



PLANNING AGENDA

Tuesday, 21 January 2020

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, Muna Cali, 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 or 01604 837722



PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 2nd July, 30th July, 3rd September, 24th September, 22nd October, 19th November, 17th December 2019, and 21st January, 18th February and 17th 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

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, 21 January 2020
at 5:00 pm.

AGENDA

1. APOLOGIES

2. MINUTES

Minutes of meetings held on 19th November, 5th December, and 17th December
(attached)

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 Director of Planning and Sustainability (copy herewith)

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

**(A) N/2019/1470 - CHANGE OF USE OF PART GROUND FLOOR FROM
OFFICES (USE CLASS B1A) TO ARTIST STUDIOS (USE CLASS D1).
COUNTY HALL, 24 GUILDHALL ROAD**

10. ITEMS FOR DETERMINATION

(Addendum attached)

**(A) N/2019/0851 - ALTERATIONS AND EXTENSION TO EXISTING BUILDING
AND CONVERSION TO 20NO FLATS INCLUDING 3NO OFFICES AS
PART OF LIVE-WORK UNITS, PROVISION OF BIN STORE AREAS AND
CAR PARKING. FORMER PEARCE LEATHER WORKS,
WELLINGBOROUGH ROAD**

- (B) N/2019/1028 - CHANGE OF USE FROM 3NO SELF-CONTAINED FLATS (USE CLASS C3) TO ONE HOUSE IN MULTIPLE OCCUPATION UNIT (SUI GENERIS) FOR 16 OCCUPANTS, TOGETHER WITH ANCILLARY CHANGES TO EXISTING WINDOWS AT LOWER GROUND LEVEL, NEW WINDOWS TO THE EXISTING ROOF SLOPE AND ANCILLARY BIN AND BICYCLE STORES. 10 THE CRESCENT**
- (C) N/2019/1123 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS WITH SINGLE STOREY REAR EXTENSION AND NEW WINDOW AND ACCESS DOOR TO SIDE ELEVATION. 102 LEA ROAD**
- (D) N/2019/1212 - RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION N/2018/0710 (OUTLINE PLANNING APPLICATION FOR 14 RESIDENTIAL DWELLINGS WITH ALL MATTERS RESERVED EXCEPT ACCESS) FOR THE APPROVAL OF DETAILS OF APPEARANCE, LANDSCAPING, LAYOUT AND SCALE. LAND OFF MILL LANE, DALLINGTON**
- (E) N/2019/1213 - NEW REPLACEMENT OFFICE. WESTBRIDGE DEPOT, 9 - 13 ST JAMES MILL ROAD**
- (F) N/2019/1282 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING INSTALLATION OF REAR CONSERVATION ROOF WINDOWS AND REMOVAL OF EXISTING REAR DORMER (PART RETROSPECTIVE). 46 PALMERSTON ROAD**
- (G) N/2019/1286 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS (RETROSPECTIVE). 41 ALFRED STREET**
- (H) N/2019/1394 - RESERVED MATTERS APPLICATION PURSUANT TO OUTLINE PLANNING PERMISSION N/2018/0170 (APPLICATION FOR OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED, APART FROM ACCESS FOR UP TO SIX DWELLINGS) FOR THE DETAILS OF THE APPEARANCE, LANDSCAPING, LAYOUT AND SCALE. GRAZING LAND, MILL LANE, KINGSTHORPE**
- (I) N/2019/1395 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS PLUS THE INSERTION OF A NEW REAR DOOR. 17 HOLLY ROAD**
- (J) N/2019/1523 - VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2018/0845 (VARIATION OF CONDITION 1 OF PLANNING PERMISSION N/2016/1264 TO EXTEND TEMPORARY PERIOD) TO ALLOW THE SPIRES ACADEMY TO OCCUPY THE BUILDING FOR ANOTHER THREE MONTHS TO 15TH MAY 2020. THE SPIRES ACADEMY, STATION CLOSE**

11. ITEMS FOR CONSULTATION

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

- (A) N/2019/0386 - DEMOLITION OF 10 LOCK UP GARAGES AND ERECTION OF TWO STOREY DETACHED DWELLING AND PROVISION OF CAR PARKING. LOCK UP GARAGES ADJACENT TO 43 HOPMEADOW COURT**

