline application for development of the Norwood Farm part of the allocated site for a Sustainable Urban Extension for up to 1,900 dwellings, mixed use local centre and community facilities, primary school, and associated infrastructure and open space is under consideration by South Northamptonshire Council with 'approval in principle' subject to the completion of a S106 Agreement.
- 7.3 In addition to this, 'approval in principle' subject to the completion of a S106 Agreement was granted by Northampton Borough Council Planning Committee in January 2019 for a smaller parcel of land within the N9a allocation for residential development of 118 dwellings. Negotiations are currently ongoing in respect of the S106 Agreement.
- 7.4 Furthermore, Northampton West SUE (Policy N4) within Daventry District, to the north of Norwood Farm, is allocated for up to 2,550 dwellings with outline applications for part of the allocation currently under consideration. Upton Park SUE, situated to the south of the Upton Lodge site within Northampton Borough, has planning permission for 860 dwellings.
- 7.5 All the sites referred to above form part of a significant part of proposed housing delivery within the Northampton Related Development Area on the western fringe of Northampton allocated for development in the WNJCS.
- 7.6 The principal issues for consideration in relation to the Upton Lodge scheme are:
- The principle of development
  - Community consultation
  - Design and layout
  - Landscape and visual impact
  - Highways
  - Open Space
  - Ecology and Green Infrastructure
  - Impact on heritage assets
  - Flood risk and drainage matters
  - Air quality, noise and contamination
  - Education
  - Healthcare
  - Local centre, retail and community infrastructure provision
  - Planning obligations and Community Infrastructure Levy (CIL)

### **Principle**

- 7.7 The NPPF advises that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework places considerable importance on the need to have an up-to-date development plan and, that where the development plan is out of date, Local Planning Authorities are advised to grant planning permission unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Paragraph 8 of the NPPF seeks to ensure the planning system maintains the provision of a sufficient number and range of homes to meet the needs of present and future generations.
- 7.8 Paragraph 11 of the NPPF advises that relevant policies for housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five year housing land supply which is currently the case for the Borough. Therefore, in accordance with the presumption in favour of sustainable development, as outlined in Paragraph 11, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

- 7.9 The site is allocated for development under Policy N9a of the adopted JCS as referred to above and, as such, it is considered that the site's identification as a SUE should be given significant weight.
- 7.10 In this context, it is considered that the development of the site is broadly compliant with policy, would make a significant contribution towards the Council's housing requirements and that the proposal accords in principle with the overriding aims of the NPPF for the provision of housing and the Council's obligations to ensure a 5 year housing land supply as required by the Government.
- 7.11 In addition, the development of the site would also make a positive contribution to the Borough in terms of generating income through the New Homes Bonus and Council Tax.

### **Community Consultation**

- 7.12 The applicant carried out public consultation in October 2016 comprising a leaflet drop of 5,000 flyers within the vicinity of the site, advertisement in the local newspaper and two public exhibitions. The planning application has also been subject to consultation in accordance with statutory requirements. In addition, the allocation of the site as a SUE was the subject of extensive public consultation during the drafting and adoption of the JCS, and was considered as part of the Examination in Public

### **Design and Layout**

- 7.13 The NPPF advises that good design is a key aspect of sustainable development and should contribute positively to making places better for people, creating safe, inclusive and accessible places that promote health and well-being, with a high standard of amenity, and providing opportunities to promote walking, cycling and public transport. Policy S10 of the JCS seeks to achieve high standards of design and promotes the use of sustainable development principles in relation to access to facilities, alternative transport methods, waste generation and building methods.
- 7.14 The application is submitted in outline with access for approval, and therefore the detailed design of the proposal in terms of layout, appearance, scale and landscaping would be a matter for consideration at reserved matters stage.
- 7.15 The proposal is accompanied by a Design and Access Statement, an illustrative Masterplan and a number of parameter plans which sets out the broad parameters for development going forward, and Members need to consider whether these development parameters form an appropriate framework for the future development of the site. A detailed Design Code and Masterplan covering the whole site would be required by condition based on these submitted details prior to the submission of any reserved matters application and also responding to the recommendations in Building for Life 12. A condition would also require that Secure by Design standards are achieved throughout the site. The approved Design Code would seek to ensure a consistent approach throughout the development to design, layout and use of materials and identify key areas for design consideration within the site, such as the local centre.
- 7.16 The submitted plans outline a broad framework of land uses. The majority of the site is proposed for residential interspersed with green infrastructure comprising areas of open space, some incorporating Sustainable Urban Drainage Systems (SuDS), play areas, woodland, and green corridors providing links through the development to the surrounding area. A 1.9 hectare (ha) site is proposed for the provision of a primary school, and a 0.9 (ha) site for a local centre and community facility provision, located centrally in the site adjacent to the Upton Lodge Farm buildings proposed for retention and possible community use.
- 7.17 In respect of the residential development, density throughout the site would range from 20-30 dwellings per hectare (dph) to 40-50 (dph) around parts of the SLRR and at the entrance to the site. Building heights would range from predominantly 2-2 ½ storeys, with heights increasing to 3-4 storeys in parts of the site. The Design and Access Statement suggests a number of character

areas within the development which would vary throughout the site with density and building heights at a 'Gateway' entrance to the site from Weedon Road being increased, and similarly along the SLRR, with lower densities and building heights throughout the 'urban core' of the site and lower densities again on 'parkland' edges. These indicated densities and building heights are a maximum and a full assessment of their acceptability would be carried out at reserved matters stage in relation to impacts on the character of the surrounding area and impact on neighbouring amenity.

- 7.18 The primary roads throughout the site would comprise the SLRR which would run through the site in a north westerly direction from Weedon Road in the western section of the site. In addition, a spine road would run eastward from the SLRR to St. Crispin Drive which would form the main axis of movement for the new development and is also proposed as the bus route. Secondary routes will then radiate from these primary routes. Footways and cycleways are proposed along these primary routes which, together with additional green links provide connectivity to the wider area. Full details of the road layouts and pedestrian and cycle routes/links would be agreed at reserved matters stage.

### **Landscape and Visual Impact**

- 7.19 The NPPF seeks to ensure that planning protects and enhances our natural, built and historic environment contributing to conserving and enhancing the natural environment. These aims are reflected in Policies S10 and BN5 of the JCS which seek to protect the character and structure of the landscape from adverse visual impacts.
- 7.20 The site comprises an area of undulating predominantly arable land with levels rising to the north eastern corner and towards the built up area of St. Crispins. Due to this increase in height and lower land levels towards the River Nene, the site is clearly visible from the south.
- 7.21 The principle of development of the site and wider Norwood Farm site has already been accepted through the allocation of the site for a SUE under the JCS, and the visual and landscape impacts were considered as part of that. The Inspector accepted that the development would have visual and landscape impacts, but these were outweighed by the need for sustainable housing in order to meet established need.
- 7.22 The design seeks to integrate development into the wider landscape with the Masterplan structured around character corridors of open space and green infrastructure spines which cross the site, and would run alongside the SLRR. Two areas of existing woodland, one around Upton Lodge Farm, and the other on the north eastern boundary of the site would be retained, as would existing hedgerows around the majority of the site.
- 7.23 The built form of the proposed development would be seen in the context of existing development at St. Crispins, Berrywood and Princess Marina, and the future Norwood Farm development, and as an extension of the urban edge of Northampton.
- 7.24 It is inevitable that the landscape character would change significantly with the development of the site. However, these impacts need to be weighed against the requirement for growth. The provision of sufficient and appropriate green infrastructure throughout the site and sensitive design of layout and building heights at reserved matters stage would assist in mitigating some of the impact on the existing landscape.

### **Highways**

- 7.25 The application is in outline with access for consideration.
- 7.26 Paragraph 109 of the NPPF advises that development should only be prevented or refused on highway grounds if there would be unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy N9A of the JCS requires the SUE

to mitigate the impacts of the proposed development on the highway network and provide an integrated transport network focused on sustainable transport modes.

- 7.27 The main vehicular access to the site would be from Weedon Road via the existing junction and built section of the SLRR, and via a new access from St. Crispin Drive to the east. The existing vehicular access serving the bungalow at Upton Lodge would be retained to serve the bungalow only.
- 7.28 The application is accompanied by a Transport Assessment (TA) in accordance with the requirements of the NPPF. The submitted TA, and subsequent revisions received, have assessed the impact of the proposed development on the existing local highway network and includes an assessment of traffic impacts with both the Norwood Farm and Upton Lodge development coming forward with the SLRR, and an assessment of the implications of the Upton Lodge development as a standalone development without the SLRR. The submitted details have been assessed by the Highway Authority and Highways England.

#### Sandy Lane Relief Road (SLRR)

- 7.29 In respect of the SLRR, a section of this road has already been constructed towards the south of the site, which is wholly within the Upton Lodge site with the exception of a small section up to the northern boundary of approximately 28m in length. Whilst this has been constructed, it only forms part of the intended wider system of highway improvements. This is of particular importance owing to the current design, and level of usage, of the original Sandy Lane, which runs west of the site.
- 7.30 A key element of the development, and the bringing forward of other allocations, is the timely provision of the SLRR in its entirety. It is intended that this would run from Weedon Road through to the north of the site, upon which the road would enter the Norwood Farm development (Approved in Principle by South Northamptonshire Council), and then subsequently join Berrywood Road. As a consequence, the delivery of this road is of significant importance in mitigating the impacts of this development, whilst also directly contributing to the delivery of other key development sites that would contribute to addressing the shortfall of housing within Northampton.
- 7.31 As a consequence, a number of discussions have taken place between the Council, the applicant and the Highway Authority. Following the completion of these negotiations, the agreed position is that the applicant would, through the Section 106 Agreement, enter into an obligation that would compel the final developer to complete the missing link of the SLRR within the Upton Lodge site prior to any house building taking place. This would include bringing the existing spur up to contemporary standards.
- 7.32 This mechanism would therefore ensure that this section of the SLRR would be ready for residents to use upon moving into the development. Furthermore, the provision would also accelerate the delivery of the adjacent Norwood Farm site (which as set out above has been 'Approved in Principle' by SNC). This accelerated delivery would enable the developer of that site to complete their section of the SLRR at an earlier stage in the proceedings, thereby joining Weedon Road and Berrywood Road. In respect of the Norwood Farm development, it is understood that mechanisms are proposed to ensure the completion of the section of the SLRR prior to occupation of the 550<sup>th</sup> dwelling within this development. As a consequence, it is concluded that there is a robust mechanism for ensuring that the SLRR can be delivered in its entirety at a comparatively early stage in the development process than might otherwise be the case. This therefore ensures that the long term impacts upon the wider highway system are diminished.
- 7.33 In order to ensure that the SLRR is effective, in addition to including trigger points for the completion of the link of the SLRR, it is also necessary to include mechanisms by which the specification, route and levels for this piece of highway can be controlled. This is imperative as the application is made in outline form and, whilst an indicative route has been submitted to the Council as part of the planning application, this is subject to change as the design of the development is finalised through the submission of Reserved Matters applications. Therefore, to be wholly effective the road does need to join with the Norwood Farm development in a safe manner.

- 7.34 Separate to the preceding conclusion, it is a certainty that the delivery of the development would increase the usage on the surrounding road network. This is likely to also increase pressure on existing junctions. The applicant has submitted a suite of documents that highlight potential improvements to junctions within the vicinity. These have been reviewed by the Highway Authority, and the conclusions are that off-site highway measures as detailed in paragraph 6.1 of this report are required in order to ensure that the highway impacts of the development are sufficiently mitigated.
- 7.35 Given that this is an outline planning application, subsequent applications would need to be submitted to the Council for Reserved Matters consent. This would, in addition, to finalising the layout of the development, and design of buildings, would include the precise details of car parking provision. This would enable an appropriate provision to be considered and secured in order to prevent any significant adverse impact on the surrounding highway system, and to prevent the displacement of vehicles onto surrounding developments, which would not be desirable.
- 7.36 The above highway mitigation measures would be secured by condition and as a S106 obligation.
- 7.37 In respect of public transport provision, it is intended that the first phase of development (of no more than 300 dwellings) will utilise the existing bus service on Kent Road which provides access to the Town Centre. This will necessitate the provision of two bus stops at the bottom section of Kent Road. In addition, a new bus service will be required through the development along the spine road with the provision of bus stops and associated infrastructure to be required by condition/S106.
- 7.38 The application is supported by a Framework Travel Plan which sets out a broad framework for sustainable transport measures for the site including Travel Packs issued to all new residents, information on car share initiatives, promotion of bus services and public transport. A more detailed Travel Plan and associated monitoring costs will be required by condition or as part of the S106 Agreement.
- 7.39 Public Right of Way Bridleway Upton LB1/ Harpole KP16 which runs along the outside edge of the northern boundary of the site will be retained along its existing alignment. It is understood that mechanisms will be put in place to provide a Pegasus and toucan crossing where the bridleway crosses the SLRR within the Norwood Farm development.
- 7.40 A Construction Environment Management Plan will be required by condition in order to agree the route of construction traffic, site compounds and construction matters are appropriately mitigated to ensure there is no unacceptable adverse impact on the surrounding road network and amenity.
- 7.41 The proposed mitigation measures outlined above are considered sufficient to mitigate the highway impacts of the development such that it would not lead to a severe cumulative residual impact on the highway network in accordance with the requirements of the NPPF and, therefore, the development is considered acceptable in this regard.

### **Open Space**

- 7.42 The indicative parameters submitted with the planning application include the provision of approximately 24 hectares of open space comprising areas of strategic landscaping, Sustainable Urban Drainage Systems (SuDS) including balancing ponds, amenity green space, and play space which would also include suitably equipped children's play areas. This is of particular importance owing to the fact that the development is of a significant size and a notable proportion of family housing would be envisaged within the development.
- 7.43 Given that this is an outline planning application, whilst the broad locations of open space are indicated in the Illustrative Masterplan, the precise locations of these areas is yet to be fully defined. However, in order to provide certainty of an appropriate level of provision throughout the site, the Section 106 Agreement will include a minimum level of open space provision and

typologies that is to be included across the final, finished development, including, where necessary, appropriate play equipment. The Section 106 Agreement will also include for a mechanism to be agreed that would ensure that these spaces are appropriately maintained throughout the life of the development.

- 7.44 Originally, Sport England raised a holding objection to the development particularly due to the lack of on-site sports provision. The possibility of including on site sports provision has been discussed with the applicants. Unfortunately, it has been confirmed that owing to the general topography of the site, which slopes quite noticeably over the confines of the site, it is has not been possible to secure such provision on-site.
- 7.45 In order to respond to the points raised by Sport England, it has been agreed that the developer, through the Section 106 Agreement, would make a financial contribution to the Council in order to fund the provision and/or enhancement of sports facilities within the general vicinity of the site. The Section 106 Agreement would prescribe the geographical areas in which the contribution could be utilised. This mechanism therefore provides certainty that the financial contribution would be used to directly mitigate the impacts of the development and to provide infrastructure for the future occupiers. As a consequence, and following further discussions, Sport England have removed their objection to the proposed development and as such, planning permission could not be reasonably resisted on this basis.
- 7.46 The detailed layout of open space would be a matter for consideration at reserved matters stage. The provision of an appropriate level and type of open space, including SuDS, and the management of such spaces would be secured by way of a Section 106 obligation.

### **Ecology and Green Infrastructure**

- 7.47 Section 15 of the NPPF seeks to ensure that planning decisions contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. If significant harm to biodiversity resulting from development cannot be avoided, or adequately mitigated, planning permission should be refused. Policy BN2 of the JCS seeks to ensure development maintains and enhances existing designations or delivers a net gain in biodiversity, with appropriate weight attached to the status of any sites affected.
- 7.48 The Green Infrastructure Framework Plan submitted with the application indicates areas of greenspace throughout the site comprising areas of strategic landscaping, amenity green space, play areas and the provision of green links throughout the site and to the wider area. The proposal includes the provision of a green buffer along the northern boundary and western boundaries, and a green link running north/south which seeks to retain existing hedgerows where possible, and an existing orchard to the north of Upton Lodge Farm. The existing area of mature woodland to the east of the site is also proposed for retention. The existing Bridleway KP16/LB1 outside the northern boundary of the site would be retained along its existing alignment.
- 7.49 The Environmental Statement (ES) and supporting surveys have assessed the ecological impacts of the proposed development. The application site has no specific designations in this regard, and the ES identifies that the site falls outside of the zone of influence in respect of the Upper Nene Gravel Pits Special Protection Area, located approximately 5.3km to the west of the site, but notes that there are 17 locally designated wildlife sites within 2km of the application site. The application is also supported by a Preliminary Ecological Appraisal completed in February 2016, a number of species surveys completed in 2016, an updated Badger Survey completed in January 2019 for part of the site, and an Arboricultural Report.
- 7.50 The site is subject to a variety of habitat types including arable land, hedgerows, woodland, watercourses, an orchard and buildings. Notably, surveys identified the presence of a barn owl roost within the site, and the presence of bats within buildings and surrounding habitats. In addition, three active badger setts were identified on site, two main and one subsidiary. The surveys indicated no presence of water vole, great crested newts or reptiles within the site.



- 7.51 In respect of potential mitigation, existing vegetation is proposed to be retained and enhanced along the boundaries of the site, including two hedgerows running north/south centrally through the site, an area of grassland to the west retained as open space, and two existing areas of woodland, along with the provision and enhancement of green links throughout the site which would all assist in providing areas for foraging and commuting for species within the site.
- 7.52 Whilst it is acknowledged that a number of the surveys submitted with the application are now dated, due to the size of development proposed and in view of the potential build out period of approximately 10 years, and that there is potential for a change and movement of species present on site over time, it is considered appropriate that updated surveys are required with each reserved matters submission. In addition, conditions are proposed for a Construction and Ecological Management Plan to ensure impacts during construction are appropriately mitigated, the submission of a site wide Landscape and Ecological Management Plan (LEMP), and for an Ecological Design Strategy for badger mitigation as each phase of development comes forward. A license will also be required from Natural England in respect of any works affecting bats, and a condition is also proposed to ensure appropriate and timely habitat is provided in respect of the barn owl present on site within the existing farm building prior to demolition. Subject to such conditions, the County Ecologist has no objection.
- 7.53 The development of the site will have inevitable ecological impacts, however the site is not subject to any nationally important landscape designation. The provision of open space and green links throughout the site, the detail of which would be considered alongside updated ecology surveys, would assist in ensuring appropriate mitigation and habitat creation within the new development such that the development would not lead to any significant adverse impact on ecological interests.

#### **Impact on Heritage Assets**

- 7.54 Section 16 of the NPPF advises on the need to conserve heritage assets in a manner appropriate to their significance, giving great weight to the asset's conservation. Where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal, including where appropriate, securing its optimum viable use. Proposals within the setting of heritage assets should look for opportunities to enhance or better reveal their significance. Policies S10 and BN5 of JCS seek to conserve and enhance designated and non-designated heritage assets.
- 7.55 St. Crispin Conservation Area is located to the north of the site containing two Grade II listed buildings, Connolly Lodge and The Chapel, beyond which to the north east is Duston Conservation Area. Harpole and Kislingbury Conservation Areas are located to the west and south west respectively within South Northamptonshire. To the south of the site, beyond Weedon Road is a Scheduled Ancient Monument, Upton Deserted Medieval Village, and Upton Hall and Church of St. Michael, both Grade I listed, and Park House, Grade II listed.
- 7.56 Due to the variation in land levels throughout the site, physical distance and the presence of existing development and mature trees within the locality, it is not considered the proposed development would lead to any undue impact on the character and setting of heritage assets. NBC Conservation officer raises no objection to the development, advising that the assessment submitted, and conclusions within are acceptable.
- 7.57 In respect of archaeological interest, evaluation of the site has identified that the site contains archaeological remain that require further investigation before the site is developed. Surveys indicated the possible presence of areas of possible prehistoric of Romano-British settlement and agricultural activity, as well as possible ditches and furrows and other features from later periods, and field enclosures dating from late Iron Age of early Romano-British period.
- 7.58 The County Archaeologist raises no objection in principle to development of the site, subject to appropriate mitigation in respect of archaeological interests within the site, and conditions to ensure archaeological investigation is undertaken within the development parcels in a coherent

manner. Discussions are ongoing in respect of appropriate conditions and will be reported to Committee on the Addendum to this agenda.

