



**NORTHAMPTON**  
**BOROUGH COUNCIL**

# **PLANNING AGENDA**

**Tuesday, 30 July 2019**

The Jeffrey Room, The Guildhall, St. Giles  
Square, Northampton, NN1 1DE

5:00 pm

**Members of the Committee**

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

**Councillors:** Alan Bottwood, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Paul Joyce, Enam Haque, 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 2<sup>nd</sup> July, 30<sup>th</sup> July, 3<sup>rd</sup> September, 24<sup>th</sup> September, 22<sup>nd</sup> October, 19<sup>th</sup> November, 17<sup>th</sup> December 2019, and 21<sup>st</sup> January, 18<sup>th</sup> February and 17<sup>th</sup> March 2020.

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?

- 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)

### 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.

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1  
1DE

on Tuesday, 30 July 2019

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**  
Report of Head of Planning (copy herewith)
- 7. OTHER REPORTS**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**  
**(A) N/2019/0782 - ERECTION OF 4 SEMI DETACHED SINGLE OCCUPANCY BUNGALOWS (8 BUNGALOW UNITS IN TOTAL) TO PROVIDE SUPPORTED LIVING HOUSING, A STAFF MANAGEMENT BUILDING AND NEW VEHICULAR AND PEDESTRIAN ACCESS ROAD OFF BILLING BROOK ROAD. LAND OFF BILLING BROOK ROAD**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**  
**(A) N/2019/0637 - LISTED BUILDING CONSENT APPLICATION TO REPLACE EXISTING CCTV CAMERAS IN PUBLIC SPACES WITH DOME CAMERAS, ADD AN ADDITIONAL 9NO CAMERAS TO GALLERY SPACES INCLUDING NEW WIRING THROUGHOUT THE BUILDING. ABINGTON MUSEUM MANOR HOUSE ABINGTON PARK, WELLINGBOROUGH ROAD**
- 10. ITEMS FOR DETERMINATION**  
(Copy of addendum herewith)

- (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, WEEDON ROAD, UPTON**
- (B) N/2018/1207 - ERECTION OF 138NO DWELLINGS WITH ACCESS, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. LAND AT FORMER BRITISH TIMKEN SITE, MAIN ROAD, DUSTON**
- (C) N/2019/0469 - SITING OF CONTAINERS, GENERATORS AND ASSOCIATED AIR CONDITIONING EQUIPMENT SURROUNDED BY WELD MESH FENCING, NEW ACCESS AND NET ENCLOSURE. LAND AT STONE CIRCLE ROAD**
- (D) N/2019/0607 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 51 ADNITT ROAD**
- (E) N/2019/0633 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 75 IVY ROAD**
- (F) N/2019/0641 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 102 LEA ROAD**
- (G) N/2019/0743 - LISTED BUILDING CONSENT APPLICATION FOR INSTALLATION OF 2NO SECURITY CAMERAS AND 1NO SOUNDER TO STABLE BLOCK & COACH HOUSE, INSTALLATION OF OVERFLOW HOPPER AND RAINWATER PIPE ON THE CAFE BUILDING, REPLACEMENT OF EXISTING WALL LANTERN LIGHT FITTINGS AT VARIOUS LOCATIONS AND REPLACEMENT OF EXISTING EXTERNAL BULKHEAD FITTINGS WITH NEW LED EMERGENCY LIGHTS. DELAPRE ABBEY, LONDON ROAD**
- (H) N/2019/0753 - VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION N/2017/1125 (PROPOSED EXTENSIONS AND ALTERATIONS TO EXISTING CLUB HOUSE TO PROVIDE KITCHEN AND DINING FACILITIES AND TOILETS) TO ALTER PITCHED ROOF OVER PROPOSED DINING ROOM/KITCHEN EXTENSION FROM PITCHED TO FLAT ROOF AND INCLUDE 3NO ROOF LANTERNS, AMEND SOUTH EAST ELEVATION TO REMOVE WINDOW AND ALTER DOOR POSITION, INCLUDE NEW ENTRANCE LOBBY TO DINING AREA ON NORTH EAST ELEVATION AND DETACH PROPOSED EXTENSION FROM ADJACENT SCOUT BUILDING BY 1200MM. FERNIE FIELD SPORTS GROUND, FERNIE FIELD**

**11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS**

- (A) N/2019/0137 - DEMOLITION OF 10NO DOMESTIC GARAGES AND ERECTION OF 2NO NEW BUILD UNITS. LOCK UP GARAGES, FIELDWAY**
- (B) N/2019/0142 - DEMOLITION OF 6NO DOMESTIC GARAGES AND ERECTION OF 1NO NEW BUILD UNIT. LOCK UP GARAGES OPPOSITE 49 PRENTICE COURT**
- (C) N/2019/0173 - CONVERSION AND ALTERATIONS OF THE EXISTING LOFT SPACE TO CREATE ONE 1- BED FLAT, INCLUDING A NEW REAR DORMER. EPWORTH HOUSE, 3 PARK AVENUE NORTH**
- (D) N/2019/0323 - DEMOLITION OF 16NO DOMESTIC LOCKUP GARAGES AND ERECTION OF 4 FLATS AND PROVISION OF PARKING AREA. LOCK UP GARAGES, BLAKESLEY CLOSE**
- (E) N/2019/0358 - DEMOLITION OF 17NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 2NO NEW BUILD UNITS. GARAGE 1 LOCK UP GARAGES, HINTON CLOSE**
- (F) N/2019/0456 - DEMOLITION OF 4NO RESIDENTIAL BUILDINGS, GARAGES AND ASSOCIATED AREAS KNOWN AS BERKELEY HOUSE AND 3NO RESIDENTIAL BUILDINGS AND ASSOCIATED AREAS KNOWN AS ST MARY'S COURT. NEW DEVELOPMENT OF 126NO AFFORDABLE DWELLINGS CONSISTING OF 62NO ONE BED APARTMENTS, 40NO TWO BED APARTMENTS, 5NO TWO BED HOUSES, 17NO THREE BED HOUSES AND 2NO FOUR BED HOUSES WITH ASSOCIATED WORKS. BERKELEY HOUSE AND ST MARY'S COURT, HORSEMARKET**

**12. ITEMS FOR CONSULTATION**

- (A) N/2019/0850 - HYBRID APPLICATION COMPRISING: A FULL APPLICATION FOR THE ERECTION OF RETAIL UNITS, RESTAURANT UNITS, OFFICE FLOORSPACE, PHYSIOTHERAPY/LEISURE FLOORSPACE, ANCILLARY STORAGE FLOORSPACE, (WITH ASSOCIATED SITE CLEARANCE, EARTHWORKS, SITE LEVELLING AND FORMATION OF BANKS) TOGETHER WITH PROPOSALS FOR ACCESS, FOOTPATHS, PARKING AND SERVICING SPACE, HARD AND SOFT LANDSCAPING, DRAINAGE WORKS, ATTENUATION PONDS AND OTHER ASSOCIATED WORKS AND AN OUTLINE APPLICATION FOR THE ERECTION OF EMPLOYMENT UNITS WITH SOME MATTERS RESERVED (LAYOUT, SCALE, APPEARANCE). PLUS CONSTRUCTION OF A NEW LINK ROAD BETWEEN DITCHFORD ROAD AND RUSHDEN LAKES (WITH ASSOCIATED SITE CLEARANCE AND EARTHWORKS) ALONGSIDE JUNCTION WORKS, FOOTPATHS, CYCLEWAYS, LIGHTING, HARD AND SOFT LANDSCAPING AND ASSOCIATED WORKS (RESUBMISSION OF 18/01197/FUL). LAND WEST OF RUSHDEN LAKES, DITCHFORD LANE, RUSHDEN**

**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.





Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



**List of Appeals and Determinations – 30<sup>th</sup> July 2019**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2017/1436</b> APP/V2825/W/18/3205543	DEL	Variation of Conditions 4 and 5 of Planning Permission N/2011/1222 (Variation of conditions of Planning Permission N/2011/0627) to extend hours of opening at Borjia Restaurant, Castilian Street	<b>ALLOWED</b>
<b>N/2018/0500</b> APP/V2825/W/18/3217452	DEL	Variation of condition 3 of N/2017/0998 (Change of use from Dwelling House (Use Class C3) to House In Multiple Occupation (Use Class C4) for 3 occupants)) to allow the increase of occupants to 4 at 56 St Leonards Road	<b>AWAITED</b>
<b>N/2018/0835</b> APP/V2825/W/18/3219548	DEL	Addition of a rooftop extension to form two additional apartments at 20-22 St Giles Street	<b>ALLOWED</b>
<b>N/2018/0867</b> APP/V2825/W/18/3219101	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 144 Southampton Road	<b>AWAITED</b>
<b>N/2018/1125</b> APP/V2825/W/19/3222728	DEL	Demolition of 3no garages and erection of 2 storey one bedroom dwelling on Elizabeth Street (to the rear of 74 Lower Thrift Street)	<b>AWAITED</b>
<b>N/2018/1318</b> APP/V2825/W/18/3219519	DEL	Retention of bay window in ground floor flat at 3 St Georges Place	<b>AWAITED</b>
<b>N/2018/1339</b> APP/V2825/D/19/3230235	DEL	First floor extension over existing garage at 3 Fleetwind Drive	<b>AWAITED</b>
<b>N/2018/1377</b> APP/V2825/W/19/3229760	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants and installation of rear conservation roof windows (part retrospective) Revised scheme following refusal of N/2018/0645 at 46 Palmerston Road	<b>AWAITED</b>
<b>N/2018/1414</b> APP/V2825/W/19/3220930	DEL	Conversion of single dwelling to 4no apartments at 96 Semilong Road	<b>ALLOWED</b>
<b>N/2018/1499</b> APP/V2825/D/19/3223405	DEL	Proposed rear second floor dormer at 620 Wellingborough Road	<b>AWAITED</b>
<b>N/2018/1500</b> APP/V2825/D/19/3225361	DEL	Dropped kerb and build driveway at 115 Booth Lane South	<b>AWAITED</b>
<b>N/2018/1544</b> APP/V2825/W/19/3230684	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including new rear and front roof lights and new basement window to front elevation (Part retrospective) at 25 Alcombe Road	<b>AWAITED</b>
<b>N/2018/1570</b> APP/V2825/W/19/3224302	DEL	Single storey rear extension to Day Centre at 123 Milton Street North	<b>DISMISSED</b>
<b>N/2018/1717</b> APP/V2825/W/19/3224666	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 161 Euston Road	<b>AWAITED</b>
<b>N/2018/1721</b> APP/V2825/D/19/3225498	DEL	Loft conversion with rear dormer and balcony (Retrospective) at 58 Whitworth Road	<b>AWAITED</b>
<b>N/2018/1765</b> APP/V2825/W/19/3230096	DEL	Variation of Condition 3 of Planning Permission N/2017/1217 (Change of Use to House in Multiple Occupation for 5 occupants) to increase number of residents from 5 to 6 at 58 Moore Street	<b>AWAITED</b>
<b>N/2019/0017</b> APP/V2825/D/19/3229547	DEL	First floor side extension over garage and kitchen together with new boundary treatment to frontage, new obscure glazed window to side elevation and modified opening at first floor level to front elevation to access new balcony at 48 Abington Park Crescent	<b>AWAITED</b>
<b>N/2019/0040</b> APP/V2825/D/19/3229094	DEL	Two storey front extension at 116 Church Way	<b>AWAITED</b>
<b>N/2019/0062</b> APP/V2825/D/19/3225451	DEL	Addition of parapet walls to existing extension (approved under Planning Permission N/2016/1078) (Retrospective) at 78 Lutterworth Road	<b>AWAITED</b>
<b>N/2019/0274</b> APP/V2825/W/19/3228319	DEL	Single storey rear extension to Day Centre (Resubmission of N/2018/1570) at 123 Milton Street North	<b>ALLOWED</b>
<b>N/2019/0282</b> APP/V2825/W/19/3229619	DEL	Replacement door and windows to upvc at 56 Dunster Street	<b>AWAITED</b>
<b>Public Inquiry</b>			
		None	1

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:

Mrs Rita Bovey, Development Manager

Telephone 01604 837237

Planning and Regeneration

The Guildhall, St Giles Square,

Northampton, NN1 1DE



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

**APPLICATION REF:** N/2019/0782

**LOCATION:** Land off Billing Brook Road

**DESCRIPTION:** Erection of 4 semi detached single occupancy bungalows (8 bungalow units in total) to provide Supported Living Housing, a Staff Management Building and new vehicular and pedestrian access road off Billing Brook Road

**WARD:** Talavera

**APPLICANT:** Northamptonshire County Council/Northampton Partnership Homes

**AGENT:** Maber Architects

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

**DEPARTURE:** No

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## CONSULTATION BY NORTHAMPTONSHIRE COUNTY COUNCIL:

### 1 RECOMMENDATION

1.1 That the Council raise **No Objections** to the proposed development.

### 2 THE PROPOSAL

2.1 The proposal is for the erection of 4 semi-detached single occupancy bungalows (8 bungalow units in total) to provide Supported Living Housing, a Staff Management Building and new vehicular and pedestrian access road off Billing Brook Road.

### 3 SITE DESCRIPTION

3.1 The application site comprises an area on open space located to the east of Billing Brook Road. It undulates in land levels but generally rises to the north and west. The site is predominantly grassed but benefits from a number of established trees to its boundaries and also a mature oak tree in the southern part of the site.

3.2 Thorplands Primary School is located to the west of the site beyond the Billing Brook Road and there are residential properties on Waterpump Court and Great Field Court to the east and south of the site. There is a footway to the north of the site (Woodfield Walk) that links to a footbridge over

the Billing Brook Road, with a Multi Use Games Area (MUGA) and outdoor gym in an area of open space to the north of the footway.

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

#### **6 National Policies**

6.1 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 61 - Housing needed for different groups in the community.

Paragraph 127(f) - 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

Section 12 - Achieving well-designed places.

Section 15 - Conserving and enhancing the natural environment.

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

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

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy RC2 - Community Needs

Policy BN1 - Green infrastructure

Policy BN2 - Biodiversity

Policy BN9 - Planning for Pollution Control

##### **6.3 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)

##### **6.4 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

## **7 CONSULTATIONS/ REPRESENTATIONS**

- 7.1 **Arboricultural Officer (NBC)** – A comprehensive report has been submitted which provides a good level of detail: to seek to prevent harm to the retained trees the control measures specified must be implemented in a timely fashion and properly maintained throughout the duration of the development. However, whilst the report recommends ground protection measures to accommodate the development whilst causing the least avoidable harm to the roots of those retained trees they offer no detail of how that may be achieved. A site-specific document will be required that will demonstrate how the proposals can be implemented without causing harm to the adjacent trees; this text could probably be secured by Condition.
- 7.2 **Environmental Protection (NBC)** – Environmental Protection have commented to NCC direct and raised no objections subject to conditions to address land contamination, air quality, and construction hours.
- 7.3 **Northants Police Crime Prevention Design Advisor** – No objections.

## **8 APPRAISAL**

### **Principle of development**

- 8.1 Policy RC2 of the Joint Core Strategy relates to open space and seeks to resist the loss of open space unless it can be demonstrated that:
- There is evidence that improvements can be made through the provision of a replacement facility of equal or better quality taking into account accessibility; or
  - The proposal will bring about community benefits that outweigh the loss of the facility; or
  - Having regard to the relevant open space study, the space is surplus or is little used.
- 8.2 In addition, Paragraph 97 of the NPPF also seeks to protect against the unjustified loss of open space of public value.
- 8.3 However, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, the development of the site for housing should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 8.4 The application site comprises the southern part of an area of open space that runs along the eastern side of Billing Brook Road. The two parts of open space are bisected by a footway that links to the footbridge over the Billing Brook Road, with the northern part of the open space containing play facilities in the form of a MUGA and outdoor gym and the southern part (i.e. the application site) comprising grassland with a number of mature trees. The Council's 2017 Open Space study classifies the site as Natural and Semi Natural Open Space and the 2016 Green Infrastructure Plan identifies the site as an Urban Open Space Green Infrastructure Component.
- 8.5 The proposed development would be located in the centre of the open space and would result in the loss of a large proportion of the existing open space. However, generous strips of open space would be retained around the proposed development to the boundaries of the site with additional tree planting proposed such that the existing green infrastructure connections would not be wholly lost. Furthermore, whilst the site appears to be used by local residents for informal recreational resource such as dog walking, the land level changes limit the activities that can take place on the site and it does not contain any play or recreational facilities.
- 8.6 In addition, the benefits arising from the provision of eight one-bed bungalows must be taken into account. Such dwellings would not only contribute to the Council's housing supply but would also provide specialist accommodation for persons with learning difficulties and autism to help

contribute to the different housing needs across the Borough in accordance with the requirements of Policy H1 of the Joint Core Strategy.

- 8.7 As part of a balanced assessment, it is considered that the community benefits arising from the proposed eight specialist housing units would outweigh the loss of open space in this instance. Therefore, no objections are raised to the principle of the proposed development.

### **Layout and Design**

- 8.8 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 8.9 The proposed development would have a looped access road off the Billing Brook Road and the new bungalows and management suite would be clustered around a central courtyard area with a perimeter walkway and fence. Whilst the development would result in the loss of a large area of grassland, the layout would allow the retention of a number of the boundary trees and the mature oak tree within the site. The inward facing nature of the development and perimeter fencing is regrettable from a character of the area perspective, however the applicant has advised that the layout of the development is necessary due to the needs and vulnerable nature of future occupiers and Northants Police Crime Prevention Design Advisor has also raised no objection. Furthermore, the application has been amended since its submission to clarify that the boundary treatments for the rear gardens would be low in height with hedges to the rear such that the perimeter walkway would not be enclosed by high fences to either side. In addition, storm porches have also been added to the rear of the bungalows to create a sense of a more outward facing development. Overall, it is considered that objections cannot be sustained to the layout and design of the proposed development.

### **Residential Amenity**

- 8.10 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 8.11 The proposed residential use would, by definition, be compatible with neighbouring residential properties to the eastern and southern sides of the site. Furthermore, the proposal comprises single storey buildings set well in from the boundaries of the site such that it would not appear unduly prominent or give rise to a loss of privacy to neighbouring properties. As such, the proposal would not have any adverse implications with regards to the residential amenities of neighbours.
- 8.12 Turning to amenities of future occupiers of the proposed development, all habitable rooms would be served by windows. Whilst the proposed rear gardens would be small in size and not particularly private, the development would benefit from a generous communal garden area and the new properties would be buffered from the paths neighbouring the site by the perimeter fence and walkway within the site and the retained open space outside of the development site. As such, and given the development has been designed to serve a specific type of occupier, it is considered that an acceptable level of amenity would be afforded for future occupiers.

### **Parking and highway safety**

- 8.13 The application proposes 8 x 1 bed bungalows with a management suite and would be served by 23 parking spaces and a minibus space from a new access drive off the Billing Brook Road. The development would therefore benefit from generous parking provisions and it is noted that the application is subject to consultation with the Highway Authority, the comments of whom will be directed to the relevant Planning Officer at the County Council for consideration.

### **Other considerations**

- 8.14 As this is a County consultation other technical issues will be considered by the County Council as the planning authority for the application, including the request for conditions from Environmental Protection to address land contamination, air quality, and construction hours, and also arboricultural and ecological matters.

## **9 CONCLUSION**

- 9.1 To conclude, as part of a balanced assessment, it is considered that the proposal is acceptable and it is recommended that no objections are raised to the proposed development.

## **10 BACKGROUND PAPERS**

- 10.1 N/2019/0782.

## **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: **Land off Billing Brook Road**

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Date: 19-07-2019

Scale: 1:1,062

Drawn by: -----



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

**APPLICATION REF:** N/2019/0637

**LOCATION:** Abington Museum Manor House Abington Park,  
Wellingborough Road

**DESCRIPTION:** Listed Building Consent Application to replace existing CCTV cameras in public spaces with dome cameras, add an additional 9no cameras to gallery spaces including new wiring throughout the building

**WARD:** Abington Ward

**APPLICANT:** Northampton Borough Council  
**AGENT:** N/A

**REFERRED BY:** Head of Planning  
**REASON:** Borough owned land and is the Applicant

**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 improve security for the museum and have less than substantial harm to the Grade I Listed Building and no adverse impact on the Abington Park Conservation Area. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies BN5 and E7 of the West Northamptonshire Joint Core Strategy, and Saved Policy E26 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 The development proposed comprises internal works to Abington Park Museum. The works include replacing existing CCTV cameras in public spaces with dome cameras and providing an additional 9no. dome cameras to the gallery spaces requiring new wiring throughout the building.

### 3 SITE DESCRIPTION

- 3.1 The site comprises the Grade I listed Abington Park Museum, located within the Abington Park Conservation Area off Wellingborough Road. The proposed development would be within the museum and therefore not impact on the external appearance of the building.

#### **4 PLANNING HISTORY**

- 4.1 No relevant planning history.

#### **5 PLANNING POLICY**

##### Statutory Duty

- 5.1 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 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.
- 5.3 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

##### National Policies

- 5.4 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. The NPPF should be read as one complete document. However, the following section is of particular relevance to this application:
- Section 16: Conserving and enhancing the historic environment

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

- 5.5 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 BN5: Designated and non-designated heritage assets
  - Policy E7: Tourism, Visitor and Cultural Industries

##### Northampton Local Plan 1997 (Saved Policies)

- 5.6 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 E26 – Conservation Areas

#### **5.7 Other Material Considerations**

##### Supplementary Planning Documents

- 5.8 The Abington Park Conservation Area Appraisal and Management Plan.

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** – no objections. Although the proposal would result in a level of harm to the building, this harm is considered to be less than substantial. There are benefits arising from retaining the building for public use as a museum. It is important that the works are undertaken in a manner which minimises the loss of, and disturbance to, the existing fabric of the building. Where disturbance is necessary, measures should be in place to enable accurate reinstatement.
- 6.2 **Historic England** – no objection or comments made.

## **7 APPRAISAL**

### **Principle of Development**

- 7.1 The proposal has been submitted further to pre-application advice provided by NBC Conservation. Alterations to the Grade I Listed Building require Listed Building Consent. Great weight is required to be given to the conservation of the heritage asset and the more significant the asset, the greater the weight attributed to it. Therefore, the key issues are the potential damage through alterations to the listed building and whether this would result in unacceptable harm.

### **Heritage Impact**

- 7.2 The WNJCS Policy BN5 states that designated and non-designated heritage assets and their setting and landscapes will be conserved and enhanced in recognition of their individual and cumulative significance and contribution to West Northamptonshire's local distinctiveness and sense of place. Paragraph 192 of the NPPF states that local planning authorities should consider the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses; and the positive contribution that conservation of heritage assets can make to sustainable communities.
- 7.3 In terms of conserving and enhancing the asset, the proposal would require some loss and disturbance to the existing fabric of the building to accommodate new CCTV cameras and replacement of existing CCTV cameras. The replacement of the existing CCTV cameras will reuse existing wiring in order to minimise such disturbance. NBC Conservation have identified this level of harm to be less than substantial. The museum have outlined that the updating of the CCTV cameras for the museum is required to maintain safe and secure public access to the museum. Therefore, it is considered that whilst having special regard to the desirability of preserving the building, the community benefits of keeping the museum open would outweigh the less than substantial harm to the building through alterations to accommodate the new and altered CCTV cameras. However, planning conditions would be imposed requiring details of method statement to be submitted to ensure that disturbance to the fabric of the building to be kept to a minimum.
- 7.4 The proposed alterations would not impact on the conservation area.

## **8 CONCLUSION**

- 8.1 The key issue identified is the 'less than substantial' harm to the Listed Building due to damage from alterations to the building to accommodate dome CCTV cameras. In conclusion, this would not result in unacceptable harm in line with the NPPF.

## **9 CONDITIONS**

1. The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Abington Museum Manor House Location Plan, Abington Museum Manor House Ground Floor Plan Existing and Proposed CCTV Locations; Abington Museum Manor House First Floor Plan Existing and Proposed CCTV Locations; DS-1280ZJ-XS Junction Box for Dome Camera; and DS-2CE56H0T-ITME 5 MP Turret Camera.

Reason: For the avoidance of doubt and to accord with the terms of the listed building consent application.

3. Prior to the commencement of works, a method statement shall be submitted to and approved in writing by the Local Planning Authority which details the method of installation of the CCTV cameras hereby permitted. Development shall be carried out in accordance with the approved details.

Reason: For the avoidance of doubt and to ensure the protection of the integrity of the Listed Building in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy . This is a pre-commencement condition to ensure that details are submitted in a timely manner.

## **10 BACKGROUND PAPERS**

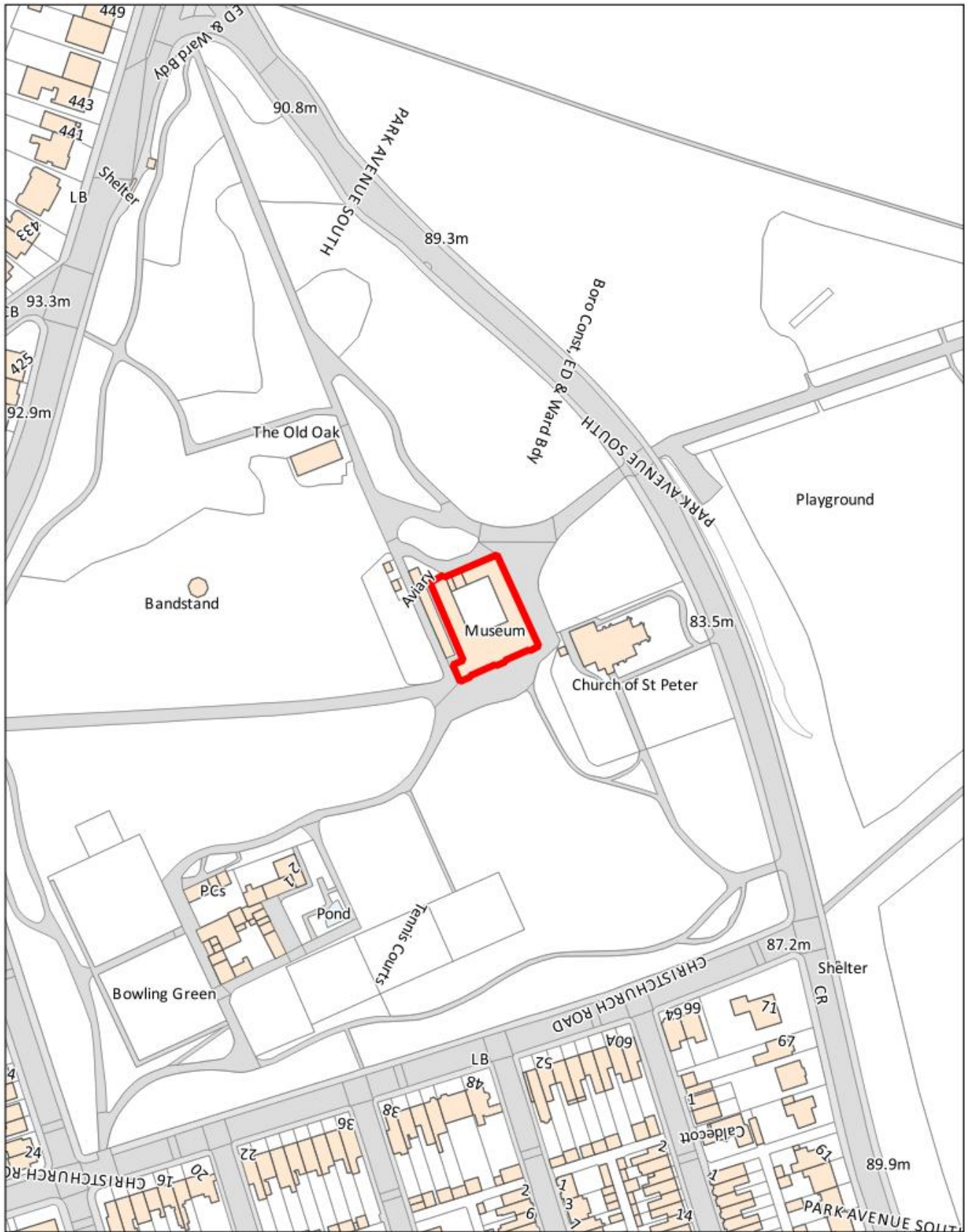
- 10.1 N/2019/0637.