(B) N/2019/0392 - CONSTRUCTION OF 2NO NEW BUILD UNITS AND CAR PARKING SPACES. LAND ADJACENT TO 37 WINDERMERE WAY

(C) N/2019/1232 - TWO STOREY SIDE EXTENSION, FRONT PORCH, REAR CONSERVATORY, REPLACEMENT WINDOWS, EXTERNAL FINISH OF HOUSE IN BRICK, DEMOLITION OF SINGLE GARAGE AND REPLACEMENT WITH DOUBLE GARAGE, AND ADDITIONAL HARDSTANDING (RETROSPECTIVE). 11 TOMS CLOSE

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.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 19 November 2019

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Golby, Kilbride, Kilby-Shaw, B Markham
and McCutcheon

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Scaife (Development Management Team Leader),
Alan Davies (Principal Planning Officer), Theresa Boyd (Planning
Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors M Markham, Haque and Cali.

2. MINUTES

The minutes of the meeting held on 22nd October 2019 were agreed and signed by
the Chair.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED:

That under the following items, the members of the public and Ward Councillors
listed below were granted leave to address the Committee:

N/20197/1369

Councillor Larratt
Perry Thomas
Thomas Bowler
Rob Barber

N/2019/0546

Councillor Hallam
Agi Kyriakides
Michael Deacon
Roy Hammond
Ben Snedker

N/2019/1095

Councillor Stone

N/2019/1140

Brian Sargeant

N/2019/1179

Pat Dooley

N/2019/1120

Pat Dooley

N.2019/0980

James Thorpe

N/2019/1037

James Thorpe

N/2019/1141

James Thorpe

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a personal and disclosable pecuniary interest in respect of items 11a, 11b and 11c as a board member of Northampton Partnership Homes (NPH).

Councillor Bottwood declared a personal and disclosable pecuniary interest in respect of items 11a, 11b and 11c as a board member of NPH.

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

The Chair announced that a special Planning Committee to consider an application made by NCC relating to the North West Relief Road, had been rescheduled for 5th December at 5pm.

Councillors Kilbride and McCutcheon advised that they would be unable to attend as they would be sitting on the NCC Development Control Panel at the time.

Councillor Lane advised that he would be unable to attend as he would be away on business at the time.

The Head of Planning advised that on 13th November, Cabinet approved the adoption of the Supplementary Planning Document (SPD) on Houses in Multiple Occupation which reduced the density threshold from 15% to 10%. Cabinet decisions are subject to a 3 day call-in period, which expired at 5pm on the 19th November and an adoption statement was published on the Council's website. On this basis, it was advised that items 10c and 10f be deferred from the agenda and re-assessed under the new SPD.

Additional HIMO applications on the agenda were either amendments to existing HIMOs or fell under the new 10% threshold so were unaffected by the adoption of the SPD.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Head of Planning. She stated that one decision had been made in relation to a Change of Use from dwellinghouse to HIMO for 5 occupants; the application was refused by the Planning Committee with Members concluding that the layout of the property was unacceptable. However, the Inspector found that the property complied with space standards within the Interim Planning Policy Statement (IPPS) and allowed the appeal.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

None.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

None.

10. ITEMS FOR DETERMINATION

(A) N/2017/1369 - OUTLINE PLANNING APPLICATION WITH ALL MATTERS RESERVED EXCEPT ACCESS FOR UP TO 525 DWELLINGS, OPEN SPACE, CHILDREN'S PLAY AREAS AND ASSOCIATED INFRASTRUCTURE (CROSS BOUNDARY PLANNING APPLICATION). LAND NORTH OF NEWPORT PAGNELL ROAD

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained further representations from Great Houghton Parish Council and amended Conditions 9, 11, 13, 31 and 33. Further amendments to Condition 31 was also pointed out. The Committee were informed that the application related to a cross-boundary application with the smaller northern parcel within the Borough and the larger, southern section of the site within South Northamptonshire Council's boundary. The Committee were informed that the application for determination by the Council related to the part of the site within the Borough. The site forms part of an area of land previously allocated for development under Policy N6 of the West Northamptonshire Joint Core Strategy and it was explained that much of overall SUE allocation was subject to an existing outline approval for development of up to 1,000 dwellings, local centre, primary school, public house and community facility, and a reserved matters approval for the first Phase of development granted in August 2019.