### **Flood Risk and drainage matters**

- 7.59 The NPPF seeks to ensure that in determining development proposals flood risk is not increased elsewhere and that development does not contribute to or is put at risk from unacceptable levels of water pollution. Policy BN7 of the JCS states that all new development should demonstrate that there is no increased risk of flooding to existing properties and should seek to improve existing flood risk management. Surface water management incorporating sustainable drainage techniques should be accompanied by a long term management plan and protect and enhance water quality.
- 7.60 The site falls within Flood Zone 1 comprising land of having less than 1 in 1,000 annual probability of flooding from rivers or seas. The principal risk of flooding is considered to be from surface water run-off as a consequence of reducing the permeable surface of the site which is currently greenfield.
- 7.61 Ground levels vary throughout the site but generally fall from north to south with the lowest ground levels located in the southwest corner of the site. An unnamed watercourse situated along the western boundary of the site, which it is understood originates from a natural spring located downstream of the Norwood Farm buildings, leaves the site at this lowest point and discharges into the River Nene to the south of the application site. As part of the proposed development this watercourse would be diverted into a pond before being directed under Weedon Road and re-joining its original course to the River Nene.
- 7.62 Low lying areas within the site adjacent to Weedon Road and near Weedon Road/St Crispin Drive shown to be at high risk of flooding from surface water are either not proposed for development or allocated for SuDS.
- 7.63 The application is supported by a Flood Risk Assessment (FRA) that sets out a scheme for the use of above and below ground SuDS features to intercept surface water run-off and store excess water within the site. The surface water drainage strategy has been designed to accommodate surface water run-off from the site for 1 in 200 year plus climate change (an additional 40% allowance for increases in rainfall intensity due to climate change). Attenuation would comprise local soakaways, permeable paving, above ground attenuation ponds and a below ground attenuation tank.
- 7.64 The submitted FRA indicates that new drainage networks located within public highways would be offered for adoption by Anglian Water, with above ground SuDS features likely to be maintained privately by a suitable maintenance company.
- 7.65 The Environment Agency, Lead Local Flood Authority, and Anglian Water raise no objection to the development proposals subject to appropriate drainage conditions.

### **Air Quality, Noise and Contamination**

- 7.66 The NPPF seeks to ensure that development is appropriate for its location in respect of pollution and contamination and impacts of noise arising from development are minimised. Policies S10 and BN9 of the JCS seek to ensure new development minimises pollution from noise, air and run off.
- 7.67 Impacts on existing air quality are likely to arise from the proposed development as a result of traffic and dust during the construction phase, and traffic during the operational phase. A condition is proposed requiring the submission and approval of a Construction Environment Management Plan (CEMP), and measures are proposed through the provision of EV charging points throughout the development, the provision of a Euro VI bus service, and promotion of sustainable transport measures through the Travel Plan. Such measures would be secured either through conditions and/ or a S106 Agreement. Matters relating to the energy efficiency of buildings are addressed

under the Building Regulations. As all new properties have to comply with these, the proposal complies with Policy S10 of the JCS.

- 7.68 Noise sources from the proposed development are likely to include construction noise, noise from plant and machinery and deliveries associated with commercial uses, noise from the local centre, and from roads and other non-specific noise sources. The CEMP will be required to address noise issues during construction. Proposed commercial uses within the local centre will be assessed as part of a reserved matters submission when layout details are known and proximity to residential properties can be fully assessed and conditions applied as appropriate in respect of both noise from plant and machinery, deliveries and odour.
- 7.69 In respect of contamination, a condition is proposed to ensure mitigation in respect of any unexpected contamination.

### **Community Considerations**

- 7.70 Section 8 of the NPPF seeks to ensure new development promotes healthy and safe communities that provide opportunities for social interaction, enable and support healthy lifestyles, plan positively for the provision and use of shared spaces, community facilities including shops and other local services, and ensure that a sufficient choice of school places is available.

#### Education

- 7.71 The application includes the provision of a 1.9 ha site for a 2-form entry primary school located centrally within the site adjacent to the local centre. In addition, the County Council request a financial contribution towards the provision of the school, both of which would be secured through a S106 Agreement.
- 7.72 Secondary education forms part of the Councils CIL Regulation 123 requirements and would be considered alongside other requirements on the Council's CIL list.

#### Healthcare

- 7.73 A financial contribution to mitigate the healthcare impacts arising from the development has been requested by NHS England. The contributions would be secured through a S106 obligation, and NHS England has indicated at this time that contributions would be directed towards enhancement of the existing healthcare facility at St. Luke' Medical Centre.

#### Local Centre/ Community Facilities

- 7.74 The NPPF at Section 7 seeks to ensure the viability and vitality of town centres is maintained by directing town centre uses, such as retail and leisure, to these centres. Paragraph 86 requires a sequential test, and paragraph 89 an impact assessment, for main town centre uses not in an existing centre or in accordance with an up-to-date plan. Para 92 encourages positive planning for the provision and use of shared spaces and community facilities to provide social, recreational and cultural facilities and services the community needs.
- 7.75 The JCS seeks to ensure that retail uses are located primarily within the Primary Shopping Area and then other town centre locations, but recognises the need to ensure local convenience shopping is met within the wider urban area to deliver sustainable patterns of development. Policy N9a allocates the application site as a SUE and identifies the need for retail, healthcare and community facilities, recognising that such facilities should be appropriately sized (Policies S2 and N10) and not detrimentally impact other areas, including the vitality and viability of the town centre. Policy S9 requires an Impact Assessment for retail development over 1,000 sq. m gross internal floor area.
- 7.76 The development proposal includes the provision of 0.9 ha of land for a local centre and community facilities. The land includes the retention of existing farm buildings which would be

considered for conversion for community uses. The maximum total amount of retail floorspace to be provided within the Local Centre, would be 570 sq. m. including the proposed convenience store. The total retail floorspace is therefore below the threshold set by Policy S9 of the JCS requiring an Impact Assessment. The retail element of the local centre is considered of an appropriate scale to provide suitable facilities for the proposed development without impact on the vitality and viability of the Town Centre.

- 7.77 The requirement for the provision and phasing of the local centre and community uses would be subject to a S106 obligation, and precise details of the layout and design would be dealt with as part of subsequent reserved matters submissions

### **Employment**

- 7.78 The submitted Environmental Impact Assessment indicates that over an estimated 10 year build period, the development has the potential to create approximately 168 construction jobs per year. Sources may be both nationally and locally. Direct employment during the operational phase would arise from job creation within the mixed use local centre and the primary school.

### **S106 Planning Obligations and CIL**

- 7.79 Paragraph 54 of the NPPF advises that Local Planning Authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. The Heads of Terms as listed below form the basis for the formulation of planning obligations in order to mitigate the unacceptable impact of the development. It is considered that the impact of the development in terms of affordable housing, educational requirements, highway improvements, public transport provision and healthcare are all capable of being sufficiently mitigated.

- 7.80 Paragraph 56 advises the planning obligations must only be sought where they meet the following tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

- 7.81 Paragraph 57 of the NPPF advises that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances, including whether the plan and the viability evidence under pinning is up-to-date.

- 7.82 Paragraph 64 of the NPPF advises that at least 10% of the homes in major housing developments should be available for affordable home ownership. Policy H2 of the JCS requires the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.

- 7.83 The application is supported by a Viability Report which has been subject to independent assessment on behalf of the Council. The independent assessment concludes that it is reasonable to expect a developer to achieve a profit and, given the size and complexity of the scheme, it is considered current market expectation would be for a profit equating to circa 20% of market gross domestic value (GDV). The assessment concludes that the scheme could achieve a profit level of 20% and provide 15% affordable housing and S106/CIL contributions. CIL contributions are non-negotiable and would be payable on all residential and retail development within the SUE.

- 7.84 In respect of affordable housing on the site, this would comprise a tenure type of 70% affordable rent and 30% Affordable Home Ownership, the distribution of which throughout the development would be controlled through the S106 and conditions.

- 7.85 S106 Heads of Terms

- 15% affordable housing
- Highways – off-site highway improvements
- Provision of Public Transport and Infrastructure
- Travel Plan/Monitoring
- Primary school provision - 1.9 ha site for primary school for 2-form entry school and financial contribution
- Healthcare contribution
- Provision of local centre and community facilities
- Construction Futures – provision of employment training weeks and financial contribution
- Open space provision, including a contribution for off-site outdoor sports provision, and future maintenance arrangements including maintenance of SuDS
- Council's monitoring fee

(All the above S106 requirements are subject to compliance with Regulation 122 and 123 of The Community Infrastructure Levy Regulations 2010).

- 7.86 Requirements in respect of contributions towards the provision of police officers, fire and libraries are not required by planning policy.
- 7.87 The development will be subject to CIL payments which are non-negotiable. The contributions will be considered against the requirements of the Council's CIL Regulation 123 list which includes the following infrastructure: the North West Relief Road, secondary education, the Northampton Growth Management Strategy (M1/A45 junction improvements) and indoor sports provision.
- 7.88 It is disappointing to both officers and the applicant that the site is only able to achieve this reduced level of affordable housing. However, these viability issues must be weighed against the provision of much needed housing to meet the Borough's housing need and the associated New Homes Bonus, and the provision of the SLRR.

## **8 CONCLUSION**

- 8.1 The NPPF supports sustainable housing development and economic growth. The development of the site for up to 1,400 dwellings forms a significant and vital component of the Borough Council's 5 year housing land requirement. The development of the site in conjunction with the adjacent Norwood Farm site will also assist in the delivery of Phase 2 of the SLRR.
- 8.2 The site is located in a sustainable location on the edge of Northampton, which will be adequately served by the necessary infrastructure and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree. The proposal supports the sustainable growth of Northampton in accordance with the NPPF and the submitted WNJCS (as subsequently modified) and subject to the recommended conditions and planning obligations contained within the associated 106 agreement development of the site as proposed is considered acceptable.

## **9 CONDITIONS**

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") in any phase shall be submitted to and approved in writing by the local planning authority before any development in that phase begins and the development shall be carried out as approved.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the first reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission, and application for approval of all remaining reserved matters shall be made within ten years from the date of this permission.  
  
Reason: To comply with Section 92 of the Town and Country Planning Act 1990.
3. The development hereby permitted shall begin no later than two years from the date of approval of the first of the reserved matters, and development of any subsequent phase shall begin no later than two years from the date of approval of the reserved matters for that phase.  
  
Reason: To comply with Section 92 of the Town and Country Planning Act 1990.
4. The number of dwellings to be constructed shall not exceed 1,400.  
  
Reason: To accord with the requirements of Policy N7 of the West Northamptonshire Joint Core Strategy.
5. The development and all reserved matters applications shall pursuant to this permission shall not materially depart from the following plans and parameters:
  - Site Location Plan UD.10
  - Illustrative Masterplan v5a UD.02
  - Green Infrastructure Framework UD.03
  - Density UD.06
  - Access and Movement UD.04
  - Building Heights UD.07
6. Prior to submission of any reserved matters application, a detailed Masterplan and Design Code covering the whole site shall be submitted to and approved in writing by the Local Planning Authority. The Masterplan and Design Code shall be formulated having regard to the submitted Design and Access Statement, and respond to the recommendations of Building for Life 12, and shall include the following details:
  - A phasing plan for the development, including an affordable housing phasing plan;
  - The proposed movement network delineating the primary, secondary and tertiary streets and pedestrian and cycleway connections, setting out the approach to estate design, treatment of non-vehicular routes and car and cycle parking.
  - Phased layout principles to include urban structure, form and layout of the built environment, building heights, densities, legibility, means of enclosure, key gateways, landmark buildings and key groups.
  - The proposed layout, use and function of all open space within the development based on the principles set out in the submitted Green Infrastructure Strategy dated April 2018.
  - The approach to and design principles applied to parking (on street and off-street).
  - The design approach for areas within the public realm including landscaping and hard surface treatments, lighting, street trees, boundary treatments, street furniture and play equipment.
  - Servicing, including utilities, design for the storage and collection of waste and recyclable materials.
  - The design principles that will be applied to the development to encourage security and community safety.

- Design principles that will be applied to the mixed use areas, local centres and employment areas;
- External materials, to include a palette of wall and roof finishes, windows, doors, porches, heads, cills, chimneys, eaves and verges and rainwater goods
- Design principles for the incorporation of Sustainable Urban Drainage Systems (SUDS) throughout the development.
- Design principles for the incorporation of Electric Vehicle Charging points throughout the development

Thereafter, any reserved matters application for any phase of development shall comply with the principles established by the approved masterplan and within the approved Design Code.

Reason: In the interests of securing a sustainable and secure development in accordance with the requirements of Policies S10 and N7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

7. Prior to the submission of any reserved matters application, a detailed phasing plan for the development that identifies stages at which each element of the proposed development (including the local centre, open space, community facilities, open space, play equipment, primary school, housing, highway infrastructure and SUDs) shall be commenced, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the timely provision of facilities and to ensure the delivery of a sustainable and satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

8. Contemporaneously with the submission of reserved matters applications for each phase of development containing non-residential development, a sustainability strategy including pre-assessment checklist detailing a method of achievement of BREEAM “very good” (or equivalent) for any non-residential development shall be submitted to the Local Planning Authority. No development in that phase shall take place until the sustainability strategy has been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved sustainability strategy.

Reason: In the interests of the environment and to promote sustainable development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

9. As part of each reserved matters application details of existing and proposed ground levels and finished floor levels of the development in relation to adjoining land levels shall be submitted for approval in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details.

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

10. As part of each reserved matters application, a scheme shall be submitted for approval in writing by the Local Planning Authority that demonstrates how the objectives of Secured by Design have been addressed in the development as identified in the submitted Design and Access Statement. The approved details shall be implemented concurrently with the reserved matters development.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and the aims of the National Planning Policy Framework.

11. As part of each reserved matters application for each phase of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths, cycleways and private drives, including their gradients, within that phase shall be submitted to the Local Planning Authority. No development in that phase shall take place until the details have been approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

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

12. Before any above ground works commence, engineering and construction details, including co-ordinates and levels for the remaining section of the Sandy Lane Relief Road up to the northern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of any of part of the development hereby permitted.

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

13. Before any above ground works commence, engineering and construction details for the provision of the priority junction access from and the widening of St. Crispin Drive to incorporate a 6.5m carriageway width from the access to the Main Road/Kent Road Roundabout, shown indicatively on WYG Drawing No. 001 Rev A, and which shall include a 3m footway/cycleway, shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.

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

14. Before any above ground works commence, engineering and construction details for the provision the spine road linking the Sandy Lane Relief Road and St. Crispin Drive shown indicatively on the Illustrative Masterplan drawing no. UD.02 and the Access and Movement Plan drawing no. UD.04 shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details prior to occupation of the 301<sup>st</sup> dwelling.

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

15. Before any above ground works commence, full engineering and construction details of the following highway improvements shall be submitted to and approved in writing by the Local Planning Authority, and the works shall be carried out in accordance with the approved details as follows:

- Berrywood Road/Berrywood Drive junction mitigation, replacing the roundabout with signal control, (as shown indicatively on WYG Drawing Number 006) to be delivered prior to occupation of the 301<sup>st</sup> dwelling hereby permitted.



- A43 Swan Valley/Cobb Drive junction mitigation, implementation of partial traffic signal control ( as shown indicatively on WYG Drawing Number 007) to be delivered prior to occupation of the 301<sup>st</sup> dwelling hereby permitted.
- M1/A43/Swan Valley junction mitigation, implementation of partial traffic signal control (as shown indicatively on WYG Drawing Number 008) to be delivered prior to occupation of the 301<sup>st</sup> dwelling hereby permitted.

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

16. Details for the provision of two bus stops (with shelters and associated infrastructure) on the bottom section of Kent Road shall be submitted to and approved in writing by the Local Planning Authority and provided in accordance with the approved details prior to occupation of any of the dwellings hereby permitted.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

17. Details for the provision of marked bus stops westbound, together with the provision of marked bus stops and shelters eastbound on the Upton Lodge spine road and the neighbouring sections of the Sandy Lane Relief Road and St. Crispin Drive in 4 locations along the spine road shall be submitted to and approved in writing by the Local Planning Authority. All eastbound stops shall be equipped with real time displays. The bus stops shall be provide in accordance with the approved details prior to the occupation of the 301<sup>st</sup> dwelling hereby permitted.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

18. Prior to the first occupation of any dwelling, a full Residential Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The measures contained in the agreed Residential Travel Plan shall be carried out in accordance with the approved details.

Reason: In the interests of promoting sustainable transport methods and to ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

19. No construction work (including use of machinery and/or plant maintenance) shall be carried out on the site outside the hours of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays. No construction traffic shall enter or leave the site before 0700 Mondays to Saturdays or at any time on Sundays, Bank Holidays or other statutory holidays.

Reason: In the interests of surrounding amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

20. The development shall not commence until a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority relating to that phase. The CEMP shall include the following:-

a) The management of traffic and routing during construction: to address site access, routes within site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas, a scheme for prevention of surface water discharges

- onto the highway, a proposed Routing Agreement, followed by all construction traffic drivers, to and from the site which shall include an A4 sized map to be given to all construction traffic drivers;
- b) Location of access points for site traffic for that phase of development;
  - c) Detailed measures for the control of dust during the construction phase of development;
  - d) The location and size of compounds;
  - e) The location and form of temporary buildings, adverts and hoardings;
  - f) Details for the safe storage of any fuels, oils and lubricants;
  - g) Construction of exclusion zones to prevent soil compaction for large scale planting areas, public and school playing fields, and remediation of any soil compaction;
  - h) A scheme for the protection of areas and species of ecological interest and for the mitigation of any possible harm to such areas or species in accordance with the principles set out in the Outline Construction Ecological Management Plan dated September 2018 by Ecology Solutions Ltd;
  - i) Details of any temporary lighting;
  - j) Procedures for maintaining good public relations including complaint management, public consultation and liaison;
  - k) Measures for the control of noise emanating from the site during the construction period;
  - l) Construction Plant Directional signage (on and off site);
  - m) Provision for all site operatives, visitors and construction vehicles, loading and unloading of plant and materials;
  - n) Waste audit and scheme for waste minimisation and recycling/disposing of waste resulting from construction works including confirmation of any material exports, routing and deposition sites.

The approved CEMP and measures contained therein shall be adhered to throughout the construction period.

Reason: In the interests of the protecting the surrounding environment and amenity, and highway impacts in accordance with Policies S10 and BN9 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.

21. In the event that any of the streets associated with the residential element of the development hereby approved are not being proposed for adoption as public highway, details of a site management company and an associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of development. The streets shall be laid out and constructed to an adoptable standard to ensure safe and practicable operation, and any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

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

22. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 200 year plus climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:
- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins.
  - b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydro brakes and any other flow control devices.

Reason: To reduce the risk of flooding both on and off site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework by ensuring the satisfactory means of surface water attenuation and discharge from the site. This is a pre-commencement condition to ensure timely submission of details.

23. No development shall take place until a scheme for the maintenance and upkeep of the surface water drainage system proposed for that development site has been submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: To ensure the future maintenance of the drainage systems associated with the development and in the interests of flood prevention in accordance with the requirements of Policy BN7 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.