## **11 LEGAL IMPLICATIONS**

- 11.1 None.

## **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: **Abington Museum, Manor House**

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Date: 16-07-2019

Scale: 1:2,000

Drawn by: -----



## Addendum to Agenda Items Tuesday 30th July 2019

### 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

Item 8a

N/2019/0782

Erection of 4 semi detached single occupancy bungalows (8 bungalow units in total) to provide Supported Living Housing, a Staff Management Building and new vehicular and pedestrian access road off Billing Brook Road

Land off Billing Brook Road

No update.

### 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

Item 9a

N/2019/0637

Listed Building Consent Application to replace existing CCTV cameras in public spaces with dome cameras, add an additional 9no cameras to gallery spaces including new wiring throughout the building

Abington Museum Manor House Abington Park, Wellingborough Road

No update.

### 10. ITEMS FOR DETERMINATION

Item 10a

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, Weedon Road, Upton

Comments have been received from a third party are summarised as follows:

- The Upton Lodge section of the Sandy Lane Relief Road (SLRR) to be delivered to a specific design specification and specific co-ordinates and vertical alignment to mirror those obligations which are included in the Norwood Farm S106.
- Prior to the start of the construction of any homes, the road must be open to traffic along the entire length of the road, from the Weedon Road junction through to the northern boundary of its site so that it is contiguous with the section of the SLRR which will be delivered by the Norwood Farm development.
- Request to see the draft S106 Agreement to allow for comment, prior to engrossment.

- Raise significant concerns regarding the inconsistent approach taken in respect of off-site highway mitigation measures (including footway and cycle) mitigation in comparison to Norwood Farm development. In particular in relation to:
  - Absence of S106 contribution towards mitigation at Danes Camp Way/Tesco junction. NCC has developed a holistic improvement scheme at this junction, intended to cater for all allocated development in the area. Should be proportionate financial contribution from Upton Lodge.
  - Omission of S106 contribution for A4500 footway/cycleway. Norwood Farm is required to deliver this footway/cycleway by its 551<sup>st</sup> dwelling. However, there is an absence of a proportionate financial contribution from Upton Lodge towards the delivery of this infrastructure.
  - Off-site highway mitigation at Upton Valley Way/Nectar Way/Corrolla Way and Hunsbury Hill/Danes Camp Way roundabout junctions. The committee report sets out that Upton Valley Way is required to make two financial contributions to NCC towards mitigation at these junctions by the occupation of the 301<sup>st</sup> dwelling. However, these schemes will be delivered by the Norwood Farm development by a S278 prior to the 551<sup>st</sup> occupation. A mechanism should be in place in the Norwood Farm S106 which requires these contributions to be paid to the owners of Norwood Farm to fund the delivery of the required mitigation at this junction.

**Officer response:**

Condition 12 secures the appropriate alignment and timing for delivery of the remaining section of the SLRR to tie in with the Norwood Farm development:

In respect of off-site highway mitigation measures, those set out in the committee report are as requested in the Highway Authority's formal consultation response to the development proposals, following an assessment of the submitted Transport Assessment and subsequent amendments, and significant discussions between the Highway Authority and the applicants transport consultant regarding the level of mitigation required. Discussions are ongoing with the applicant regarding the provision of the A4500 footway/cycleway and would form part of the off-site highway improvements required under the S106, subject to compliance with Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010.

**Additional condition:**

Condition 38

No development shall take place until a phased programme of archaeological work in accordance with the details provided in the Brief For a Programme Of Archaeological Evaluation And Excavation, Recording, Analysis And Publication of Land At Upton Lodge, Upton, Northamptonshire, NCC 7<sup>th</sup> February 2019 and the Upton Lodge Mitigation Areas plan, 6<sup>th</sup> February 2019 which accompany the application, has been submitted to and approved in writing by the Local Planning Authority.

The further archaeological work as approved shall be undertaken prior to the commencement of any infrastructure or landscaping phase or development parcel as identified within the 'detailed phasing plan' approved under Condition 7 above within which further work is required.

A Written Scheme of Investigation for each archaeological area shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of development within that phase. The development shall be carried out within that Phase in accordance with the approved details. The Written Scheme of Investigation will include the following components, completion of each of which will trigger the phased discharging of the condition:

- a) the approved archaeological fieldwork programme, which shall be completed in accordance



with the approved Written Scheme of Investigation, for each identified archaeological site, prior to the commencement of any other works on that site;

b) post-excavation assessment (to be produced within eight months of the completion of fieldwork;) and

c) completion of post-excavation analysis, preparation of site archive ready for deposition at a repository approved by the Local Planning Authority, completion of an archive report, and submission of a publication report (to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority).

Reason: To secure appropriate archaeological mitigation works within the application site in accordance with the requirements of Policies BN5 and N7 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.

**Item 10b**

**N/2018/1207**

**Erection of 138no dwellings with access, car parking, landscaping and associated works  
Land at Former British Timken Site, Main Road, Duston**

No update.

**Item 10c**

**N/2019/0469**

**Siting of containers, generators and associated air conditioning equipment surrounded by  
weld mesh fencing, new access and net enclosure  
Land at Stone Circle Road**

Comment received from **Thorplands 81 Football Club**: the plans will not impact on adjacent football pitch. Suggest that plans be amended to allow more space between access and pitch.

**Item 10d**

**N/2019/0607**

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use  
Class C4) for 5 occupants, including single storey rear extension  
51 Adnitt Road**

No update.

**Item 10e**

**N/2019/0633**

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

The concentration figures have been revised following further information received from Private Sector Housing and Planning Enforcement. Paragraph 7.2 of the report is to be amended to change the level of concentration from 11.1% to 14.4%.

**Item 10f**

**N/2019/0641**

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

No update.

**Item 10g**  
**N/2019/0743**

**Listed Building Consent Application for installation of 2no security cameras and 1no sounder to Stable Block & Coach House, installation of overflow hopper and rainwater pipe on the Cafe building, replacement of existing wall lantern light fittings at various locations and replacement of existing external bulkhead fittings with new LED emergency lights  
Delapre Abbey, London Road**

Further consultation comments received in response to revised plans which corrected an error:

**Conservation** - No objection to the revised plan, which corrects the previous drawing and confirms that the lanterns are to be installed on the stable block and coach house, with the wall lights on the less prominent cottage and return wall on the south range.

**Historic England** - No further comments to make on the amended proposals.

**Item 10h**  
**N/2019/0753**

**Variation of Conditions 2 and 3 of Planning Permission N/2017/1125 (Proposed extensions and alterations to existing club house to provide kitchen and dining facilities and toilets) to alter pitched roof over proposed dining room/kitchen extension from pitched to flat roof and include 3no roof lanterns, amend South East elevation to remove window and alter door position, include new entrance lobby to dining area on North East elevation and detach proposed extension from adjacent Scout building by 1200mm  
Fernie Field Sports Ground, Fernie Field**

No update.

## **11. NORTHAMPTON PARTNERSHIP HOMES**

**Item 11a**  
**N/2019/0137**

**Demolition of 10no domestic garages and erection of 2no new build units  
Lock Up Garages, Fieldway**

No update.

**Item 11b**  
**N/2019/0142**

**Demolition of 6no domestic garages and erection of 1no new build unit  
Lock up garages opposite 49 Prentice Court**

One letter has been received from **Councillor Duffy**. This email asks whether the garages are in use, and raises concern that there is inadequate parking and the proposal will exacerbate the crowded parking situation. (*Officer Response – the proposal increases parking provision as discussed within 7.10-7.13 of the Committee Report*).

It is also requested that more parking by the shops is investigated to ease the situation. (*Officer Response – the provision of parking on a different site is not under consideration within this planning application*).

**Item 11c**  
**N/2019/0173**

**Conversion and alterations of the existing loft space to create one 1- bed flat, including a new rear dormer  
Epworth House, 3 Park Avenue North**

No update.

**Item 11d**

**N/2019/0323**

**Demolition of 16no domestic lockup garages and erection of 4 flat & provision of parking area**

**Lock Up Garages, Blakesley Close**

Further consultation responses received as follows:

**Police Crime Prevention Design Adviser** – Rear gate seems superfluous. Further details given of security which should be incorporated.

*Officer response – In response to the above whilst the gate may be superfluous it is considered there is no reason this gate may not be included. Security measures were requested in the original comments from the Police, a condition for such measures was not proposed as this would be a requirement under Building Regulations.*

**Local Highway Authority** – No objection, the applicant has addressed previous concerns regarding proximity to the highway. Conditions are required for pedestrian and vehicular visibility splays to be provided.

*In response to the above the following two **Additional Conditions** are proposed:*

8. Prior to first use of the development hereby permitted, pedestrian visibility splays of at least 2.0m x 2.0m shall be provided on each side of the vehicular access. These measurements are taken from and along the highway boundary. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.6m in height above access / footway level.

Reason: In the interests of highway and pedestrian safety, in accordance with the National Planning Policy Framework.

9. Prior to first use of the development hereby permitted, vehicular visibility splays of 2.0m from the carriageway edge along the centre of the vehicular access by a distance of 43m measured from the centre of the vehicular access along the carriageway edge shall be provided. The splays shall thereafter be permanently retained and kept free of all obstacles to visibility over 0.9m in height above carriageway level.

Reason: In the interests of highway and pedestrian safety, in accordance with the National Planning Policy Framework.

**Arboricultural Officer** – A site-specific arboricultural method statement will be required that will set out how avoidable harm to the retained trees will be avoided.

*Officer Response: In light of the above a further **Additional Condition** is proposed:*

10. Prior to the commencement of any works in the root protection area of the retained trees, a detailed site specific Arboricultural Method Statement shall be submitted for approval in writing by the Local Planning Authority. The statement shall include a detailed scale plan clearly showing the location of the trees the location of protective fencing to be erected and areas of ground protection for sections of the RPAs not contained within the protective fencing.

Reason: To ensure the trees are protected during the course of construction and in the interests of amenity in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

**Item 11e****N/2019/0358****Demolition of 17no domestic lock up garages and construction of 2no new build units  
Garage 1 Lock Up Garages, Hinton Close**

No update.

**Item 11f****N/2019/0456****Demolition of 4no residential buildings, garages and associated areas known as Berkeley House and 3no residential buildings and associated areas known as St Mary's Court. New development of 126no affordable dwellings consisting of 62no one bed apartments, 40no two bed apartments, 5no two bed houses, 17no three bed houses and 2no four bed houses with associated works****Berkeley House and St Mary's Court, Horsemarket****S106 and Viability**

The conclusions of the independent assessment of the submitted Viability Report have now been received. The assessment has been carried out using a range of scenarios including the provision of 0% affordable housing on-site. In all scenarios, including the application as proposed which would provide 100% affordable housing, the assessment concludes that the scheme would be unviable and unable to support any S106 developer contributions.

Whilst this is regrettable, the lack of any S106 contributions needs to be weighed against the provision of much needed affordable housing, including family housing, within the area, and the regeneration and improvement of this Town Centre site. Officer opinion is that this weighs heavily in favour of the proposal in this instance.

**Amended Recommendation:****Paragraphs 1.1.1 to 1.1.3 of the report to be deleted.****Paragraph 1.1 to be amended as follows:****APPROVAL** subject to the conditions as set out below and for the following reason:

The proposed development would represent a major regeneration opportunity in the town centre and contribute to the Council's five year housing land supply. As part of a balanced assessment, the design and layout of the proposal is considered acceptable, and would have an acceptable impact upon the character and appearance of the surrounding area, heritage assets, highway safety and neighbouring amenity. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies SA, S1, S10, S11, H1, BN5, BN7 and BN9 of the West Northamptonshire Joint Core Strategy; and Policies 1, 10, 16 and 24 of the Northampton Central Area Action Plan.

**Drainage**

Further comments have been received from the Lead Local Flood Authority who have no objection subject to conditions requiring the submission and approval of a detailed surface water drainage scheme, details of maintenance of the approved scheme, and verification of the installed scheme as approved.

**Additional conditions** are therefore as follows:

23) Before any above ground works commence a detailed design of the 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 should be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be

implemented in accordance with the approved details before the development is completed. 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. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations. In all calculations, proposed values of impermeable area should include a 10% allowance for Urban Creep, as taken from CIRIA C753 (version 6) paragraph 24.7.2
- b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.
- c) BRE 365 infiltration test results

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.

24) Before any above ground works commence a detailed scheme for the maintenance and upkeep of 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. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system in accordance with the requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

25) No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, document ref. no. WIE14098-FRA-1-2-1, Issue 2, Prepared by Waterman Infrastructure & Environment Limited dated June 2019, has been submitted for approval in writing by the Local Planning Authority. The details 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) Confirmation that the system is free from defects, damage and foreign objects

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

## **12. CONSULTATION**

### **Item 12a**

**N/2019/0850**

**Hybrid application comprising: A full application for the erection of retail units, restaurant units, office floorspace, physiotherapy/leisure floorspace, ancillary storage floorspace, (with associated site clearance, earthworks, site levelling and formation of banks) together with proposals for access, footpaths, parking and servicing space, hard and soft landscaping, drainage works, attenuation ponds and other associated works and an outline application for the erection of employment units with some matters reserved (layout, scale, appearance). Plus construction of a new link road between Ditchford Road and Rushden Lakes (with associated site clearance and earthworks) alongside junction works, footpaths, cycleways, lighting, hard and soft landscaping and associated works**

**(Resubmission of 18/01197/FUL)**  
**Land West of Rushden Lakes, Ditchford Lane, Rushden**

No update.



**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

**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.

- 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 underpinning 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**

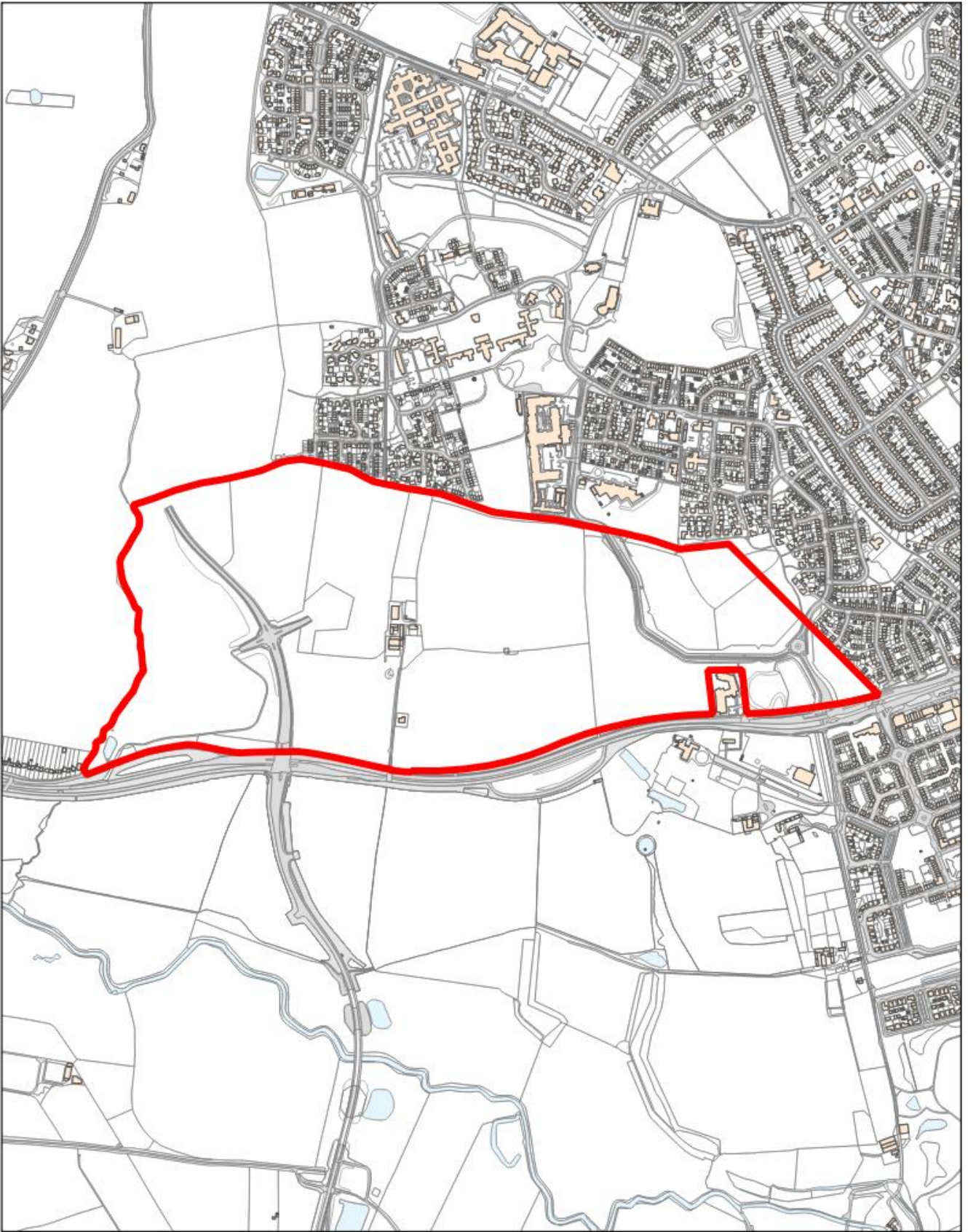
10.1 N/2017/0091.

**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.



Title: **Upton Lodge Farm. Weedon Road**

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Date: 16-07-2019

Scale: 1:9,986

Drawn by: -----



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

**APPLICATION REF:** N/2018/1207

**LOCATION:** Land At Former British Timken Site, Main Road, Duston

**DESCRIPTION:** Erection of 138no dwellings with access, car parking, landscaping and associated works

**WARD:** Old Duston Ward

**APPLICANT:** David Wilson Homes South Midlands and Bellway Home  
**AGENT:** CC Town Planning

**REFERRED BY:** Head of Planning  
**REASON:** Major application requiring S106 agreement

**DEPARTURE:** Yes

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

- 1.1.1
- i) 10% affordable housing;
  - ii) Early Years and Primary Education contribution;
  - iii) Healthcare contribution;
  - iv) Travel Plan Monitoring;
  - v) Air Quality Mitigation;
  - vi) Construction Futures towards construction employment training;
  - vii) Open Space provision, off-site open space contribution and future maintenance arrangements; and
  - viii) 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 development of the site for residential use will make a positive contribution towards the Council's 5 year housing land supply. The site is situated in a sustainable location and 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 SA,

S1, S10, S11, C2, H1, H2, H4, BN2, BN7, BN9, INF1 and INF2 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 for the erection of 138 dwellings, comprising a 12 two-bedroom, 82 three-bedroom, 40 four-bedroom and 4 five-bedroom mix of 2, 3, 4 and 5-bedroom properties ranging from 2 to 2½ storeys in height. Parking is provided on-plot with some visitor parking provided on-street.
- 2.2 Access to the site would predominantly be from an existing junction from Bants Lane which currently serves the adjacent amenity restaurant, but would be extended to serve the application site. Seven of the proposed dwellings would be served by Timken Way South.
- 2.3 The site includes areas of open space which link to the adjoining open space to the north and attenuation areas.

## **3. SITE DESCRIPTION**

- 3.1 The application site comprises 6.02 hectares of vacant land that previously formed part of the British Timken industrial site which closed down in 2002, after which the factory buildings were demolished. The majority of the overall site has since been developed following the grant of various planning permissions, with the exception of the current application site, and now comprises residential development, a medical centre, public house/amenity restaurant and a residential care home.
- 3.2 The site is predominantly surrounded by residential development to the east, south and west with an area of open space to the immediate north which includes a play area, and Duston Tennis Club and Bowls club.
- 3.3 To the immediate south west is St Lukes Medical Centre and a residential care home with access from Timken Way South, and to the south, a public house/amenity restaurant with access from Bants Lane.
- 3.4 The site is relatively level with the majority of vegetation on the eastern and southern boundaries. The site is in Flood Zone 1, with low probability of flooding. A drainage easement runs diagonally through the middle of the site.

## **4. PLANNING HISTORY**

- 4.1 N/2013/1239 - Outline approval for commercial development (Use Class B2/B8) of up to 14150sqm and residential development (Use Class C3) of up to 50 dwellings. (All matters reserved). Full approval for Amenity Restaurant (Use Class A3/A4) of up to 1163sqm with car parking, associated ancillary works and access. Withdrawn 26.06.14.

08/0117/REMWNN – Reserved matters application including access, appearance, landscaping, layout and scale for Phase 1 of the employment site. Approved 10/11/08.

WN/2006/0013 – Redevelopment to provide employment (B1-offices; B2-General Industrial) uses, housing, sports facilities and public open space (outline application). Approved 19/04/07.

## **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), Northampton Local Plan (1997) saved policies, and emerging Neighbourhood Development Plans where relevant.

### **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 76 - Viability within residential developments

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Paragraph 109 - development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe.

Paragraph 110 - development should give priority first to pedestrian and cycle movements and then to facilitating access to high quality public transport, creating safe, secure environments and enabling the provision of low emission vehicles in safe, accessible and convenient locations.

Section 12 - Achieving well-designed places

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

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 15 - Conserving and enhancing the natural environment

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

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

Policy SA - Presumption in Favour of Sustainable Development

Policy S1 - The Distribution of Development

Policy S3 - Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles

Policy S11 - Low Carbon and Renewable Energy

Policy C2 - New Developments

Policy H1 - Housing Density and Mix and Type of Dwellings

Policy H2 - Affordable Housing

Policy H4 - Sustainable Housing

Policy BN2 - Biodiversity

Policy BN7 - Flood Risk

Policy BN9 - Pollution control

Policy INF1 - Approach to Infrastructure Delivery

Policy INF2 - Contributions to Infrastructure Requirements

#### 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

Planning Obligations SPD (2013)

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

##### Duston Neighbourhood Plan

At Full Council on 14<sup>th</sup> December 2015 Northampton Borough Council made the Duston Neighbourhood Plan. It now forms part of the Development Plan for Northampton. Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise (see [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#)).

Policy OP1: Sustainable Development Principles (all objectives)

H1 Development on Previously Developed Land

H2 Residential development on the former Timken site

H3 Meeting the needs of all sectors of the population

T1 Transport issues within Duston Parish

Community Proposal OS3 – Connections to open spaces in nearby areas

## 6. **CONSULTATIONS/ REPRESENTATIONS**

Representations received are summarised as follows:

- 6.1 **NBC Public Protection** – no objection subject to conditions in respect of contamination, a construction management plan and securing air quality mitigation measures in accordance with the damage cost calculation as set out in the submitted Air Quality Assessment (January 2019) by condition and/or S106 Agreement.
- 6.2 **NCC Highways** – no objection, following the receipt of amended plans to address concerns regarding internal road layouts, junction visibility and tracking.
- 6.3 **Highways England** – no objection.
- 6.4 **NCC Development Management** – request S106 contributions towards Early Years and Primary Education, provision of fire hydrants, and financial contribution towards library facility provision/enhancement.
- 6.5 **Environment Agency** – no objection subject to conditions relating to surface water infiltration, use of piling or other penetrative methods without express consent, unexpected contamination, and a scheme for the provision of mains foul sewage infrastructure.
- 6.6 **Anglian Water** – no objection subject to condition for a surface water management strategy.
- 6.7 **NCC Lead Local Flood Authority** – no objection subject to conditions for the submission and approval of a surface water drainage scheme and a scheme for the ownership and maintenance of the surface water drainage and appropriate verification of the installed scheme.



- 6.8 **NCC Ecology** – no objection. The biodiversity impacts should be minimal and there is good potential for ecological enhancement on the site. Recommends conditions for bird and bat boxes and nest domes for hedgehogs.
- 6.9 **Police Crime Prevention Design Advisor** – no major issues, but the random bits of green space between development parcels with no defined purpose is of concern. The various bits of spaces should be put together to create a bigger space with more defined purpose. Advises on security measures in respect of rear alleyways, overlooking of parking courts and parking spaces.
- 6.10 **NBC Housing Strategy** – the priority should be to maximise the number of affordable rented within the scheme.
- 6.11 **Construction Futures** – request 582 employment/ training and education weeks overall and a financial contribution.
- 6.12 **Duston Parish Council** - comments are summarised as follows:

- Proposed entrance to site could have detrimental impact on highway safety
- Inadequate parking
- Should be 35% affordable housing
- Open space next to the lake could present hazard to small children
- Consideration should be given to installation of play equipment before occupation by residents
- Should be electric car parking points on the site
- More consideration should be given to how the site can access and integrate with facilities of Tennis Club and Mendip Park
- Concern regarding extra strain on services such as primary schools, doctors
- Concern regarding the establishment of management companies to manage open space and other facilities. Parish Council asks that it be given freehold and responsibility of these facilities, accompanied by appropriate funds.

- 6.13 2 representations objecting, and 1 representation in favour have been received. Comments are summarised as follows:

- No consideration for infrastructure
- Bants Lane gridlocked most of day and cannot cope with any more traffic
- No widening of road planned to stop build up
- Doctors surgery overwhelmed
- What is percentage of affordable homes?
- In favour - Resident of Duston all my life and now want to purchase my own home in the area
- Affordable new homes are rarely available
- Will add to the area and complete the Timken site nicely
- Only 140 homes, and building will be quick and keep disturbance to neighbours to a minimum.

#### 6.14 **Community Consultation**

Prior to submission of the application, the applicant carried out public consultation comprising a public exhibition in May 2018. Leaflets were also distributed to the surrounding area, ward members and the Parish Council. The planning application has also been subject to consultation in accordance with statutory requirements.

## 7. **APPRAISAL**

### **Background**

- 7.1 The outline planning permission for the development of the overall British Timken site, approved in 2007, comprised a scheme for a mixed use development of housing, employment Classes B1 (business/offices)/ B2 (general industrial), sports facilities and open space and set out a site wide Masterplan and Design Code for the development of the site. A condition of the outline consent stipulated that the development should provide for a minimum overall business floorspace of 23,190 sq. m to include a minimum of 13,190 sq. m Class B1 (office) floorspace, and a maximum of 10,000 sq. m Classes B1 (light industrial)/ B2 (general industry) in the interests of providing a sustainable mixed use development, and in order to retain an element of employment use on the site.
- 7.2 The majority of the overall former British Timken site was built out with predominantly residential development along with a medical centre. A subsequent outline application for a mixed use scheme comprising commercial development (Use Classes B2-general industrial/B8-storage and distribution), residential development and a full application for an amenity restaurant was submitted in 2013 on the remaining land, but subsequently withdrawn due to concerns regarding the impact of the proposed employment use on existing and proposed amenity. Following this, two separate applications were submitted for development on parts of the remaining land for an amenity restaurant (approved October 2014), and a residential care home (approved November 2016). The submitted Planning Statement advises that despite proposals being put forward, the remaining area of land has failed to attract any viable commercial development interest and is unlikely to do so. The current application therefore relates to the residential development of this remaining area of land.