The main access to and from the development would be from the south from Newport Pagnell Road with a new roundabout adjacent to the Morris Homes development, as well as links to the Homes England site. Part of The Green, a minor road, would be pedestrianised. Offsite highway measures would include junction improvements, the repositioning of bus stops and the creation of new pedestrian crossings. The Section 106 Agreement would also secure financial contributions towards off-site highway mitigation, Electric vehicle charging points would be

provided throughout the development and noise mitigation during construction would be secured through a construction management plan. An independent viability assessment had been undertaken which concluded that the site could provide 13% affordable housing in addition to S106 obligations as detailed in the committee report.

Councillor Larratt, on behalf on Councillor Flavell, spoke against the application and commented that the development's traffic implications posed a risk to residents. He stated that residents' concerns had been ignored and that Wootton Parish Council had not been consulted on the application. He further stated that priority should be given to roads and roundabouts in Great Houghton and requested that weight restrictions on those roads be reinstated.

In response to questions, Councillor Larratt stated that S106 monies would be better spent improving footpaths in Great Houghton.

Perry Thomas, Chair of Hardingstone Parish Council, spoke against the application and commented that Newport Pagnell Road was at capacity currently and that the development would exacerbate traffic issues and the road would become another area subject to air quality monitoring. He stated that local residents had concerns about Great Houghton becoming a rat run.

Thomas Bowler, Chair of Great Houghton Parish Council, spoke against the application commenting that the village roads were designed before the motor car. Referred to all recent developments in the area and that proposed development would increase traffic further. Proposed traffic calming measures for the village.

Robert Barber, the agent on behalf of the applicant, spoke in favour of the application and commented that the principle of development was established in the Joint Core Strategy. The applicant had worked with officers to ensure that the scheme was compliant and he noted that the infrastructure costs requested by Northamptonshire County Council had been accepted in full. He further noted that NCC had not requested any improvements in Great Houghton. Mr Bowler confirmed that CIL payments towards education and healthcare would be included.

In response to questions, Mr Bowler advised that whilst there were a number of costs, one reason for the low percentage of affordable housing was the highway contribution.

The Development Management Team Leader explained that the Local Highway Authority were seeking to future-proof Wooldale Road, which was anticipated to reach capacity by 2031.

In response to questions, Members heard that off-site highway infrastructure was required to be completed prior to the occupation of any property within the development; this was secured by a Condition.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a Section 106 agreement to secure the planning obligations as set out in the heads of terms listed in paragraph 7.60 of the report and the conditions and reasons as set out in the report and the addendum, **including a further amendment to Condition 31**, with delegated authority to the Head of Planning in consultation with the Chair of Planning Committee to amend and add conditions as appropriate due to the nature and complexity of planning conditions and to ensure they align with conditions imposed by South Northamptonshire District Council; and for the Head of Planning to write to NCC Highways and advise them to consider traffic calming measures including weight restrictions within Great Houghton village.

- (A) N/2017/1414 AND N/2018/1048 - OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 525 DWELLINGS, OPEN SPACE, CHILDREN'S PLAY AREA AND ASSOCIATED INFRASTRUCTURE (APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT) AND AMENDMENT TO S/2017/2577/EIA - OUTLINE APPLICATION FOR A RESIDENTIAL DEVELOPMENT OF UP TO 525 DWELLINGS, OPEN SPACE, CHILDREN'S PLAY AREA AND ASSOCIATED INFRASTRUCTURE (APPLICATION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT). LAND NORTH OF NEWPORT PAGNELL ROAD - CONSULTATION BY SOUTH NORTHANTS COUNCIL**

The Development Management Team Leader submitted a report to the Committee.

In response to questions regarding the S106 obligations and unitary status, the Head of Planning advised that any decisions made by the Planning Committee would be honoured by the future unitary authority, should the developer choose to proceed.

In response to questions, the Development Management Team Leader advised Committee that it was the intention of the applicant to provide public transport links throughout the site; service providers were being consulted.