24. All subsequent reserved matters applications shall accord with the recommendations of the approved Flood Risk Assessment and Drainage Strategy document reference number A090070-51 Revision Version 2 dated January 2017 prepared by WYG Consultants and shall be accompanied by a certificate of compliance with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

25. Prior to occupation of each phase a Verification Report for the installed surface water drainage system for that phase shall be submitted to and approved in writing by the Local Planning Authority based on the approved Flood risk assessment and Drainage Strategy document reference number A090070-51 Revision Version 2 dated January 2017 prepared by WYG Consultants. These shall include:
- a) Any departure from the agreed design is keeping with the approved principles
  - b) Any As-Built Drawings and accompanying photos
  - c) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
  - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges.

Reason: To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site in the interests of flood prevention in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

26. Prior to commencement of development a foul water strategy shall be submitted to and approved in writing by the Local Planning Authority. No dwellings within a phase shall be occupied until the works have been carried out in accordance with the foul water strategy approved for that particular phase.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the requirements of Policy BN7 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.

27. Any unexpected suspect contamination discovered during the development of the site shall be reported to the Local Planning Authority forthwith. The unexpected contamination shall be assessed and remediated by methods agreed with the Local Planning Authority prior to the occupation of the development.

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.

28. Concurrently with the reserved matters submission for each phase, a noise assessment of the exposure of proposed residential premises based on the Noise Assessment prepared by WYG (A090070-51), with particular reference to bedrooms, based on the final building and estate layout, due to transportation noise shall be submitted to and approved in writing to the Local Planning Authority. The assessment shall take into account the likely growth of traffic over the next 15 years. Where any habitable room or outdoor amenity space cannot achieve the noise levels recommended by the World Health Organisation, a scheme to protect outdoor amenity space and any affected habitable rooms shall be submitted to the Local Planning Authority for written approval. The development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development and in the interests of residential amenity in accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

29. Concurrently with the reserved matters submission for each phase, a Low Emissions Strategy, based on the mitigation measures as detailed in the Air Quality Mitigation and Damage Cost Calculation by WYG dated July 2019, shall be submitted for that phase for approval in writing by the Local Planning Authority. The strategy should be based on the include an assessment of low emission vehicle technology and infrastructure (including electronic charging points for vehicles, rapid charging points, travel plans, bike schemes, low emission bus services and car clubs) and the integration of this technology into the development.

The Low Emissions Strategy shall contain target for emission reductions and timescale, with pollution savings quantified. The strategy shall be implemented in accordance with the strategy as approved.

Reason: In the interests of improving air quality and reducing greenhouse gases in accordance with the requirements of Policies S10 and S11 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

30. Prior to the submission of each reserved matters application, details of the need and scope for updating any protected species surveys shall be submitted for approval in writing by the Local Planning Authority. Any updated surveys shall be submitted as part of the reserved matters application. The supplementary surveys shall be of an appropriate type for the habitats and/or species present and survey methods shall follow national good practice guidelines, and shall be used to inform the preparation of ecological measures and mitigation within the a Landscape and Ecological Management Plan. The development shall be carried out in accordance with any approved mitigation measures contained therein.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policy BN2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

31. Concurrently with the reserved matters submission for each phase, a Landscape and Ecological Management Plan (LEMP) shall be submitted for approval in writing by the Local Planning Authority.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(s) responsible for its delivery. The plan shall also set out (*where the results from monitoring show that conservation aims and objectives of the LEMP are not being met*) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

32. No development shall take place until an Ecological Design Strategy (EDS) addressing mitigation for development impacts on badgers has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Extent and location/area of proposed works on appropriate scale maps and plans.
- e) Type and source of materials to be used where appropriate, e.g. native species of local provenance.
- f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
- g) Persons responsible for implementing the works.
- h) Details of initial aftercare and long-term maintenance.
- i) Details for monitoring and remedial measures.
- j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

33. No development shall take place (including any demolition, ground works, and site clearance) until a method statement for barn owl mitigation (in accordance with paragraph 6.1.4, Upton Lodge Northamptonshire Daytime Bat and Barn Owl Assessment by WYG and dated December 2016) has been submitted to and approved in writing by the Local Planning Authority. The content of the method statement shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);

g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details at least six months prior to works to or demolition of any buildings on site, and shall be retained in that manner thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

34. Any works to existing buildings to be retained on site within Upton Lodge Farm shall not in any circumstances commence unless the Local Planning Authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
  - b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
  - c) a statement in writing from a suitably qualified ecologist to the effect that (s)he does not consider that the specified activity/development will require a licence.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN2, S10 and Policy N7 of the West Northamptonshire Joint Core Strategy.

35. No development shall take place in each phase of development until an Arboricultural Method Statement, in accordance with BS 5837:2012 "Trees in relation to Design, Demolition and Construction – Recommendations", including details of timing of all proposed tree works to any tree or hedge on, or, if consent obtained, adjacent to, the site and replacement tree planting, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development of each phase of development shall be carried out in accordance with the approved details.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

36. No equipment, machinery or materials shall be brought onto the site for the purposes of the development until details of the proposed type, and a plan of the proposed position of, measures for the protection of trees and hedges that are to be retained on the site, in accordance with BS 5837:2012 'Trees in relation to Design, Demolition and Construction – Recommendations', have been submitted for approval in writing by, the Local Planning Authority for that phase of the development. The measures identified, including tree protection barriers, shall be implemented in accordance with these details and shall remain in place until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored, disposed of, or placed, nor fires lit, in any area fenced in accordance with this condition and the ground levels within these areas shall not be driven across by vehicles, altered, nor any excavation made (including addition/removal of topsoil/subsoil) without prior written consent of the Local Planning Authority.

Reason: To ensure the appropriate protection of trees and hedgerows within the site in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

37. The development hereby permitted shall include a single anchor convenience store (Use Class A1) of no more than 294 square metres (gross internal floor area) and no more than four retail units (which shall be used for purposes falling within Use Classes A1, A2, A3, A4 and A5) of no more than 69 square metres each (gross internal floor area).

Reason: In the interests of viability and vitality of the hierarchy of retail centres in accordance with the requirements of Policies N9a and N10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

10.1 N/2017/0091.

## **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.

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**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1212

**LOCATION:** Howdens Joinery  
Liliput Road

**DESCRIPTION:** Outline Application (with access details) for the demolition of existing building and structures and redevelopment to provide new warehouse and distribution floorspace (Use Class B8) with ancillary office accommodation, access from Liliput Road, with service yards, parking, landscaping and other associated infrastructure

**WARD:** Nene Valley Ward

**APPLICANT:** Newlands Development Limited  
**AGENT:** Oxalis Planning Ltd

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Major application requiring a S106 agreement

**DEPARTURE:** No

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## APPLICATION FOR DETERMINATION:

### 1. RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to a Section 106 legal agreement to secure:

- Contribution to construction training.

1.2 and subject to the conditions as set out below and for the following reason:

The proposal would not have an undue detrimental impact on the appearance and character of the wider area, nor result in any undue harm to residential amenity, parking, flood risk and highway safety. The proposal therefore accords with the National Planning Policy Framework; The proposal therefore accords with the National Planning Policy Framework; Policies E1, S7, S8, S10, BN2, BN7 and BN9 of the West Northamptonshire Joint Core Strategy; and Policies B5, B14 and E20 of the Northampton Local Plan.

### 2 THE PROPOSAL

- 2.1 The application is for outline consent for the demolition of the existing buildings on site and the redevelopment to provide new warehouses and distribution floorspace with ancillary offices (use class B8). The only matter under consideration within this outline application is the access to the site, with appearance, landscaping, layout and scale reserved matters.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located on the western and northern sides of Liliput Road, near the A428, within the Brackmills Industrial Estate. The site comprises a large warehouse building with associated parking and currently has four existing vehicle access points from Liliput Road. The current occupiers of the building are moving elsewhere leaving the building vacant.

### **4 RELEVANT PLANNING HISTORY**

- 4.1 N/2020/0137 - Request for Environmental Impact Assessment (EIA) Screening Opinion for proposed redevelopment of land (new employment development) at Liliput Road, Brackmills Industrial Estate – EIA not required.

### **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.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 - Design

#### **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:

E1 Existing employment areas

Policy S7 Provision of Jobs

Policy S8 Distribution of Jobs

S10 Sustainable Development Principles

S11 Carbon emissions

Policy BN2 Biodiversity

Policy BN7 - Flood Risk

Policy BN9 – 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)  
Policy B5 – Development at Brackmills  
Policy B14 – Use in Business areas  
Policy T12 – Servicing

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

Northampton Parking SPD (2019)  
Northamptonshire Parking Standards (2016)  
Planning out Crime in Northamptonshire SPG 2004

### **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Northampton Borough Council Public Protection** – No objection subject to conditions on contamination, noise, and air quality.
- 6.2 **Northampton Borough Council Arboricultural Officer** – No objection. Conditions requiring tree method statement and protection plan required.
- 6.3 **Northamptonshire County Council Highways and Access** – Request conditions that development is laid out in accordance with submitted plans, that a CEMP is required, and that a travel plan is required.
- 6.4 **Northamptonshire County Council Ecology** – No objection. Recommend condition on soft landscaping
- 6.5 **Northamptonshire County Council Planning** – recommend the use of fire hydrants and sprinklers, alongside broadband provision.
- 6.6 **Northamptonshire Police** – No objection. Recommend crime safety measures through fencing, layout, and lorry parking.
- 6.7 **Lead Local Flood Authority** – No objection subject to conditions on surface water drainage, compliance with FRA, maintenance of surface water system, and verification report.
- 6.8 **Environment Agency** – No objection subject to conditions on contamination and drainage.
- 6.9 **Anglian Water** – Request informatives on assets and used water network.
- 6.10 **Natural England** – No objection.
- 6.11 **Construction Futures** – Request contribution towards construction training.
- 6.12 **Health and Safety Executive** – No objection subject to condition preventing occupation until the hazardous classification has been revoked.
- 6.13 **Highways England** – No objection.
- 6.14 **Ramblers Association** – No comment to make on application.
- 6.15 **Great Houghton Parish Council** – No comment to make on application.

6.16 No neighbour representations received.

## **7 APPRAISAL**

### **Principle of development**

- 7.1 The application site is located within Brackmills business area. Policy B14 of the Local Plan outlines that within existing business areas, planning permission will not be granted for development outside of the business use classes unless such development would be of significant benefit to the local community, and would lead to substantial employment opportunities.
- 7.2 Policy E1: 'Existing Employment Areas' of the West Northamptonshire Joint Core Strategy (JCS) seeks to ensure that such sites are retained for employment uses within Use Classes B1, B2 and B8 or appropriate non-B employment generating uses. Policy S7 of the JCS sets out the requirement for a minimum net increase of 28,500 jobs in the plan period between 2008-2029, and Policy S8 allows for the provision of new job growth through the renewal and regeneration of existing employment sites.
- 7.3 The application proposes to demolish the existing B8 warehouse and re-development of the site to provide new warehouses and distribution floorspace (class B8). This is due to the age of the current warehouse and the size being larger than is marketable and the need for smaller units.
- 7.4 The existing building on site is approximately 90249m<sup>2</sup> in floorspace with a height of 10 metres. The application proposes outline consent for the development, with indicative drawings of a maximum of 83612m<sup>2</sup> of new floorspace, although it must be noted that these are indicative drawings only at this stage.
- 7.5 The proposed use of the site for new distribution units (Use Class B8) would regenerate and retain the site in employment use contributing towards the provision of jobs within the Borough and therefore accord with the aims of the above JCS policies and the aims of the National Planning Policy Framework which seeks to promote economic growth.
- 7.6 The application site is located within an existing employment area and is brownfield land. The proposal is to replace existing B8 warehouse with new B8 floorspace. As such the principle of the development is accepted.

### **Access**

- 7.7 The application is for outline planning permission with all matters reserved other than access. As such the focus of this report will be on whether the proposed access is acceptable.
- 7.8 As existing, the site has four entrance points, three on the southern side of the site, and one on the eastern side. The application proposes to retain the use of three of these existing access points, and to close one of the entrance points on the southern side. No new access points are proposed into the site.
- 7.9 NCC Highways and Highways England have been consulted on the proposal and no objections are raised to this.
- 7.10 NCC Highways request a travel plan, CEMP and that the access is undertaken in accordance with the submitted plans. These are considered reasonable conditions to attach.
- 7.11 With no objection having been received to the proposed access, and with these being existing access points, it is considered that the proposed access is acceptable.
- 7.12 It is the case that EV charging points would be required for any new development and a condition requiring this is recommended.

## **Neighbouring amenity**

- 7.13 The application site is positioned away from any neighbouring residential properties and, as such, there would be no impact upon neighbouring amenity as a result of this proposal.

## **Flood risk**

- 7.14 The Lead Local Flood Authority, Environment Agency and Anglian Water have been consulted on this application. No objections are raised to the scheme subject to conditions on drainage and contamination. These are considered reasonable conditions to attach.

## **Hazard**

- 7.15 The north-eastern section of the site is located within a historic hazard area. Whilst it is the case that this hazard has been removed, an application to formally remove the hazard classification has not been made to the Health and Safety Executive and the hazard does, therefore, formally remain. The Health and Safety Executive have been consulted on this application and advise that there is no objection subject to a condition requiring the removal of the hazardous classification prior to any occupation. This is considered reasonable to require through condition.

## **Obligations**

- 7.16 Construction Futures request a contribution towards construction training as part of any development of this site. Due to the size of the development it is considered reasonable to require a contribution for this purpose and the applicants have agreed to the payment of this. This would be secured through a Section 106 legal agreement.

## **Other matters**

- 7.17 Public Protection request conditions on contamination, noise and air quality. It is considered reasonable to attach such conditions.
- 7.18 The Council's Arboricultural Officer requests a condition requiring a tree method statement and protection plan. This is considered reasonable to attach.
- 7.19 NCC Ecology request a condition on soft landscaping. Landscaping is a reserved matter and as such details of this would be covered within the reserved matters application. As such it is not considered reasonable to attach a condition on this at the outline application stage.
- 7.20 NCC Planning request conditions on fire hydrants and broadband provision. NBC Planning does not have planning policies to support the required provision of these, and as such it is not considered reasonable to request these through condition.
- 7.21 Northamptonshire Police recommend crime safety measures for the site such as through fencing, layout and lorry parking. The layout and parking provision on site would be a matter for consideration within the reserved matters application. The provision of details on boundary treatments is considered reasonable to require through condition.

## **8 CONCLUSION**

- 8.1 To conclude it is considered that the proposal would not have an undue detrimental impact on the appearance and character of the wider area, nor result in any undue harm to residential amenity, parking, and highway safety and would maintain the site in employment use. The proposal therefore accords with the National Planning Policy Framework; Policies E1, S7, S8, S10, BN2, BN7 and BN9 of the West Northamptonshire Joint Core Strategy; and Policies B5, B14 and E20 of the Northampton Local Plan and it is recommended that planning permission is granted subject to conditions.

## **9 BACKGROUND PAPERS**

9.1 N/2020/1212

## **10 CONDITIONS**

1. Approval of the details of the appearance, landscaping, layout and scale ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or, if later, before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. The development hereby permitted shall be carried out in accordance with the following approved plans: 4461 001 Rev P1, 4461 004 Rev P4.

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

5. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination of the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include a survey of the extent, scale and nature of contamination, an assessment of the potential risks, and an appraisal of remedial options and proposal of the preferred option(s).

Reason: Pre commencement condition 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.

6. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under part 2a of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: Pre commencement condition 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. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise

agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and 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.

8. 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 in accordance with the requirements of Condition 5 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6 above, 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 in accordance with Condition 7.

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.

9. Notwithstanding the details submitted, full details of a sound barrier to be installed on the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to first occupation of the development hereby permitted. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted, and shall be retained thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

10. Prior to the use commencing, the applicant shall undertake a noise assessment in accordance with BS4142:2014+A1 2019 of any newly proposed plant, structures or buildings capable of emitting noise, that have not already been the subject of assessment in the Vanguardia report Reference VC-103295-EN-RP-0001 submitted with the application. The report assessment and conclusions, together with any mitigation required to deliver a "Low Impact" as set out in BS4142:2014 at the nearest noise sensitive property, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development. Any agreed mitigation required shall be implemented at the application site prior to its first use, and retained thereafter.

Reason: In the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

11. Prior to the commencement of each phase of the development, 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. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
- ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
- iii) Details of the siting of all vehicles of site operatives and visitors.
- iv) The unloading and loading arrangements for heavy plant and machinery.
- v) The location, extent and duration of any temporary stockpiling areas.
- vi) Measures to prevent mud being deposited on the surrounding highway.
- vii) Hours in which development will take place.

viii) Non-road mobile machinery (NRMM) controls.

ix) Details of temporary site storage, welfare facilities and contractor parking.

The approved CEMP and measures contained therein shall be adhered to throughout the construction process.

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

12. Full details of a scheme for the provision of electric car charging points (including a timetable for implementation) shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The scheme shall provide 10% of all parking spaces as EV charging spaces, including 1 charging unit per 10 disabled spaces. Where more than 50 spaces are provided, 1 rapid charging unit per 50 spaces shall be provided. Development shall be carried out in accordance with the approved details, and be retained thereafter.

Reason: In the interests of creating a sustainable form of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the Northampton Parking SPD.

13. Notwithstanding the details submitted, and within three months from the first occupation of each phase of the development, a full Travel Plan for 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 retained thereafter.

Reason: In the interests of promoting more sustainable means of travel, in accordance with the requirements of the National Planning Policy Framework.

14. Prior to occupation of each unit, each occupier shall produce and provide a fleet emission reduction strategy, including low emission fuels and technologies, including ultra-low emission service vehicles to be submitted to and approved in writing by the Local Planning Authority prior to first use of the respective unit(s). The approved fleet emissions reduction strategy shall be undertaken in compliance with the approved details thereafter.

Reason: In the interests of promoting more sustainable means of travel, in accordance with the requirements of the National Planning Policy Framework.

15. Prior to the commencement of the development hereby approved an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include details of tree protection measures for the duration of development, and where construction activity would encroach upon root protection areas of retained trees, steps to be taken to prevent harm to the soil and any roots. The development shall be undertaken in full accordance with the details approved.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

16. Notwithstanding the details submitted and prior to the commencement of each phase of the development, full details of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the phase and retained thereafter.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

17. Prior to any above ground works commencing, a surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Strategy, report ref. no. ADC2133-



RP-B, ver. 3 and Addendum, report ref. no. ADC2133-RPD, ver. 2, dated 20th November 2020, prepared by ADC Infrastructure Limited, shall be submitted to the Local Planning Authority for approval in writing. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The details of the scheme shall include:

- a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets, and attenuation structures
- b) Details of the drainage system are to be accompanied by full and appropriately cross-references supporting calculations.
- c) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted or all hydrobrakes and other flow control devices
- d) proposed discharge to Anglian Water surface water sewers supported by Anglian Water approval.

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

18. All subsequent reserved matters applications for the development plots shall make reference to the original approved Flood Risk Assessment and Drainage Strategy, report ref. no. ADC2133-RP-B, ver. 3 and Addendum, report ref. no. ADC2133-RPD, ver. 2, dated 20th November 2020, prepared by ADC Infrastructure Limited and shall be accompanied by a compliance statement with the original approved scheme. In addition, an accompanying revised and updated Flood Risk Assessment with full drainage details shall be submitted with each future reserved matters application, indicating whether any further works are required. Development shall be implemented in accordance with the originally approved scheme or the updated scheme as approved in writing by the Local Planning Authority pursuant to that application.

Reason: In order to ensure that the drainage details are implemented in accordance with the approved Flood Risk Assessment, and to prevent the increased risk of flooding, both on and off site, by ensuring the satisfactory means of surface water attenuation and discharge from the site, in accordance with the requirements of the NPPF.