### **Principle**

- 7.3 The National Planning Policy Framework (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.
- 7.4 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.
- 7.5 Whilst the original outline planning permission sought to retain employment uses on the remaining area of land within the former British Timken site, more recent planning policy seeks to direct office development towards the Town Centre. Furthermore, the applicant has advised that interest in commercial development of the site has been limited and proved unviable and, in any event, appropriate development of the site for light/general industrial has proved difficult to design in order to ensure no adverse impact on surrounding and proposed residential amenity. It is also of note that Policy H2 of the Duston Neighbourhood Plan supports development of the site for residential use. As such, the development of the site for residential use is deemed the most appropriate use of the land, and would assist in bringing this long-term vacant site into back into use and make a positive contribution towards the Council's 5 year housing land supply as a windfall site.

### **Design, appearance and impact on neighbours**

- 7.6 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. Policy H1 of the JCS seeks to ensure new housing development has regard to the character of the surrounding area, accessibility to services, facilities and public transport and provides appropriate levels of amenity for existing and proposed occupiers.

- 7.7 The area surrounding the site comprises varying building heights, the medical centre and residential care home and some residential properties on the western boundary at 3-storeys, with predominantly 2-storey houses around the remainder of the site, and some bungalows along the eastern boundary. The proposed dwellings would be 2-2 ½ storeys in height which is considered an appropriate scale in view of the surrounding context.
- 7.8 Density throughout the site would be approximately 35 dwellings per hectare. The composition of the development comprises a mixture of dwelling types, ranging from 2-bedroom to 5-bedroom properties consisting of detached, semi-detached and terraced properties with one flat above a garage. This, in combination with an element of affordable housing within the site would ensure that an appropriate density, mix and type of dwellings is provided in accordance with the requirements of Policy H1 of the JCS.
- 7.9 The design of the proposed dwellings features gabled roofs, with some architectural features (such as door and window detailing and porches) that serve to break up the massing of the development and add interest to the future streetscene. Dwellings have been designed to ensure windows provide an active frontage on corner plots, and appropriate levels of surveillance for parking areas. The submitted details indicate a palette of materials comprising red and buff brick, with some render finish, and a mix of varying tones of red and grey roof tiles which are in keeping with the character of the surrounding area and would be conditioned accordingly. Boundary treatments comprise a mix of fencing and brick walls, with walls provided on exposed boundaries adjacent to the highway.
- 7.10 Seven of the proposed dwellings would be served from Timken Way South and have been orientated to front the street to maintain an active frontage along this street.
- 7.11 The design of the dwellings would ensure that the future residents of the development would have a satisfactory level of light, outlook and privacy. This would ensure conformity with the requirements of national and local planning policies and result in residents of the development having a satisfactory level of amenity. In addition, suitably sized garden spaces have been provided, which is considered to be necessary given the provision of family accommodation as part of the development. In order to ensure that these spaces are safe and secure, a condition is recommended that would ensure that suitable boundary treatments are provided. This would also aid the creation of sufficient privacy to these spaces.
- 7.12 In respect of the amenity of existing properties, proposed dwellings have been located and orientated to ensure there is no adverse impact in respect of overlooking and overshadowing.
- 7.13 An existing sewer easement runs diagonally through the middle of the site which has, to some extent, dictated the location of the open space. However, the layout of the open space as proposed would provide a green link through the site from the existing amenity restaurant to the south to the existing area of open space and play area to the north. A further area of open space is proposed in the south western corner of the site adjacent to Bants Lane which would include an attenuation area. Due to proximity to the existing children's play area to the north of the site, no on-site provision has been requested in this regard, however, a financial contribution would be sought through a S106 Agreement for the enhancement of existing facilities in the area. In addition, off-site contributions would be sought toward the provision of facilities for young people and for outdoor sports facilities through a S106 Agreement which would also require details of appropriate future maintenance of any areas of open space. In this instance, Duston Parish Council has expressed an interest in taking on this future maintenance requirement.

## **Highways**

- 7.14 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.
- 7.15 Vehicular access to the site would be via an existing traffic signal controlled junction on Bants Lane, originally constructed to serve the commercial development intended for this area of land. The application is accompanied by a Transport Assessment which has assessed the impact of development on the surrounding area, and has been assessed by the Highway Authority who raise no objections with regards to impacts on the wider highway network.
- 7.16 The scheme has been amended in line with the requirements of the Highway Authority with regards to the precise details of the internal layout, in order to ensure that there is appropriate visibility splays at junctions and driveways and that access roads are of the appropriate width. The Highway Authority raise no objection in respect of the proposed layout as amended.
- 7.17 Parking is provided on site at a ratio of approximately 2.35 spaces per unit comprising on-plot parking spaces in addition to garages for the majority of properties. The car parking spaces are located in positions that would ensure that they benefit from sufficient natural surveillance in order to ensure that they are safe and secure, which will serve to deter anti-social behaviour, whilst also encouraging their use. The development also includes the use of rear parking courts in some parts of the site. Whilst not desirable, these have been designed with an appropriate level of surveillance from adjoining dwellings. In addition, the development includes the provision of on-street visitor parking. The Highway Authority raised no objection to the level of parking provided.
- 7.18 The application includes a Residential Travel Plan which sets out measures to encourage occupiers of the new development to choose sustainable transport options. The measures include the provision of a Travel Information Pack for new residents promoting the use of public transport, local walking and routes, and lift sharing schemes. The implementation of the Travel Plan will be required by condition.

### **Flood Risk and Drainage**

- 7.19 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 Joint Core Strategy 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.
- 7.20 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 undeveloped. In accordance with policy requirements, it is therefore necessary to ensure that development of the site is secure from the risk of flooding and does not increase flood risk elsewhere.
- 7.21 The application is supported by a Flood Risk Assessment that has been assessed by the relevant statutory drainage bodies. A wider drainage network around and through the site has already been constructed with the drainage proposals for the application site designed to connect into this network utilising existing infrastructure where possible. Foul drainage will connect into an existing sewer to the north east of the site, and Anglian Water has confirmed available capacity. The storm drainage will be drained via existing gravity sewers and connect into the existing drainage network running through the site, which includes an attenuation pond to the south east of the site.
- 7.22 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**

- 7.23 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.
- 7.24 The application would include the provision of EV charging point infrastructure for each dwelling, and a Travel Plan promoting sustainable transport measures to assist in mitigating the impacts in respect of air quality. In addition, air quality mitigation measures would be secured in accordance with the damage cost calculation as set out in the submitted Air Quality Assessment. 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.
- 7.25 A Contamination and Ground Investigation Report has been submitted with the application. In view of the previous industrial use of the site, the use of pile foundations would be required. Public Protection has assessed the submitted details and subsequent information and raises no objection subject to conditions requiring the development is carried out in accordance with the submitted details, and appropriate mitigation in respect of any unexpected contamination found on site.
- 7.26 It is appreciated that the construction process has the potential to have some impacts on neighbouring properties in terms of noise and other activities. In order to counteract this, a condition would secure the submission, and agreement, of a Construction Environment Management Plan (CEMP). This would cover, but not be limited to, the routing of construction traffic and strategies to control noise and dust. A condition is also proposed in respect of construction hours.

## **Ecology**

- 7.27 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.
- 7.28 The application is supported by an Ecological Appraisal which identifies the site as predominantly rough grassland with areas of scrub, hedgerow to the east, a tree line to the south-east, and areas of public open space within existing development to the north, west and south. No protected species were found on site and the assessment concludes that the site is of low ecological value. Enhancements in respect of habitat creation are proposed in respect of areas of landscaping and open space within the site, and the provision of bat and bird boxes, and nest domes to provide hibernation and nesting opportunities for hedgehogs. The County Ecologist has assessed the submitted details and has no objection, subject to conditions in respect of the proposed enhancements.

## **Section 106 Obligations and CIL**

- 7.29 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 and healthcare requirements are all capable of being sufficiently mitigated taking into account the viability of the scheme.

- 7.30 Paragraph 56 advises the planning obligations must only be sought where they meet the following tests:
- Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.
- 7.31 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 underpinning it is up-to-date.
- 7.32 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 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, in view of the unusually high abnormal costs due to ground conditions, provide 10% affordable housing and S106/CIL contributions. CIL contributions are non-negotiable and would be payable on all residential and retail development within the development.
- 7.33 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 Agreement.
- 7.34 The following developer contributions and obligations would be secured through a S106 Agreement:
- 10% affordable housing
  - Early Years and Primary Education contribution
  - Healthcare contribution
  - Travel Plan Monitoring
  - Air Quality Mitigation
  - Construction Futures – provision of employment training weeks and financial contribution
  - Open space provision, off-site open space contributions towards provision for children and young people, and outdoor sports facilities, and future maintenance arrangements including maintenance of SuDS

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

- 7.35 Requirements in respect of contributions towards the provision fire infrastructure and libraries are not required by planning policy.
- 7.36 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 (NGMS) (M1/A45 junction improvements, and indoor sports provision.
- 7.37 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 bringing this long-term vacant site into use.

## **8 CONCLUSION**

- 8.1 The National Planning Policy Framework supports sustainable housing development and economic growth. The development of the site for housing will make a positive contribution towards the

Council's 5 year housing land requirement, and bring a long-term vacant site back into use. The site is located in a sustainable location in walking distance of nearby facilities in Duston and adjacent public transport provision, and it is considered that the environmental and highway impacts can be adequately mitigated or reduced to an acceptable degree.

## **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 schedule of approved plans.

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 materials as detailed on the Proposed Materials Strategy, drawing no. 14039 (D) 111 Rev C.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

4. The development shall be carried out in accordance with the boundary treatments as detailed on the Proposed Boundary Treatment, drawing no. 14039 (D) 112 Rev B.

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

5. No development shall take place until full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment ref FRA-17015-18-32 ver R05 prepared by Idom dated 3rd May 2019 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. 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) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
  - iii) Attenuation on site to accommodate the 1:200year +20% climate change allowance and undertake a sensitivity analysis to understand the flooding implication for the 40% climate change allowance. Significant implications (5m<sup>3</sup>) will require mitigation.
  - v) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and other flow control devices

Reason: To reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site. Pre-commencement condition to ensure details are agreed in a timely manner.

6. No development shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter.

Details are required of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption. The scheme shall include:

- i) a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- ii) A site plan including access points, maintenance access easements and outfalls.
- iii) 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.
- iv) Details of expected design life of all assets with a schedule of when replacement assets may be required

Reason: To ensure the future maintenance of drainage systems associated with the development in the interests of flood prevention in accordance with Policy BN7 of the Core Strategy for West Northamptonshire and the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

7. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority prior to occupation of the site based on the approved Flood Risk Assessment ref FRA-17015-18-32 ver R05 prepared by Idom dated 3<sup>rd</sup> May 2019,

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 etc.

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

8. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure in accordance with the requirements of Policies BN7 and BN9 of the West Northamptonshire Joint Core Strategy.

9. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: This condition is only needed if soakaways (infiltration drainage) are proposed. To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with the requirements of the National Planning Policy Framework.

10. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.



Reason: To ensure that the potential risk posed to groundwater is not increased. Piling through confining layers that may be providing protection to underlying aquifers can increase the potential risk posed to groundwater if residual contaminants are present. A piling risk assessment should be undertaken to assess any potential risks if piling is proposed to be used. 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.

11. The development hereby permitted shall be carried out in accordance with the recommendations of the Contaminated Land Assessment by Idom Merebrook Ltd dated January 2016, Supplementary Geotechnical Report by Idom Merebrook Ltd dated May 2016, and details contained in the email from Idom dated 25<sup>th</sup> February 2019.

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.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared i), which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

13. 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.

14. Notwithstanding the details submitted, full details of the surface treatments to all roads, paths and driveways shall be submitted to, and approved in writing by the Local Planning Authority. 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 highway and pedestrian safety, in accordance with the requirements of the National Planning Policy Framework.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no garage accommodation shall be used as habitable accommodation without the prior written consent of the Local Planning Authority.

Reason: To ensure the retention of adequate parking facilities in accordance with the National Planning Policy Framework.

16. The development shall be carried out in accordance with the submitted Residential Travel Plan, Appendix S of the Transport Assessment by Motion dated 15<sup>th</sup> June 2018.

Reason: In the interests of providing a sustainable development in accordance with the aims of the National Planning Policy Framework.

17. 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.

18. Prior to the commencement of development a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Enclosure of phase or sub-phase development sites;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- The safe means of access of construction traffic to the site; and
- Routing agreement for construction traffic.

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

19. Prior to any above ground works commencing a Low Emissions Strategy shall be submitted for approval in writing by the Local Planning Authority, based on the mitigation measures as detailed in 11.2 of the Air Quality Assessment by IDOM dated January 2019 which includes the provision of electrical vehicle charging infrastructure.

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.

20. All planting, seeding or turfing as shown on drawings 6567/ASP2.0 Rev B, 6567/ASP2.5 Rev B, 6567/ ASP2.4 Rev B, 6567/ASP2.3 Rev B, 6567/ASP2.2 Rev B and 6567/ASP2.1 Rev B shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

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

21. Notwithstanding the details submitted, full details of new bat and bird boxes and nest domes for hedgehogs shall be submitted to and approved in writing by the Local Planning Authority. 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 promoting a more ecologically sustainable form of development in accordance with the National Planning Policy Framework.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or outbuildings shall be erected to the dwellings hereby permitted.

Reason: In the interests of amenity and to prevent overdevelopment of the site in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

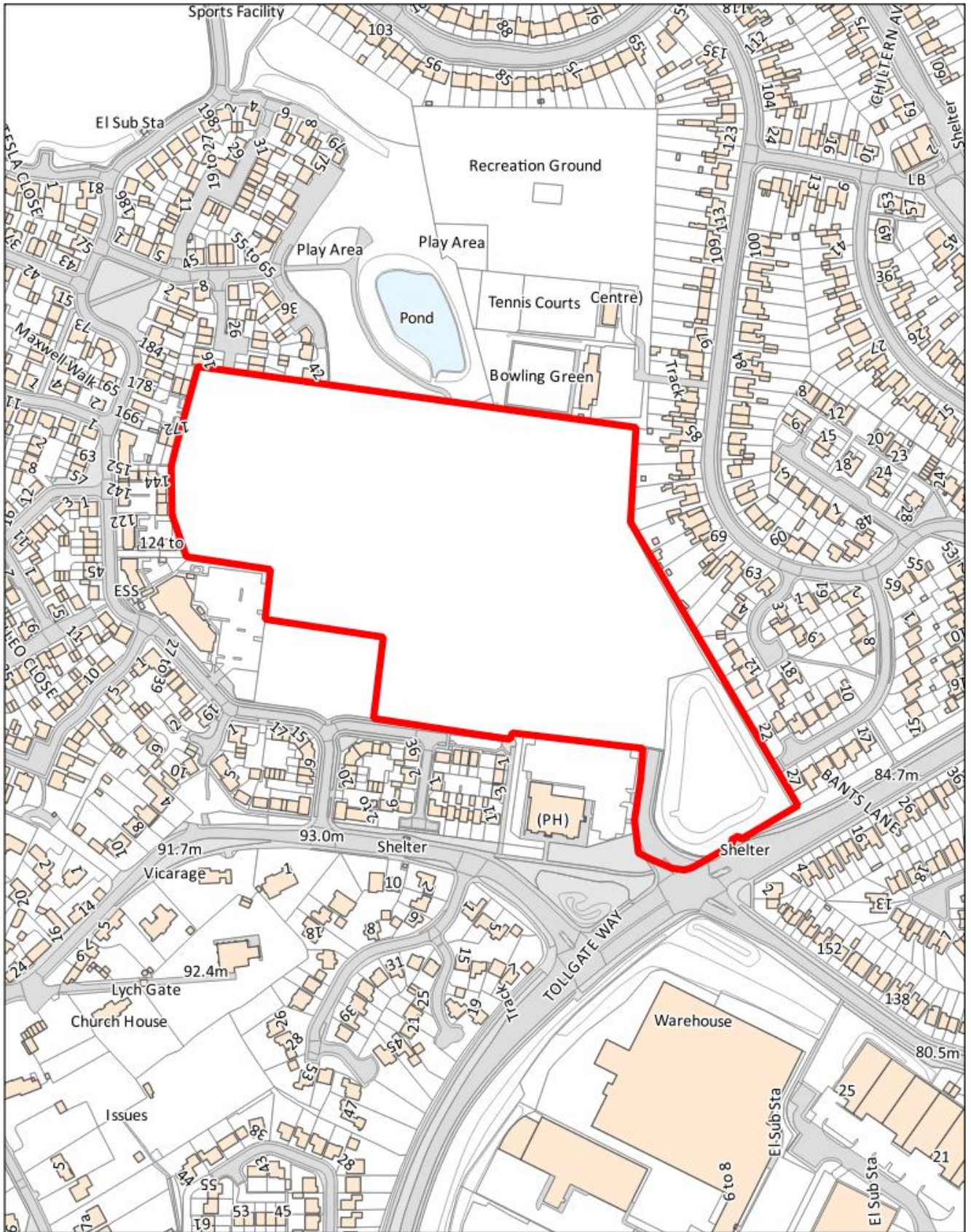
- 10.1 N/2018/1207.

## **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: **Former British Timken Site, Main Rd, Duston**

Date: 16-07-2019

Scale: 1:3,000

Drawn by: -----

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

**APPLICATION REF:** N/2019/0469

**LOCATION:** Land at Stone Circle Road

**DESCRIPTION:** Siting of containers, generators and associated air conditioning equipment surrounded by weld mesh fencing, new access and net enclosure for use as a Data Centre (Use Class B8)

**WARD:** Talavera Ward

**APPLICANT:** CityFibre  
**AGENT:** WYG

**REFERRED BY:** Head of Planning  
**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 siting, scale and design of the proposed development are not considered to have an undue detrimental impact on the character and appearance of the area, highway safety, trees, security and would not impact on the adjacent playing field or result in loss of any valuable open space. This accords with the aims and objectives of the National Planning Policy Framework, Policies S10, BN3, C1 and RC2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**2 THE PROPOSAL**

2.1 Planning Permission is sought for the siting of 2 containers, 2 generators and associated air conditioning equipment surrounded by 2.4 metre high weld mesh fencing with new access for use as a Data Centre (Use Class B8). In addition, ball stop netting would be installed to cover the compound.

2.2 The proposed development would house computer systems and associated components such as telecoms and storage systems. The applicant City Fibre are hoping to expand to Northampton

which will transform the town's digital landscape bringing full connectivity within reach of every building delivering an increase in internet speed and quality.

- 2.3 The proposal would provide significant benefits to local homes and businesses in the area through providing ultra high speed internet which will enhance the area. The operation comprises a centralised repository for storage, distribution and management of data and information connected with the City Fibre network operation. Access would be taken from Stone Circle Road comprising a proposed 3 metre wide track.

### **3 SITE DESCRIPTION**

- 3.1 The application site forms a relatively small parcel of open space on the eastern side of Stone Circle Road approximately 80 metres from the junction with the main roundabout serving Round Spinney. The site is bound by existing trees to the front and rear of the site. The site lies immediately adjacent to a playing field used by a local football team known as Thorplands 81. The distance between the proposed data storage compound and the playing pitch is 3.5 metres. There is a restaurant located approximately 45 metres to the south east of the site with its own area of car parking.

- 3.2 In the Northampton Local Plan Proposals Map, the site is proposed for recreation and leisure uses. The site is not in a conservation area or near any listed buildings and the site is in a low risk flood zone (Flood Zone 1). The whole site comprises Northampton Borough Council own land.

### **4 PLANNING HISTORY**

- 4.1 No recent planning applications.

### **5 PLANNING POLICY**

#### **Statutory Duty**

- 5.1 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.

### **6 National Policies**

- 6.1 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 97 Open Space
- Paragraph 108 and 109 Safe access for all
- Paragraph 112 Supporting high quality communications
- Paragraph 127 Requires high standards of design and residential amenity
- Paragraph 175 Impact on Trees

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

- 6.2 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:

C1 - Changing Behaviour and Modal Shift

S10 - Sustainable Development Principles  
BN3 - Woodland enhancement and creation  
RC2 - Community Facilities

:

### **Northampton Local Plan 1997 (Saved Policies)**

- 6.3 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 Design of new development

### **Supplementary Planning Documents**

- 6.4 Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

## **7 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NBC Planning Policy** - No objection. The Nortoft Open Space study 2018 allocated the area as amenity green space, and identifies it in an area which has the highest provision of amenity green space across the Borough. However, pockets of green space provide stepping stones to support freedom of movement for wildlife, presenting informal recreation opportunities; and these spaces provide a valuable local level service, they also offer a green buffer between commercial premises and residential areas, Immediately adjacent to the site is the Round Spinney grassed playing pitch, the Nortoft Open Space study 2018 identifies this as a single pitch which has difficult access. The loss of the green space would only amount to a small area of the whole site off Stone Circle Road, and due to the overall benefit to the community and Borough wide, the loss of the amenity green space could be justified, in terms of policy.
- 7.2 **Sports England** - No objection.
- 7.3 **NBC Tree Officer** - Some roadside trees will be required to be removed to provide site access. There is not apparently any plans to screen the fence with new planting, ideally some planting would be included in the proposal.
- 7.4 **Northamptonshire Highways** - No comments to make.
- 7.5 **NBC Public Protection** - No comments to make.
- 7.6 **Councillor J Duffy** - Object due to the impact on development of Thorplands 81 football club.

## **8 APPRAISAL**

### **Main issues**

- 8.1 The main issues to consider are the principle of development, loss of open space, impact on the adjacent sports pitch, effect on appearance and character of the area, effect on trees, highway safety and security.

### **Benefits of the proposed development**

- 8.2 Section 10 of the NPPF sets out one of the key aims of Government which is to advance high quality and reliable communications infrastructure and identifies this as essential for economic growth and social well-being. Decisions should support the expansion of electronic communications networks, including next generation mobile technology.

- 8.3 Policy C1 of the Joint Core Strategy requires new development to be accessed by fibre technology enabling access to superfast broadband. The proposal would bring about significant benefits to the local area providing enhanced internet connectivity speed.

#### **Loss of existing open space**

- 8.4 The NPPF states that existing open space or playing fields should not be built on unless an assessment has been undertaken which clearly shows the open space is surplus to requirements, the loss resulting from the proposed development would be replaced by equivalent or better provision or the benefits clearly outweigh loss of current or former use.
- 8.5 Policy RC2 of the Joint Core Strategy sets out that the loss of community facilities including open space, will be resisted unless it be demonstrated that: there is evidence that improvements can be made through the provision of a replacement facility of equal or better quality, taking into account accessibility, or the proposal will bring about community benefits that outweigh the loss of the facility or having regard to the relevant open space study, the space is surplus or is little used.
- 8.6 The proposal does not result in the loss of any meaningful open space and would contribute to providing local benefits to nearby homes/businesses. The Council's Policy Officers agree that the loss of the green space would only amount to a small area. Due to the overall benefit to the community, the loss of the amenity green space could be justified.

#### **Impact on adjacent Sports Playing Pitch**

- 8.7 As the site is adjacent to an existing sports pitch used by a local football club. Sports England are a statutory consultee and have commented on the proposal. They originally objected due to the potential for stray footballs from the adjacent pitch entering the proposed compound. The applicant has amended their plans to include a ball stopping net enclosure to prevent stray balls from the pitch entering the site and Sports England have removed their original holding objection. The impact on provision of sports would therefore be considered limited.

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

- 8.8 The Local Plan Policy E20 sets out that the design of new development should adequately reflect the character of its surroundings in terms of layout, sitting, form, scale and use of appropriate materials. The need for good design is also emphasised under Policy S10 of the Joint Core Strategy. The main part of the site would be set back almost 20 metres from the footpath adjacent to Stone Circle Road and therefore not appear overly prominent. Even though the proposed net enclosure and weld mesh fencing is not a common feature in the immediate area, its design is nonetheless considered acceptable. Visually, the proposed development with the help of additional landscaping would over time assimilate into its surroundings.

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

- 8.9 The site has trees to the front close to Stone Circle Road and also at the rear. Some trees would have to be removed close to the site access to allow the development to proceed. The loss of trees is regrettable, however, there would still be a meaningful tree belt along Stone Circle Road. A condition is recommended to require the applicant to submit details of works to ensure that the loss of trees would be kept to a minimum.

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

- 8.10 Given the separation of over 200 metres to the nearest residential properties on Thorpeville to the west, it is considered that there would be no effect on neighbouring properties in terms of noise, loss of outlook, light and visual intrusion.

#### **Access and Highway Safety**



- 8.11 The proposal includes a new 3 metre wide access track serving the development off Stone Circle Road with the provision of vision splays on either side. The site is also some distance from the roundabout to the south and traffic volumes on Stone Circle Road are reasonably low. The Local Highway Authority raise no objection to the proposal.

### **Security and Crime Prevention**

- 8.12 Policy S10 of the Joint Core Strategy and the County Council Supplementary Planning Guide on Planning Out Crime seek to encourage high standards of security and crime prevention in new development. The proposal includes the erection of 2.4 metre high weld mesh fence which would help to secure the site.

## **9. CONCLUSION**

- 9.1 The benefits of the scheme are recognised in its contribution to the local area and the proposal would have an acceptable impact on the adjacent playing pitch, while not leading to unacceptable loss of open space. The proposal is considered to be compliant to the aims of the both national and development plan policy.

## **10. 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: P1808/038/PL/002C, 003C, 003C, 004C, 005D 005E, 006D.

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

- 3) The site shall be used as a data centre and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In the interest of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with the National Planning Policy Framework.

- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), the use of the site shall not be changed without prior written consent of the Local Planning Authority.

Reason: In the interests of amenity as the site may not be suitable to be used for other B Use Classes development in accordance with the National Planning Policy Framework.

- 5) Prior to the first use of the development hereby approved, the new access shall be installed as per the approved drawings and shall be retained throughout the lifetime of the development.

Reason: In the interests of highway safety to accord with the aims of the National Planning Policy Framework.

- 6) The proposed net enclosure as shown on the approved plans shall be implemented prior to the first use of the development hereby approved and retained in its position throughout the lifetime of the development.

Reason: In order not to prejudice the use of the adjacent sports field in accordance with the aims of the National Planning Policy Framework.