In response to a further question, the Head of Planning advised that officers would consult with colleagues at Northamptonshire County Council to ask them to consider traffic calming measures within Great Houghton.

Members discussed the report.

RESOLVED:

That Northampton Borough Council **RAISE NO OBJECTION IN PRINCIPLE** subject to the conditions and reasons as set out in the report, Further, the Head of Planning to write to South Northamptonshire Council and request that they write to Northamptonshire County Council and advise them to consider traffic calming measures including weight restrictions within Great Houghton village.

- (B) N/2019/1309 - S73 PLANNING APPLICATION TO VARY CONDITIONS 4 (WASTE THROUGHPUT) AND 6 (HOURS OF OPERATION) OF PLANNING PERMISSION 18/00044/WASFUL. SITE 7C VEOLIA ES (UK) LIMITED, EDGAR MOBBS WAY - CONSULTATION BY NORTHAMPTONSHIRE COUNTY COUNCIL**

The Principal Planning Officer submitted a report to the Committee. Members were informed that the application sought to vary Conditions 4 and 6 which would allow an increased amount of waste to be processed and extend the hours of operation. It was explained that a Noise Management Plan would be agreed with the Council prior to the occupation of the development, this would be secured by 2 additional conditions. The variation application would result in a more sustainable use of the site.

In response to questions, it was explained that the surrounding area was industrial and that the Local Highway Authority had no concern with increased traffic volumes.

Members discussed the report.

RESOLVED:

That Northampton Borough Council **RAISE NO OBJECTION IN PRICIPLE** subject to the conditions as set out in the report at paragraphs 1.2 and 1.3

- (B) N/2019/0546 - CONVERSION OF EXISTING DWELLING TO 6NO APARTMENTS, CONSTRUCTION OF ATTACHED NEW APARTMENT BUILDING CONTAINING 4NO APARTMENTS, CONSTRUCTION OF 4NO THREE BEDROOM DWELLINGS, WIDENING OF EXISTING VEHICULAR ACCESS TO KETTERING ROAD, FORMATION OF NEW VEHICULAR ACCESS TO MOUNTFIELD ROAD, PROVISION OF CAR PARKING AND ASSOCIATED WORKS INCLUDING DEMOLITION OF EXISTING OUTBUILDING. HIGHFIELD HOUSE, 383 KETTERING ROAD**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained several corrections to the report and 2 additional conditions. The Committee were informed that the application sought approval to convert the property to 6 apartments and the construction of an apartment building containing a further 4 apartments and the construction of 4 dwellings to the rear of the site. New access would be provided to the new dwellings from Mountfield Road and the drive from Kettering Road would be widened; these proposals were deemed acceptable by the Local Highway Authority. The properties would be finished in stone and rendering, so as to be in-keeping with the surrounding properties. To ensure neighbour privacy, no side windows were proposed for the 4 new dwellings. The development would contribute towards the Council's housing land supply.

Councillor Hallam, in his capacity as the Ward Councillor for Parklands, addressed the Committee advising of a personal interest as the occupier of a nearby property. He stated that locally, traffic congestion had become much worse since the nearby McDonalds development had been completed. He commented that the development would result in potentially 20 more vehicles on a road already prone to blocking. He stated that the proposed semi-detached houses would not be in keeping with bungalows on Mountfield Road and there was a lack of consultation about trees removal on site.

Agi Kyriakides, a local resident, spoke against the application and commented that the development would lead to more traffic, noise and pollution on an already busy road and that his property would be overlooked, should development proceed.

Michael Deacon, a local resident and on behalf of residents on Mountfield Road, spoke against the application and questioned why the Local Highway Authority had changed their mind on the application when it seemed that only minor changes had been made to the proposal. He further stated that should the application be approved, construction vehicles should be prohibited from using Mountfield Road.

Roy Hammond, the agent on behalf of the applicant, spoke in favour of the application and commented that the location was sustainable, within walking distance to local facilities. The design of the development was carefully considered, having regard for future residents and neighbours. He stated that a construction management plan had been created following neighbour concerns and noted that he personally dealt with the issue surrounding trees as soon as he was made aware of it.