19. Prior to the commencement of development a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

The scheme shall include:

- a) a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- b) a site plan including access points, maintenance access easements and outfalls.
- c) maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- d) details of expected design life of all assets with a schedule of when replacement assets may be required.

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory maintenance of drainage systems in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

20. No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment and Drainage Strategy, report ref. no. ADC2133-RP-B, ver. 3 and Addendum, report ref. no. ADC2133-RPD, ver. 2, dated 20th November 2020, prepared by ADC Infrastructure Limited has been submitted in writing by a

suitably qualified drainage engineer and approved by the Local Planning Authority The report shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) CCTV Confirmation that the surface water drainage system is free from defects, damage and foreign objects
- f) Confirmation of adoption or maintenance agreement for all SuDS elements as detailed within the drainage strategy is in place

Reason: To reduce the risk of flooding both on and off site by ensuring the installed surface water drainage system is satisfactory in accordance with the requirements of Policy BN7 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

21. No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 170 of the National Planning Policy Framework.

22. No part of the development shall be occupied until all Hazardous Substances Consents for MFI Furniture Centre have been revoked in their entirety under the provisions of the Planning (Hazardous Substances) Act 1990 and written confirmation of the necessary revocations have been issued by the Hazardous Substances Authority.

Reason: To ensure the safety of the development in accordance with the requirements of the NPPF.

23. The development shall achieve a minimum rating of at least BREEAM 'very good' standard (or equivalent) or any future national equivalent zero carbon standard.

Reason: to assist in reduction in carbon emissions and adapt to climate change in accordance with policy S11 of the West Northamptonshire Joint Core Strategy.

24. Prior to the commencement of development, a phasing plan for the implementation of 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.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

25. 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. This condition is a necessity in order to ensure that there is a neutral impact upon the amenities of surrounding properties.

26. Prior to the commencement of each phase of the development, details and/or samples 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 S10 of the West Northamptonshire Joint Core Strategy. This condition is required in order to agree such details in a timely manner.

27. Full details of cycle storage (including a timetable for implementation) shall be submitted to, and approved in writing by the Local Planning Authority prior to the first occupation of the development. Development shall be carried out in accordance with the approved details, and be retained thereafter.

Reason: In the interest of promoting sustainable transport in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

28. Prior to the first occupation of the development hereby approved, the existing access to be removed, as shown within plan 4461 004 Rv P4, shall be permanently closed (and the highway reinstated) in a manner to be approved in writing by the Local Planning Authority, and, notwithstanding the provisions of Class B of Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 no further points of access shall be created thereafter.

Reason: To confine access to the permitted point in order to ensure that the development does not prejudice the free flow of traffic or conditions of highway safety along the neighbouring highway in accordance with the requirements of the National Planning Policy Framework.

Informatives:

Anglian Water advise:

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Used Water Network:

1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services

Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included

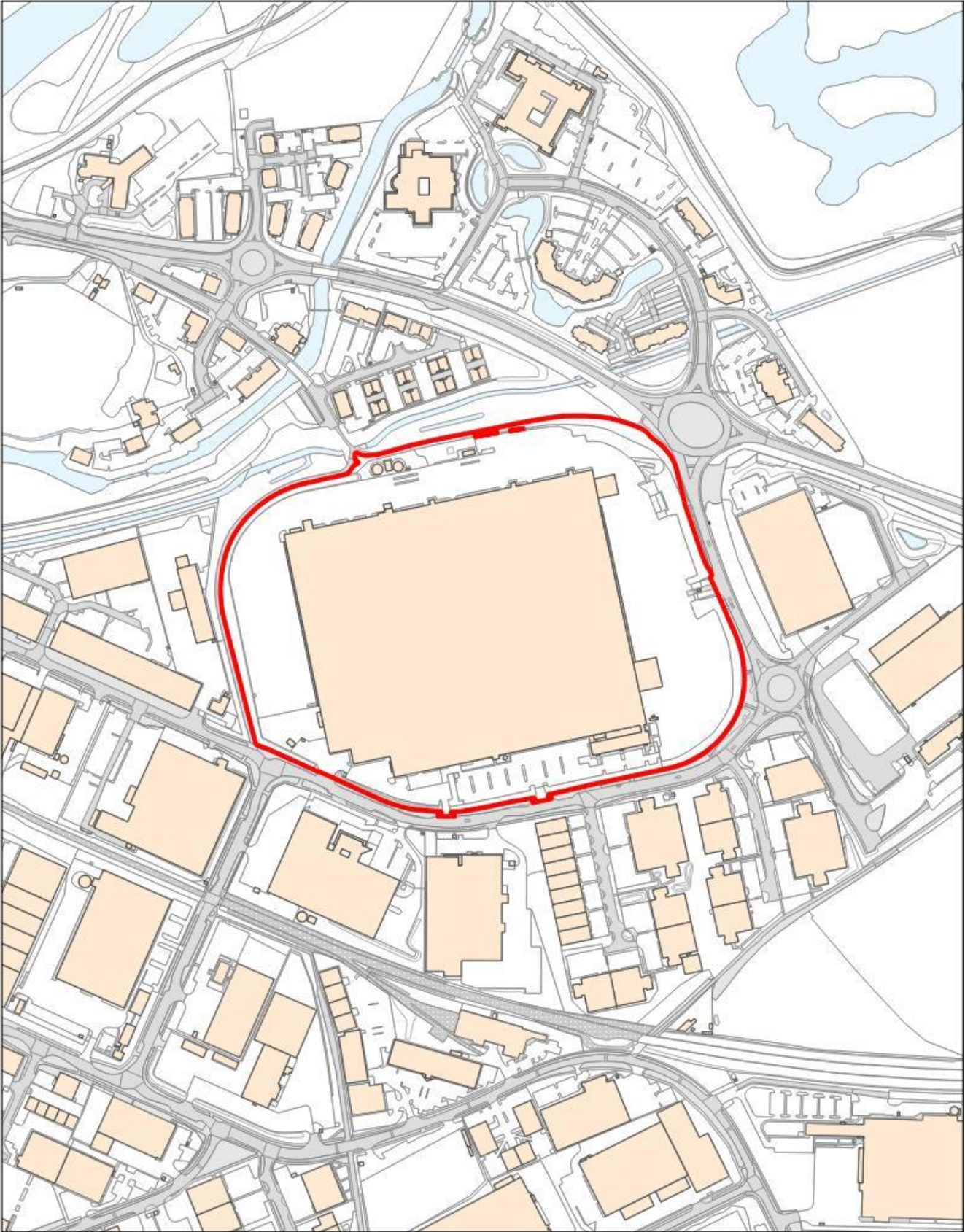
in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

## **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: **Liliput Road**

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Date: 13-01-2021

Scale: 1:5,000

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**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1274

**LOCATION:** 52 King Edward Road

**DESCRIPTION:** Change of Use of building to House in Multiple Occupation (Use Class C4) for 5 occupants

**WARD:** Abington Ward

**APPLICANT:** Mr Kingsley Emovon  
**AGENT:** Architectural Services

**REFERRED BY:** Councillor Zoe Smith  
**REASON:** Parking and refuse issues

**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 use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 5 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to facilities on Wellingborough Road and bus stops. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

### 2 THE PROPOSAL

2.1 The application for a change of use from a dwellinghouse to a 5 occupant House in Multiple Occupation (HIMO).

2.2 Further internal alterations have been proposed with no external changes to the property. Five bedrooms, located over two floors, will share bathroom facilities located on the first floors, comprising of 2no bathrooms (to include a shower or bath, toilet and hand basin). There will be an additional toilet located on the ground floor. The large shared kitchen/lounge room will be located on the ground floor. Parking will be on-street.

### **3 SITE DESCRIPTION**

- 3.1 The site comprises a mid-terraced dwelling. The property has a rear garden which has separate rear access from Sandringham Close to the south. The surrounding area is predominantly residential in nature, close to public open space at Abington Park to the east and local facilities and transport links on Wellingborough Road to the north-west and west.

### **4 PLANNING HISTORY**

- 4.1 **N/2020/0077** – Lawful Development Certificate for use as a B&B. Refused March 2020.
- 4.2 **N/2020/0557** – Application for a change of use to House in Multiple Occupation for up to 5 occupants. Refused August 2020 due to insufficient size kitchen/living room.

### **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**

**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 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.

Section 12 – seeks to achieve 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 - Managing the Existing Housing Stock  
Policy S10 - Sustainable Development Principles  
Policy BN7 - Flood Risk

#### **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 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

H18 – allows for house extension provided design acceptably in keeping with character and appearance of the host dwelling; and effect upon adjoining properties.

H30 – Multi occupation with a single dwelling.

## 5.5 Supplementary Planning Documents

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

Houses in Multiple Occupation Supplementary Planning Document 2019  
Advises that proposals for HMOs 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 10% of HMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

## 6 CONSULTATIONS/ REPRESENTATIONS

- 6.1 **NBC Private Sector Housing** – The property is suitable for 5 persons in 5 households as requested. A license and fire safety measures will be required.
- 6.2 **NCC Highways** – Due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, advise that the applicant undertakes an on-street car parking beat survey. Because to the ongoing coronavirus situation however, transport data cannot be accepted for the time being. As a result, the LHA cannot make informed comments regarding the highway impact of this application. It is known that the area is heavily parked due to its proximity to the town centre and being a Victorian terraced street. Therefore, the Local Planning Authority may wish to consider residential amenity.
- 6.3 **Councillor Zoe Smith** – Objects to the proposal and calls it in on the grounds that the proposal will exacerbate existing parking and refuse problems in this area.
- 6.4 **2 third party objections** received. Comments are summarised as follows:
- Parking has not been considered.
  - Existing overcrowded area.
  - Inconsiderate parking occurs already due to pressure.
  - Degrading the area of Abington.
  - Properties should remain family homes.
  - Poorly thought out plans.
  - Greed.
  - Too many HMOs in this area.

## 7 APPRAISAL

- 7.1 The principle of the conversion of the existing large dwellinghouse 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. Subject to the considerations below, the principle of conversion is considered acceptable.

### **Area concentration**

- 7.2 The Houses in Multiple Occupation Supplementary Planning Document (HIMO SPD) states:

“The proposal should not result in a concentration of similar uses in one particular locality. It should not result in a material change or an adverse impact on the character and amenity of the area. It should not result in more than 10% of the total number of HIMO dwellings, regardless of whether licensed or not, within a 50m radius of the application site, in order to prevent over concentration of similar uses in one locality”.

- 7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act and other data held by the Council. Within the 50m radius, there are currently 2 other HIMOs (established or with planning approvals) on Sandringham Road and King Edward Road.
- 7.4 Neighbour concerns have been raised about the number of existing HIMOs in the local area and Abington. Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HIMOs within a 50m radius of the application site. The inclusion of the proposed HIMO would result in a concentration of 6.5%.
- 7.5 The proposed 6.5% concentration is within the threshold of 10% as described in the adopted SPD.

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

- 7.6 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.
- 7.7 The property is considered to be of sufficient size and provides a mix of bedroom sizes of between 10-16sqm. These will comprise of 5x single occupant bedrooms and all exceed the minimum bedroom size requirement of 6.51 sqm as required by the HIMO SPD.
- 7.8 The previously refused HIMO application for this property had a relatively small kitchen/living area which fell short of Private Sector Housing’s requirements for an area of at least 18 sqm. The amended layout for the current planning application has removed a previously proposed utility room and provides an overall kitchen/living space of 24 sqm in excess of the required floorspace. This would be a large combined kitchen/living space which provides 2 sets of cooking equipment and 2 sinks. This is in line with Private Sector Housing requirements and accords with the Council’s HIMO Facilities and Amenities Guidance.
- 7.9 The property provides a toilet and sink on the ground floor; and 2no shower/bath rooms including toilets and hand basins on the first floor which would serve the two bedrooms on the ground floor and three bedrooms on the first floor. This would meet the requirement as stated in Principle 2 of the HIMO SPD 2019.
- 7.10 The kitchen and living room would be served by double doors with additional windows and access door to the side elevation. This provides good outlook and light into this main shared space for future occupants providing a large and good quality space for 5 occupants. Each bedroom is served by at least one window, each providing sufficient light and outlook to the front or to the rear of the property. It is considered that this provides a good level of facilities for the number of occupants.

7.11 Private Sector Housing has confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 5-occupant HIMO. A condition is proposed restricting the use of the property to a maximum of 5 people to ensure an adequate level of amenities and facilities is retained.

7.12 There are no external alterations proposed to the property as part of this change of use application.

### **Flooding**

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

### **Highways/Parking**

7.14 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

7.15 No parking beat survey has been submitted with the application; however it has been noted by the Highway Authority that these surveys are not being accepted during the current pandemic. The Highway Authority has advised that they are unable to make informed comments regarding the highway impact of this application. It is known that the area is heavily parked due to its proximity to the town centre and being a Victorian terraced street. In addition, neighbour representations have indicated that parking is in high demand in the local area.

7.16 The property is located on King Edward Road, located within 400m of bus stops on Billing Road and Wellingborough Road. Close to these bus stops are shops and facilities on Wellingborough Road. Whilst it is acknowledged that not all people who live close to bus stops will necessarily choose these as their main form of transport, the proposed location does mean the proposal is in accordance with the requirements of the HIMO SPD in respect of parking considerations and is in a sustainable location.

7.17 The HIMO SPD also requires that cycle storage is made available as another option for future occupants, recommending that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the property within the garden for a sufficient amount of cycle storage (5 bicycles) accessible to occupiers. Further details including dimensions of the secure cycle storage for at least 5 bicycles can be secured via a condition to be agreed prior to occupation.

7.18 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMOs shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 5 parking spaces. The existing dwelling has 5 bedrooms. There are no off-road parking spaces provided as part of the proposal and parking in the area is on-street and within allocated bays. In the absence of parking provision, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

### **Refuse storage**

7.19 Comments have been raised regarding the potential for increased waste or fly tipping issues. There is sufficient space to the rear of the property for the outdoor storage of waste prior to refuse

collection days. A condition is proposed to secure details for refuse and recycling storage prior to occupation of the HIMO and ensure that it is retained thereafter.

## **8 CONCLUSION**

8.1 The use of the property as a 5-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and, taking into account all material planning considerations, would not have an undue impact upon the amenity of adjoining occupiers.

8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 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 Supplementary Planning Document 2019 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: 20/2408/100, 20/2408/01, 20/2408/02 revA.

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 5 residents at any one time.

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

4. Prior to the occupation of the development hereby permitted, details of facilities for the secure and covered parking of at least 5 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 and fully implemented prior to the development being first brought into use 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. Prior to the occupation of development, details of facilities for refuse and recycling 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 and fully implemented prior to the development being first brought into use 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**

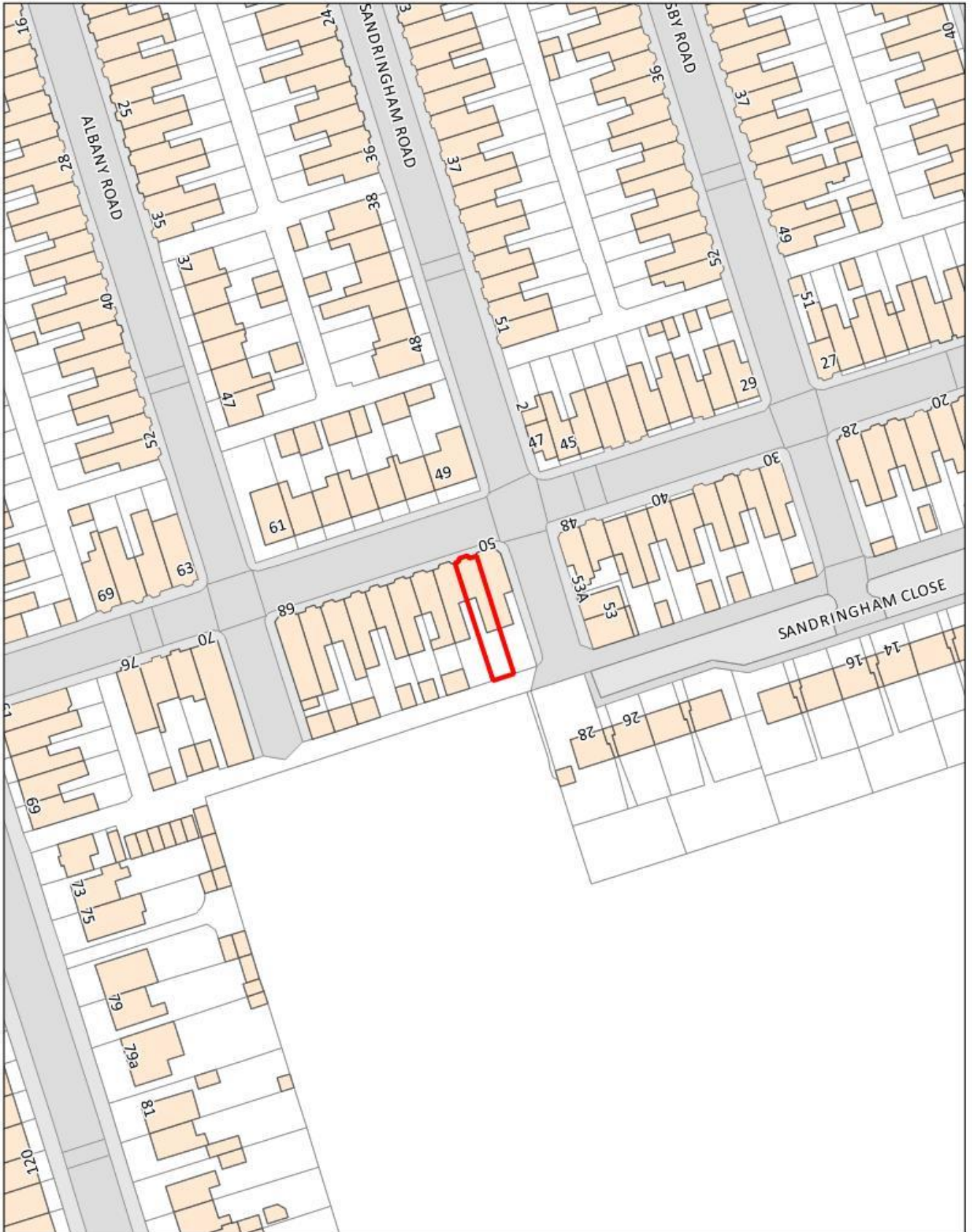
- 10.1 Case file N/2020/1274.

## **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: **52 King Edward Road**

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Date: 13-01-2021

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**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1336

**LOCATION:** Kings Heath Post Office  
 2 Park Square

**DESCRIPTION:** Change of Use from Charity Shop (Use Class E) to Hot Food Takeaway (Sui Generis)

**WARD:** Kings Heath Ward

**APPLICANT:** Ms Ripa Ahmed  
**AGENT:** Mr Kumbirai Mbofana

**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 development, subject to conditions, would not have an undue impact upon the character and appearance of the surrounding area or on residential and/or visual amenity and would retain the vitality and viability of the Local Centre. It would comply with the aims and objectives of the National Planning Policy Framework, Policies BN9, S2 and S10 of the West Northamptonshire Joint Core Strategy, and Policies E20 and R9 of the Northampton Local Plan.

**2 THE PROPOSAL**

2.1 The application proposes the change of use of a retail unit (Class E) to a hot food takeaway (Sui Generis) including the installation of a flue to the rear of the unit.

**3 SITE DESCRIPTION**

3.1 The application site consists of a retail unit, owned by the Borough Council, and located in a parade of local retail and commercial units within Kingsheath. The unit is currently vacant. A flat is located above the retail unit.