- 7) Prior to the commencement of development, full survey details to identify the number of trees that requires to be removed to accommodate the proposed access shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**11. BACKGROUND PAPERS**

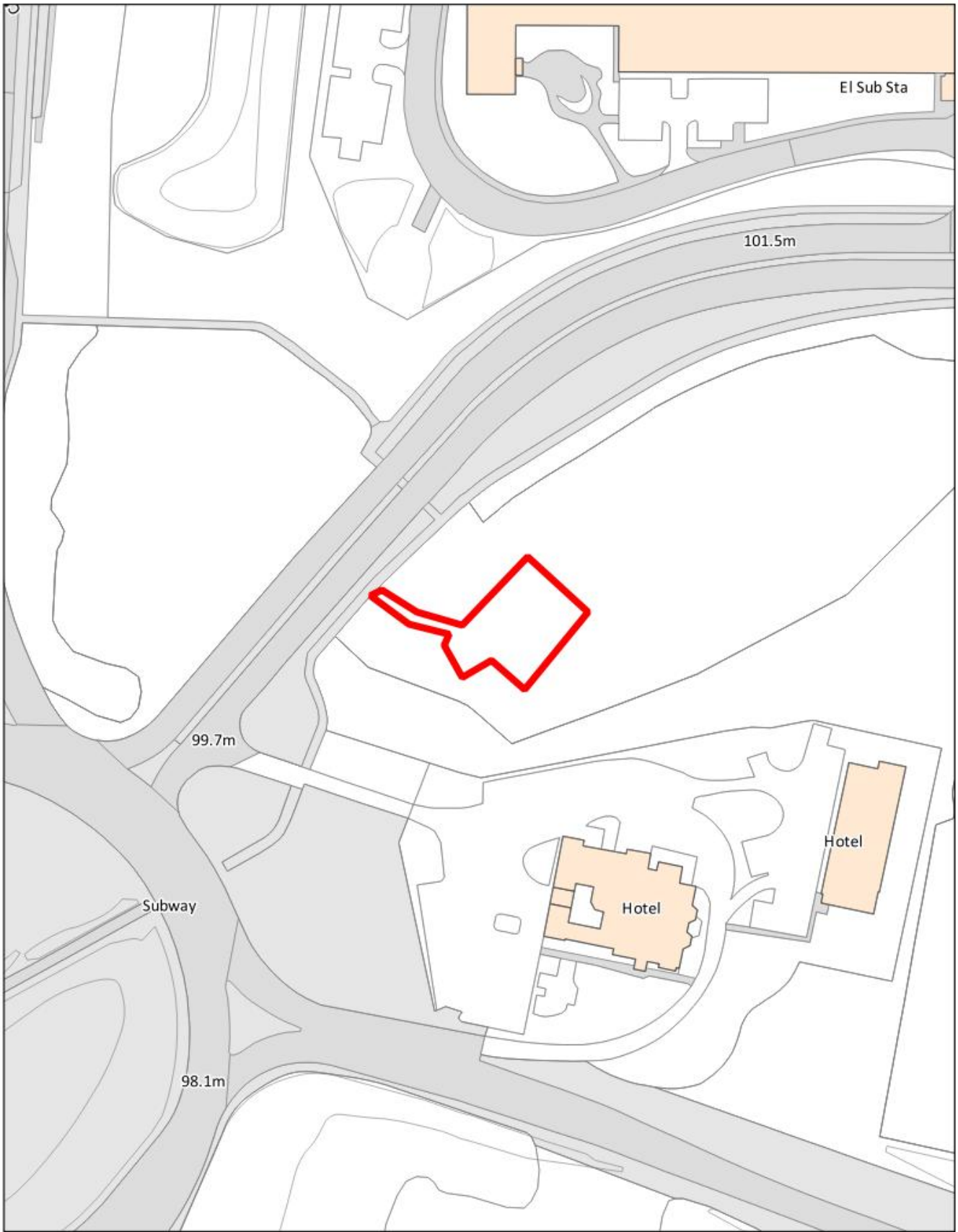
- 11.1 N/2019/0469.

**12. LEGAL IMPLICATIONS**

- 12.1 The development is not CIL liable.

**13. SUMMARY AND LINKS TO CORPORATE PLAN**

- 13.1 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: **Land at Stone Circle Road**

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Date: 16-07-2019

Scale: 1:1,250

Drawn by: -----



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

**APPLICATION REF:** N/2019/0607

**LOCATION:** 51 Adnitt Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including single storey rear extension

**WARD:** Abington Ward

**APPLICANT:** Century Assets  
**AGENT:** Architectural Solutions

**REFERRED BY:** Councillor Z Smith  
**REASON:** Parking concerns

**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 is considered acceptable as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding the existing lack of off road parking, the site is in a sustainable location close to Wellingborough Road and is closed to bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The design of the rear extension and resultant neighbour impact is considered acceptable also. The proposal thereby complies with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan and the Council's Houses in Multiple Occupation Interim Planning Policy Statement.

**2 THE PROPOSAL**

2.1 Permission is sought to convert an existing family dwelling into a House in Multiple Occupation for 5 persons (Use Class C4). The proposal includes two ground floor bedrooms, living room, kitchen and utility room with three bedrooms above. The proposal also includes single storey rear

extension to provide an additional bedroom. All proposed bedrooms are in excess of 10 square metres internal floor area and all include en-suite bathrooms.

### **3 SITE DESCRIPTION**

- 3.1 The site consists of a terraced property located along a residential street of similar uses. There is private amenity space to the rear enclosed on three sides. The property has a basement used as a storage room. The site is located in Flood Zone 1 (low risk) and is not in a conservation area. Parking is provided on street.

### **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), 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 72 - ensure a variety of homes meet needs of different groups.

Paragraph 127 - seeks to create safe and healthy places with a high standard of amenity for existing and future occupiers.

#### **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:

H1 - Housing Density, Mix and Type of Dwellings  
H5 - Managing the existing Housing Stock  
S10 - Sustainable Development Principles  
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 New development (design)  
H30 Houses in multiple occupation

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

## 5.6 Other Material Considerations

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs 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 15% of HIMOs within a 50metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments summarised as follows:

- 6.1 **NBC Private Sector Housing** - the room sizes, amenities and facilities indicate that the proposed HIMO would meet the requirements of a 5 person HIMO.
- 6.1 **Northamptonshire Highways** - Object; as there is no residual parking capacity in the area and any increase in demand will increase the instances of illegal parking. The LHA considers that any impact will compromise highway safety to be a severe developmental impact. Although in isolation, it is argued that the cumulative impact of minor developments such as this need to be considered as a whole. In conclusion, raise objection due to lack of residual parking capacity, the increase in parking demand will increase dangerous parking, putting all road users at risk and is seen as a severe developmental impact.
- 6.2 **Councillor Zoe Smith** - Called in on Parking and number of occupants is considered excessive
- 6.3 Two neighbour objections on following grounds:
- Impact on character of the area
  - Concern over transient nature of occupiers

## 7 APPRAISAL

### Principle of the development

- 7.1 The conversion of the existing dwelling 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 Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### Area concentration

- 7.2 Council records evidence that there are 8 other HIMOs (out of 101 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 8.9 % concentration (9 out of 101) and would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

### Size of property and facilities for future occupiers

- 7.3 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 HMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes generally in accordance with the Council's IPPS. All bedrooms would be served by adequate outlook and light via existing window openings. Private Sector Housing has advised that they will be satisfied with the proposed accommodation is suitable for 5 residents. Although the proposed lounge is less than the required standard of 11 square metres, all the proposed bedrooms are significantly larger than the minimum standard and therefore a satisfactory level of residential amenity would result.

### **Flood Risk**

- 7.4 The site lies in low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

### **Highways/Parking**

- 7.5 The Interim Planning Policy Statement for HMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.6 The application property is located within easy walking distance to facilities in Wellingborough Road and is considered to be in a sustainable location. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring full details to be submitted for approval for secure cycle storage.
- 7.7 A further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that HMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 3 as compared to the existing use, as the parking requirement for a 3-bed dwelling is 2 spaces. The Local Highway Authority raise objections and considered the impact would be severe.
- 7.8 However, regard must be paid to recent appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars. It is not considered that a refusal ground on the lack of car parking would be sustainable on appeal.

### **Refuse storage**

- 7.9 There is sufficient space to the rear of the property for bin storage. A condition is to be recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size and design.

### **Amenity**

- 7.10 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling.

### **Design and impact on appearance and character of host building and wider area**

- 7.11 Given that the proposed extension, which would project 5.8m to the rear, would be screened from Adnitt Road behind the existing house, there would be no effect on the street scene. While the flat roof design is not ideal, it would nonetheless reduce the bulk and would be acceptable in terms of materials, size and appearance, any approval would be subject to matching materials to ensure a satisfactory appearance.

### **Impact on adjoining occupiers from extension**

- 7.12 The main impact from the proposed rear extension would be on the rear of the two adjoining occupiers at nos. 49 and 53 Adnitt Roads. In terms of no. 49, even though the extension would project 4.4metres beyond its rear elevation, the effect would appear to be on a non-habitable room (WC/utility) and therefore loss of residential amenity would be less of a concern.
- 7.13 In terms of no. 53 Adnitt Road, the proposed extension would have an impact on the ground floor rear windows and two side windows facing the site, the side windows serving an existing kitchen. However, the extension would be set off the boundary by 1.2 metres and the existing conservatory would be removed which currently extends along the boundary line. Given this, and noting that there would be some loss of outlook, there is an existing boundary fence around 1.8m high which acts as a partial screen and the impact would not be considered to be overly significant.

## **8 CONCLUSION**

- 8.1 The proposed development would not lead to an unacceptable concentration of HIMO's within the locality that would adversely affect the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, 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 Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

## **9 CONDITIONS**

- 9.1 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 18/K86/2b and 3a.

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

- 3 The maximum number of occupiers shall not exceed five at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

- 4 Prior to the occupation of the development, 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 prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: To ensure the provision of adequate facilities 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 the development, full details of facilities for the secure and covered parking of 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: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework

6 The basement shall only be used as storage and not be converted to a bedroom or habitable room at any time throughout the life time of development

Reason: In the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

7 The property shall not be occupied as a five person house in multiple occupation until the rear extension hereby approved is complete in accordance with the approved plans.

Reason: in the interests of residential amenity to comply with Policy H1 of the West Northamptonshire Joint Core Strategy.

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

Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy S10 of the West N Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows shall be installed in the side facing elevations of the proposed extension.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy E20 of the Northampton Local Plan.

10 The proposed side facing en-suite window in the rear extension shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining property in accordance with Policy E20 of the Northampton Local Plan.

## **10 BACKGROUND PAPERS**

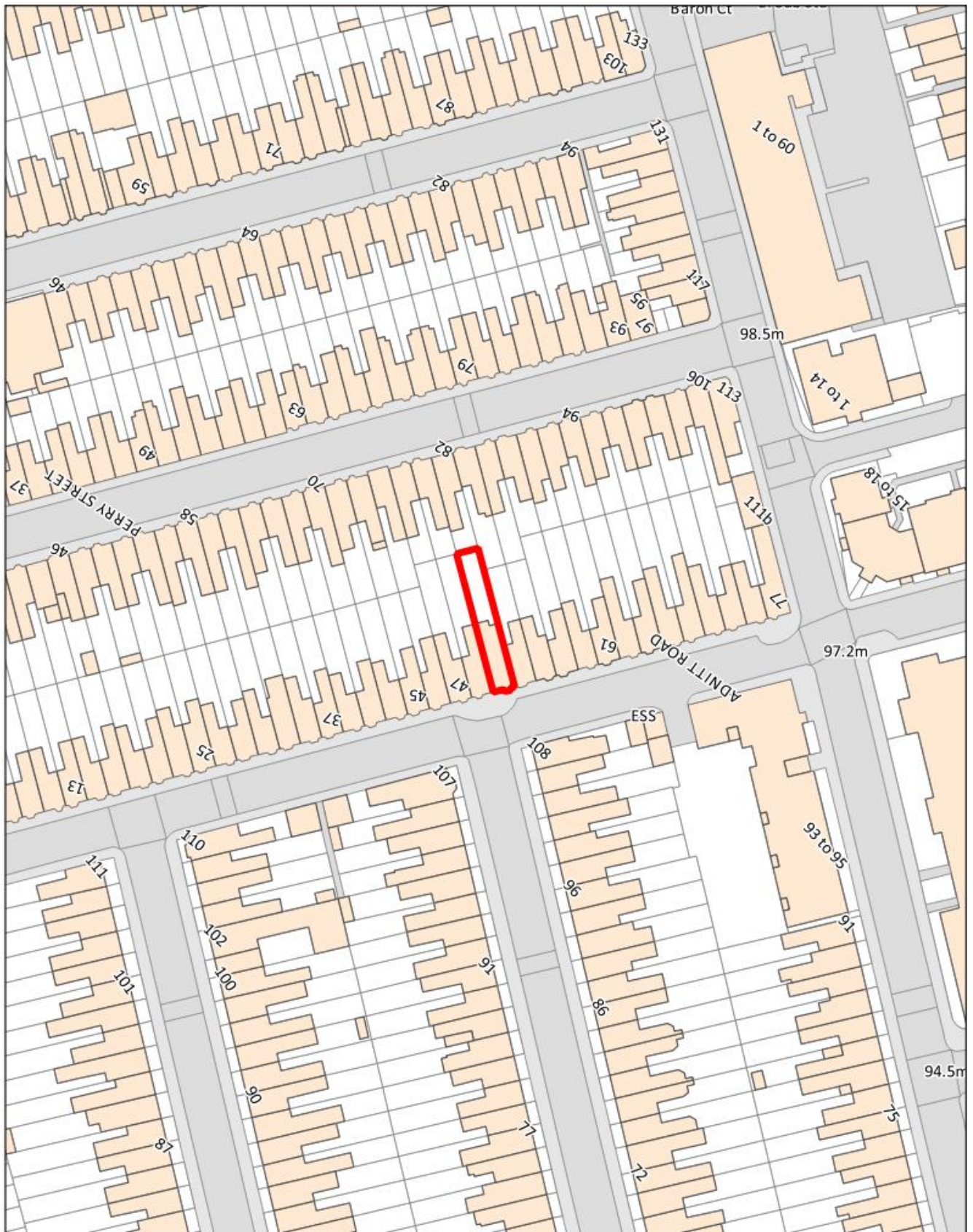
10.1 N/2019/0607.

## **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: **51 Adnitt Road**

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Date: 16-07-2019

Scale: 1:1,000

Drawn by: -----



**PLANNING COMMITTEE:** 30 July 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0633

**LOCATION:** 75 Ivy Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

**WARD:** Abington Ward

**APPLICANT:** Mr I Bhatti  
**AGENT:** Design Board-Architectural Services

**REFERRED BY:** Councillor Z Smith  
**REASON:** Parking concerns

**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 is considered acceptable as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a local shopping centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 Permission is sought for a change of use from a 3 bedroom dwelling house (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 5 people in 5 bedrooms. Parking would be on-street.

2.2 The proposal as originally submitted included a single storey flat roof rear extension in order to provide a sixth bedroom. After officer expressed concerns about the impact on adjoining neighbours, the extension was removed from the proposal and the number of occupants reduced to five only.

### **3. SITE DESCRIPTION**

- 3.1 The application site comprises a two storey, mid-terraced, 3 bedroom property on Ivy Road located in a residential area with similar terraced properties on the street. The property has a kitchen, lounge, bedroom and a WC on the ground floor, 3 bedrooms and a bathroom on the first floor and a basement room.
- 3.2 The site is in close proximity to Kettering Road, which includes retails and commercial units. The site is within the close proximity to the bus routes on Abington Grove and Kettering Road.

### **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 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:

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.

#### **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

#### **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 H30 – Multi occupation with a single dwelling

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

## 5.6 Other Material Considerations

### Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs 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 15% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Councillor Z Smith** - raises objection on the basis that application property will exacerbate parking issues. Calls in the application for consideration by the Planning Committee.
- 6.2 **Highway Authority (NCC)** – Objection received. This development will increase the demand further and will increase dangerous parking practices. The LHA considers any impact that will compromise the safety of motorists and pedestrians to be a severe developmental impact.
- 6.3 **Private Sector Housing (NBC)** – The proposed facilities and room sizes would meet the requirements for a 6 occupant HIMO. The application for 6 occupants would be supported providing two kitchen facilities were made available as outlined in their comments and appropriate door lock for bedroom 3. Adequate fire protection, detection and alarm system will also be required.

Revised plans were received reducing the number of occupants to 5 and removing the proposed rear extension. The revision saw the existing wc on the ground floor retained thus increasing the number of facilities provided for occupants.

- 6.4 **Objection received from local resident** raising concerns regarding lack of parking, inadequate refuse storage and noise/overcrowding.

## 7. APPRAISAL

### **Principle of the development**

- 7.1 The conversion of the existing dwelling 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 Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### **Area concentration**

- 7.2 Council records evidence that there are 10 other HIMOs within a 50m radius of the application site. There are 90 residential properties within the radius and therefore the introduction of an additional HIMO would represent an 11.1% concentration. This would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

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

- 7.3 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 HMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. Private Sector Housing have confirmed that the room sizes, amenities and facilities are acceptable. All bedrooms would be served by adequate outlook and light. The application property has a basement and a condition has been recommended to ensure that it would be used as a storage area only.

### **Highways/Parking**

- 7.4 The Interim Planning Policy Statement for HMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.5 The application property is located within easy walking distance to facilities along Kettering Road. It is considered that the application site is in a sustainable location within 110 metres of bus stop and within walking distance of local facilities on Kettering Road. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations.
- 7.6 Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Details have been submitted for the cycle storage.
- 7.7 The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 7.8 The Northamptonshire Parking Standards state that HMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 3 additional spaces than the current approved use, as a 3 bedroom dwelling would normally require 2 parking spaces.
- 7.9 In this case, the Highway Authority have raised objections to the application stating that the development would increase the demand for parking and would increase dangerous parking practices and the impact would be severe.
- 7.10 There is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions over the past few weeks where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 7.11 It should also be noted that in the most recent appeal decision the Inspector, in taking the view that the IPPS is consistent with one of the core principles of the National Planning Policy Framework, which is to actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, attached significantly more weight to the IPPS than to the Northamptonshire Parking Standards in determining the appeal.
- 7.12 In view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations, and having regard to the sustainable location of the application site, the

number of occupants proposed, and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the IPPS, it is not considered that a refusal on highway grounds could be upheld at appeal.

### **Refuse storage**

- 7.13 Details have been submitted for refuse storage, which are deemed acceptable. A condition has been recommended to retain the arrangement and provision.

### **Amenity**

- 7.14 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

## **8. CONCLUSION**

- 8.1 The proposed development not lead to significant adverse impacts on neighbouring amenity and the property is of sufficient size to accommodate the level of accommodation as proposed.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.
- 8.3 The proposed development is 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 plan: A793-SLP and A793-1a.

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 five residents at any one time.

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

4. Facilities for the refuse and recycling storage as shown on drawing no.A793-1 shall be implemented prior to the use hereby permitted commencing 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. Facilities for the cycle storage as shown on drawing no.A793-1 shall be implemented prior to the use hereby permitted commencing 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.

6. The basement room shall be used as storage room only and shall not be used as a bedroom at any time.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, 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 N/2019/0633

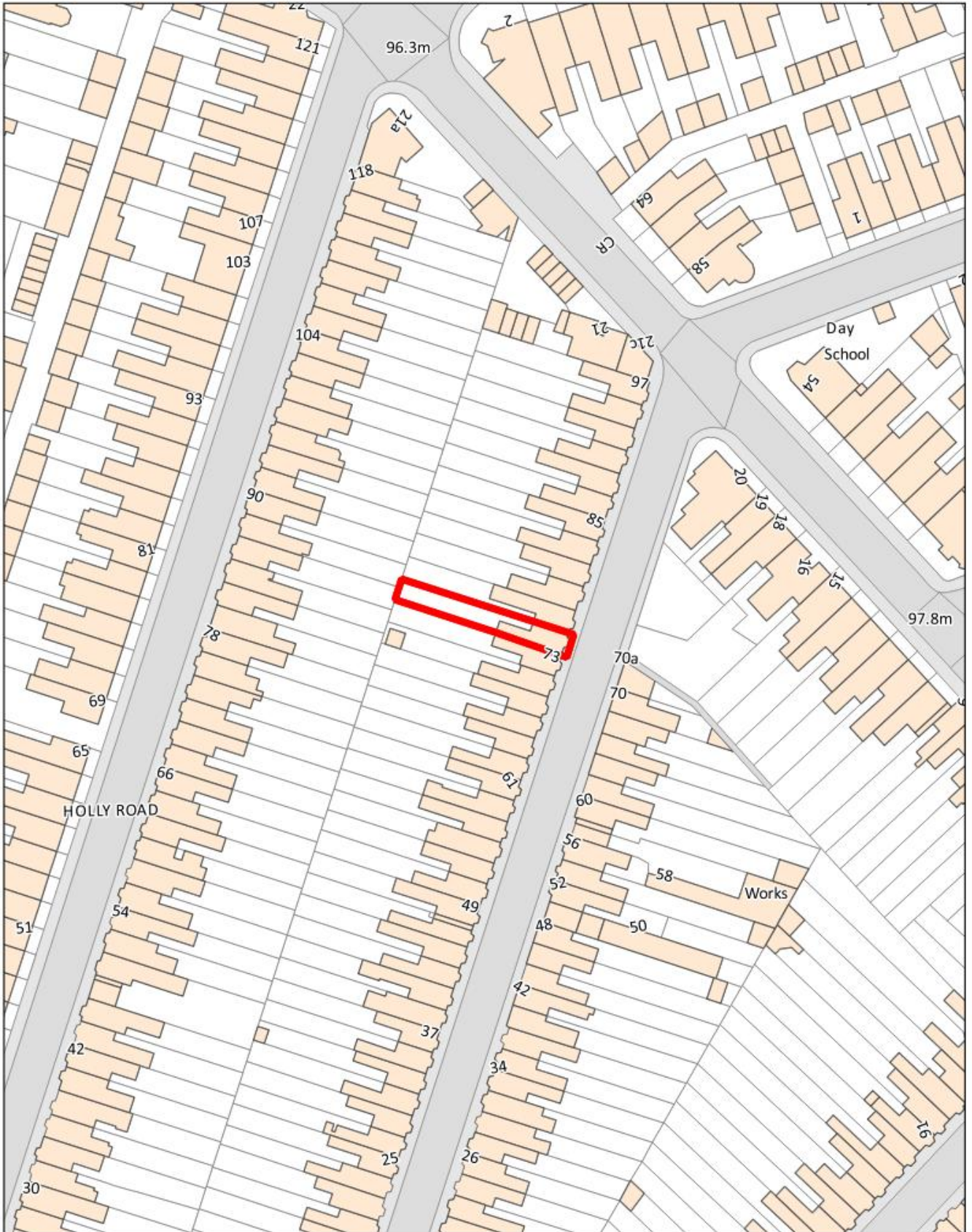
## **11. LEGAL IMPLICATIONS**

11.1 The development is CIL not chargeable.

## **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: **75 Ivy Road**

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Date: 16-07-2019

Scale: 1:1,000

Drawn by: -----



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

**APPLICATION REF:** N/2019/0641

**LOCATION:** 102 Lea Road

**DESCRIPTION:** Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants

**WARD:** Abington Ward

**APPLICANT:** Mr Ali Chukmarov  
**AGENT:** Fox Architectural Design Ltd

**REFERRED BY:** Councillor Z Smith  
**REASON:** Parking concerns

**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 is considered acceptable as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to a Local Shopping centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with the aims of the National Planning Policy Framework, Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan and the Council's Houses in Multiple Occupation Interim Planning Policy Statement.

### 2 THE PROPOSAL

2.1 Permission is sought for a change of use from a 4 bedroom dwelling house (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 5 people in 5 bedrooms. In terms of the layout, the basement would be retained as a storage space with a ground floor en-suite bedroom at the front with lounge and kitchen/dining room behind. At first floor there would be three bedrooms, one with an en-suite and there would also be a separate bathroom. On the second floor, a large en-suite bedroom is proposed. Parking would be on-street.

### **3 SITE DESCRIPTION**

- 3.1 The application site comprises a terraced property on Lea Road, located in a residential area with similar terraced properties on both sides of the street. The property has a private rear amenity space enclosed on 3 sides. The site is not in a conservation area and is in a low risk flood zone (flood zone 1).

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

### **6 National Policies**

- 6.1 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 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.

#### **6.2 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 and Mix and Type of dwellings

Policy H5 - Managing Existing Housing Stock

Policy S10 - Sustainable Development Principles

Policy BN7 - Flood Risk

#### **6.3 Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 New development

Policy H30 Multi-occupation

#### **6.4 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

## 6.5 Other Material Considerations

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs 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 15% of HIMOs within a 50metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

## 7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **NBC Private Sector Housing** - the room sizes, amenities and facilities indicate that the proposed HIMO would meet the requirements of a 5 person HIMO.
- 7.2 **Northamptonshire Highways** - Object; as there is no residual parking capacity in the area and any increase in demand will increase the instances of illegal parking. The LHA considers that any impact will compromise highway safety to be a severe developmental impact. Although in isolation, it is argued that the cumulative impact of minor developments such as this need to be considered as a whole. In conclusion, raise objection due to lack of residual parking capacity, the increase in parking demand will increase dangerous parking, putting all road users at risk and is seen as a severe developmental impact.
- 7.3 **Councillor Zoe Smith** - Called in on parking and the number of occupants is considered excessive.

## 8 APPRAISAL

### Principle of the development

- 8.1 The conversion of the existing dwelling 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 Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

### Area concentration

- 8.2 Council records evidence that there are 8 other HIMOs within a 50m radius of the application site. The use of this property as a HIMO would equate to 14.2% concentration in the area out of 63 properties. This would still fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs.

### Size of property and facilities for future occupiers

- 8.3 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. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Interim Planning Policy. A condition restricting the use of the property to a maximum of 5 people would ensure over-development does not occur. All bedrooms would be served by adequate outlook and light and all other rooms would meet IPPS standards. Private Sector Housing has advised that they will be satisfied with the accommodation

proposed as it meets their requirements. The basement would be used purely as storage and a condition secured that it does not become a habitable room.

### **Flood Risk**

- 8.4 As the site is in a low risk flood zone, there would not be any concern over the effect on local flooding.

### **Highways/Parking**

- 8.5 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.6 The application property is located within easy walking distance to facilities along Abington Avenue and Wellingborough Road. It is considered that the application site is in a sustainable location within 150 metres of the nearest bus stop. In this regard, the proposal is considered to be in accordance with the requirements of the IPPS in respect of parking considerations. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring details to be submitted for approval for secure cycle storage. The proposal is, therefore, in compliance with this principle of the IPPS. However, a further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS.
- 8.7 The Northamptonshire Parking Standards state that Houses in Multiple Occupation shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 5 parking spaces, which is an increase of 2 compared to the existing use, as parking requirement for a 4-bed dwelling is 3 spaces.
- 8.8 In this case, the Highway Authority object to the proposal because the potential impacts on highway safety are considered severe, and concern is raised regarding the potential negative impacts of an increase in parking demand on the amenity of neighbouring residents.
- 8.9 However, regard must be paid to previous appeal decisions over the past few months where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. It is considered that a refusal on highway grounds would not be sustainable on appeal.

### **Refuse storage**

- 8.10 Some details have been submitted for refuse storage. There is sufficient space to the rear of the property for bin storage, a condition is recommended to secure refuse provision.

### **Amenity**

- 8.11 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues would be reasonable or sustainable at appeal.

## **9 CONCLUSION**

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect the character of the local area, street scene, nor would the

development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, 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 Interim Planning Policy Statement.

## **10 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: 19/15/P/L, P01, P02, P03, P04B and P05.

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

3. The maximum number of occupiers shall not exceed five at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

4. Notwithstanding the submitted details, prior to the occupation of the development, 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 prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5. Notwithstanding the submitted details, prior to the occupation of the development, full details of facilities for the secure and covered parking of 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: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

6. The basement shall not be used as a bedroom or habitable room throughout the lifetime of the use of the building as a house in multiple occupation.

Reason: In the interests of residential amenity to comply with Policy H1 of West Northamptonshire Joint Core Strategy.