In response to questions, Mr Hammond explained that he would be responsible for overseeing the implementation of the construction management plan himself. He further advised that the contact details for relevant contractors, managers and planners would be included in the construction management plan.

Ben Snedker, the agent on behalf of the applicant, spoke in favour of the application and commented that Brexit had created uncertainty in society and that the development would provide opportunities for investment in Northampton.

The Development Manager confirmed that the Local Highway Authority had changed their position following a change in the layout and position of the proposed access whereby better visibility could be provided. She further confirmed that Planning Officers would sign off the additional conditions, subject to agreement by statutory consultees.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report, **with additional Conditions 15 and 16 in the addendum.**

- (C) N/2019/1028 - CHANGE OF USE FROM 3NO SELF-CONTAINED FLATS (USE CLASS C3) TO 3NO SEPARATE HOUSES IN MULTIPLE OCCUPATION UNITS (USE CLASS C4) (G/F 3-BED 5 OCCUPANTS; 1/F 4-BED 6 OCCUPANTS AND 2/F 3-BED 5 OCCUPANTS), TOGETHER WITH ANCILLARY CHANGES TO EXISTING WINDOWS AT LOWER GROUND LEVEL, NEW WINDOWS TO THE EXISTING ROOF SLOPE AND ANCILLARY BIN AND BICYCLE STORES 10 THE CRESCENT**

This item was deferred from the Agenda.

- (D) N/2019/1095 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION AND LOFT CONVERSION WITH REAR DORMER. 73 DERBY ROAD**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained further representations from the Local

Highway Authority. In addition, Private Sector Housing has further clarified that the room and kitchen sizes are satisfactory and the comments in paragraph 7.4 of the report has been superseded. The Committee were informed that the property was subject to an existing planning permission, granted earlier in 2019, for a change of use from dwellinghouse to HIMO for 5 occupants. The current application would increase the number of occupants to 6 and with a single storey extension to the rear of the property, which would be erected to allow for the creation of a bathroom and additional bedroom in the loft conversion with a rear dormer. Because permission to change the use was in place, HIMO concentration was not a consideration in determining this application.

The proposed extension and dormer were considered to be in keeping with the property. In terms of parking, the site is within a sustainable location and the increase of one person is not considered to materially impact on highway safety.

Councillor Stone, as the County Councillor for Abington, spoke against the application and commented that the application would result in further overdevelopment in an area already densely populated. She stated that the traffic and parking situations in the area were dangerous, with near misses occurring regularly. She asked that the application be deferred until more detailed information was received from Private Sector Housing and the Local Highway Authority.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(E) N/2019/1140 - CONSTRUCTION OF 1NO SEMI DETACHED TWO STOREY DWELLING. 5 LACEBY WALK

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained a correction to the report and a further letter of objection. The comments from the Environment Agency was also reported. The Committee were informed that the proposed two-storey dwelling, to be attached to number 5 Laceby Walk, would be staggered to fit in with the surrounding properties and would be of a similar design. No parking was proposed, however there was a parking area to the rear of the property. It was noted that there would be no side windows to ensure no overlooking. Permitted development would be removed to further ensure neighbour privacy.

Brian Sargeant, owner of a neighbouring property, spoke against the application and commented that the shared drive, used by residents of the street, was un-adopted and that residents paid for it to be tarmacked; construction workers' vehicles would ruin it. He further commented that parking was problematic in the area and that the development would exacerbate issues.

The Principal Planning Officer confirmed that the rear garden sat in Flood Zone 1; only the very front part of the front garden sat in Flood Zone 2. He further confirmed that parking in the area was shared and on a "first come, first served" basis.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

- (F) **N/2019/1165 - CHANGE OF USE FROM DWELLING HOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 15 BURNS STREET**

This item was deferred from the Agenda.

- (G) **N/2019/1179 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 38 FLORENCE ROAD**

The Development Management Team Leader submitted a report to the Committee. Members were informed that the application sought approval for a change of use from dwellinghouse to HIMO for 4 occupants. The living room would be converted to a bedroom and the first-floor bathroom would be shared by all occupants. Should the application be approved, the concentration of HIMOs in a 50m radius would be 6.66%. It was noted that Private Sector Housing had not raised an objection to the application. The Local Highway Authority had also raised no objections, due to the close proximity to transport links and shopping facilities.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the applicant had opted for larger bedrooms in lieu of en-suite facilities and highlighted the lack of objections from statutory consultees.