- 3.2 The surrounding land uses consist of a betting shop, a pharmacy, a hairdressers, a toy library, and two other retail shops. Some of the units within the complex are vacant. The wider area consists of residential accommodation including flats above the shop units.

## **4 PLANNING HISTORY**

- 4.1 N/2016/1372 - Change of use from shop (Use Class A1) to a Drop-in Centre. 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) and the Northampton Local Plan (1997) saved policies.

### **National Policies**

- 5.2 **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:

- 5.2.1 Section 7 - Ensuring the vitality of town centres
- 5.2.2 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 S2 – Hierarchy of Centres
- Policy S10 – Sustainable Development Principles
- RC1: Delivering Community Regeneration
- 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:

- E20: New Development
- R9: Change of use from shop use in District and Local Centres .

### **5.5 Supplementary Planning Documents**

- Northamptonshire Parking Standards (September 2016)
- Planning out Crime in Northamptonshire SPG (2004)
- Shopfront Design Guide SPD

## **6 CONSULTATIONS/ REPRESENTATIONS**



6.1 **NBC Public Protection** - No objection but recommend conditions on hours of use and noise and odour control in accordance with the details submitted for the kitchen extraction unit.

6.2 No third party comments received.

## **7 APPRAISAL**

7.1 The main issues to consider are the principle of the change of use and impact on the vitality and viability of the local centre; impact on appearance and character of the host building and wider area; and impact on the amenity of adjoining occupiers and on highway safety.

### Principle of development

7.2 The application proposes the change of use of a retail unit (Use Class E), previously a charity shop, to a hot food takeaway (Sui Generis). The surrounding units in the vicinity comprise a mix of retail and commercial units including a pharmacy, takeaway and a community cafe. The NPPF (2019) seeks to promote the long-term vitality and viability of town centres, district centres and local centres, and advises that planning should seek to create conditions in which businesses can invest, expand and adapt. Whilst the proposal would result in the loss of a retail unit, in an area which maintains the characteristics of a local centre, the proposed change of use bring back into use a vacant unit, would enhance the vitality and viability of Park Square and contribute to the provision of community facilities within the area in accordance with Policy R9 of the Northampton Local Plan and Policy RC1 of the West Northamptonshire Joint Core Strategy. The proposed development is therefore considered acceptable in principle.

### Design and appearance

7.3 The proposed flue would be situated to the rear of the building and inset from the side elevation. The position and height of the flue is such that, whilst there would be some visibility from the street to the side of the property, the flue would not be prominently visible within the wider area. As such, the flue would not result in any adverse impact on the appearance of the existing building and character of the wider area.

### Neighbouring Amenity

7.4 Given the location of the unit, with existing residential use of the upper floors, a condition restricting the opening hours of the premises is considered appropriate in the interests of residential amenity.

7.5 The position and height of the flue is such that it would not impinge on the outlook of the residential flat situated immediately above the retail unit.

7.6 The applicant has provided details of the proposed extraction unit. Public Protection have no objection to the proposal, subject to a condition to ensure the extraction unit is installed and maintained in accordance with the submitted details to ensure that the proposed takeaway will not lead to any detrimental impact on neighbouring amenity in respect of noise and odour.

7.7 Refuse would be stored internally in the unit as there is no dedicated area outside the unit to accommodate refuse storage. A condition is recommended for the submission of details for the storage of refuse for the unit.

### Highway Safety

7.8 In respect of parking demand, there is no specific parking provision 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 that the proposed use would generally serve those from the local area. As such, it is not considered that the proposal would lead to any unacceptable impact on existing parking provision or highway conditions in the area.

## **Other matters**

- 7.9 A proposed new fascia sign will require separate advertisement consent and an informative would be added in this regard.

## **8 CONCLUSION**

- 8.1 The proposal is considered appropriate for a local shopping centre and would not have an undue detrimental impact on residential or visual amenity and parking provision and would comply with the aims and objectives of the National Planning Policy Framework, Policies BN9, S2 and S10 of the West Northamptonshire Joint Core Strategy, and Policies E20 and R9 of the Northampton Local Plan
- 8.2 The proposal is considered acceptable and recommended for approval with the conditions below.

## **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: PSN-04 Elevations, PSN-01 Site and location plans, PSN-02 Floor plan as existing, PSN-03 Ground floor plan as proposed, IDC0604 Rev B.

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

- 3) The development shall be carried out in accordance with the submitted scheme for the proposed extraction system and plant and details contained within the Plant Noise Assessment by Climate Acoustics, dated 27<sup>th</sup> November 2020, Report Ref CLI010168/R1/Rev B and retained and maintained as such thereafter.

Reason: To ensure satisfactory noise and odour control and in the interests of amenity in accordance with the requirements of Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 4) 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 (e.g. by the provision of grease interceptors to BS EN 1825:2002 standards) and the maintenance of associated plant shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 5) Waste collections and deliveries to the premises shall not take place before 08:00 am hours or after 20:00 pm on any day.

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 6) The premises shall be open only between the hours
- a. Monday – Friday – 10:00 am to 23:00 pm
  - b. Saturdays – 12:00 (noon) to 23:00 pm
  - c. Sundays/ Public Holidays 12:00 (noon) to 22:00 pm

Reason: In the interests of the amenities of the occupiers of nearby properties in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 7) Full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

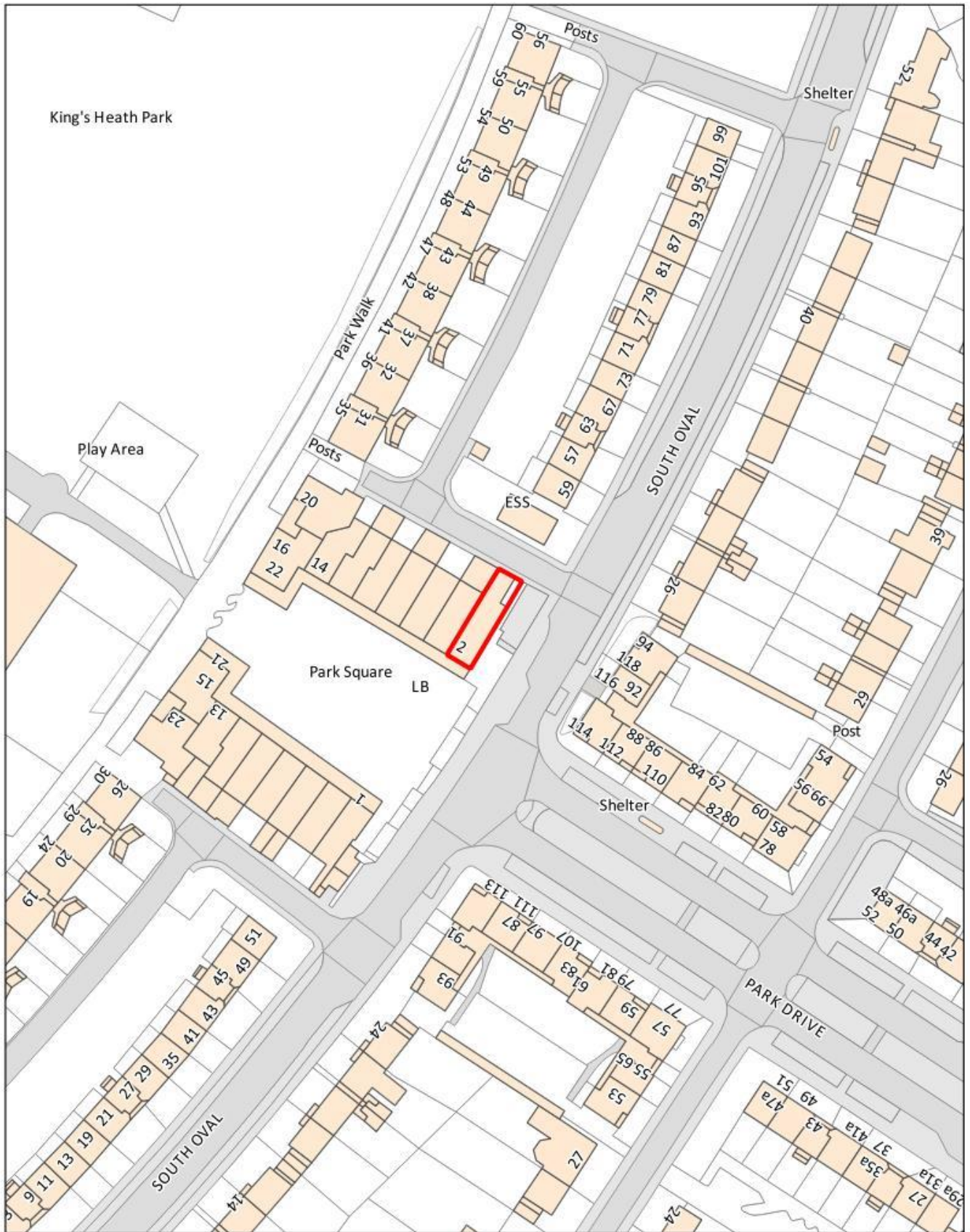
- 10.1 N/2020/1336

## **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: **2 Park Square**

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Date: 13-01-2021

Scale: 1:1,000

Drawn by: -----



**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1346

**LOCATION:** 29 Colonial Drive

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to Children's Home (Use Class C2) to accommodate a maximum of 4 children (8-18 years old)

**WARD:** East Hunsbury Ward

**APPLICANT:** GAC Family Services  
**AGENT:** TZ Town Planners Ltd

**REFERRED BY:** Councillor P Larratt  
**REASON:** Impact on residential amenity and parking

**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 have no significant undue impact upon 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 and S10 of the West Northamptonshire Joint Core Strategy, and Policies E20 and H29 of the Northampton Local Plan.

**2 THE PROPOSAL**

- 2.1 The application proposes the change of use of the existing dwellinghouse to a children's home for a maximum of four children aged 8 to 18 years old.
- 2.2 There will be no staff living permanently at the property, however there would always be members of staff on site.
- 2.3 There are no external alterations proposed to the property as part of this application.

**3 SITE DESCRIPTION**

- 3.1 The application site comprises a large, 4-bedroom detached two storey dwelling located on Colonial Drive, sharing a driveway with 3 other properties. The property has two existing formal car parking spaces to the front and a double garage.

## **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 the 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

### **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 H1- Housing.

Policy H5 - Managing the Existing Housing Stock.

### **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)

Policy H29 - Residential Institutions

### **5.5 Supplementary Planning Documents**

Northampton Parking SPD (2019)

Northamptonshire Parking Standards (2016)

Planning out Crime in Northamptonshire SPG 2004

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Recommend condition restricting number of children.
- 6.2 **Northamptonshire Police** – No objection as the children’s home will be regulated by the CQC and Ofsted.
- 6.3 **Ward Councillor Phil Larratt** – Concern about the impact of a commercial activity, with staff and visitors, into a property amongst other properties in the area that are all in residential use. The property has a shared drive and there are concerns about staff and visitor parking, and how this will affect access to their properties.
- 6.4 **East Hunsbury Parish Council** – Concern about the impact upon the narrow and shared driveway serving 4 dwellings, the proposed change from C3 to C2 would create unacceptable intensification of the residential use of the property. Increase in traffic, noise/disturbance and increased parking requirement above a normal family. Parking on-street would have an adverse impact upon residential amenity.
- 6.5 **42 neighbour letters** have been received, objecting to the application. The concerns raised can be summarised as follows:
- Parking on street is difficult as existing.
  - Concerns the proposal will result in increased anti-social behaviour and criminal damage to neighbouring properties.
  - Not in keeping with the demographics of the area.
  - Lead to a loss of privacy.
  - Parking pressures if each child has a car.
  - Close to the M1 and A45 is not safe and may lead to easy absconding.
  - Set a precedent for all types of businesses to operate in this residential street.
  - Four bedrooms and a study does not appear to be adequate.
  - Self-isolation of future occupants due to the pandemic may lead to aggression.
  - Originally submitted Location Plan does not represent correct land ownership.
  - Street will become unsafe for existing elderly and children.
  - Noise and disturbance will arise.
  - Covenant precludes businesses from operating in homes.
  - Traffic will increase.
  - Consider existing residents human rights.
  - Private homes pay carers less.
  - Lack of schools and amenities in walking distance.
  - Increased presence of emergency services.
  - Lack of a permanent adult resident.
  - Parking plan is not right as there would only be 2 parking spaces.
  - Shared driveway will have increased comings and goings and parking pressure.

## 7 APPRAISAL

### Principle of development

- 7.1 The application proposes the conversion of an existing dwellinghouse to a children’s home for a maximum of four children aged 8 to 18 years old. A shared lounge, kitchen, dining room, and bathroom are provided, alongside a utility room, a study and downstairs WC. Four bedrooms are available at first floor and one including an en-suite bathroom.
- 7.2 Policy H1 of the JCS seeks to ensure an appropriate mix of housing to meet different housing needs. The proposal is intended to be operated similarly to a ‘family’ with a maximum of four children being looked after by carers 24/7. With regards to staffing levels, there will be no staff living permanently at the property, however there would always be a member of staff on site. There

would be a maximum of 3 carers at the property including an Ofsted registered manager who will oversee the running of the home. The rota would provide for 2 carers on site from 08:00-20:00 and the manager present during the daytime 09:00-17:00. Overnight there would be one carer who would be awake and supervising and an additional carer would be on call.

- 7.3 Visitors to the site are expected to be professionals such as social workers and Ofsted workers every 5 weeks. Family members do not visit the children at home, with these being by prior arrangement at a contact centre.
- 7.4 The planning statement outlines that the children who will be looked after at this property are 'looked after children' under section 20 of The Children's Act. The proposal will provide the children with a family home where they are supported and looked after by responsible carers 24/7. There would be a maximum of 3 carers at the property at any one time and although this is more than two parents, the environment is considered to be similar to that of a family and is intended to operate as such.
- 7.5 The use of a dwellinghouse as a care home for up to 4 children is not considered to be a significant change in terms of the principle as compared with a dwelling, subject to there being an acceptable impact with regards to the impact upon the street scene, amenities of adjoining occupiers, and highway safety. It is not considered that the proposed change would have an unacceptable impact upon the character of the area, with any use being similar in style and scale to the existing use as a dwellinghouse where any occupier could have a number of children.

### **Design**

- 7.6 The proposal does not include any changes to the exterior to the existing building. As such it is not considered that there would be any impact upon the character and appearance of the host property or street scene as a result of this proposal.

### **Amenity**

- 7.7 As part of the assessment of this application, the Council's Public Protection team have been consulted on the proposal. No concerns were raised subject to a condition limiting the number of children to 4, which would assist in protecting general residential amenity.
- 7.8 It is the case that the use of a house for the care of up to four children is broadly similar to a family dwellinghouse, albeit with one more adult than might be expected. However, as a dwellinghouse, each room could have occupiers looking through windows, playing within the garden, and making noise associated with a large family dwellinghouse. Given the large size of the property is expected it could reasonably accommodate a large family. As a Care Home for young persons, occupiers could look through existing windows, at existing views over neighbouring properties, and would reasonably make the same level of noise disturbance as expected from a family within this building.
- 7.9 It has also been advised that there are infrequent visitors to the site, restricted to professional visits such as the Social Services. Family visitors are required through Ofsted to meet the children at a separate contact centre under supervision. The only likely frequent visitors, other than staff, would be social workers, approximately every 5 weeks.
- 7.10 With no objection having been received from Public Protection, and with the disturbance from this property likely to be similar to that of a large family and how the property could already be used, it is not considered that the proposed change of use would result in an unacceptable impact upon neighbouring amenity or increased loss of privacy.

### **Parking and highway safety**

- 7.11 As discussed earlier within this report, it is the case that there would be a maximum of three carers at any one time on at the property, of which the manager would be present during the daytime



only. The occupiers of the property would be children between the ages of 8 and 18 and as such are unlikely to have vehicles themselves, and family visitors are not allowed at the property. It is, therefore, likely that car use associated with this property would be limited to the carers with three cars requiring parking spaces at any one time and only limited visits by professionals.

- 7.12 The application site provides two parking spaces to the front, an informal parking space on the property's verge, and a double garage which counts as one parking space in accordance with Northamptonshire Parking Standards. On-street parking in the locality is not restricted. A parking plan has been submitted which indicates the provision of an additional space on the grass verge adjacent to the garage on land under the applicant's ownership, currently used for informal parking provision. The existing parking available on site would ensure a minimum of 3 parking spaces would be accessible to staff, without blocking the shared driveway. Other infrequent daytime visitors such as social workers would be able to park on street for visits as might be expected of visitors to families.
- 7.13 NCC Highways have been consulted on this application however no comments have been received. It is acknowledged that due to the location and staff shift patterns it is likely that staff will arrive at site by car. However, the closest bus stops are on Rowtree Road, to the north, which is within walking distance and could potentially provide an alternative mode of transport.
- 7.14 With no objection having been received from NCC Highways, and the site being able to provide adequate parking arrangements, it is considered that the proposal would not have an unacceptable impact upon the highway network.
- 7.15 With regards to bicycle storage, the application site has a secure rear garden within which bicycles could be stored.
- 7.16 With regards to bin storage, there is room for the bins to be stored within the garage or to the rear of the property and this is considered acceptable for the proposed use.

### **Other Matters**

- 7.17 Concerns have been raised regarding the potential for anti-social behaviour issues. There will be a 24/7 presence of staff on site and a manager during the day to supervise the occupants. Furthermore, the Police have raised no objections to the proposed use.
- 7.18 The issue of covenants is not a planning matter.

## **8 CONCLUSION**

- 8.1 To conclude, it is considered that the proposed change of use to a C2 children's home would not have an unacceptable impact upon neighbouring amenity and the highway network. As such the proposed change of use is considered acceptable and 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: TQRQM20330221847505, A100.

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

4. The number of occupants in care within this property shall not exceed 4 persons at any one time and the age of the occupants in care within this property shall be between the ages of 8 years and 18 years only.

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.