## **11 BACKGROUND PAPERS**

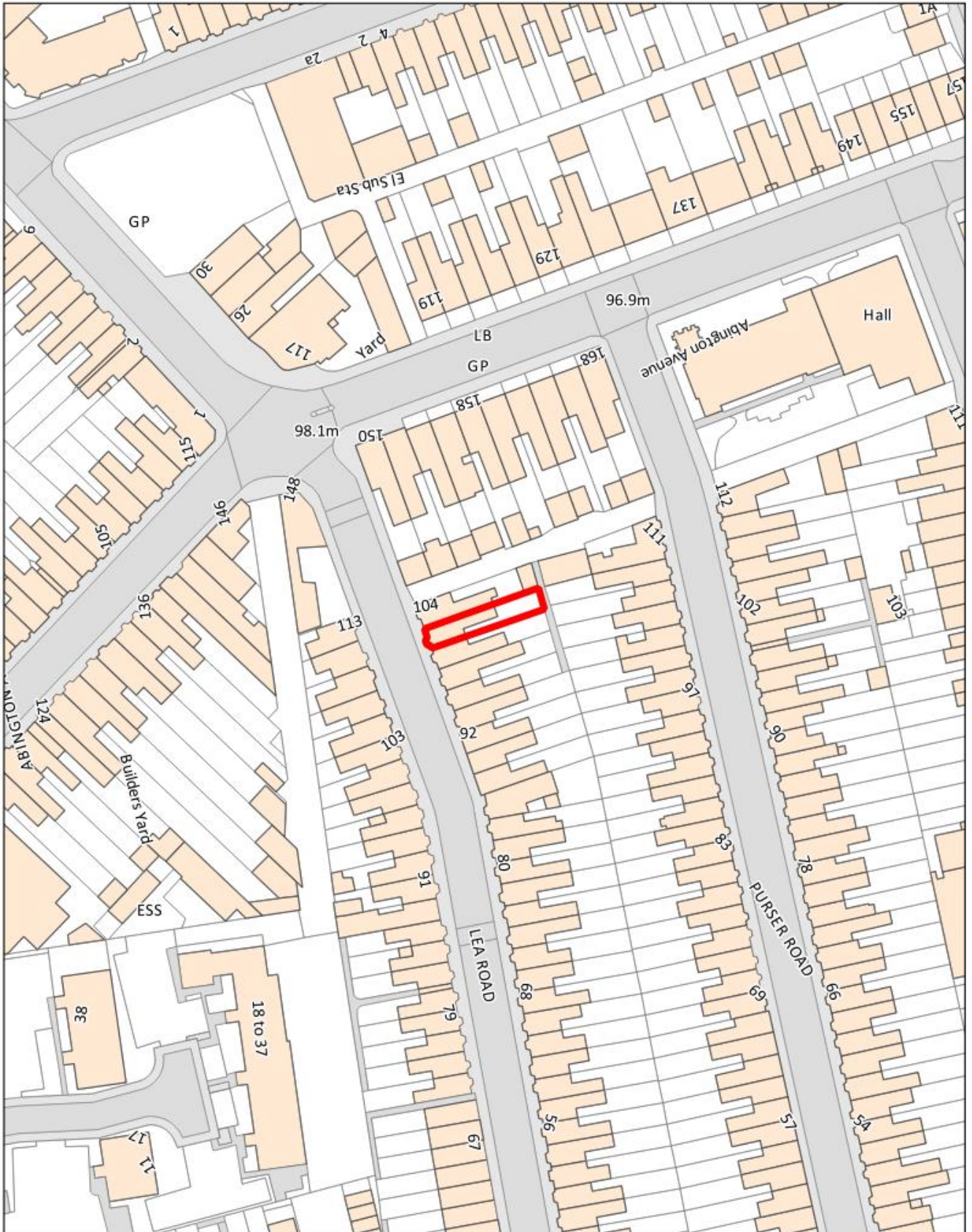
11.1 N/2019/0641.

## **12 LEGAL IMPLICATIONS**

12.1 The development is not CIL liable.

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

13.1 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: **102 Lea Road**

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Date: 16-07-2019

Scale: 1:1,000

Drawn by: -----





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

**APPLICATION REF:** N/2019/0743

**LOCATION:** Delapre Abbey, London Road

**DESCRIPTION:** Listed Building Consent Application for installation of 2no security cameras and 1no sounder to Stable Block & Coach House, installation of overflow hopper and rainwater pipe on the Cafe building, replacement of existing wall lantern light fittings at various locations and replacement of existing external bulkhead fittings with new LED emergency lights

**WARD:** Delapre & Briar Ward

**APPLICANT:** Delapre Abbey Preservation Trust  
**AGENT:** Stimpson Walton Bond Architects

**REFERRED BY:** Head of Planning  
**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 has no adverse impact on the character, appearance or historical significance of the listed building and Delapre Conservation Area. The proposal thereby accords with Policy BN5 of the West Northamptonshire Joint Core Strategy, Policies E20 and E26 of the Northampton Local Plan and the National Planning Policy Framework.

**2. THE PROPOSAL**

2.1 The proposal entails the installation of lighting and CCTV cameras to various buildings within Delapre Abbey. Also proposed are alterations to the conservatory (café) roof to create additional drainage channels and installation of downpipe.

**3. SITE DESCRIPTION**

3.1 The proposal relates to the 19<sup>th</sup> Century Stable Block, Coach House, Delapre Cottage, South Range and the Conservatory both forming part of Delapre Abbey.

3.2 Delapre Abbey is listed as Grade II and Grade II\* and falls within the boundary of the Delapre Conservation Area.

#### **4. PLANNING HISTORY**

4.1 In October 2013, a planning application was approved for the repair and refurbishment of Delapre Abbey, 18th Century Stables and Coach House and change of use to include functions/events, conferences, guided tours, visitor and heritage centre and ancillary retail, offices, café and restaurant, and holiday lets. An associated application for listed building consent for the works required was also approved at that time.

4.2 Subsequently applications for associated works have also been approved, including the installation of CCTV and lighting, as well as amendments to the approved scheme.

#### **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.

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 section is of particular relevance to this application:

Paragraph 192 states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation.

##### **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. Policy of particular relevance is:

Policy BN5 “The Historic Environment”, which sets out that heritage assets will be conserved and enhanced and that where heritage assets are at risk they will be appropriately conserved and managed.

##### **5.4 Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

Policy E20 New Development

## 6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Historic England** – No objection to the application on heritage grounds. Pleased to see that it is now proposed to remove the over-scaled lamps and install external wall lighting of a more fitting scale. No comments to make on the installation of security cameras and the overflow hopper / pipe.
- 6.2 **NBC Conservation** – The fixing of the cameras and sounder will result in some harm to the historic character and special interest of the buildings. However, the harm would be reversible and it is considered that the level of harm would be less than substantial. In this circumstance, paragraph 196 of the National Planning Policy Framework requires the harm to be weighed against the wider public benefits of the proposal. The buildings are in a vulnerable location and have been the subject of previous vandal attack. On balance, consider that the harm will be outweighed by the public benefit of reducing the risk and cost of vandalism and enabling the buildings to be in public use. The replacement of the lights and the addition of a downpipe to the conservatory will also have an acceptable impact.
- 6.3 A reconsultation has taken place due to an error on the plans, any further comments received as a result of this will be reported to Committee by means of the Addendum.

## 7. APPRAISAL

- 7.1 The main issues to consider are the impact of the proposals on the character, appearance and historic significance of the listed building and the conservation area.
- 7.2 The proposed works include the removal and replacement of oversized lighting which was installed without consent as well as older functional lighting.
- 7.3 The lighting now proposed are for the more prominent elevations, these being the Coach House and Stable Block, are coach lamp style lanterns. This type of lighting is considered to have been appropriate for the location as it is of a suitably historic appearance but is of a scale which does not detract from the buildings to which the lights would be attached.
- 7.4 Also proposed is a more functional style of lighting which would be in less prominent locations and would provide lighting in a more discreet manner. This would be installed on Delapre Cottage, which is in an area not open to the public and to the rear of the Stable Block. It is considered that a more simple form of lighting, without the historic references of the coach lamps, is appropriate in these locations.
- 7.5 This more simple style of lighting has also been specified adjacent to the South Range and has been specified in this case to provide a discreet source of light which does not detract from this important feature of the Abbey. This is considered an appropriate approach to take in this location as any form of more ornate lighting would detract from the location.
- 7.6 Security measures are also proposed, in the form of replacement CCTV cameras and also a sounder, which will allow CCTV operatives to address any wrongdoers at the Abbey. These items are necessary for the security of the Abbey and are considered to be as discreet as possible whilst providing an appropriate level of security.
- 7.7 A final element of the proposal is alterations to the roof of the conservatory by installing drainage channels, to improve drainage and the installation of a hopper and downpipe to the front elevation. The conservatory is a modern addition to the Abbey, in the gap left by the original conservatory. The works to the roof would not be visible and are considered essential to solve the current

problems, as is the downpipe which is considered to have an appropriate appearance in keeping with the conservatory and would not detract from the adjacent historic buildings.

## **8. CONCLUSION**

- 8.1 The proposed works would not have any significant detrimental impact on the historic fabric of the buildings and would have the advantage of providing appropriate and necessary security as well as solving drainage problems. Any potential harm would be less than substantial and the public benefits to protect the listed building would outweigh any potential impact in line with the guidance contained in the NPPF.

## **9. CONDITIONS**

- (1) The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

- (2) The development hereby permitted shall be carried out in accordance with the following approved plans: 201-49-110 A.

Reason: For the avoidance of doubt and to accord with the terms of the listed building consent application.

## **10. BACKGROUND PAPERS**

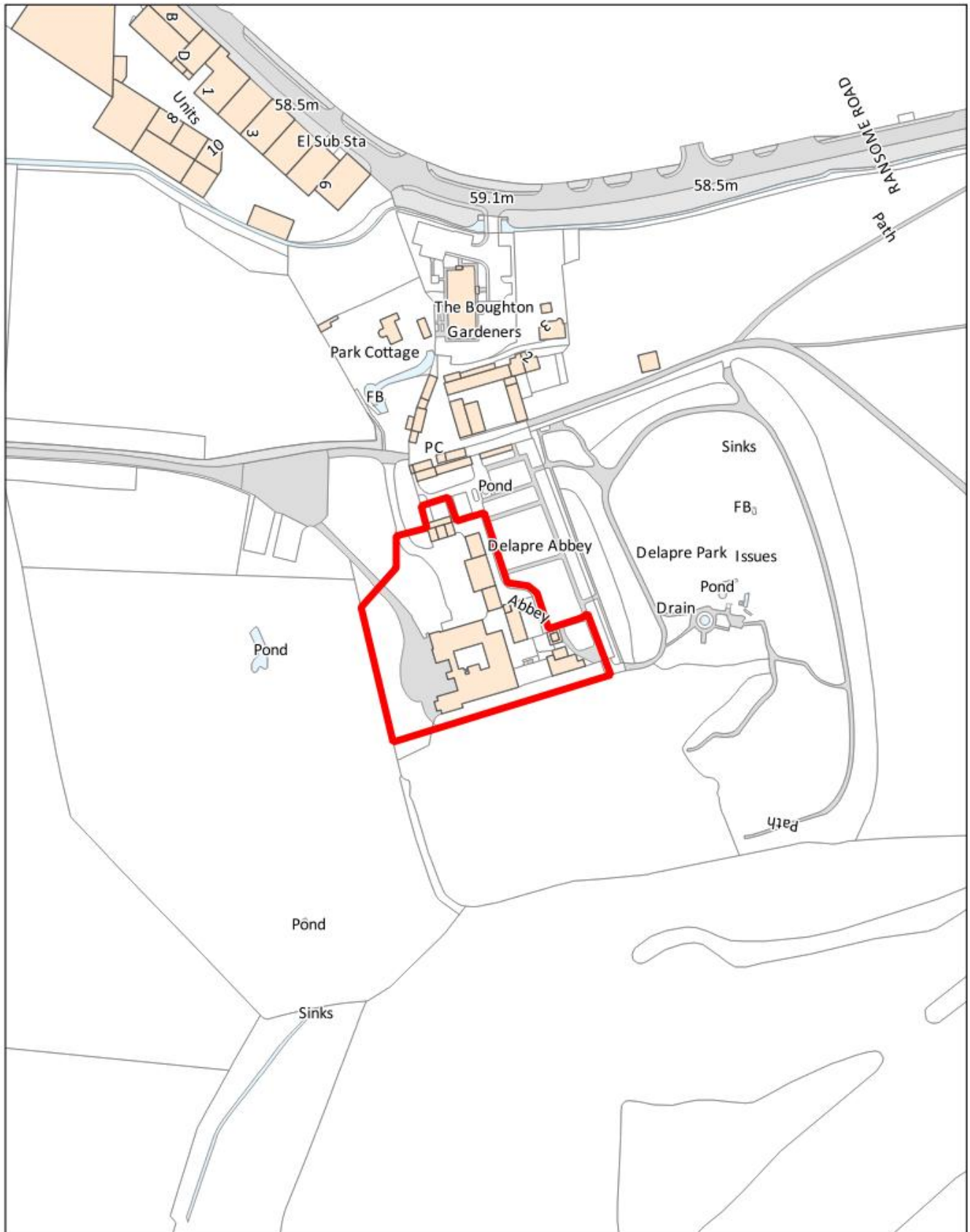
- 10.1 Application File N/2019/0743.

## **11. LEGAL IMPLICATIONS**

- 11.1 None.

## **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: **Delapre Abbey, London Road**

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Date: 16-07-2019  
 Scale: 1:2,322  
 Drawn by: -----



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

**APPLICATION REF:** N/2019/0753

**LOCATION:** Fernie Field Sports Ground, Fernie Field

**DESCRIPTION:** Variation of Conditions 2 and 3 of Planning Permission N/2017/1125 (Proposed extensions and alterations to existing club house to provide kitchen and dining facilities and toilets) to alter pitched roof over proposed dining room/kitchen extension from pitched to flat roof and include 3no roof lanterns, amend South East elevation to remove window and alter door position, include new entrance lobby to dining area on North East elevation and detach proposed extension from adjacent Scout building by 1200mm

**WARD:** Boothville Ward

**APPLICANT:** Fernie Fields Sports & Social Club  
**AGENT:** Architectural Solutions

**REFERRED BY:** Head of Planning  
**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 amendments to the previously approved scheme are minor in nature and would not have any additional impact on the street scene or on the amenities of adjoining occupiers. The proposed development would significantly improve the facilities for this established sports club. The proposal thereby complies with Policy S10 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The proposal entails an amendment to the previously approved scheme for the erection of single storey extensions to the front and rear of the existing club house building, these would be single storey and in a similar design to the existing buildings. The changes now made is that the

extensions would now all be flat roofed whereas the larger of the extensions was to have a pitched roof and also that the larger extension would no longer be linked to the adjacent building.

- 2.2 The proposed extensions include entrance lobby to the building, improved toilet facilities including those for people with disabilities, kitchen and dining areas as well as additional storage.

### **3 SITE DESCRIPTION**

- 3.1 The site comprises the established ground of the Sileby Rangers Football Club, comprising the pitch and associated buildings and stands. The buildings forming the club house and Scout centre are single storey and are of a functional design.

### **4 PLANNING HISTORY**

- 4.1 The planning history for the site includes the following:

86/0360: New club-house and changing facilities – Approved 17/09/1986

95/0311: Extension to car park at football – Approved 05/07/1995

N/2003/0415: Off site highway improvements, new access & erection of 8 floodlight columns – Approved 23/07/2003

N/2004/0603: Removal of condition 2 of planning permission N/2003/0415 to allow the construction of a revised access – Approved 11/06/2004

N/2008/1138: Spectator stand and terraces including associated toilets within the existing community centre, water storage tank for irrigation system, alterations to existing car parking together with new fencing & change to vehicular access arrangements – Approved 30/12/2008

N/2016/1579: Proposed tractor shed, store and pavilion – Approved 15/02/17

N/2017/1125: Proposed extensions and alterations to existing club house to provide kitchen and dining facilities and toilets – Approved 18/10/17

### **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:

Paragraph 127 - 132 - Promote good design in new development.

Section 8 – Promoting health and safe communities.

#### **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. Policy of particular relevance is:

Policy S10 – Sustainable Development Principles

#### 5.4 **Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20 – New Development (Design).

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

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

### **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 No comments received. At the time of writing this report the consultation period is ongoing, therefore any comments which are received will be reported to Committee via the addendum.

### **7 APPRAISAL**

7.1 The issues to consider are the impact of the proposed extensions in respect of visual amenity as well as any impact on nearby residential occupiers, taking into account amendments to the previously approved scheme.

7.2 In terms of their visual appearance, the extensions would be of a similar appearance to the existing building, as with the previously approved version. The difference is that the larger of the extensions would now have a flat roof and would not be linked to the neighbouring building. This change in design would be visible from the street Fernie Fields between the main clubhouse building and the Scout centre. This would be at a distance of over 30m. It is not considered that this change would have a detrimental impact on the street scene, taking into account also that the smaller extension was previously approved with a flat roof and the distance involved.

7.3 The main elevation of the extension would face onto the playing field and therefore would not be visible from any public viewpoint. It is considered that the appearance of the extension would be acceptable in the context of this setting and would not detract from the existing building.

7.4 The use of the building as extended would be unchanged and the impact in respect of noise and disturbance from the use, vehicle movements and demand for parking would also be unchanged.

7.5 As per the application, it is recommended that both Conditions 2 and 3 are amended, to reflect the current proposal.

### **8 CONCLUSION**

8.1 The proposed alterations and extensions as amended would have no additional adverse impact on the street scene or on the amenities of adjoining occupiers and remain in line with Development Plan Policy

### **9 CONDITIONS**

(1) The development hereby permitted shall be begun before 18<sup>th</sup> October 2020.



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: 17/S280/3j, 17/S280/4j.

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

- (3) The external walls of the extension shall be constructed with materials of the same type, texture and colour as the external walls of the existing building.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

## **10 BACKGROUND PAPERS**

- 10.1 Application file N/2019/0753.

## **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: **Fernie Field Sports Ground**

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Date: 16-07-2019

Scale: 1:2,786

Drawn by: -----



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

**APPLICATION REF:** N/2019/0137

**LOCATION:** Lock Up Garages, Fieldway

**DESCRIPTION:** Demolition of 10no domestic garages and erection of 2no new build units

**WARD:** Headlands Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner LLP

**REFERRED BY:** Head of Planning  
**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 principle of residential development on the site for two new dwellings is considered acceptable in an established residential area and would contribute towards the Council's five year housing land supply. The proposed siting, scale and design are considered acceptable and would not have undue impact upon the character and appearance of the surrounding area, neighbouring amenity, trees, security and parking/highway safety. The development is therefore in compliant with the aims and objectives of the National Planning Policy Framework, Policies S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 Permission is sought for erection of two, two storey semi-detached properties, each with one bedroom. The properties contain living room/dining room and kitchen on ground floor with bathroom, landing and bedroom above. The proposed dwellings would have rear gardens measuring approximately 20 metres long and would be served by one off-road parking space each with access off Fieldway.

### 3 SITE DESCRIPTION

- 3.1 The site consists of a block of 10 domestic garages located within a primarily residential area. Access is currently taken off Fieldway. The site is surrounded by residential properties on all sides with a mix of mainly two storey dwellings and blocks of flats. The site is not near any conservation areas or any listed buildings and is in a low risk flood zone (flood zone 1). The site is relatively flat.

#### **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), 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:

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

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 S1 - Distribution of development

Policy S3 - Scale and distribution of housing

Policy S10 - Sustainable Development Principles

Policy H1 - Housing Design, Density and Mix

Policy BN3 - Trees

Policy BN9 - Planning and Pollution Control

##### **5.4 Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20 New development (design)

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

Northamptonshire Parking Standards (September 2016)

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments summarised as follows:

- 6.1 **NBC Tree Officer** - the one mature lime tree on the frontage identified as T1 has been identified for removal and therefore no tree protection measures will be required for that particular tree. However, the remaining lime trees, included together in G2, are to be retained and MacIntyre Trees' report recommends ground protection measures to accommodate the development whilst causing the least avoidable harm to the roots of those trees. However, no detail of ground protection is offered and so a site-specific document will be required that will demonstrate how the proposals can be implemented without causing harm to the adjacent trees.
- 6.2 **NBC Environmental Health** - No objections subject to contaminated land condition and consideration given to air quality and construction noise.
- 6.3 **Northamptonshire Police** - No objection provide the plot to the left has trellis topped boundary to side and all new doors and windows should be Building Regulation compliant. The shed should be secured with a mortice lock.
- 6.4 **Northamptonshire Highways** - no objection subject to a condition that footway be re-instated.

## 7. APPRAISAL

### Main issues

- 7.1 The main issues for consideration are the principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity, security, trees, and highway conditions/ parking.

### Principle of residential development

- 7.2 The application site is located in a designated residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton. In addition, the site comprises land that has been previously developed and thus the redevelopment of such brownfield land is encouraged under the NPPF.
- 7.3 However, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for two dwellings would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

### Design and impact on the appearance and character of the area

- 7.4 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The proposed design and general appearance are in keeping with other dwellings in the area, in terms of scale and height. Any approval would also be subject to a materials condition to ensure that appropriate external appearance could be achieved. This would accord with Policy S10 of the Joint Core Strategy and E20 of the Local Plan.

### Impact on amenity of neighbouring occupiers

- 7.5 The site is surrounded a block of flats to the south and residential dwellings to the north and east. In terms of the nearby flats, due to the separation, the proposed dwellings would have limited effect in terms of loss of outlook, overbearing, privacy and light. In terms of the impact on the property to the north at number 32 Fieldway, there would be some effect on the rear windows of this property, however the relationship is such that loss of residential amenity would be reasonably limited. Given front separation, any impact on the properties opposite the site would also be considered to be acceptable.

### **Amenity of future occupiers**

- 7.6 Saved Policy E20 of the Northampton Local Plan and H1 of the Joint Core Strategy all seek to secure a sufficient standard of residential amenity for future occupiers. All habitable rooms would be served by adequate light and outlook and private amenity spaces 20 metres long, providing an acceptable level of residential amenity. Bin storage would be secured by condition. Although the flats to the south of the site would directly overlook the rear amenity space, it is considered that the separation is reasonable and the need for additional two dwellings would outweigh officer concerns and a refusal could not be justified.

### **Parking and Highways**

- 7.7 The application site currently comprises 10 single garages. However, garages are not generally counted as parking spaces under the County Parking Standards as they are often too small to be used for day to day parking. NPH has confirmed that only 5 out of the 10 garages are currently occupied. However, a desktop exercise was carried out and each current occupant would be offered an alternative garage as close as possible to their homes.
- 7.8 Off-street parking would be provided for 2 cars, one for each dwelling and complies with Northamptonshire Parking Standards. The proposal also includes adequate vision splays in either side of the access. The Local Highway Authority have no objections provided that the footway is re-instated which could be secured by condition There are no major issues with on-street parking in the vicinity of the site that would justify refusal of planning permission. The proposal complies with Paragraphs 108 and 109 of the NPPF.

### **Security and Crime Prevention**

- 7.9 Northamptonshire Police Crime Advisor raises no objection subject to consideration be given to security measures including boundary treatment surveillance of parking areas and securing of fenestration in accordance with the Northamptonshire "Planning Out Crime" Guidance and Policy S10 of the Joint Core Strategy. These could be agreed by condition on any grant of planning permission. The proposed car parking spaces would also benefit from direct surveillance from the front windows in the new dwellings.

### **Contamination and Environmental Health issues**

- 7.10 The Council's Environmental Health Officers recommend that a standard land contamination condition be secured which would be agreed by condition on any grant of planning approval. This accords with Policy BN9 of the Joint Core Strategy. Construction hours could be recommended by an informative note. There is no policy justification for insisting on gas fired boilers.

### **Landscaping and Trees**

- 7.11 The proposal includes removal of one mature Lime tree adjacent to the site access and retention of some other lime trees to the immediate south of this. The NBC Tree Officer recommends ground protection measures to accommodate the development however no detail of this has been submitted and he suggests a site specific document being provided that demonstrates how the proposals can be implemented without causing harm to the adjacent trees. However, in response to this, as these trees are outside the application site, a condition would not be considered reasonable in this instance but an informative would be added to any planning approval advising

the applicant on protection of trees outside the site. The loss of the Lime tree is regrettable, however, there would still be trees retained immediately to the south of the site frontage. It is considered that the harm to amenity would be outweighed by the provision of affordable housing in this instance

## **8. CONCLUSION**

- 8.1 To conclude, the site is in an existing residential area within the built up area of Northampton and the principle of development is acceptable and would contribute to the 5 year land supply. In this instance, the proposal would comply with the development plan and national policy and subject to conditions, no harm has been identified that would significantly outweigh benefits. The proposal is considered acceptable.

## **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: P01A, P02A, P03A, P04, P05, P06, SCH001 and SCH002.

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

- 3) Notwithstanding the submitted plans, details 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 E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

- 4) The bin storage areas shall be implemented in accordance with the details on the approved plans prior to first occupation of development and retained in that form throughout the lifetime of development.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy

- 5) The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the buildings hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the aims of the National Planning Policy Framework.

- 6) Prior to the occupation of development, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan and H1 of the West Northamptonshire Joint Core Strategy.

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows including dormers and roof windows shall be installed to the dwellings hereby permitted.

Reason: In the interests of privacy in accordance with Policy E20 of the Northampton Local Plan.

9) 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 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

10) Details of security measures including security to doors and windows shall be first submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the development hereby permitted.

Reason: In the interests of security to comply with Policy S10 of the Joint Core Strategy.

11) Prior to the first use of the approved parking spaces, 2m by 2m pedestrian vision splays shall be provided on either side of the access and retained in that form throughout the lifetime of the development.

Reason: In the interests of highway safety to comply with the aims of the National Planning Policy Framework.

12) The footway at the front of the site shall be re-instated in accordance with details to be first submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the development hereby permitted.