5. There shall not be more than 3 members of staff on site at any one time.

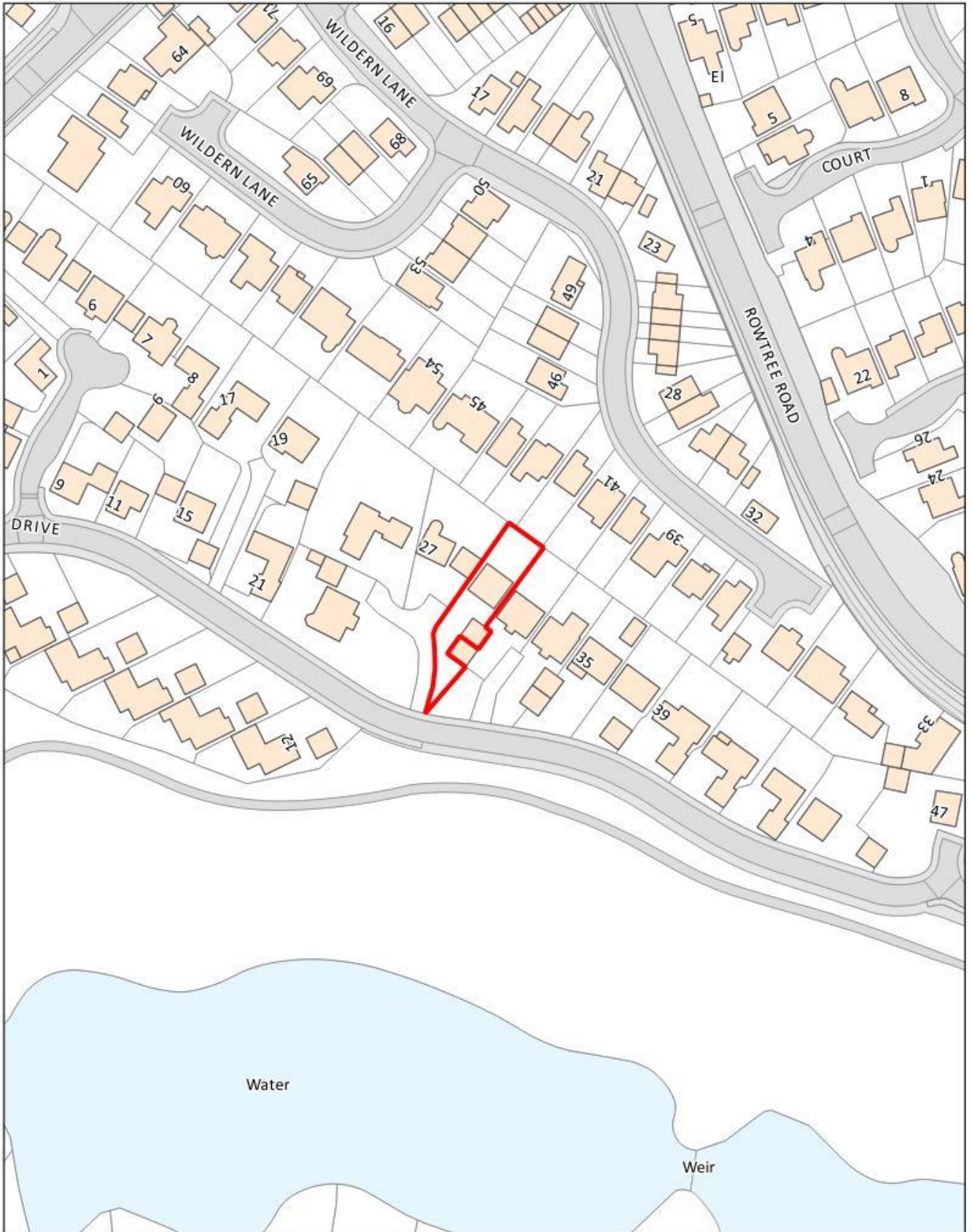
Reason: In the interests of the amenity of the area and neighbouring residents, and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

## **10 LEGAL IMPLICATIONS**

- 10.1 The development is not CIL liable.

## **11 SUMMARY AND LINKS TO CORPORATE PLAN**

- 11.1 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: **29 Colonial Drive**

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Date: 13-01-2021

Scale: 1:1,250

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**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1349

**LOCATION:** Kingsley Nursing Home , 18 - 20 Kingsley Road

**DESCRIPTION:** Change of Use from Care Home (Use Class C2) to supported living accommodation for the homeless (Sui Generis)

**WARD:** Trinity Ward

**APPLICANT:** Key Stage Housing  
**AGENT:** LMR Designs

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Significant public interest

**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 not have an undue detrimental impact on the appearance and character of the host building, wider area and Kingsley Conservation Area, nor result in any undue harm to residential amenity, parking, and highway safety. The proposal therefore accords with the National Planning Policy Framework, Policies S1, S10 and BN5 of the West Northamptonshire Joint Core Strategy, and Policies E20 and E26 of the Northampton Local Plan.

### 2 THE PROPOSAL

Planning permission is sought for the change of use of the building from a Care Home (Use Class C2) to supported living accommodation for the homeless (Sui Generis).

### 3 SITE DESCRIPTION

3.1 The application site is located on the north-eastern side of Kingsley Road and comprises a former nursing home at 18-20 Kingsley Road. The existing building is part two, part three stories in height, with basements. The existing building is bordered by residential dwellings to each side, Westminster Works and garages to the rear, and The Racecourse park to the front. The site is located within the Kingsley Conservation Area. To the rear of the site is a car parking area for the

nursing home and a garage which has permission to be converted to an office for the nursing home, the works for which are nearing completion.

## **4 PLANNING HISTORY**

- 4.1 N/2020/1011 – Alterations to roof and fenestration details of existing garage and conversion to meeting room connected with the use of the main building. Part demolition of existing garden walls and re-building of boundary wall (part retrospective) – Approved 06/11/2020
- 4.2 N/2020/1010 - Lawful Development Certificate for supported living accommodation for people with learning disabilities, mental health conditions, autism, and complex needs as well as community rehabilitation and homelessness – Withdrawn
- 4.3 N/2018/1746 – Change of Use from Care Home (Use Class C2) to Supported Living Accommodation (Use Class C3) comprising of 14no apartments – Approved 20/03/2019 – Not implemented.
- 4.4 N/2009/0924 – Single storey and first floor rear extensions – Approved 10/03/2010.
- 4.5 N/2005/0258 – Demolish rear single storey and erection of ground and first floor rear extensions – Approved 29/04/2005.
- 4.6 N/2002/1173 – Change of use of 18 Kingsley Road to nursing home (max 5 residents) as an extension to existing nursing home at 20 Kingsley Road – Approved 11/12/2002.
- 4.7 N/1995/772 – Single storey rear extension – Approved 31/01/1996.
- 4.8 N/1991/0338 – Alteration of existing building extension to form 14 bedroom nursing home at 20 Kingsley Road – Refused 17/07/1991
- 4.9 N/1990/1027 – Conversion of one house to eight flats at 20 Kingsley Road – Refused 20/02/1991
- 4.10 N/1990/0297 – Conversion to eight self-contained flats and 18 and 20 Kingsley Road – Approved 06/06/1990
- 4.11 N/1986/0062 – Change of use from dwelling and multi-occupancy to residential care home – Refused 16/07/1986

## **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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

### **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

### 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:

S1 Distribution of development

S10 Sustainable Development Principles

BN5 Conservation

### 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)

Policy E26 – Conservation areas

### 5.5 **Supplementary Planning Documents**

Northampton Parking SPD (2019)

Northamptonshire Parking Standards (2016)

Planning out Crime in Northamptonshire SPG 2004

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Northampton Borough Council Public Protection** – No objection subject to conditions requiring a noise survey, details of mechanical fixed plant equipment, and refuse storage. An advisory on working hours is also requested.
- 6.2 **Northamptonshire County Council Highways and Access** – No comments to make.
- 6.3 **Northamptonshire Police** – No objection to principle. Satisfied with circulation controls proposed. No provision for companion animals. Consideration for kennels for dogs should be given.
- 6.4 **Northamptonshire Fire Service** – Layout is same as existing and previous inspection was satisfactory and fire protection measures should therefore be in place already.
- 6.5 **Northampton Borough Council Conservation** – No objection on heritage grounds. Change of use would not impact upon character or appearance of the Conservation Area.
- 6.6 11 letters from 8 residents have been received objecting to the application. The comments can be summarised as follows:
- Number of occupants needs to be reduced.
  - Kitchen is too small for number of occupants and no dining rooms.
  - No place for residents to wash and dry clothes.

- Staff facilities inadequate for number of jobs they must complete.
- Where are clinics to be held to help people?
- Safety for women is important and there does not appear to be the layout to allow the women occupiers safe separate accommodation to the men.
- How will general practice medical care be provided to service users.
- Could increase crime in area.
- Likely to increase homelessness problem during day by bringing more people to this area.
- Litter being thrown into neighbouring garden.
- Would be better away from residential area and in detached property to protect residents from anti-social behaviour.
- Protection measures for anti-social behaviour needed.
- Will result in current residents leaving due to noise, disruption, and risk.
- Loss of amenity, noise and disturbance to neighbouring properties.
- No facilities in property which will not support people so residents will be forced outside to eat and socialise – likely to have severe mental health and behavioural problems and worries about children who walk past to school.
- The residents are loitering in tram stop and bus shelters on Racecourse and are abusive and fighting.
- Vandalism in area resultant from occupants.
- Police and ambulance appear to visit property regularly.
- Car park to rear does not have space for 8 cars as suggested in statement.
- Use appears more as a hostel than a sui generis supported living.
- Question if rough sleepers be imported from elsewhere or will it only be those in Northampton (*Officer Comment: This is not a material planning consideration*).
- Difference between nursing home and night shelter enormous (*Officer Comment: The proposal is for supported living accommodation for the homeless*).
- Social services not consulted on application (*Officer Comment: The Social Services are not a statutory consultee for this application*).
- Applicants website not working (*Officer Comment: This is not a material planning consideration*).
- Question what use class the building is following use class alterations (*Officer Comment: The existing use remains unchanged as a C2 care home, and the proposed use is sui generis*).
- Unauthorised works on site (*Officer Comment: This is not a material planning consideration in the assessment of this application and the Council's Planning Enforcement Officers have been notified of the alleged breaches*).

11 letters of support have been received. The comments raised can be summarised as follows:

- Important contribution to helping people experiencing homelessness to rebuild their lives and find and maintain a home.
- Essential work and project.
- Important to ensure vulnerable and at risk group are provided with temporary shelter and on-going placement
- Excellent and professional organisation (Keystage Housing).
- Multi-agency approach to reduce rough sleeping and provide opportunities to access support important.
- Pleased building being used for amazing use.
- Northampton has high rate of homelessness in the town with little suitable accommodation to support the needs of the homeless community in order that they have a holistic approach to assessing their needs and accessing suitable housing options. Proposal fills gap.
- Will make a significant difference to lives of many.
- Much needed, especially during winter.
- Town desperately needs to address homelessness situation.

## 7 APPRAISAL

### Principle of development



- 7.1 The application proposes the conversion of the existing nursing home (use class C2) into supported living accommodation for the homeless (sui generis).
- 7.2 The planning statement outlines that the building is to be used to provide intensive supported accommodation to individuals who are currently rough sleeping, at risk of rough sleeping or currently living in unsuitable or unstable accommodations. The proposal is for 27 beds with 24 hours staffed services. The aim is to reduce the risk of returning to rough sleeping or homelessness through working in partnership with homeless services, social care, mental health, rehabilitation and voluntary services. It is advised that it is aimed to find a re-settlement within 28 days of a stay, however occupants can stay longer if a suitable re-settlement option is not found within that time.
- 7.3 Key Stage Housing, the applicants, advise that all occupiers are referred to the site, and vetted before they are accepted to stay at the property. No person approaching the building directly would be allowed admittance, with these being signposted elsewhere. No occupiers of the building are given keys, and staff escort residents into and out of the building. All staff on site, a minimum of 3 at any one time, have CCTV access on devices to monitor who is at doors. No guests or visitors are allowed within the building. The service users are allowed to live their lives normally and are not made to remain in the building or be home by certain times. Service users are required to comply with behaviour agreements, and if breached staff will work with the individual to try to overcome this, and if not possible, the individual may be removed from staying at the building. The aim is, however, to work with service users to overcome these issues.
- 7.4 The aim of the building is to help the service users to break negative behaviour and find a re-settlement opportunity. This involves the use of social workers, care co-ordinators, drug counsellors and mental health teams, for example. It is advised that it is likely that at the most a service user would only need one specialist visit per week, and these specialist visitors are likely to visit more than one service user when on site. Other appointments are largely outside of the site.
- 7.5 With regards to the principle of the development, the application site as current can be used as a care home for a maximum of 25 residents. There are no restrictions on the age of occupants or reason or type of care that is provided, nor the minimum length of stay. The use of the site for supported living for homeless rehabilitation would not be dissimilar to how the building can already be used. The only difference is that the residents are homeless, and as such the use class becomes sui generis as opposed to C2, meaning planning permission is needed.
- 7.6 It is considered that the principle of the use of the property for supported living accommodation for the homeless is acceptable, with this use being similar to that lawful within the existing building, and with the applicant outlining strong control measures to operating the site. It is considered that the permission should be personal to Key Stage Housing. This is to ensure that the site is operated with the management measures outlined within the application. Without this the Council would not have a control on any other occupiers and how they would manage the site to ensure that the use does not have an unacceptable impact upon neighbouring amenity.

### **Design and impact upon the Conservation Area**

- 7.7 The application does not propose any alterations to the exterior appearance of the property other than the conversion of one window into a door which would not greatly alter the appearance of the property and would be acceptable in design terms.
- 7.8 The Conservation Officer has been consulted and advises that there is no objection on heritage grounds as the change of use would not impact upon the character or appearance of the Conservation Area.

### **Neighbouring amenity and the living conditions for future occupants**

- 7.9 Concern is raised within neighbour letters as to the impact of the development upon neighbouring amenity through, for example, increases in crime, increased homelessness in area, litter, anti-social behaviour, and noise.
- 7.10 The lawful use of the application site as existing is as a 25 bedroom care home (although it was only used for 23 rooms). The application proposes to convert the building into a 27 bedroom supported living accommodation for the homeless, an increase of 2 occupants above that which can lawfully reside in the property as a care home. Additional bedrooms are created through the change in the use of some existing rooms, and slight internal re-arrangements.
- 7.11 The application includes details on the management of the building. All referrals to the building would be screened by experienced Resettlement Workers and staff would assist to occupants to build on skills, positive experiences and strengths, and plan for the future. There would be 24 hour staffed services, alongside partnership working with rough sleeping teams, homeless prevention or housing solutions teams, mental health teams, drug and alcohol services and other support teams. The aim is to work with the individuals to support a move on to permanent accommodation elsewhere and prevent a return to homelessness. The staff on site would comprise a Service Manager daily, approximately 3 members of staff 24/7 on shift 8am to 8am, 12 resettlement coordinators, property administration and operation and administrative support. The site would use video intercoms at entrances, managed by staff, CCTV in all communal areas, fob access to all offices, access controls to fire exits, and lone working devices for staff.
- 7.12 The Council's Public Protection team have been consulted on the proposal and raise no objections to the scheme subject to conditions requiring a noise survey, details of mechanical fixed plant equipment, and refuse storage. An advisory on working hours is also requested.
- 7.13 It is considered reasonable to attach conditions requiring details of noise and refuse. With the development being retrospective, these details would be required within 1 month of the date of the decision notice. It is not considered reasonable to attach an informative on working hours as these matters are controlled by legislation outside of the planning process. With regards to details of equipment/plant, there is no equipment proposed on the building and as such this condition is not necessary.
- 7.14 Northamptonshire Police have also been consulted on the proposal and raise no objection to the principle. The Police advise that the circulation controls proposed are satisfactory. A condition requiring the provision of this circulation control would be attached to any approval.
- 7.15 The Police request consideration for kennels for dogs as some homeless people will have pets. This is not included within this application and a separate planning application would be needed for these should a building be proposed externally.
- 7.16 Further concern was raised within neighbour letters as to the living conditions provided for future occupants, with concern that the number of occupants should be reduced, the eating facilities are inadequate, there are no laundry facilities, there is no separate building for female users, and that there are no spaces for the support meetings. The application has been amended to reduce the number of occupants from 32 occupants to 27, comparable with the number of occupants under the existing authorised use. It is considered that sufficient facilities are provided for the proposed use, with bathrooms, en-suites, kitchens and office spaces where meetings could be held.
- 7.17 The applicant has clarified that the service is not designed to provide food or cook meals for residents. Residents are encouraged to cook for themselves with the facilities provided to develop independent living skills. If an individual needs a higher level of support, staff can prepare meals. It is advised that outside of COVID safety practices residents are encouraged to come together and share knowledge, however this is their choice. Cooking facilities are monitored to support autonomy, independent living and appropriate use of shared space. Staff assist with motivation, cooking skills and meal planning. A pop up grocery shop will be organised once a week in the converted garage for residents to purchase food. Fridge freezers are provided in every room. Residents will also have access to donations and food banks as homeless residents.

- 7.18 With regards to laundry facilities, at ground floor and first floor washing machine and dryers are provided communally. At basement level a staff washing area is provided. Each bedroom is also provided with a hand basin.
- 7.19 With regards to meetings, it is advised that the most effective way to assist and support residents is little and often communication rather than formal meetings. Support meetings are held within the converted garage, outside, communal room at ground floor, bedrooms and internal meeting room (2nd floor).
- 7.20 With no objection having been received from the Council's Public Protection team or Northamptonshire Police, and with no extensions to the building or new windows, it is considered that subject to conditions, and subject to a personal permission, the proposal would not have an unacceptable impact upon neighbouring amenity and would provide adequate living conditions for future occupants.
- 7.21 Further concern was raised within neighbour letters as to whether adequate staff facilities were provided. Whilst it would be for the applicant to decide what level of staffing rooms to provide, the application provides a reception and office at ground floor, store rooms within the basements, and a further office and store at second floor level. This would appear sufficient for the use identified.

### **Parking and highway safety**

- 7.22 Concern has been raised within neighbour letters as to the highway impact of the development and that the existing car park cannot accommodate 8 spaces.
- 7.23 The submitted block plan identifies the retention of the existing car park to the rear of the site which has space for approximately 8 vehicles.
- 7.24 It is the case that the application is for supported living accommodation for homeless people, and by that very nature the persons living at the site are unlikely to own vehicles. It is, therefore, likely that parking will be for staff and visiting support only.
- 7.25 The Highway Authority has been consulted on the proposal and raise no objection to the scheme.
- 7.26 With the existing lawful use being a care home with the same level of parking, with the occupiers unlikely to own vehicles, and with no objection having been received from the Highway Authority, it is considered that there would not be an unacceptable impact upon highway safety as a result of this proposal.

## **8 CONCLUSION**

- 8.1 To conclude it is considered that the proposed change of use to supported living for the homeless would not have an undue detrimental impact on the appearance and character of the host building, wider area and Kingsley Conservation Area, nor result in any undue harm to residential amenity, parking, and highway safety. As such the proposed change of use is considered acceptable and 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: 020-030-102 Rev C, 020-030-103 Rev A.

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

3. The number of occupants within this property (not including staff) shall not exceed 27 persons 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.

4. The parking as shown within plan 020-030-103 Rev A shall be provided and retained for the parking of vehicles associated with the use hereby approved prior to occupation of the development hereby permitted and retained at all times thereafter.

Reason: To ensure a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

5. Notwithstanding the submitted details, within 1 month of the date of this decision notice a scheme for the mitigation of noise impacts on residential properties attached to either side of the application building shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details within 4 months of the date of this decision notice and retained as such thereafter.

Reason: In the interests of residential amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

6. Within 1 month of the date of this decision notice a full noise survey and assessment with mitigation, undertaken by a competent noise consultant, must be submitted to and approved in writing by the Local Planning Authority. The noise survey must include an assessment of the road traffic on Kingsley Road and surrounding road network. Any mitigation must ensure that the internal noise climate for each habitable room is in compliance with BS8233:2014. The approved mitigation measures shall be provided in full on site within 4 months of the date of this decision notice and retained thereafter.

Reason: In the interests of securing a satisfactory standard of development, in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

7. The crime security measures identified within plan 020-030-102 Rev C (access controls, alarms, and CCTV) shall be provided within 2 months of the date of this decision notice and retained at all times thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

8. Within 1 month of the date of this decision notice details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site within 1 months of the date of approval of details and retained as such thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan 1997 (saved policies).

9. The use hereby permitted shall be carried on only by Keystage Housing, Company Number 11518376. If the use of the premises by Keystage Housing for supported accommodation shall cease the use of the premises shall revert back to the previous lawful use as a C2 care home.