Reason: In the interests of highway safety to comply with the aims of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

10.1 N/2019/0137.

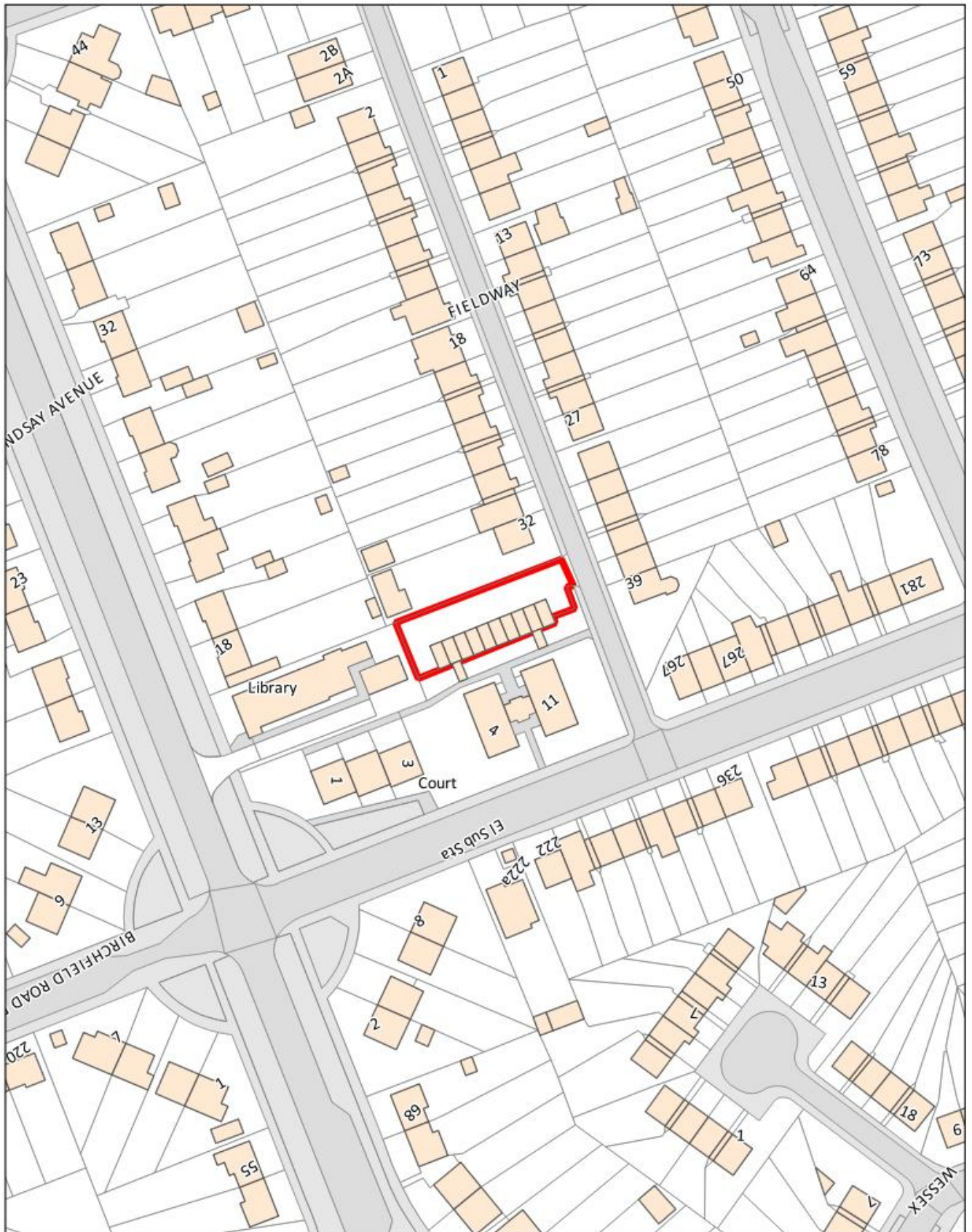
## **11. LEGAL IMPLICATIONS**

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: **Garages at Fieldway**

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Date: 16-07-2019

Scale: 1:1,000

Drawn by: -----



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

**APPLICATION REF:** N/2019/0142

**LOCATION:** Lock up garages opposite 49 Prentice Court

**DESCRIPTION:** Demolition of 6no domestic garages and erection of 1no new build unit

**WARD:** Talavera Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner LLP

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

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1 RECOMMENDATION**

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

The proposal would contribute towards the Council’s five year housing land supply and, as part of a balanced assessment, it is considered to be acceptable. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

**2 THE PROPOSAL**

- 2.1 The application seeks full planning permission for the demolition of six existing garages and the erection of one dwelling. 7 parking spaces are also proposed.
- 2.2 The proposed dwelling would be a bungalow with a width of 9 metres and a depth of 8.75 metres. The maximum ridge height of the dwelling is 4.8 metres.
- 2.3 During the course of the application the proposal has been amended to relocate the dwelling to the east of the site and the garden to the west of the proposed dwelling.

**3 SITE DESCRIPTION**

- 3.1 The application site comprises a garage court and grassed area that is located within a residential area. The site is located on the eastern side of Prentice Court and comprises two blocks of garages, one with four garages and one with two. The application site also includes a section of grass where parking is proposed.

## **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

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 S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy BN9 - Planning for Pollution Control

### **5.4 Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policy is material to this application:

Policy E20 - New Development (Design)

### **5.5 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

## **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Suggest conditions on contaminated land, working hours, vehicle charging points, and boilers.
- 6.2 **NBC Arboricultural Officer** – The report recommends ground protection measures to accommodate the development whilst causing the least avoidable harm to the roots of retained trees but offers no detail of how that may be achieved. A site-specific document will be required that will demonstrate how the proposals can be implemented without causing harm to the adjacent trees. Condition requiring control measures identified in report to be implemented in a timely fashion and properly maintained throughout the development is required.
- 6.3 **Northamptonshire Police** – No objection. Recommend fence is supplemented with trellis topping and security measures for the shed and windows and doors.
- 6.4 **NCC Highways** – No comments to make regarding this application.
- 6.5 1 neighbour letter of objection has been received. The concerns raised can be summarised as follows:
- Requirement to park elsewhere as a result of development may result in crime issues.
  - Loss of parking during construction (*This is not a material planning consideration in the assessment of this application*).

## 7 APPRAISAL

### Principle of development

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

### Design

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The application site comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.
- 7.4 The proposed bungalow would be located following the line of the existing row of terraces at 45-48 Prentice Court, albeit set slightly further to the west due to site constraints. The proposal would be a single storey bungalow with a hipped roof. Whilst bungalows are not found within the immediate vicinity of the area, it is considered that the proposal would not appear unduly out of character with the surrounding area. This is due to the existing characteristic in Prentice Court for a mixture of roof designs and heights which creates a varied character.
- 7.5 The proposal also includes the removal of one section of existing grassed land to form 4 parking spaces. It is considered that the creation of parking spaces within this area would not appear out of character with the street scene, with this continuing on from an existing parking area to the west.

## **Amenity**

- 7.6 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.7 The application site is bordered by 48 Prentice Court to the north, a two storey property. The proposed dwelling would project approximately 5 metres beyond the rear elevation of this property. Whilst projecting past the rear elevation, the proposal is for a bungalow with a hipped roof, which assists in reducing the impact upon number 48 Prentice Court. Due to the use of a bungalow with hipped roof, it is considered that the proposal would not result in an unacceptable impact upon 48 Prentice Court with regards to loss of privacy, loss of light or overshadowing.
- 7.8 To the south of the proposed dwelling is 49 Prentice Court, separated by the access road and parking areas. A distance of approximately 18 metres is retained between the side wall of the proposed bungalow and the rear wall of number 49. Due to this distance, it is not considered that the proposed dwelling would have an unacceptable impact upon the neighbouring amenity of 49 Prentice Court to the south.
- 7.9 It is also the case that the proposed dwellings provide good size rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

## **Parking and highway safety**

- 7.10 The Northamptonshire County Council Parking Standards seek 1 on plot parking space for 1 bedroom properties. The proposal provides 1, 1xbedroom property, and 7 parking spaces. 1 parking space would be allocated to the proposed dwelling, and 6 parking spaces provided for communal parking by existing residents and visitors. The proposal also provides 1 shed, which could be used for bicycle storage.
- 7.11 The application site as existing provides 6 garages and a hardstanding area which can accommodate approximately 4 vehicles. During the course of the application four of the existing garages have been demolished due to structural safety issues. Of the remaining garages, only 1 is occupied. This tenant has been provided with a replacement garages 150m closer to home. In any case, the existing garages are not to a size that could be counted as providing existing parking spaces for the site, and as such the existing parking provision on the site must be assessed as 4. The proposal provides 6 unallocated replacement parking spaces, a net increase of 2 parking spaces.
- 7.12 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection.
- 7.13 Concern was raised in a neighbour letter as to the need for existing residents to park elsewhere as a result of this proposal. With the proposal providing 6 unallocated parking spaces, an increase over that currently available, and there being no highway objection to the scheme, it is not considered that there would be an unacceptable impact upon the highway network.

## **Other considerations**

- 7.14 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.15 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and an informative on construction hours. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in an air quality

management area such that it is not considered that it would reasonable to condition the boilers to be installed in the new properties. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.

- 7.16 The Northamptonshire Police raised no objection to the scheme, however it was recommended that the fence is supplemented with trellis topping, and security measures are put in place for the shed and windows and doors. Details on the proposed sheds and boundary treatments are recommended through condition. An informative is suggested advising of the Northamptonshire Police comments on security.
- 7.17 The Council's Tree Officer advises that a site-specific document will be required that will demonstrate how the proposal can be implemented without causing harm to the adjacent trees. A condition is also requested requiring the control measures identified in the submitted report to be implemented in a timely fashion and properly maintained throughout the development.

## **8 CONCLUSION**

- 8.1 To conclude, the site is in an existing housing area within the urban area of Northampton and the principle of residential development on the site is therefore acceptable under the development plan. The Council also cannot presently demonstrate a five year housing land supply and it is therefore necessary to assess the proposal against the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and would contribute towards the Council's housing supply with associated social and economic benefits. Furthermore, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

## **9 CONDITIONS**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (P)01, (P)02, (P)03 Rev B, (P)04, (P)05 Rev B, (P)06 Rev B.

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

3. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

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.

4. Prior to the construction of the new dwelling hereby approved above ground floor slab level, details 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 in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

5. Notwithstanding the submitted details, prior to the construction of the new dwelling hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with any other means of enclosure to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the new dwelling hereby permitted.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

6. All planting, seeding or turfing shown on approved drawing numbers (P)03 Rev B and SCH-002 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

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

7. The new parking spaces shown on approved plan (P)03 Rev B shall be constructed prior to the first occupation of the dwelling hereby approved and retained thereafter solely for the parking of vehicles.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the requirements of the National Planning Policy Framework.

8. Prior to first occupation of the dwelling hereby approved, full details of the shed shall be submitted to and approved in writing by the Local Planning Authority. The approved sheds shall be provided on site in full accordance with the submitted details prior to first occupation of the dwellings hereby approved.

Reason: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof alteration/enlargement shall be erected to the dwelling hereby permitted.

Reason: In the interests of residential amenity and to prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

10. Prior to the commencement of the development hereby approved a site-specific document shall be submitted to and approved in writing by the Local Planning Authority demonstrating how the proposal will be implemented without causing harm to the adjacent trees. 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. This is a pre-commencement condition to ensure timely submission of details.

11. The control measures identified within the Tree Survey and Arboricultural Impact Assessment Report 18104.5\_Fv2 shall be implemented on site prior to the commencement of development and properly maintained throughout the duration of the development.

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.

INFORMATIVE:

The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

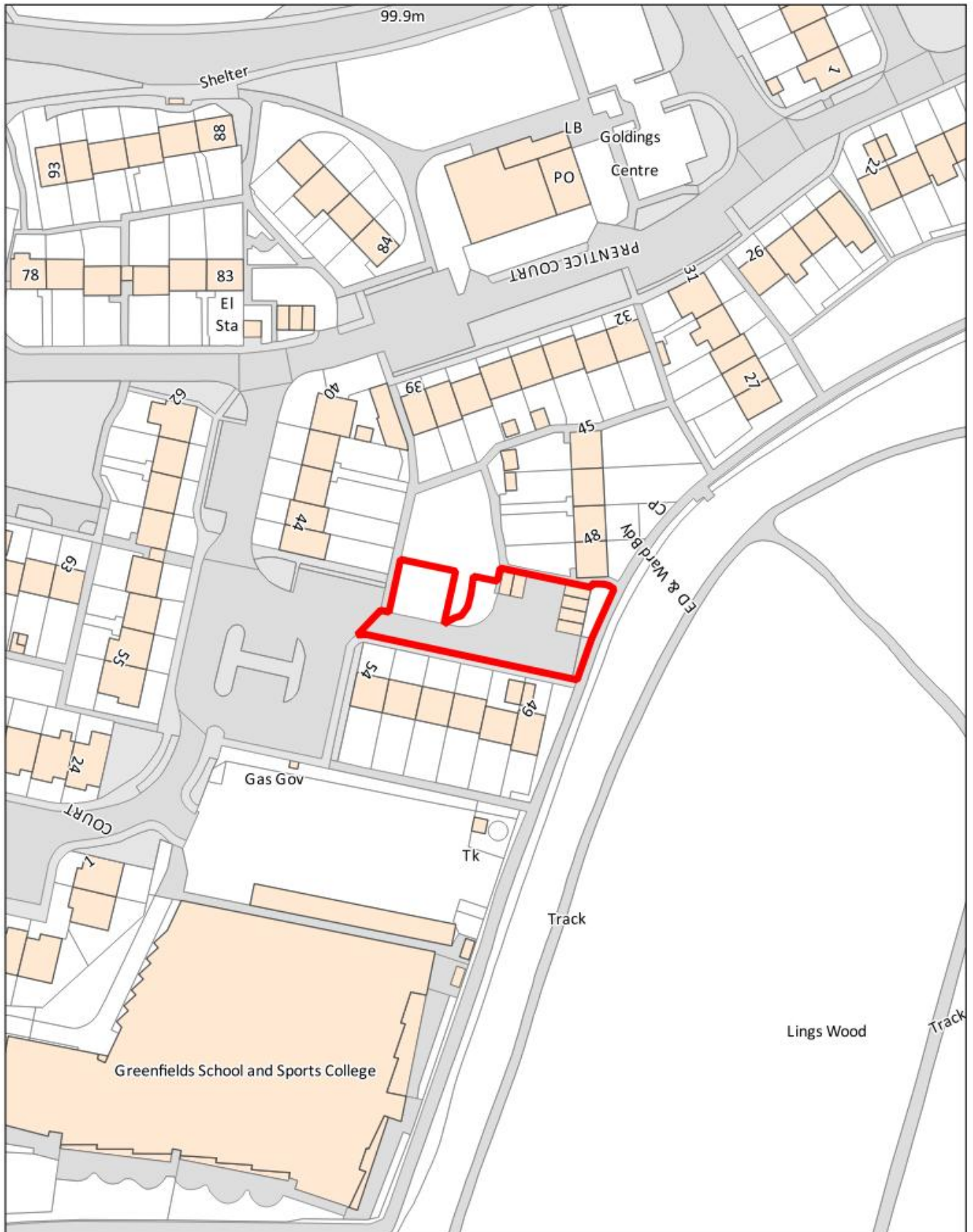
## **10 LEGAL IMPLICATIONS**

10.1 The development is 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: **Garages opposite 49 Prentice Court**

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Date: 17-05-2019

Scale: 1:1,000

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

**APPLICATION REF:** N/2019/0173

**LOCATION:** Epworth House, 3 Park Avenue North

**DESCRIPTION:** Conversion and alterations of the existing loft space to create one 1-bed flat, including a new rear dormer

**WARD:** Phippsville Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner LLP

**REFERRED BY:** Head of Planning  
**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 development is considered acceptable and would provide adequate facilities for future occupants and would not unduly impact on the character of the street scene. The site is in a sustainable location close to local facilities and public transport routes. The application site is in an established residential area and the proposal would also contribute to the Council's 5 Year Land Supply. The proposal thereby complies with the aims and objectives of the National Planning Policy Framework, policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy and saved Policies E20, H21 and H23 of the Northampton Local Plan.

**2 THE PROPOSAL**

2.1 The current application seeks planning permission for a loft conversion to create a one-bed self-contained residential flat.

2.2 The proposal also includes erection of a dormer and 2 new rooflights on the rear roof plane and a new roof light to the front roof plane.

**3 SITE DESCRIPTION**

3.1 The application site is the loft associated to the Epworth House, which is a two-storey block of flats on Park Avenue North.

3.2 The local area is predominantly residential in character.

#### **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.

#### **6 National Policies**

6.1 **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 2 - Achieving sustainable development
- Section 5 - Delivering a sufficient supply of homes
- Section 12- Requiring well-designed places

##### **6.2 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 and Mix and Type of Dwellings
- Policy S3: Scale and Distribution of Housing Development
- Policy S10: Sustainable Development Principles

##### **6.3 Northampton Local Plan 1997 (Saved Policies)**

Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

- Policy E20: New development (design)
- Policy H21: Conversion to flats
- Policy H23: Conversion to flats

##### **6.4 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

#### **7 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarise as follows:

- 7.1 **NBC Environmental Health** – No objections. Informatives have been suggested for acoustic separation and low emission strategy.
- 7.2 Four public representations have been received in objection. the comments have been summarised as follow:
- Regular disturbances from this property in terms of loud music and anti-social behaviour.
  - Increased capacity of the building will exaggerate the already existing problems.
  - Proposed new flat would block fire escape.
  - Noise issues for existing residents.
  - Existing refuse storage area is not fully available and the new flat would add to the existing refuse storage.
  - The security of the entire block would be compromised during the construction phase so measures shall be taken and the existing residents should be advised for any potential shut off of the utilities.

## **8 APPRAISAL**

- 8.1 The main issues to consider are the principle of residential development impact on the character of the area, neighbouring amenity and highway safety.

### **Principle of development**

- 8.2 The conversion of the existing loft to a new flat is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Section 2 of NPPF advises that housing applications should be considered in the context of a presumption in favour of sustainable development.
- 8.3 The application site is previously developed land situated within a residential area, in a sustainable location and within the easy access of local facilities, the town centre and public transport. The development of the site for residential use would also contribute to the Council's 5-year housing land supply. Notwithstanding this, policy remains in favour of new residential development subject to the policy requirements outlined above. As such, residential development of the site is therefore considered acceptable in principle subject to acceptable design, impact on adjacent and proposed amenity, and parking.

### **Design and Impact on Character of Area**

- 8.4 Policies S10 and H1 of the JCS, and saved policy E20 of the Northampton Local Plan seek to ensure high quality design in new development that is appropriate to the character of the surrounding area.
- 8.5 The footprint and design of the application property remains as originally built. Some external changes have been proposed comprising insertion of a roof light on the front roof slope, a new dormer and 2 rooflights on the rear elevation. The proposed works have been designed to match the existing details and are not considered to have any adverse impact on the character of the area. The proposed dormer to the rear would be screened behind the main building and would not be widely visible in the streetscene. The proposed dormer would match the existing dormer and would have minimal impact on the character of the area.

### **Amenity**

- 8.6 In assessing the living conditions of future occupiers, the proposal needs to be considered against Paragraph 127 of the NPPF, Policy H1 of the JCS seek to ensure high quality design

and a good standard of amenity for existing and proposed occupiers and saved policies H23 and H24 of the Northampton Local Plan.

- 8.7 All habitable rooms would be served by adequate levels of natural light and outlook either to the front or back. In terms of the impact on the neighbouring properties, the proposed rear dormer would be largely screened behind the existing building and would not create any undue impact on the neighbouring property at no.7 Park Avenue North. There would be limited impact on the Salisbury House to the south. There are no residential properties directly to the rear as the application site is separated by an access road. Therefore, it is considered that the new dormer on the rear elevation would not create any undue impact on residential amenity in terms of the light, outlook, privacy and overbearing to the adjoining properties to the side and rear.
- 8.8 No details have been submitted for the refuse and recycling storage but there is space within the proposed flat to provide dedicated space for recycling and refuse storage. Since Epworth House is an existing block of flats, there is an existing storage system for the entire building, which could be used by the proposed new flat. However, a condition has been recommended to submit the full details of the refuse and recycling storage.
- 8.9 In respect of the conversion itself, given that the comings and goings would likely be similar to those as the lawful use as a C3 family dwelling, it is not considered that there would be any significant impact in terms of noise and disturbance.

### **Highway Safety**

- 8.10 There is currently no on-site parking provision for this block of flat and no available land to achieve this. The proposal, with 1-bed flat will result in a requirement for 1 parking space, so there would be a net increase of demand of a further space, when assessed under the Northamptonshire Parking Standards.
- 8.11 The site is in a sustainable location within walking distance of the facilities and public transport. In this instance, it is considered that the proposal would not have a significant impact on highway safety.

### **Other Matters**

- 8.12 Concerns have been raised in terms of the fire safety exit for the existing and the proposed unit. Whilst a fire escape route has been submitted with the application, it is not a material planning consideration and would be regulated by Building Control regulations.
- 8.13 Noise insulation from the proposed new flat would be considered by the Building Control and cannot be accounted for the determination of the current Planning applications.

## **9 CONCLUSION**

- 9.1 The proposed scheme would not have any adverse impact on the character of the area and surrounding amenity, would provide adequate amenity for the occupiers of the proposed flat, and subject to approved details, would make appropriate provision for refuse and recycling storage.
- 9.2 The site is located within a residential area in a sustainable location where the principle of residential use is acceptable.
- 9.3 It is considered that the proposal would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, S3 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, H21 and H23 of the Northampton Local Plan.

## **10 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: PL001, PL002, PL004 Rev A, SK006, SK007, SK008.

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

3. Details of the external materials for the approved dormer 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 to ensure that the dormer harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

4. Full details for the 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 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.

## **11 BACKGROUND PAPERS**

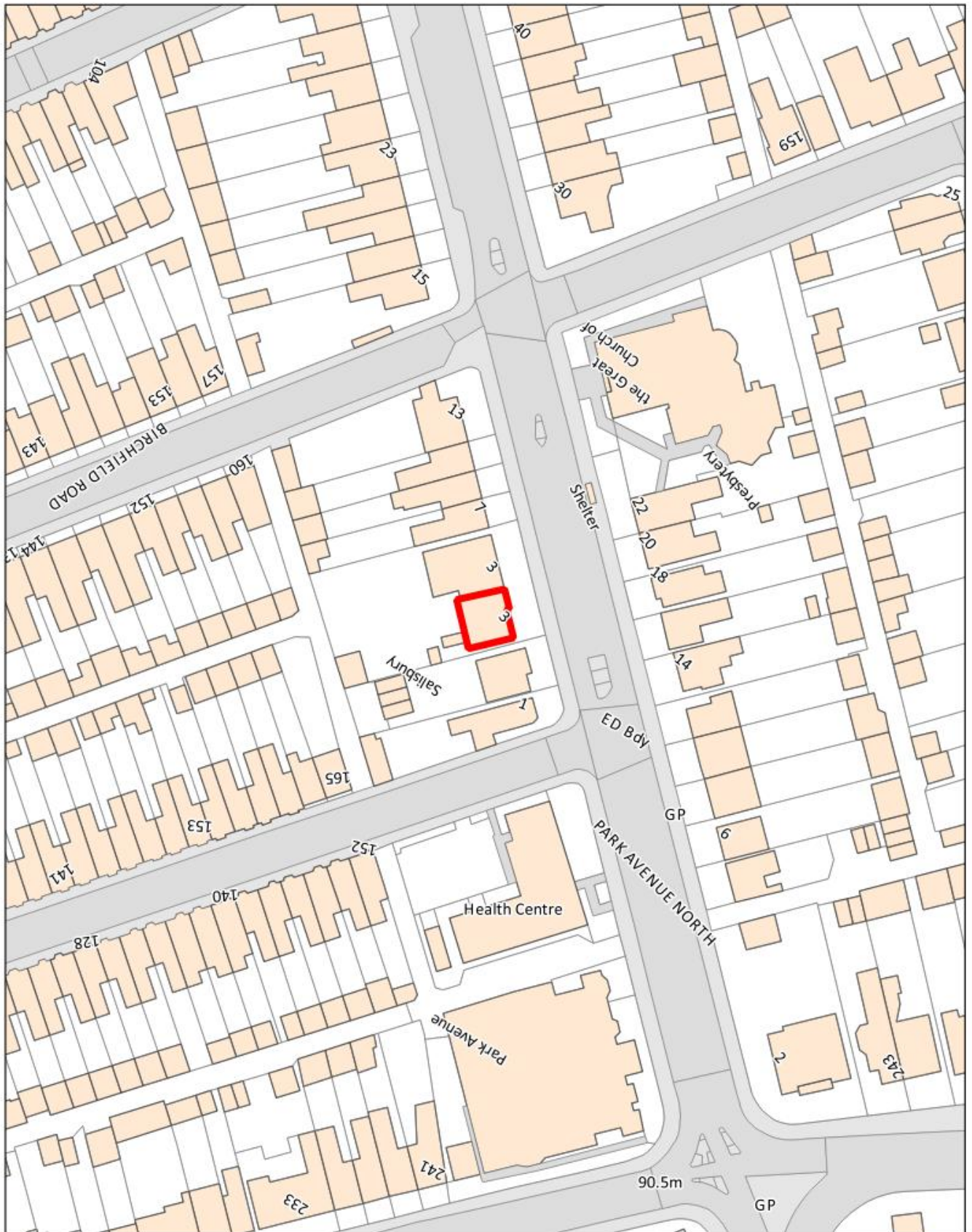
- 11.3 N/2019/0173.

## **12 LEGAL IMPLICATIONS**

- 12.3 The development is not CIL liable.

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

- 13.3 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: **3 Park Avenue North, Epworth House**

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Date: 17-05-2019

Scale: 1:1,000

Drawn by: -----



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

**APPLICATION REF:** N/2019/0323

**LOCATION:** Lock Up Garages, Blakesley Close

**DESCRIPTION:** Demolition of 16no domestic lockup garages and erection of 4 flats and provision of parking area

**WARD:** Sunnyside Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner LLP

**REFERRED BY:** Head of Planning  
**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 development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's housing land supply. The proposed development would therefore comply with Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

**2 THE PROPOSAL**

2.1 The application site includes two parcels of land off Blakesley Close. Part of the proposal is for the demolition of two existing blocks comprising 16 garages to the south and the creation of a parking area with 14 new spaces. The other part of the proposal includes the construction of a 2 storey block containing 4 one-bedroom flats.

**3 SITE DESCRIPTION**



- 3.1 The site consists of two blocks of garages and a separate car park. The neighbouring dwellings to the site comprise two storey houses on one side and to the rear and flats to the other side of two storeys. These are of broadly traditional design.

#### **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:

Section 2 – Achieving sustainable development  
Section 5 – Delivering a sufficient supply of homes  
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 S1 - The Distribution of Development  
Policy S3 - Scale and Distribution of Housing Development  
Policy S10 - Sustainable Development Principles  
Policy H1 - Housing  
Policy BN3 - Tree Protection

##### **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

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

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004

#### **6 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** – Conditions required to deal with unexpected contamination, working hours of the site and for electric vehicle charging points and low emission boilers.
- 6.2 **Police Crime Prevention Design Adviser** – No objection, security measures should be incorporated.
- 6.3 **Arboricultural Officer** – No comment to make.
- 6.4 **Local Highway Authority** – A minimum clearance of 1m from the highway is required, cycle store must not be served from the footpath (these suggestions have been incorporated into the revised plans).
- 6.5 Representation received from the occupier of one nearby property making the following points in summary:
- In desperate need of a garage to store a motorcycle and bicycle.
  - Could the design be altered to include a few small garages.

## **7 APPRAISAL**

- 7.1 The main issues for consideration are principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity and highway conditions.

### **Principle of residential development**

- 7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land, having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

### **Layout and design**

- 7.4 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and this is in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.5 The application site comprises a garage court and a car park in a residential area. The demolition of these garages and redevelopment of the site including the parking area would not result in the loss of residential garden land and would comprise the re-use of brownfield land which is encouraged under the NPPF.
- 7.6 The proposal is for the construction of four one bedroom flats on the site of the car park and the provision of a parking area following the demolition of the garages on the part of the site occupied by the garages.

- 7.7 The proposed dwellings would be of a broadly similar design to others in the area and it is considered that this would not, therefore, result in any adverse impact on the street scene or the character and appearance of the area.

### **Residential amenity**

- 7.8 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.9 In terms of the residential amenities of neighbours, the proposed dwellings would be situated between a semi-detached house at 8 Blakesley Close and two storey flats at 10 to 16 Blakesley Close. The proposed dwellings would be sited between these neighbours and due to being located at the side of each, it would have no adverse impact as both neighbouring properties having no side facing windows.
- 7.10 To the rear are semi-detached houses at 44 and 46 Hinton Road. The main rear elevation of the proposed flats would be 21m from this neighbour, preventing overlooking. In addition, screening would be provided by the retained trees which would minimise the impact on these neighbours. Following revisions to the plans, there is now sufficient space around these trees to allow their retention.
- 7.11 In terms of the amenities for future occupiers of the new dwellings, the internal layout provides a good level of amenity and all rooms would be served by windows with adequate levels of daylight and outlook.
- 7.12 The proposed rear communal garden area would be 78 square metres in area, including areas used for bin and cycle stores. It is considered that this would provide an appropriate level of amenity space.

### **Parking and highway safety**

- 7.13 The application site currently comprises 16 single garages. However, garages are not generally counted as parking spaces under the County Parking Standards as they are often too small to be used for day to day parking. NPH has confirmed that only 3 out of the 16 garages are currently occupied and that the occupants of these would be relocated to other garages which in two of the three cases are closer to their homes.
- 7.14 The proposed development would benefit from 14 car parking spaces, which would serve these dwellings as well as existing residents of and visitors to the area. This would replace the open parking which would be lost. There would be a slight net loss of parking spaces to be provided in the locality. However, it is considered that this would be outweighed by the benefit of providing much needed additional living accommodation. It can be noted also that there has been no objection from the Local Highway Authority in respect of parking.

### **Other Matters**

- 7.15 Reference is made in the comments from Environmental Health to a requirement for electric vehicle charging points and low emission boilers. As parking would not be adjacent to the flats, it would not be possible in practical terms to provide vehicle charging points and there is no planning policy to require such items. In respect of working hours, as also requested by Environmental Health to be conditioned, it is not considered that this would be proportionate given the small scale of development.

## **8 CONCLUSION**

- 8.1 The proposed development is acceptable in principle and would provide a good standard of accommodation for future occupants whilst having no adverse impact on the amenities of adjoining occupiers. The proposal is therefore in line with the NPPF and the Development Plan Policy.

## **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: 30637 (P) 03 B, 30637 (P) 04, 30637 (P) 05, 30637 (P) 06 B.

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

- 3) Details of all proposed external facing materials 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.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local plan.

- 4) In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

Reason: To ensure that risks from land contamination to the future users of the development and neighbouring land are minimised in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 5) The external boundaries of the site shall be constructed in accordance with the approved plan prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

- 7) The proposed parking spaces shall be provided prior to the first occupation of the flats hereby permitted and retained thereafter for the parking of motor vehicles.

Reason: To ensure that adequate parking is provided in accordance with the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

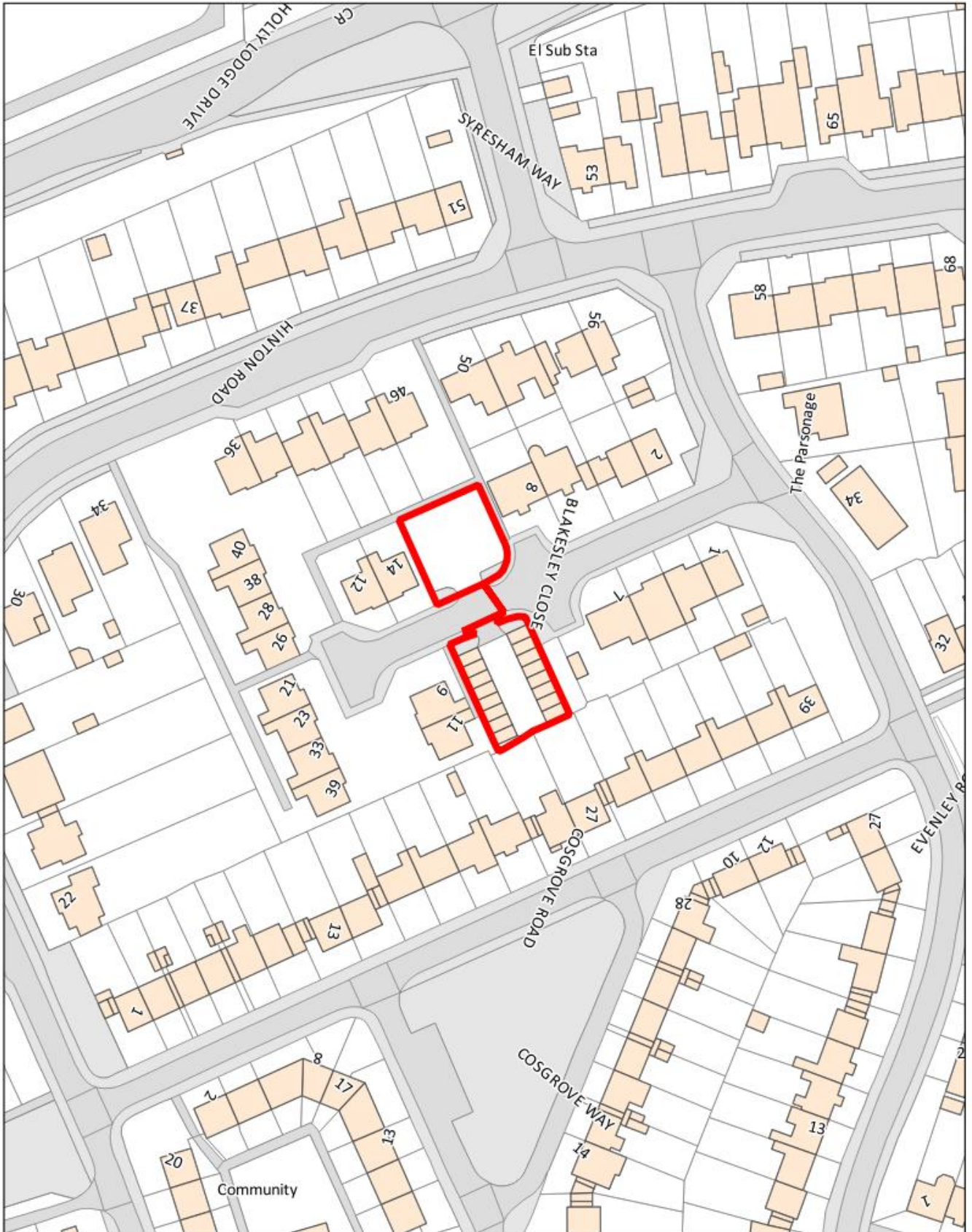
10.1 Application file N/2019/0323.

## **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: **Garages at Blakesley Close**

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Date: 17-05-2019

Scale: 1:1,000

Drawn by: -----



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

**APPLICATION REF:** N/2019/0358

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

**DESCRIPTION:** Demolition of 17no domestic lock up garages and construction of 2no new build units

**WARD:** Sunnyside Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner LLP

**REFERRED BY:** Head of Planning  
**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 principle of residential development is considered acceptable in an established residential area and would contribute towards the Council's five year housing land supply. The siting, scale and design are considered acceptable and would be in keeping with the character and appearance of the surrounding area, without harmful impact on neighbouring amenity, trees, crime prevention and parking/highway safety. The development is therefore in compliant with the aims and objectives of the National Planning Policy Framework, Policies S1, S3, S10, H1, BN3 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 Permission is sought for demolition of 17 garages and erection of two one-bedroom semi-detached bungalows. There would be a private garden to the rear measuring 8 metres deep and associated off-street parking for 2 cars. The property would have a hipped roof and measures 4.8 metres in height.

### 3 SITE DESCRIPTION

- 3.1 The site consists of a block of domestic garages located within a primarily residential area. Access is currently taken off Hinton Close. The site is surrounded by residential properties on all sides. The site is not near any conservation areas or listed buildings and is in a low risk flood zone (flood zone 1).

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

#### **6 National Policies**

- 6.1 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.

Section 12 - Achieving well-designed places.

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

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

Policy S1 - The Distribution of Development

Policy S3 - Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles

Policy H1 - Housing Design, Density and Mix

Policy BN3 - Trees

Policy BN9 - Planning and Pollution Control

##### **6.3 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)

##### **6.4 Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)



## **7 CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **Northamptonshire Highways** - no further comments to make.
- 7.2 **NBC Public Protection** - no objections subject to condition for contaminated land, consideration of air quality and construction noise.
- 7.3 **Northamptonshire Police** - no objections.
- 7.4 **NBC Building Control** – (advise verbally) no objection to access for refuse and emergency vehicles.
- 7.5 **NBC Tree Officer** No trees to be removed, no comments to make
- 7.6 Two neighbour objections on following grounds:
- Loss of garage and parking
  - Impact on access
  - Noise and disruption
  - Security concerns
- 7.7 One other neighbour representation raising no issue to the development.

## **8 APPRAISAL**

### **Main issues**

- 8.1 The main issues for consideration are the principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity, trees, security and highway conditions/ parking.

### **Principle of residential development**

- 8.2 The application site is located in a designated residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton.
- 8.3 In addition, the site comprises land that has been previously developed and thus the redevelopment of such brownfield land is encouraged under the NPPF. However, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for two dwellings would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

### **Design and impact on the appearance and character of the area**

- 8.4 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The proposed design and general appearance are in keeping with the area. Even though many of the surrounding properties are two storey dwellings, it is considered that the proposed bungalows would have an acceptable

visual impact and are to be located in a position that is not prominent on the street scene. Any approval would also be subject to a materials condition to ensure that appropriate external appearance could be achieved.

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

- 8.5 The site is surrounded by residential properties on all sides. Given separation in excess of 20 metres to the properties at the rear on Chalcombe Avenue, it is considered that there would be limited impact in terms of overlooking, loss of light and outlook. There would also be a separation of 16 metres between the side wall of the first plot and rear elevation of properties on Harborough Road, resulting in acceptable neighbour impact. In terms of the effect on the properties opposite to the front, given the distance of 8 metres to the side boundary, again this is an acceptable separation.

### **Amenity of future occupiers**

- 8.6 Saved Policy E20 of the Northampton Local Plan and H1 of the Joint Core Strategy all seek to secure a sufficient standard of residential amenity for future occupiers. All habitable rooms would be served by adequate light and outlook and private amenity spaces of 8 metres long, providing an acceptable level of residential amenity.

### **Parking and Highways**

- 8.7 The application site currently benefits from 17 single garages. However, garages are not generally counted as parking spaces under the County Parking Standards as they are often too small to be used for day to day parking. NPH has confirmed that only 11 out of the 17 garages are currently occupied. Apart from 2 occupants whom would not be offered replacement garages as they do not live in the area, the other 9 occupants would be offered replacement garages in nearby Churchill Avenue and Helmdon Road. Northamptonshire County Council Parking Standards seek 1 on plot parking space for 1 bedroom properties. The proposal provides two one bedroom properties. The Highway Authority have been consulted on this application. As there would be spare capacity to accommodate residents parking in the locality in addition to the proposed dwellings, no objection to the scheme has been raised by them. It is considered that the proposal would not have an unacceptable impact upon the highway network.

### **Security and Crime Prevention**

- 8.8 Northamptonshire Police Crime Advisor raises no objection. Boundary treatment can be agreed by condition on any grant of planning permission. Most of the proposed car parking spaces would also benefit from direct surveillance. Security of windows can be addressed under Building Regulations.

### **Contamination and Environmental Health issues**

- 8.9 The Council's Environmental Health Officers recommend that a standard land contamination condition be secured on any grant of planning approval. This accords with Policy BN9 of the Joint Core Strategy. Construction hours can be controlled under other legislation. There is no policy justification for insisting on gas fired boilers or electric charging points for a development of this size.

### **Landscaping and Trees**

- 8.10 There are no trees proposed to be removed within the site. However, there is a need to prune some existing trees overhanging the garage blocks but there is no need for a tree protection condition. This accords with Policies S10 and BN3 of the Joint Core Strategy and the aims of the National Planning Policy Framework.

## **9 CONCLUSION**

- 9.1 To conclude, the site is in an existing residential area within the built up area of Northampton and the principle of development is therefore acceptable and would contribute to the 5 year land supply. In this instance, the proposal would comply with the development plan and national policy and subject to conditions, no harm has been identified that would significantly outweigh benefits. The proposal is considered acceptable.

## 10 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: P01, P02, P03A, P04, P05 and P06A.

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

- 3) Notwithstanding the submitted plans, details of all proposed external facing materials including fenestration 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 E20 of the Northampton Local Plan and S10 of the West Northamptonshire Joint Core Strategy.

- 4) The bin storage areas shall be implemented in accordance with the details on the approved plans prior to first occupation of development and retained in that form throughout the lifetime of development.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy

- 5) The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the buildings hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the aims of the National Planning Policy Framework.

- 6) Full details of the method of the treatment of the external boundaries of the site 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 of the dwellings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan and H1 of the West Northamptonshire Joint Core Strategy.

- 7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or

without modification), no additional windows including dormers and roof windows shall be installed to the dwellings hereby permitted.

Reason: In the interests of privacy in accordance with Policy E20 of the Northampton Local Plan.

9) 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 which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy..

## **11 BACKGROUND PAPERS**

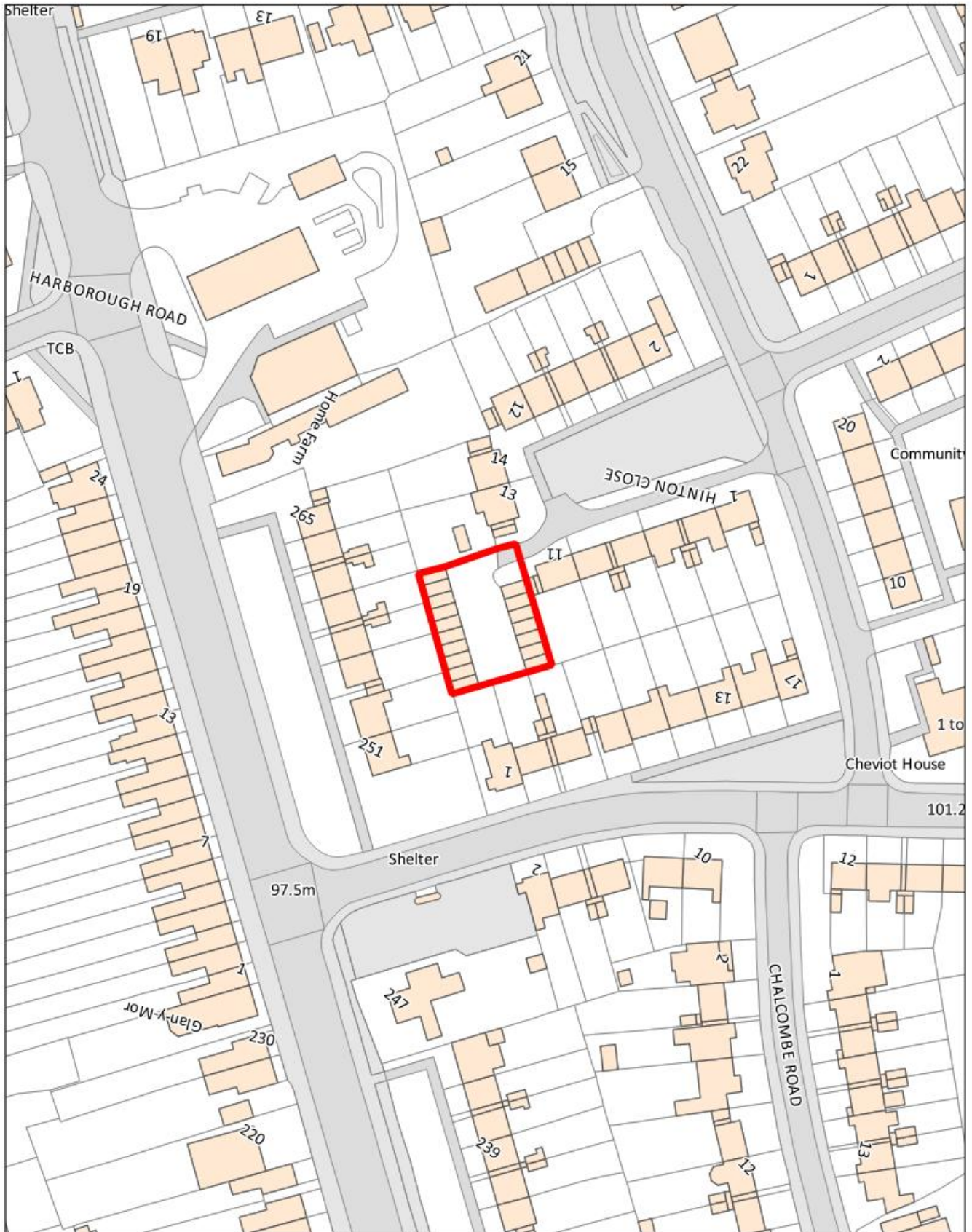
11.1 N/2019/0358.

## **12 LEGAL IMPLICATIONS**

12.1 The development is CIL liable.

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

13.1 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: **Garages at Hinton Close**

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Date: 16-07-2019

Scale: 1:1,000

Drawn by: -----



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

**APPLICATION REF:** N/2019/0456

**LOCATION:** Berkeley House , Horsemarket

**DESCRIPTION:** Demolition of 4no residential buildings, garages and associated areas known as Berkeley House and 3no residential buildings and associated areas known as St Mary's Court. New development of 126no affordable dwellings consisting of 62no one bed apartments, 40no two bed apartments, 5no two bed houses, 17no three bed houses and 2no four bed houses with associated works

**WARD:** Castle Ward

**APPLICANT:** Northampton Partnership Homes  
**AGENT:** Baily Garner

**REFERRED BY:** Head of planning  
**REASON:** Council owned land and major application requiring S106 agreement

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a S106 Agreement to secure:

- 1.1.1 i) 35% on-site affordable housing;  
 ii) A payment towards primary school and early year's education;  
 iii) A payment towards the provision and/or improvement and/or maintenance of off-site public open space facilities; and  
 iv) The 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 proposed development would represent a major regeneration opportunity in the town centre and contribute to the Council's five year housing land supply. As part of a balanced assessment, the design and layout of the proposal is considered acceptable, and would have an acceptable impact upon the character and appearance of the surrounding area, heritage assets, highway safety and neighbouring amenity. The development is therefore compliant with the requirements of

the National Planning Policy Framework, Policies SA, S1, S10, S11, H1, BN5, BN7 and BN9 of the West Northamptonshire Joint Core Strategy; and Policies 1, 10, 16 and 24 of the Northampton Central Area Action Plan.

- 1.1.3 it is also recommended that in the event of the S106 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 proposes the demolition of the existing residential blocks known as Berkeley House and St Mary's Court to the west of the A508 Horsemarket and redevelopment to provide 126 new dwellings. The development would include 24 no. terraced and semi-detached dwellings with a mix of 2, 3 and 4 bed properties between two and three storeys to be located to the northern portion of the site. In addition, an apartment block with varying heights rising to a maximum of seven storeys with 102 no. 1 and 2 bedrooled apartments would be located to the southern part of the site.
- 2.2 Access to the site would be via Castle Street and Pike Lane. The design allows for 20 car parking spaces for the 24 houses and 42 car parking spaces for the 102 apartments within the site, with electric vehicle (EV) charging provision for all parking spaces for the proposed dwellings, and 5 spaces for the apartments with EV charging provision. There are also 8 motorbike parking spaces for the apartments and 102 cycle storage units within the apartment building.
- 2.3 The application also includes the provision of brick built bin storage areas as well as electricity sub stations.
- 2.4 Northampton Partnership Homes have carried out extensive public consultations before the application was submitted. The application is supported by a flood risk assessment, travel plan, arboricultural assessment, ecological assessment, air quality and noise assessment and a community engagement strategy.

## **3 SITE DESCRIPTION**

- 3.1 The application site is bound by Upper Bath Street to the north, the A508 Horsemarket to the east, St Mary's Street to the south and Castle Street and Pike Lane to the west. The site area is approximately 0.934 hectares and is currently occupied by 7 no. residential blocks known as Berkeley House and St Mary's Court in the Spring Boroughs area of the town centre.
- 3.2 The residential blocks are two to three storeys in height and most likely built in the late 1960s and early 1970s, and largely in Council's ownership. There are substantial tree belts along the eastern boundary of the site fronting Horsemarket with relatively generous amenity space between the blocks. Due to their construction, the apartment blocks are in need of refurbishment and modernisation.
- 3.3 The area around the application site is predominantly residential in character with other apartments and houses to the west. The VUE multiplex cinema complex is located to the immediate south of the site across St Mary's Street.
- 3.4 The site does not contain any listed buildings and is not within any conservation area. The nearest heritage assets are the Grade II Listed Castle Hill Church on Doddridge Street which is some 65m to the west of the site, and the Grade II Baptist Church on College Street some 140m to the east. The site is also remote from the nearby scheduled monuments (Castle, St Peter's Church and the

former Saxon Palace) off Marefare, and All Saint's Conservation Area located some distance to the south east and east.

- 3.5 Access to the site is currently via Castle Street and Pike Lane. Apart from a row of existing parking spaces to the south of the site fronting St Mary's Street, there are no on-site parking spaces to serve the existing residents.

## **4 PLANNING HISTORY**

- 4.1 There is no relevant planning history.

## **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 Central Area Action Plan (2013), and Spring Boroughs Neighbourhood Development Plan (2016).

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.

## **6 National Policies**

- 6.1 **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.

Paragraphs 11 set out that the presumption in favour of sustainable development.

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 76 - Viability within residential developments.

Paragraph 109 - details developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.

Paragraph 124 - states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve and that good design is a key aspect of sustainable development, creating better places to work and live.

Paragraph 127 - also addresses the importance of design and its impact on the quality and character of an area, as well as detailing that developments should create places that promote health and well-being, including a high standard of amenity for existing and future users.

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.

Paragraphs 170 and 180 - require planning to prevent new development from being put at unacceptable risk from or being adversely affected by air or noise pollution.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport.

Section 12 - Achieving well-designed places.

Section 15 - Conserving and enhancing the natural environment.



Section 16 - seeks to conserve heritage assets in a manner appropriate to their significance and advises that great weight should be given to the conservation of a designated heritage asset.

## 6.2 **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 SA - Presumption in Favour of Sustainable Development  
Policy S1 - Distribution of Development  
Policy S3 - Scale and Distribution of Housing Development  
Policy S10 - Sustainable Development Principles  
Policy S11 - Low Carbon and Renewable Energy  
Policy H1 - Housing Density and Design  
Policy BN5 - Heritage Assets  
Policy BN7 - Flood Risk  
Policy BN9 - Planning for Pollution Control

## 6.3 **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  
Policy 10 Parking  
Policy 16 Central Area Living  
Policy 24 Spring Boroughs

## 6.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)  
Planning out Crime in Northamptonshire SPG 2004  
Planning Obligations SPD (2013)

## 6.5 **Other Material Considerations**

### Spring Boroughs Neighbourhood Plan

The Spring Boroughs Neighbourhood Plan was made in April 2016, and now forms part of the development plan for Northampton. The following policies are of particular relevance:

OP1 Sustainable Development Principles  
OP2 Family Housing  
OP3 Children's Play Space and Green Spaces

## 7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 7.1 **NCC Highway** – the revised plans are acceptable. The applicant will have to obtain a crossover (Section 184) licence from Northamptonshire Highways Regulations Department.
- 7.2 **Highways England** – no objection.
- 7.3 **Environment Agency** – no objection subject to condition on contamination mitigation.

- 7.4 **Anglian Water** – no objection subject to planning conditions in relation to surface and wastewater drainage treatment.
- 7.5 **NCC Lead Local Flood Authority** – following initial comments, a revised flood risk assessment has been submitted and awaiting final comments from the LLFA. Any comments would be reported to the Committee via the addendum.
- 7.6 **NBC Conservation** – no objection on conservation grounds. The redevelopment would not have a significant impact on the setting and views of the Grade II Castle Hill Church on Doddridge Street. The site is remote from, and will have an acceptable impact, on the setting and views from All Saints Conservation Area and nearby scheduled monuments off Marefare.
- 7.7 **NCC Archaeology** – the application has been submitted with a heritage assessment report which identifies that the less developed areas such as the gardens and the tarmacked areas have a greater potential for archaeological activity. Archaeological field work has since been carried out on site. No objection in principle subject to a condition to secure a programme of archaeological work and post-excavation recording.
- 7.8 **Town Centre Conservation Advisory Committee** – there is a case for refurbishment overall. The loss of good green open space for children to play safely. The new development is an over intensification and will impact on the social make up of this Borough. The views will be obliterated and give an intense domination to the other older social housing. Objection.
- 7.9 **NCC Ecology** – agree with the findings of the submitted ecology report. Disappointed that the trees, which are the site’s main biodiversity feature, will not be retained. Recommend conditions on Construction Environmental Management Plan and installation of bat boxes.
- 7.10 **NBC Arboricultural Officer** – the comments that were made previously in respect of the soft landscape have been favourably received and acted upon. The Arboricultural Survey Report underplays the public amenity value of the trees on Horsemarket, however, the birch are now at their peak and are likely to decline and therefore not considered appropriate for a Tree Preservation Order. The proposed landscaping scheme will in due course contribute to the softening of the mass that the blocks of new dwellings will impose.
- 7.11 **NBC Public Protection** – have the following comments:

Site investigation – recommend conditions in relation to land contamination mitigation.

Air Quality – the development is in an area of the town that is close to and, or exceeding the annual mean of the National Air Quality Objective for NO<sub>2</sub>, and which is likely to be declared as an Air Quality Management Area (AQMA) in the future. Plans have been presented that show the housing in close proximity to the Horsemarket carriageway on the overall site layout. An updated report on air quality assessment has been submitted. No objection, subject to a condition requiring a detailed design for air quality mitigation measures to protect the Horsemarket façade from elevated levels of nitrogen dioxide. The provision of electric vehicle charging points as proposed is accepted.

Noise – the noise measurements show that the closest façade to A508 Horsemarket Road represents “high risk” in the ProPG noise assessment protocol. It is accepted that mitigation options are available which will include an enhanced glazing specification with alternative ventilation systems that mean these windows can stay closed to prevent noise break in. This will include mechanical ventilation with comfort cooling systems for warmer weather. Room layouts should ensure no bedrooms or living areas front the A508 façade to reduce overall exposure. An updated noise report has been submitted. No objection subject to a condition requiring a detailed design of noise mitigation to protect the Horsemarket facades from elevated level of road traffic noise.

Construction Noise – construction works shall be restricted to the following hours to reduce impact on local residents:

Mondays to Fridays                    07:30 to 18:00  
Saturday                                    08:30 to 13:00  
No work on Sundays and bank holidays

Refuse – A waste strategy shall be submitted in relation to refuse collection for the proposed dwellings.

- 7.12 **Northamptonshire Police** – have been extensively involved in pre-application discussions with NPH regarding this redevelopment and the crime prevention advice provided has been broadly included in the proposal. However, have reservations about the inclusion of roof top gardens as could be a source of nuisance and anti-social behaviour to the nearest residents. Recommend that the development is conditioned to achieve a Secured by Design accreditation.
- 7.13 **NCC Development Management** – seek contributions towards early years and primary education, libraries and broadband.

## **8 APPRAISAL**

### **Principle of Development**

- 8.1 The National Planning Policy Framework (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.
- 8.2 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.
- 8.3 The site is a brownfield site located within a sustainable location on the edge of the Town Centre. The existing residential blocks, due to their age and construction, are in need of renovation and repair and currently provide a sub-standard level of amenity for existing occupiers. In addition, there is an identified need for the provision of family housing within the area.
- 8.4 The site is already in residential use and the redevelopment of the site as proposed would enhance the character and appearance of this prominent site, and provide a more appropriate level of accommodation and amenity for existing and future occupants, whilst addressing current housing needs within the area.