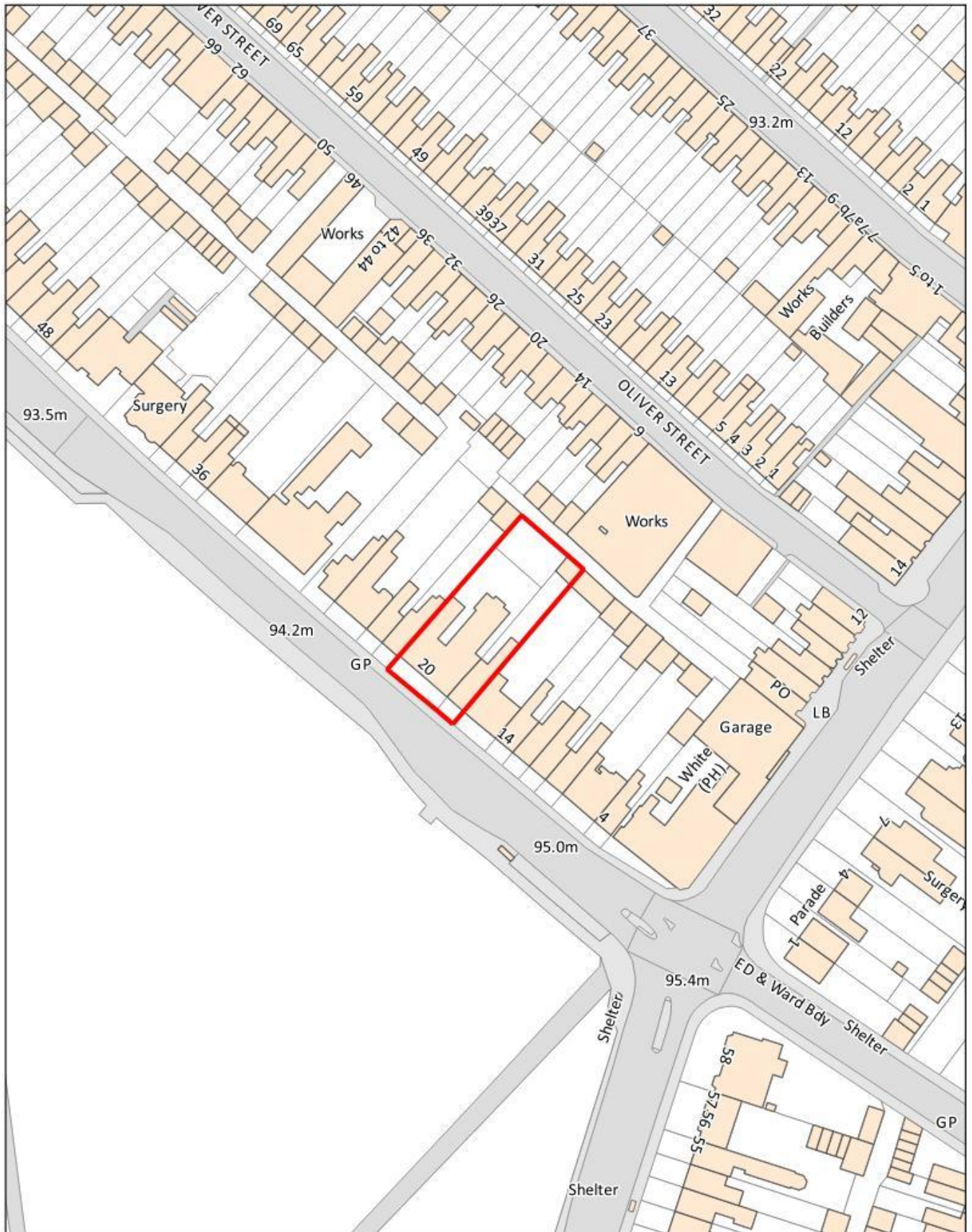
Reason: The development is within a residential area and it is important that the management of the site and how the use is operated remains in accordance with that of the current applicant to safeguard neighbouring amenity in accordance with the NPPF.

## **10 LEGAL IMPLICATIONS**

10.1 The development is not CIL liable.

## **11 SUMMARY AND LINKS TO CORPORATE PLAN**

11.1 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: **18 - 20 Kingsley Road**

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Date: 13-01-2021

Scale: 1:1,250

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**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1412

**LOCATION:** 6 Brockhall Close

**DESCRIPTION:** Single storey side extension to create a self-contained granny annexe

**WARD:** St Davids Ward

**APPLICANT:** Mrs Shelley Parker  
**AGENT:** n/a

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Applicant is employee

**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 to create an annexe would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building, wider area, neighbouring amenity, highway safety and parking. The proposed development complies with the aims and objectives of the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide.

**2 THE PROPOSAL**

2.1 The application seeks planning permission for the installation of an annexe in the rear garden for an elderly family member. The proposed annexe would replace the existing outbuilding in the rear/side garden and would be accessed through the main dwelling.

**3 SITE DESCRIPTION**

3.1 The application site consists of a semi-detached house located at the end of a cul-de-sac in a residential area. The application site has a large side/rear garden with an existing outbuilding which would be replaced by the proposed annexe.

## **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) and the Northampton Local Plan (1997) saved policies.

#### **National Policies**

5.2 **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 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:

- S10 Sustainable Development Principles
- H1 Housing Density & mix & Type of Dwellings

### **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 Design of new development/ extensions
- H18 Residential Extensions

### **5.5 Supplementary Planning Documents**

Residential Extensions and Alterations Design Guide SPD 2011  
Northamptonshire County Parking Standards 2016  
Northampton Parking Standards 2019

## **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 None received.

## **7 APPRAISAL**

### **Design and Appearance**

7.1 The application proposes the erection of a single storey extension in the side/rear garden to create a residential annexe replacing an existing outbuilding. The proposed annexe is



designed with a flat roof and would be reasonably sub-ordinate to the host building set back from the front elevation. Materials would be conditioned to ensure the appearance is sympathetic to the existing dwelling. It is considered that the design, scale, materials and proposed siting are acceptable and would not have an adverse impact on the character of the area.

### **Relationship with the main dwelling**

- 7.2 The applicant intends to maintain a functional relationship between the annexe and the existing house. The annexe would comprise a degree of self-contained living with a lounge, bedroom and shower room but would be accessed internally via the main house and share the kitchen facilities and rear garden of the main house. As such, subject to a condition restricting the occupation of the annexe to be ancillary to the existing property, it is considered that the proposal is acceptable in principle.

### **Residential Amenity**

- 7.3 The proposed annexe would be sited along the side boundary between the application site and the neighbouring property at no. 7 Brockhall Close. There is an existing garage to the side of the no.7, which would largely screen the proposed annexe to this neighbouring property. The proposed annex with a flat roof would generally sit level with the existing boundary fence and is not considered to have any adverse impact on the residential amenity of this property. Whilst the proposal would be visible from the end of the garden it is not considered there would be any undue impact visually.
- 7.4 The neighbouring property on the other side, no.5 Brockhall Close, would see the proposed annexe partly from the rear garden but the extension would be set away from this neighbouring boundary and would not have any increased impact to that of the existing outbuilding. Overall, it is considered that the proposed annexe would not have any undue impact on the residential amenity of this property.
- 7.5 There are no properties directly to the rear of the application site.
- 7.6 No comments have been received from any neighbouring properties.
- 7.7 In terms of the residential amenity of the future occupiers, all habitable rooms of the annexe would have a satisfactory outlook and light.

### **Parking**

- 7.8 There is sufficient parking to the front of the property for 2 vehicles and the ancillary nature of the proposal would not adversely affect this.

## **8 CONCLUSION**

- 8.1 The proposed annexe would not have any adverse impact on the character of the main house and the wider area, would have an acceptable impact on the residential amenity of adjoining properties and would not adversely impact on parking provision.
- 8.2 The proposal would be in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy, saved Policy E20 of the Northampton Local Plan, the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document and advice within the National Planning Policy Framework.
- 8.3 The proposal is considered acceptable and 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: Location Plan, Existing and Proposed elevations, Existing and Proposed floor plans.

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

3. The annexe hereby permitted shall be occupied for residential purposes by dependants of and ancillary to No. 6 Brockhall Close and shall at no time form a separate planning unit.

Reason: For the avoidance of doubt as there is insufficient parking facilities to serve a separate planning unit and in the interests of residential amenity in accordance with Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

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

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.

## **10 BACKGROUND PAPERS**

- 10.1 N/2020/1412.

## **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: **6 Brockhall Close**

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**PLANNING COMMITTEE:** 21 January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1528

**LOCATION:** 84 Gresham Drive

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to Children's Home (Use Class C2) for up to 3no children aged between 8-17 years old, to include single storey front extension

**WARD:** West Hunsbury Ward

**APPLICANT:** Farj Services Limited  
**AGENT:** Architectural Solutions (Midlands) Limited

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Raises planning matters relating to impact on the character of the area which should be considered by the Committee

**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 have no significant undue impact upon 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 and S10 of the West Northamptonshire Joint Core Strategy, and Policies E20 and H29 of the Northampton Local Plan.

**2 THE PROPOSAL**

2.1 The application seeks planning permission for the change of use from a four bedroom Dwellinghouse (Use Class C3) to Children's Home (Use Class C2) for a maximum of 3 children aged between 8-17 years old.

2.2 The application also seeks planning permission for the erection of a single storey front extension.

**3 SITE DESCRIPTION**

3.1 The application suite consists of a detached, two storey, brick and mock Tudor dwelling house with an enclosed rear garden located within a small cul-de-sac. The property benefits from a detached

double garage to the side of the property with driveway for two vehicles and a shared driveway which runs along the front of the property leading to no. 85 Gresham Drive.

- 3.2 The surrounding area is predominantly residential with detached dwellings of similar sizes and varying styles.

#### **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 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

##### **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:

- S10 – Sustainable Development
- H1 – Housing
- H5 – Managing the Existing Housing Stock

##### **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 – Design
- H29 – Residential Institutions

##### **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 **NBC Public Protection** – no comments to make.

6.2 **CIr Terrie Eales** – raises objections due to increase in vehicle movements particularly during shift changes, the adequacy of the management company and the duty of the Local Authority to perform necessary checks, works that have already been carried out at the property. Concerns also raised regarding adequate space for children within the property and facilities that should be provided.

6.3 **West Hunsbury Parish Council** – raised objections due to unacceptable intensification of vehicle movement within a small cul-de-sac which may negatively impact on the amenity of the local area. Vehicle movement may be at anti-social times or the day and night due to shift changes. Additional vehicle movements and increase in parking due to visitors to the property which could impact emergency vehicles.

6.2 26 representations have been received in relation to the application, including 2 in support.

Comments received are summaries as follows:

- Absence of overriding need based on the 2019 Specialist Housing SPD
- Use not appropriate for a small residential cul-de-sac with elderly people and families with children with no regard for the community
- Impact on residential amenity due to:
  - anti-social behaviour
  - increased crime rate
  - noise disturbance
  - light pollution
- Increased traffic causing parking issues which will restrict access for emergency vehicles
- The property too close to a dual carriageway to be safe for small children
- Poor bus service in the area
- Overlooking of property from surrounding properties
- Size of property not suitable for 3 children
- The backgrounds of children unknown
- No disabled facilities for the children
- No facilities in the area for children other than a couple of small pocket parks
- The property is not secure enough to keep children in or parents out
- A recent Ofsted report about company states that certain aspects of the company requires improvement
- Specialism of applicant business is that of adult care and not children
- Decreased value in house prices in street
- Increase in insurance premiums due to criminal damage in the area
- Restrictive covenants on the property preventing commercial uses
- Comments comparing the refusal of application ref N/2020/0238 (care home for single parents)
- A similar use nearby cause issues with police being called day and night

Support letters are summarised as follows:

- supports proposed use.

## 7 APPRAISAL

### Principle of development

- 7.1 The application proposes the conversion of an existing dwellinghouse to a children's home for a maximum of three children aged between 8-17 years old. A shared lounge and kitchen/dining room are provided, alongside three en-suite bedrooms and a carer's room and staff toilet and shower room.
- 7.2 Policy H1 of the JCS seeks to ensure an appropriate mix of housing to meet different housing needs. The proposal is intended to be operated similarly to a 'family' with a maximum of three children being looked after by carers 24/7. With regards to staffing levels there will be no staff living permanently at the property, however there would always be a member of staff on site. During the day there would be a maximum of 3 carers on duty and a maximum of 2 carers at night.
- 7.3 Visitors to the site are expected to be professionals such as social workers who must visit every 6 weeks. Family members do not visit the children at home, with these being by prior arrangement at a contact centre.
- 7.4 The planning statement outlines that 'the children who will be looked after at this property are children who are finding it hard to be placed with a foster parent/s and reasons for this are varied and one of them could be because there is no availability of places with foster parents and the local authority would have decided that the child cannot live with their parent. The purpose of this is to provide the children with a family home where there are responsible individuals 24/7 (carers who will be on a rota) who will look after the children and support them in living a normal family life. A maximum of 3 staff will be on duty at the property at any one time but no staff would live at the property.
- 7.5 The use of a dwellinghouse as a care home for up to 3 children is not considered to be a significant change in terms of the principle, subject to there being an acceptable impact with regards to the impact upon the street scene, amenities of adjoining occupiers, and highway safety. It is not considered that the proposed change would have an unacceptable impact upon the character of the area, with any use being similar in style and scale to the existing use as a dwellinghouse where any occupier could easily have 3 or more children.

### **Design**

- 7.6 The proposal include the erection of a small single storey front extension to provide a downstairs toilet and shower. The proposed extension is situated away from the shared boundaries with neighbouring properties and as such, would not unduly impact adjoining occupiers. The design and appearance of the extension is considered acceptable. Furthermore, it is noted that a porch of larger dimensions could be erected in the same position to the proposed extension without planning permission.

### **Amenity**

- 7.7 Concern was raised within neighbour letters regarding antisocial behaviour and criminal damage from future residents.
- 7.8 As part of the assessment of this application, the Council's Public Protection team have been consulted on the proposal. No concerns were raised by this team as to the impact upon neighbouring amenity due to the small level of the use.
- 7.9 It is the case that the use of a house for the care of up to 3 children is broadly similar to a family dwellinghouse. As a dwellinghouse, each room could have occupiers looking through windows, playing within the garden, and making noise associated with a large family dwellinghouse. As a Care Home for young person's, occupiers would be looking through existing windows, at existing views over neighbouring properties, and would reasonably make the same level of noise disturbance and light pollution as expected from a family within this building.



- 7.10 It has also been advised that there are infrequent visitors to the site, restricted to professional visits such as the Social Services. Any family visitors are required through Ofsted to meet the children at a contact centre under supervision and on neutral ground. The only likely frequent visitors, other than staff, would be social workers once every 6 weeks.
- 7.11 It is considered that the fears expressed by objectors are attributable to concerns about individual behaviour, possibly linked to management/supervision issues. There will be a 24/7 presence of staff on site to supervise the occupants and the appropriate supervision of the children would also be subject to control under Ofsted regulations.
- 7.12 With no objection having been received from Public Protection, and with the disturbance from this property likely to be to a similar level as a three child family and how the property could already be used, it is not considered that the proposed change of use would result in an unacceptable impact upon neighbouring amenity.

### **Parking and highway safety**

- 7.13 Concern was raised in neighbour letters regarding the impact of parking availability within this area as a result of the development which in turn may impact accessibility by emergency services and service providers.
- 7.14 As discussed earlier within this report, it is the case that there would be a maximum of three staff at any one time on this site, the occupiers of the property would be children between the ages of 8 and 17 and as such are unlikely to have vehicles themselves. Family visitors are not allowed at the property and it is therefore likely that the level of car use associated with this property would not be materially different to that expected of a four bedroom family dwelling.
- 7.15 The application site benefits from a driveway with parking for two vehicles and a double garage which counts towards an additional parking space as defined within the Northamptonshire County Parking Standards 2016.
- 7.16 No bicycle storage is shown on the plans, however, this would be possible within the double garage with ample room still for parking one vehicle.
- 7.17 A regular bus service runs approximately every 30minutes from the nearby Ladybridge Drive approximately 300m from the application site, into Northampton Town Centre via the nearby local supermarket and local centre and as such, the property would be considered a sustainable location with alternative methods of transport available to staff.
- 7.18 A property of this size could attract a family with a high level of car ownership. The timing of the majority of vehicle movements would coincide with normal daily activity related to work and school journeys, as well as leisure and shopping trips in the afternoon and evening.
- 7.19 NCC Highways have been consulted on this application and advise they have no comment. With no objection having been received from NCC Highways, and in view of the above, it is considered that the proposal would not have an unacceptable impact upon the highway network.

### **Safety, security and wellbeing of children in care**

- 7.20 Comments have been raised by residents relating to the management of the facility, financial records of the applicant and agent and the safety and wellbeing of the children that may be housed within the property.
- 7.21 The intended use of the property is to provide a safe, warm, family environment and prepare young people for independent living within a family orientated, residential setting. The property is located within a predominantly residential area with easy access to schools, open spaces, leisure facilities, local centres etc.

- 7.22 In general terms, the management of the home would be required to operate within the minimum national standards for children's homes and would be subject to Ofsted regulation and inspections as well as the required Care Quality Commission (CQC) registration. These are matters governing the regulation and licensing of children's care homes, which are outside the control of the planning system, subject to separate legislation and regulations and therefore are not material planning considerations.
- 7.23 Financial matters in relation to either the applicant or the agent are not a material planning consideration.

### **Other Matters**

- 7.24 Concerns expressed in objections about the potential impacts on property values, insurance premiums and restrictive covenants are not material planning considerations.
- 7.25 Comments made in relation to the 2019 Specialist Housing SPD relate to the document's contents stating the need for C2 housing places between 2018-2023. This SPD document relates specifically to guidance for housing of older people and disabled people (both physical and with learning disabilities) and does not provide guidance or assess specialist housing need for other vulnerable groups and as such, is not a material consideration in respect of this application.
- 7.26 With regards to bin storage, bins would be stored in the rear garden as the current situation for a family. It is considered that this is acceptable for the proposed use.
- 7.27 Any work that has been carried out at the property has been internal only and does not require planning permission as the property is currently classed as a dwelling house.

## **8 CONCLUSION**

- 8.1 To conclude it is considered that the proposed change of use to a C2 dwellinghouse would not have an unacceptable impact upon neighbouring amenity and the highway network. As such the proposed change of use and associated external alterations are considered acceptable and 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: ASM-20-L08-2 and ASM-20-L08-3.

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

3. The number of occupants in care within this property shall not exceed 3 persons 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.

4. There shall not be more than 3 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.

**10 BACKGROUND PAPERS**

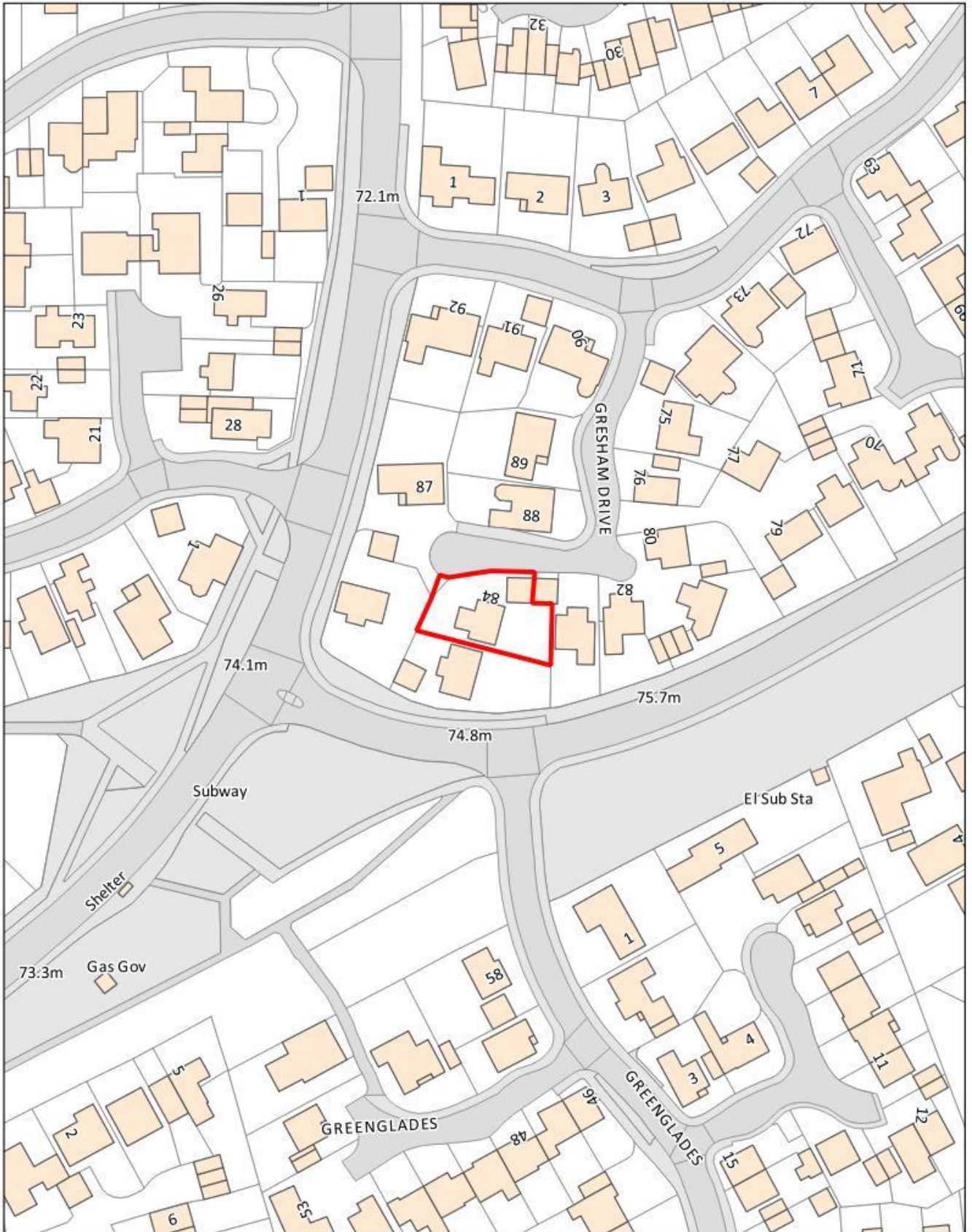
10.1 N/2020/1528

**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: **84 Gresham Drive**

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**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0079

**LOCATION:** Garage 1 Lock Up Garages , Coverack Close

**DESCRIPTION:** Creation of 17no new parking bays with tarmac finish

**WARD:** Delapre & Briar Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Northampton Partnership Homes

**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 proposed parking area would not have an undue detrimental impact on the appearance and character of the area, highway safety, neighbouring amenity, security and effect on nearby trees to accord with the aims and objectives of the National Planning Policy Framework, Policies S10, BN3 and BN7 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**2 THE PROPOSAL**

- 2.1 Permission is sought for the provision of 17 off road parking spaces adjacent to a block of 10 single garages. There would be two areas of parking comprising ten parking spaces on one side and seven on the other side of the existing garage block. The existing garages would not be demolished. The proposal would include the removal of some existing trees on the site.
- 2.2 The parking areas are proposed to be finished in tarmac with suitable ACO drainage, gullies and new kerbs.

**3 SITE DESCRIPTION**

3.1 The application site comprises two areas of grassed amenity space located at the end of Coverack Close and adjacent to an existing block of garages within an established residential areas where on-street parking is at a premium throughout the day and evening. There are a number of existing trees on the site, none of which are protected by preservation orders, and the western area of land has existing play equipment on it which is proposed to be relocated.

3.2 The application site is surrounded by residential properties on all sides with a mix of single storey and two storey dwellings.

#### **4 PLANNING HISTORY**

4.1 No recent planning applications.

#### **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 the Northampton Local Plan (1997) saved policies.

##### **National Policies**

5.2 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 108 Safe access for all
- Paragraph 127 Design and residential amenity

##### **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:

S10 - Sustainable Development Principles  
BN3 - Woodland Enhancement and Creation  
BN7- Flood Risk

##### **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 (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**



- 6.1 **NCC Highways Authority:** No objections.
- 6.2 **Northamptonshire Police:** No objections.
- 6.3 **NBC Arboricultural Officer** – Initially raised objection about the loss of the trees from the application site. However, during the course of the application, suitable mitigation measures have been approved and a new landscaping scheme has been agreed. Subject to the implementation of the approved mitigation measures, the objection is withdrawn.
- 6.4 **NBC Public Protection:** No objections and recommended a condition to provide electric vehicle charging points.

## **7 APPRAISAL**

- 7.1 The main issues for consideration are the principle of additional parking spaces at this location, the impact on the character of the surrounding area, and proposed residential amenity, trees and highways/parking implications.

### **Principle**

- 7.2 The application site is located within a residential area, currently comprising two areas of grassed amenity land with six trees. Within such an area of residential development, where parking is at a premium, the development is considered to be acceptable, subject to the considerations below.

### **Impact on the appearance and character of the area**

- 7.3 Policy S10 requires the highest standards of sustainable design and a strong sense of place. Given that the proposed parking areas would be a continuation of the existing hard standing in front of the garage blocks and that they are not unduly prominent, it is considered that the visual impact in the local areas is acceptable. Although the proposal would result in the loss of an existing landscaped area, this needs to be balanced against the need for parking in the area. Some of the existing play equipment will be relocated elsewhere in the estate. It is considered that the grassed area does not hold significant amenity value that outweighs the improved parking provision for the local residents.

### **Impact on Trees and Landscaping**

- 7.4 The site contains some semi -mature trees which are not covered by any formal protection orders and are proposed for removal under the scheme with replacement tree planting proposed on the western boundary of the site. The Council's Arboricultural Officer has been consulted and raises no objection subject to a condition requiring the replacement planting and landscaping. The proposal therefore accords with Policy BN3 of the Joint Core Strategy.

### **Impact on amenity of neighbouring occupiers**

- 7.5 The application site is surrounded by residential properties on all sides. While it is acknowledged that there may be additional comings and goings in close proximity to many of these properties, it is not considered that the impact would be unacceptable and this impact must be weighed against the positive benefits of providing additional parking in the area.

### **Parking and Highways**

- 7.6 The proposal would provide additional parking in a location where parking is at a premium, therefore, the proposal would assist in reducing the pressure for on-street parking, potentially freeing up additional parking elsewhere on the estate. The Local Highway Authority have no objection to make and as such the proposed development is acceptable and would not result in any adverse impact on highway safety.

- 7.7 In terms of the provision of electric vehicle charging points, the proposed plans show two of these which accords with Council's requirements on Parking and Public Protection comments.

### **Security and Crime Prevention**

- 7.8 The applicant has given consideration to the proposed layout to ensure personal safety and contends that natural surveillance of car parking is an important aspect of the design. The Northamptonshire "Planning out Crime SPG (2003) is relevant as is policy S10 of the Joint Core Strategy and the NPPF. The NPPF states "development should 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". In terms of security, all proposed parking spaces would be overlooked by surrounding properties therefore it is a suitable location in this respect.

### **Drainage and Flood Risk**

- 7.9 The NPPF seeks to ensure that proposals for new development are appropriately located away from areas with a high risk of flooding and to ensure that the development does not lead to an increase in flood risk elsewhere. Policy BN7 of the Joint Core Strategy requires that new development demonstrates there is no risk of flooding to existing properties and that the development is (or can be) safe, seeking to improve existing flood risk management. The site lies within a low risk Flood Zone (Flood Zone 1) which has the lowest probability of experiencing flooding. A condition is proposed to secure drainage details for the car park to ensure any impacts are appropriately mitigated due to the introduction of hard surfacing.

## **8 CONCLUSION**

- 8.1 The proposals are considered acceptable and would not have any undue impact on highway safety or visual and residential amenity, parking and highway safety, trees, security and drainage.
- 8.2 The proposal is recommended for approval with 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: DEL-CP01 Received on 24.11.2020, Tree planting Plan Rev 1.

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

- 3) Prior to the first use of the approved development, details of drainage relating to the extended car park 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: To prevent drainage on to the highway in accordance with the aims of the National Planning Policy Framework.

- 4) The development shall be carried out in accordance with the approved landscaping scheme as shown on Drawing number Tree Planting Plan Rev1. 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 completion of the development 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 E20 of the Northampton Local Plan and Policy BN3 of the West Northamptonshire Joint Core Strategy.

- 5) Prior to the first use of the development hereby permitted, full details for the provision of electric vehicle charging points as shown on the approved plan shall be first 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.

Reason: To ensure the provision of adequate facilities and in the interests of providing a sustainable development in accordance with the Northampton Parking Standards Supplementary Planning Document and the aims and objectives of the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

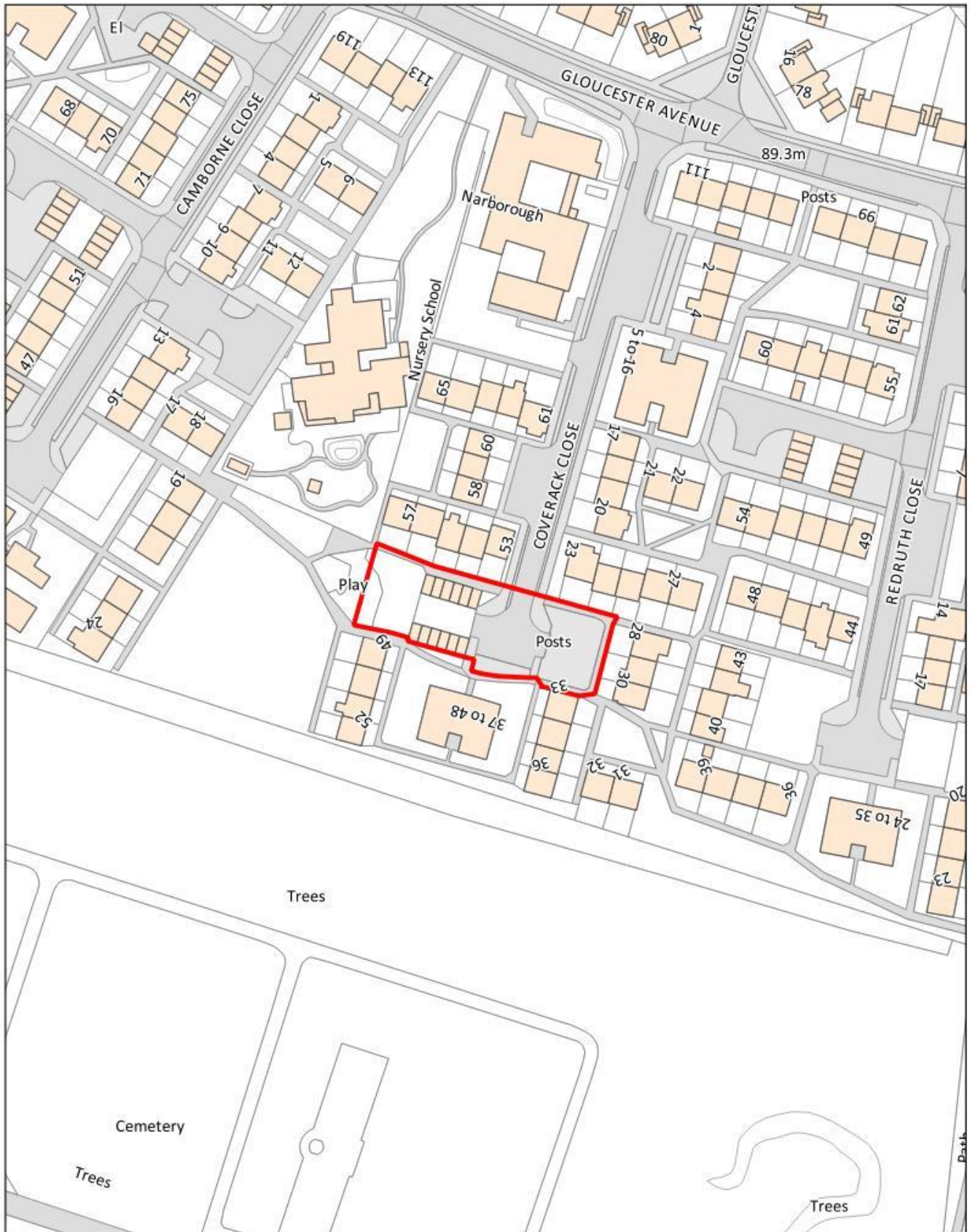
10.1 N/2020/0079

## **11 LEGAL IMPLICATIONS**

11.1 The development is not CIL liable.

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

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: **Lock up Gargers at Coverack Close.**

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**PLANNING COMMITTEE:** 21<sup>st</sup> January 2021  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/1340

**LOCATION:** Riverside House  
 Bedford Road

**DESCRIPTION:** Change of window unit style (Part retrospective)

**WARD:** Rushmills Ward

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

**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 does not have an adverse impact on the character and appearance of the area or with regards to residential amenity. As such, it is in conformity with the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

**2 THE PROPOSAL**

2.1 The application is part retrospective and seeks planning permission to change the windows in the first to fifth floors of Riverside House.

**3 SITE DESCRIPTION**

3.1 The application site comprises a six storey building on the periphery of the town centre known as Riverside House. The ground floor has been used as a health facility, however, the upper floors have been used for offices and are currently vacant. The surrounding land uses are a combination of commercial properties, the hospital, public open space and the new university campus, in addition to some residential accommodation.

## **4 PLANNING HISTORY**

- 4.1 N/2019/1420: Prior Notification of Change of Use from first to fourth floors Offices (Use Class B1) to 200 no. Studio Apartments (Use Class C3). Approved.
- 4.2 N/2018/0136: Prior Notification of Change of Use from Offices (Use Class B1a) to 192 Studio Apartments (Use Class C3). Approved.
- 4.3 N/2018/0247: Prior Notification of Change of Use from Offices (Use Class B1a) to Residential comprising 60no units (Use Class C3). 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), and Northampton Central Area Action Plan (2013).

### **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 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:

S10 – Sustainable Development Principles

### **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 – Promoting Design Excellence

## **6 CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Environmental Protection:** Noise Consultants have contacted Environmental Protection regarding the site, but the application submissions do not include any specific technical details regarding the proposed windows or a noise assessment. Any new windows should meet the noise standards set out in connection with the previous prior approval applications on the site.

## **7 APPRAISAL**

## **Character and appearance of the area**

- 7.1 The application does not propose to change the distinctive shape of the existing windows, which are rectangular with curved corners, but seeks permission for the introduction of a central square opening to allow ventilation and also for the insertion of extract vents in a top light infill panel for a number of the windows. It is considered that the replacement windows integrate acceptably with the appearance of the existing building and, therefore, do not have a detrimental impact on the character and appearance of the area.

## **Residential amenity**

- 7.2 Whilst the property is predominantly surrounded by commercial uses, it is noted that there is an extant planning permission on the car park to the rear of the site for nurses / student accommodation. However, the proposed replacement windows do not increase the amount of glazing in the property and, therefore, the works have no implications regarding the amenity of any neighbouring property.
- 7.3 The comments of Environmental Protection regarding noise standards for the new windows linked to the previous prior approvals on the site for the change of use of the upper floors of the property to residential are noted. However, to date a change of use to residential has not been implemented such that the current lawful use of the upper floors of the property is for office purposes. Furthermore, the current application is only for the window alterations and not for a change of use. As such, it is considered that it would not be reasonable to impose a condition to require the submission of further technical details regarding the windows. However, it is recommended that an informative is imposed to draw the comments of Environment Protection to the attention of the applicant.

## **8 CONCLUSION**

- 8.1 To conclude, the proposed replacement windows do not have an unacceptable impact with regards to the character of the area or residential amenity and, therefore, comply with the National Planning Policy Framework, Policy S10 of the West Northamptonshire Joint Core Strategy and Policy 1 of the Northampton Central Area Action Plan.

## **9 CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 020-023-200, 020-023-201, 020-023-202, and 020-023-203.

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

INFORMATIVE: The applicant's attention is drawn to the consultation response from Environmental Protection to this application on the Council's website which provides guidance on noise standards that any new windows should seek to meet for residential properties.

## **10 BACKGROUND PAPERS**

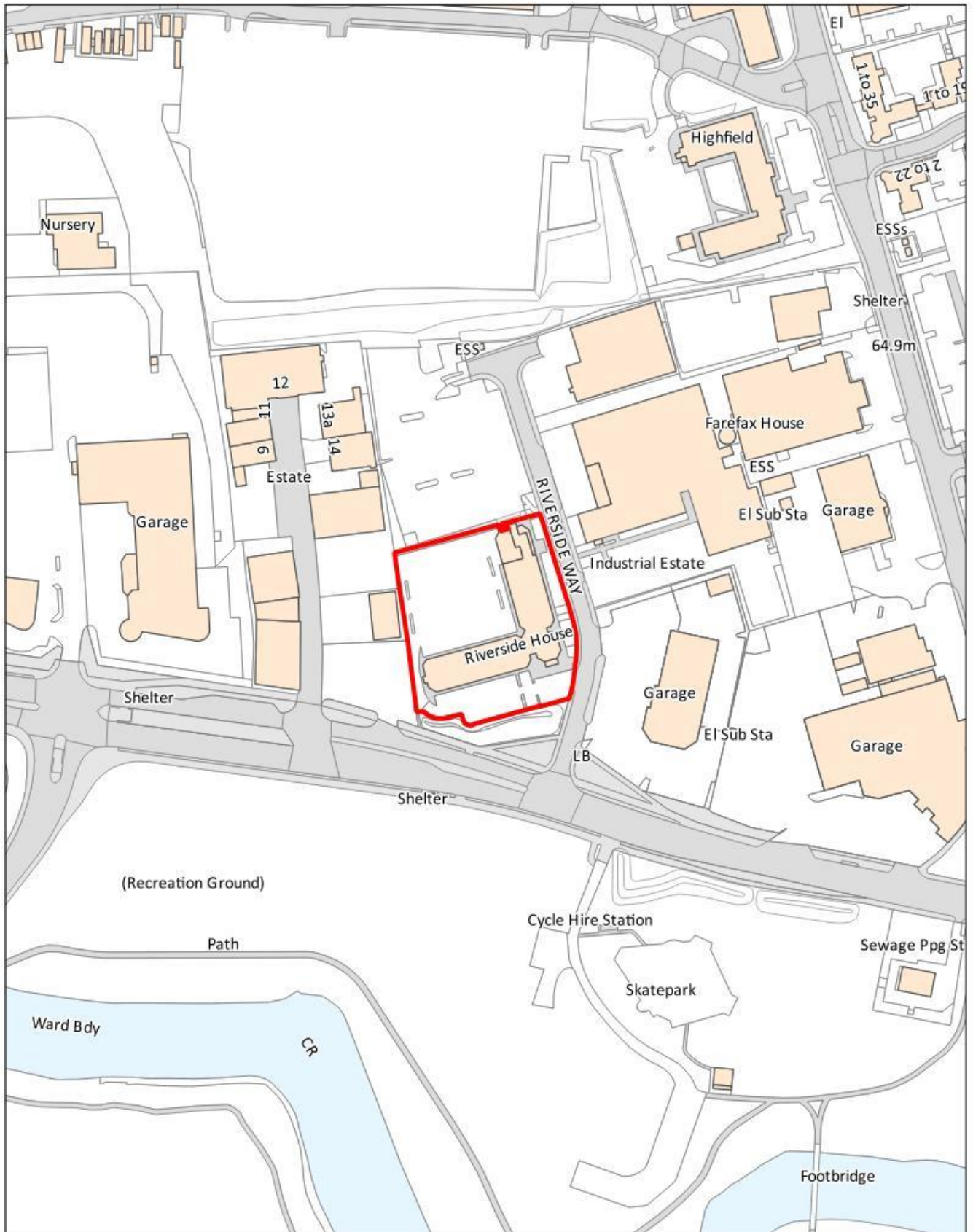
- 10.1 N/2020/1340, N/2019/1420, N/2018/0136 and N/2018/0247.

## **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: **Riverside House, Bedford Road.**

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