### **Design, Layout and Amenity**

- 8.5 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.

- 8.6 The surrounding context of the application site comprises of varying building heights with the VUE multiplex cinema situated to the south 6-storeys high, 2-storey dwellings situated on Pike Lane to the west adjacent to a 10-storey apartment block, and 3-storey properties on Castle Street.
- 8.7 The design and layout of the proposed development has been subject to extensive pre-application discussion. The proposed apartment block would be seven storeys in height and situated in a visually prominent position on Horsemarket and adjacent to a main route through the Town Centre. The building would be viewed in the context of adjacent varying building heights. The overall massing of the building has been broken up by variations in height, a staggered frontage to Horsemarket, a varied palette of materials and use of brick detailing, and fenestration and balcony details in order to add interest to the elevations from all aspects, with the building height accentuated on the corner of Horsemarket/St. Mary's Street to provide emphasise as a landmark building when travelling northwards along Horsemarket.
- 8.8 The proposed dwellings situated to the north of site have been orientated to address the streets and footways on all sides to provide an active frontage. The terrace of dwellings fronting Horsemarket would be 3-storeys in height, and would have staggered frontage to Horsemarket, along with the use of front gables to provide a strong rhythm and add visual interest to the elevations, which is further emphasised by the use of materials and fenestration details. Proposed dwellings facing Castle Street would be 2-storey and of a simpler form, but are orientated to overlook the area of open space to the west. Material details would be agreed by condition to ensure a good quality standard of development is maintained.
- 8.9 The design of both the apartments and the proposed dwellings would ensure that the future residents of the development would have a satisfactory level of light, outlook and privacy. This would ensure conformity with the requirements of national and local planning policies and result in residents of the development having a satisfactory level of amenity. The proposed apartment building would provide some external amenity space for proposed occupiers in the form of roof gardens and an external area of open space to the rear of the building, and proposed dwellings would have small private gardens to the rear. Boundary treatments would be agreed by condition to ensure appropriate levels of privacy and amenity, and to clearly define areas of public and private space. External areas for bin storage would be provided for both the apartments and the proposed dwellings and required by condition.
- 8.10 A controlled, gated access is proposed to external parking areas which would be overlooked by the proposed apartments and dwellings. A condition to achieve Secure by Design accreditation is recommended to provide a safe and secure environment for proposed occupiers.
- 8.11 In respect of the amenity of existing properties, the proposed apartment block and dwellings have been designed with building heights sympathetic to surrounding residential amenity, and located and orientated to ensure there is no adverse impact in respect of overlooking and overshadowing.
- 8.12 Whilst the proposed development would result in the loss of a prominent group of trees along Horsemarket, discussed in more detail below, the proposed buildings would provide an overall enhancement of the site, replacing the existing dated buildings with a more attractive and visually interesting group of buildings which provide an active frontage to the street, and would contribute more positively to the character of the surrounding area.
- 8.13 As such, the design and appearance is considered acceptable and in accordance with the aims and objectives of the NPPF and JCS which seek to ensure a high standard of amenity and design.

### **Trees**

- 8.14 Section 15 of the NPPF seeks to ensure that planning decisions contribute to and enhance the natural and local environment. Policy BN3 of the JCS advises that the loss of trees should be weighed against the benefits of development in that location.

- 8.15 The proposal would result in the loss of a visually prominent group of trees along the Horsemarket frontage which currently assist in breaking up the visual impact of Berkeley House, and make an overall positive contribution in providing an element of greenery in an otherwise built up area within the town centre.
- 8.16 The Council's Arboricultural Officer, whilst acknowledging the visual importance and amenity value of these trees, does not consider the existing trees are of such merit that they should be protected, and that a balanced approach is required in respect of development requirements.
- 8.17 Whilst the footprint of development as proposed would be in closer proximity to Horsemarket than the existing buildings on site, a landscaping scheme is proposed which would provide areas of new tree planting and landscaping to parts of the proposed frontage which would go some way to mitigating the loss of existing trees. This loss must be weighed against the benefits of addressing an existing housing need, and the replacement of the existing dated buildings on site.

### **Highways and Parking**

- 8.18 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.
- 8.19 The existing apartment blocks currently have no on-site parking provision. The proposed development would provide a parking area to the rear of the apartment block providing 42 parking spaces, 5 of which would have provision for electric vehicle charging points, and gated vehicular access from Pike Lane. The proposed dwellings would have parking to the rear for 20 vehicles, with all spaces having provision for electric vehicle charging points, and gated access from Castle Street.
- 8.20 Whilst the parking provision is below the requirements set out in the current Northamptonshire Parking Standards, the site is in a sustainable location within the Town Centre, and the development proposes an overall enhancement of parking provision in comparison to existing. Furthermore, the Highway Authority raises no objection.
- 8.21 The proposal is therefore considered acceptable in this regard, and would not lead to any undue impact on the surrounding highway network or parking provision within the locality.

### **Impact on Heritage Assets**

- 8.22 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.
- 8.23 The Council's Conservation Officer raises no objection to the proposed development advising that the overall height and appearance of the development would not lead to any adverse impact on the setting of nearby heritage assets.
- 8.24 The Heritage Assessment submitted with the application identifies that the development is in an area with potential for archaeological activity, most likely to be Saxon and/ or medieval in date. The applicant has been in detailed discussion with the County Archaeologist, and whilst some further archaeological work has been carried out on site, in view of the current occupation and buildings on site, it has been difficult to carry out any further detailed investigation. In view of these circumstances, the County Archaeologist has no objection in principle to development of the site as proposed subject to conditions requiring further archaeological investigation and reporting.

## 8.25 **Air quality, Noise and Contamination**

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.

- 8.26 The site is located in an area of the town that is close to or exceeding the annual mean of the National Air Quality Objective for NO<sub>2</sub>, and is likely to be declared as an Air Quality Management Area in future. Due to the proximity of the proposed apartments and dwellings to Horsemarket, the buildings will need to be designed to ensure that future occupants are not adversely affected by poor air quality condition whilst maintaining appropriate levels of ventilation. This is likely to include ventilation proposals that include comfort cooling to prevent opening of windows on the Horsemarket façade and use of filtration systems. A condition is therefore proposed in this regard. In addition, the proposed parking areas would include the provision of some electric vehicle charging points which would assist in mitigating the impacts of development. Public Protection is satisfied that, subject to conditions, an appropriate level of mitigation can be achieved in respect of air quality. 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.
- 8.27 The proximity of the development to Horsemarket will give rise to adverse impacts on proposed occupiers from adjacent traffic noise. Whilst there is evidently an impact in this regard on current occupiers of the site, Public Protection raise concern regarding the siting of the proposed development, which will bring buildings closer to the boundary with Horsemarket and any associated traffic noise. However, they advise that if the facades of the properties facing onto the Horsemarket do stay in the current position, then appropriate mitigation should be sought by condition. Mitigation would be likely to include an enhanced glazing specification with alternative mechanical ventilation systems with comfort cooling that mean windows can stay closed to prevent noise break in. On balance, it is not considered that the impacts of noise on proposed occupiers, subject to appropriate mitigation, would preclude development of the site as proposed.
- 8.28 Conditions are recommended requiring the submission and approval of a Construction and Environmental Management Plan which would include measures to control construction routes, noise and dust during construction, and hours of construction to ensure surrounding residential amenity is protected.
- 8.29 In respect of contamination, the application is supported by a Phase 1 Contamination Assessment which has assessed the site in respect of ground conditions and surrounding influences. Public Protection is satisfied with the measures proposed within the report, subject to conditions to secure the recommendations therein, and a condition for appropriate mitigation in respect of any unexpected contamination found on site not previously identified.

## **Flood risk and drainage**

- 8.30 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 Joint Core Strategy 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.

The site falls within Flood Zone 1 comprising land of having less than 1 in 1000 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 any increased impermeable surface on the site due to the increase in building footprint to that currently existing on the site.

- 8.31 A revised flood risk assessment has been submitted and the final comments from the Lead Local Flood Authority are awaited. Any comments would be reported to the Committee via the addendum.
- 8.32 The Environment Agency and Anglian Water raise no objections.

### **Section 106 Contributions, Affordable Housing and CIL**

- 8.33 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.
- 8.34 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.
- 8.35 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 underpinning is up-to-date.
- 8.36 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.
- 8.37 In respect of this application, the development includes the provision of 100% affordable housing. Notwithstanding this, the development still needs to be assessed in respect of the provision of the necessary infrastructure, such as education, healthcare and open space provision, to ensure appropriate mitigation of any impacts arising as a result of the development
- 8.38 The application is supported by a Viability Report which is currently subject to independent assessment on behalf of the Council. The conclusions of the assessment are awaited. In the absence of these conclusions and any information to suggest that the scheme is not able to support the required developer contributions and obligations to mitigate the impact of the proposed development, the following S106 contribution would be sought in accordance with policy requirements:
- i) 35% on-site affordable housing;
  - ii) A payment towards primary school and early year's education;
  - iii) A payment towards the provision and/or improvement and/or maintenance of off-site public open space facilities; and
  - iv) The Council's monitoring fee, subject to the Head of Planning being satisfied the monitoring fee is necessary and of an appropriate scale.
- 8.39 Requirements in respect of contributions towards the provision fire infrastructure and libraries are not required by planning policy.
- 8.40 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 (NGMS) (M1/A45 junction improvements, and indoor sports provision.

## 9 CONCLUSION

- 9.1 The National Planning Policy Framework supports sustainable housing development and economic growth. The redevelopment of the site as proposed would represent a major regeneration opportunity in the town centre, enhancing the character of the area, and addressing an existing housing needs within the Borough. As part of a balanced assessment, the design and layout of the proposal is considered acceptable, and would have an acceptable impact upon the character and appearance of the surrounding area, heritage assets, highway safety and neighbouring amenity in accordance with policy requirements, and is therefore considered acceptable.

## 10 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 schedule of approved plans.

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

3. Full details of all proposed external facing materials 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.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

4. Notwithstanding the submitted details, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries, and including details of controlled access gates shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

5. Prior to any above ground works commencing, other than demolition, a detailed scheme of hard and soft landscaping for the site shall be submitted for approval in writing by the Local Planning Authority. The scheme shall include, where present, the location and species of any existing trees and hedgerows on the land and details of any to be retained.

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

6. All planting, seeding or turfing approved under Condition 5 above shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species. Hard landscaping shall be carried out prior to occupation of the development hereby permitted.



Reason: In the interests of amenity and 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.

7. Notwithstanding the submitted details, prior to commencement of any works on site, an Arboricultural Method Statement shall be submitted for approval in writing by the Local Planning Authority that details measures for the protection of retained trees as shown on drawing no. 14098-109-WIE-ZZ-XX-DR-V-77002 P03 contained with the submitted Arboricultural Survey Report and Impact Assessment by Waterman Infrastructure & Environmental Limited dated May 2019. Development shall be carried out in accordance with the approved details.

Reason: To ensure appropriate protection of retained trees in the interests of amenity and in accordance with the aims of Policy BN3 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

8. 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 is a pre-commencement condition to ensure timely submission of details.

9. Notwithstanding the details submitted, full details of the provision to be made for new bat boxes within the site shall be submitted to and approved in writing by the Local Planning Authority. 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 promoting a more ecologically sustainable form of development in accordance with the National Planning Policy Framework.

10. Notwithstanding the details submitted, full details of the surface treatments to all roads, paths and driveways shall be submitted to, and approved in writing by the Local Planning Authority. 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 highway and pedestrian safety, in accordance with the requirements of the National Planning Policy Framework.

11. The development hereby permitted shall be carried out in accordance with the recommendations of the Phase 1 Desk Study and Preliminary Site Investigation by Waterman Infrastructure and Environmental Ltd, reference WIE14098-P1-1-1-4 dated April 2018.

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.

12. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

13. Prior to commencement of the development, except for demolition, a scheme for the detailed design of air quality mitigation measures, to protect the Horsemarket facade of the development from elevated levels of nitrogen dioxide, shall be submitted and agreed with the Local Planning Authority. The agreed measures shall be implemented at the development site prior to occupation and retained thereafter.

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.

14. The development shall be carried out in accordance with the recommendations in Table 15, Section 7.5 of the Air Quality Assessment by Waterman Infrastructure & Environment Limited dated June 2019 identifying the provision of electrical vehicle charging points within the development, which shall be provided prior to occupation.

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.

15. Prior to commencement of the development, except for demolition, a scheme for the detailed design of noise mitigation measures, to protect the Horsemarket façades from elevated levels of road traffic noise (which shall include glazing and ventilation specifications), shall be submitted and agreed in writing by the Local Planning Authority. The agreed mitigation measures shall be implemented at the development site prior to occupation and retained thereafter.

Reason: In the interests of residential amenity and to ensure a satisfactory standard of development in accordance with the requirements of Policy BN9 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

16. 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.

17. Prior to the commencement of development a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Enclosure of phase or sub-phase development sites;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- The safe means of access of construction traffic to the site;
- Routing agreement for construction traffic; and

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

18. Prior to any above ground works commencing, 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. The development shall be carried out in accordance with the approved details.

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.

19. No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. The written scheme will include the following components, completion of each of which will trigger the phased discharging of the condition:

(i) Approval of a Written Scheme of Investigation;

(ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;

(iii) Completion of a Post-Excavation Assessment report and approval of an approved Updated Project Design: to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority;

(iv) Completion of analysis, preparation of site archive ready for deposition at a store approved by the Planning Authority, production of an archive report, and submission of a publication report: to be completed within two years of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority.

Reason: To allow archaeological investigations to be made and sufficient mitigation to be secured in an area where remains of considerable archaeological remains are understood to exist in accordance with the requirements of the National Planning Policy Framework and Policy BN5 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

20. Notwithstanding the submitted details, prior to occupation of the development hereby permitted a Refuse Strategy that details measures for the provision of storage, collection of, and management of areas for refuse and recycling shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

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

21. Full details of all external lighting shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or

without modification), no extensions or outbuildings shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

## **11 BACKGROUND PAPERS**

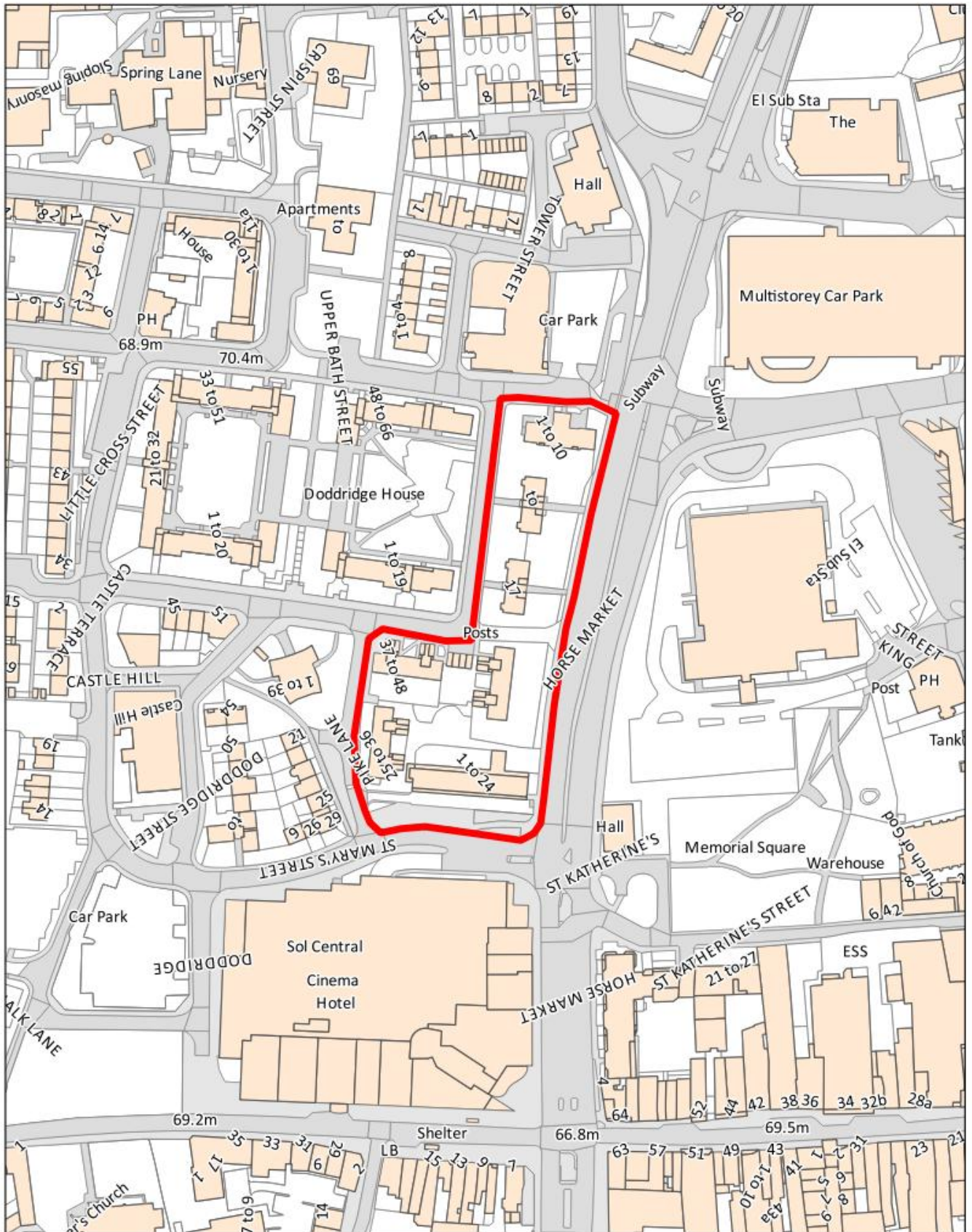
11.1 N/2019/0456.

## **12 LEGAL IMPLICATIONS**

12.1 The development is CIL liable.

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

13.1 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: **Berkeley House & St Mary's Court**

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

**APPLICATION REF:** N/2019/0850

**LOCATION:** Land West of Rushden Lakes, Ditchford Lane, Rushden Northamptonshire

**DESCRIPTION:** Hybrid application comprising: A full application for the erection of retail units, restaurant units, office floorspace, physiotherapy/leisure floorspace, ancillary storage floorspace, (with associated site clearance, earthworks, site levelling and formation of banks) together with proposals for access, footpaths, parking and servicing space, hard and soft landscaping, drainage works, attenuation ponds and other associated works and an outline application for the erection of employment units with some matters reserved (layout, scale, appearance). Plus construction of a new link road between Ditchford Road and Rushden Lakes (with associated site clearance and earthworks) alongside junction works, footpaths, cycleways, lighting, hard and soft landscaping and associated works (Resubmission of 18/01197/FUL)

**WARD:** N/A

**APPLICANT:** Anonymous Ltd  
**AGENT:** Quod

**REFERRED BY:** Head of Planning  
**REASON:** Major Fringe Area Application

**DEPARTURE:** No

**CONSULTATION BY EAST NORTHAMPTONSHIRE COUNCIL:**

**1 RECOMMENDATION**

1.1 That the Council **RAISE OBJECTIONS** to the proposed development on the grounds of the impact on the viability and vitality of Northampton town centre.

**2 THE PROPOSAL**

2.1 The proposal is for a hybrid application to extend the Rushden Lakes out-of-centre shopping and leisure complex to the west to provide 5,606sqm (Gross Internal Area) of mixed use development (some 14 units). The development would comprise 1,294sqm of Class A1 retail (3 units – 2 units / 922sqm food uses and 1 unit / 372sqm non-food uses such as clothing and footwear); 464sqm of

Class A3 restaurant/cafes (2 units); 294sqm Use Class B1(a) offices (1 unit); Use Class B1(c)/B2 industrial (5 units); and 635sqm Use Class D1/D2 physiotherapy/strength conditioner use, dental surgery and a crèche (3 units).

2.2 In addition, the proposal includes some 160 parking spaces and a new link road between Ditchford Road and Rushden Lakes, incorporating a new junction onto and alterations to Ditchford Road. The new link road would provide direct access to the proposed development and also an alternative access route to the existing Rushden Lake development.

2.3 The application is accompanied by an Environmental Statement (ES) as it represents Environmental Impact Assessment (EIA) development.

### **3 SITE DESCRIPTION**

3.1 The application site lies entirely within the administrative boundary of East Northamptonshire Council and is to the east of Wellingborough and to the north west of Rushden, adjacent to the A45.

3.2 The application site is specifically located to the west of the existing Rushden Lakes out-of-centre shopping complex, to the north of the A45 and A45 service area and to the east of Ditchford Road. It has a site area of some 11.07 hectares and incorporates arable land as well as a disused railway embankment.

### **4 PLANNING HISTORY**

4.1 The wider Rushden Lakes out-of-centre shopping and leisure complex has a long and complex planning history, with the original application the subject of an appeal by public inquiry in 2013. The application was subsequently approved by the Secretary of State in June 2014, with full planning permission granted for the erection of a home and garden centre, retail units, drive thru restaurant, gatehouse, lakeside visitor centre, restaurants, boathouse, together with proposals for access and outline planning permission granted for the erection of a hotel, crèche and leisure club; plus removal of the ski slope and associated levelling, landscaping, habitat management and improvement works, vehicular access and servicing proposals together with the provision of car and cycle parking and a bus stop.

4.2 The appeal application was subject to a number of minor material and non-material applications to reconfigure the retail terraces and increase the overall floorspace, with the first phase of the development opening in July 2017.

4.3 In addition, there have been a number of subsequent applications for a specific leisure complex including a cinema and additional retailing to replace the previously permitted garden centre and hotel.

4.4 An application for a new link road between Ditchford Road and Rushden Lakes was approved last year. This link road is essentially similar in alignment to the link road the subject of the current application, with the current proposal principally differing in respect of land levels.

4.5 Finally, an application submitted last year for a mixed use development of 11,903sqm (some 29 units) relating to the same site as the current proposal has recently been withdrawn.

### **5 PLANNING POLICY**

#### **5.1 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 85 – Seeks to support the role that town centres play at the heart of local communities and to promote their long term vitality and viability.

Paragraph 86 – requires a sequential test for applications for town centre uses not in an existing centre and not in accordance with an up-to-date Local Plan.

Paragraph 89 – requires an impact assessment if the development is over a proportionate, locally set floorspace threshold or, if no threshold, 2,500sqm.

## **6 CONSULTATIONS/ REPRESENTATIONS**

6.1 None.

## **7 APPRAISAL**

7.1 The National Planning Policy Framework (NPPF) seeks to ensure the vitality and viability of town centres. It sets out the requirement for a sequential approach to the provision of main town centre uses and allows for the allocation of such uses in other locations. Furthermore, Policy 12 of the North Northamptonshire Joint Core Strategy (2016) sets out a limit of 32,511sqm net retail sales area for the existing out-of-centre Rushden Lakes shopping complex. It is understood that this has already been exceeded by the previously permitted schemes and, accordingly, the proposed development would serve to exacerbate the impact of an out-of-centre development that is already not compliant with local planning policy.

7.2 In addition, government guidance in the NPPF makes it clear that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.

7.3 The proposed development is intended to extend considerably to the west of the envelope of the permitted out-of-centre shopping complex at Rushden Lakes. It is acknowledged that the floor space of the proposal is half that of the previous scheme and that a series of wetland walks has been introduced between the existing and new development such that Rushden Lakes would have a sprawling form that would likely result in users driving between the existing and proposed developments.

7.4 The proposal would however still seek to provide a different, but complementary, offer from the existing Rushden Lakes development including town centre uses, a wide range of units targeting local/regional independents, pedestrian spaces for events and units for local manufacturers to showcase their brands such that the proposal includes the type of offer typically provided and promoted in town centres like Northampton. Indeed, one of Northampton's advantages is the presence of relatively small units that can be used flexibly and the proposal is effectively seeking to mirror such facilities but in an out-of-centre location. As such, collectively, the new and existing provisions, would effectively transition Rushden Lakes into a town centre in its own right and therefore add to the problems already faced by surrounding traditional high streets and town centres in their attempts to survive and evolve. Moreover, the proposal would only add to the attractiveness, choice and accessibility to an existing out-of-centre development. As such, it is considered that the proposal would undermine the role, vitality and viability of surrounding town centres, including Northampton town centre, and is contrary to government guidance in the NPPF.

7.5 In addition, it is noted that the original Rushden Lakes scheme for a mixed retail, recreation and leisure scheme was granted planning permission by the Secretary of State (SoS) in 2014. The Inspector and SoS concluded that the original scheme passed the NPPF sequential and impacts tests, and were not persuaded that a grant of planning permission would preclude future investment at the Grosvenor Centre in Northampton town centre on the grounds of viability. The SoS also concluded that it is unlikely that substantial numbers of people living in Northampton and

beyond would be drawn to Rushden Lakes. Finally, the SoS stated that the effect on the town centres including Northampton would not be significant. However, since then, the Grosvenor Centre extension has not materialised. In addition, Northampton Borough Council commissioned a Retail and Leisure Study this year to inform the preparation of the Local Plan Part 2 and this study has found that Rushden Lakes is already beginning to have an impact on expenditure patterns in Northampton. Indeed, specifically for clothing and footwear, Rushden Lakes is identified as absorbing 9.3% of Northampton residents' expenditure. In addition, the opening of Rushden Lakes has been cited as a factor in Marks & Spencer's decision to close their store in Northampton town centre. It is clear that the decision to grant permission for Rushden Lakes has already had a negative impact on Northampton town centre's viability and vitality, including local consumer choice and trade. Therefore, whilst it is acknowledged that the current scheme is for a reduced quantum of development than the withdrawn scheme, it is considered that any further expansion of Rushden Lakes would likely exacerbate the existing adverse impacts on Northampton town centre.

- 7.6 Also, whilst the proposal details that approximately half of the units would be light/heavy industrial units, the documentation also suggest that these would include retail elements and thus these quasi retail units would also cumulatively add to the retail impacts arising from the proposal. Furthermore, the design and poor servicing arrangements for the industrial units would likely result in pressure for them to change to retail units in the future and thus exacerbate further the long term impacts of the proposal on the vitality of surrounding town centres.
- 7.7 It is also noted that the application documents contain a number of inconsistencies, with the Design and Access Statement for example referring to the central area containing a mixture of retail, restaurant, office and physiotherapy/leisure, but omits any reference to the two light/heavy industrial units which enclose the eastern side of the central public hub. Another example relates to parking, with the Design and Access Statement refers to 212 parking spaces, but the plans only showing some 160 spaces. Finally, the Retail Impact Assessment, refers to a physio/conditioning use in the introduction as different to a health and fitness centre, but later in the document suggests that the uppers floors would be a physio/health and fitness use.
- 7.8 Overall, the proposal would comprise a substantial expansion to and change the nature of the Rushden Lakes shopping and leisure complex. As such, the resulting complex would effectively replicate and resemble a town centre environment in an out-of-centre location to the detriment of the vitality and viability of surrounding town centres including Northampton town centre. The proposal is therefore contrary to government guidance in the NPPF and is recommended that the Council raise objections to the application.

## **8 CONCLUSION**

- 8.1 The proposed development would comprise a substantial expansion to and change the nature of the Rushden Lakes shopping and leisure complex to the detriment of the viability and vitality of Northampton Town Centre. As such, it is recommended that the Council object to the application.

## **9 BACKGROUND PAPERS**

- 9.1 N/2019/0850.

## **10 LEGAL IMPLICATIONS**

- 10.1 None.

## **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.