In response to questions, Mr Dooley explained that his clients were resisting putting en-suite bedrooms in their properties due to a lack of understanding around shared houses and potential council tax implications.

The Head of Planning confirmed that a room in a HIMO with a kitchenette and en-suite facilities would be classed as its own property and subject to its own council tax banding.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

- (H) **N/2019/1210 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION (AMENDMENT TO PLANNING PERMISSION N/2019/0607). 51 ADNITT ROAD**

The Development Management Team Leader submitted a report to the Committee. She explained that planning permission had been previously granted for a change of use from dwellinghouse to HIMO for 5 occupants; this application sought to increase the number of occupants to 6 by changing the lounge to a bedroom. With the principle of development previously established, concentration figures were not a consideration for this application. It was noted that there were no objections from statutory consultees.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that his client had found that the occupants of the property were not using the living room so opted to provide a further bedroom.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

At this juncture, Councillors Bottwood and Kilbride left the room, having declared interests earlier.

11. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2019/0980 - DEMOLITION OF 3NO EXISTING GARAGES AND CONSTRUCTION OF 2NO HOUSES. LOCK UP GARAGES, MARGARET STREET

The Principal Planning Officer submitted a report to the Committee. Members were informed that the application sought approval to demolish existing garages and construct 2 terraced, 2-bedroom dwellings. It was noted that the architect had chamfered the corner of one of the properties to fit in with surrounding buildings. Whilst no parking spaces would be provided, it was explained that the impact on the conservation area was greater than parking needs.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions reasons as set out in the report.

(B) N/2019/1037 - DEVELOPMENT OF 2NO RESIDENTIAL UNITS WITH ASSOCIATED PARKING. LAND AT SWANSEA CRESCENT

The Principal Planning Officer submitted a report to the Committee. Members were informed that the application sought approval for the construction of two two-storey dwellings and associated parking. It was explained that due to flood concerns, the properties were situated higher than ground-level. There were no objections received from statutory consultees.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(C) N/2019/1141 - VARIATION OF CONDITION 3 OF PLANNING PERMISSION N/2018/1513 (DEMOLITION OF DOMESTIC GARAGES AND CONSTRUCTION OF 2NO NEW DWELLINGS WITH ASSOCIATED PARKING) TO AMEND THE INTERNAL LAYOUT OF THE SECOND FLOOR. 48A TYES COURT

The Development Manager submitted a report to the Committee. Members were informed that planning permission was granted in January 2019 to demolish existing garages and construct 2 dwellings. This application sought to vary a condition to split the bedroom on the second floor to make 2 bedrooms for each dwelling. It was noted that the development should have provided 4 parking spaces, however there was a parking court nearby and it is not considered that the amendment would have unacceptable impact on highway safety.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

12. ITEMS FOR CONSULTATION

None.

The meeting concluded at 8:28 pm

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Thursday, 5 December 2019

PRESENT: Councillor Oldham (Chair); Councillors Birch, Bottwood, Golby, B Markham and Russell

OFFICERS: Peter Baguley (Head of Planning), Nicky Scaife (Development Management Team Leader), Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors Lane, Kilbride, McCutcheon, Cali, M Markham and Haque.

2. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED:

That under the following item, the members of the public listed below were granted leave to address the Committee:

N/2019/0840

Patrick Cross
Sean Brady

3. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Birch declared a personal interest in respect of item 5a as a County Councillor for Kingsthorpe but advised of no predetermination.

4. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

None.

5. ITEMS FOR CONSULTATION

(A) N/2019/0840 - THE CONSTRUCTION OF NEW ROADS (NORTHAMPTON NORTH WEST RELIEF ROAD) ON LAND SOUTH OF THE A5199 NORTHAMPTON ROAD BETWEEN THE BRAMPTON HEALTH GOLF CENTRE AND THE RIVER NENE, INCLUDING TWO NEW ROUNDABOUTS AND LINKS BRIDGING OVER THE RIVER NENE TO BRAMPTON LAND AND OVER THE NORTHAMPTON LOOP OF THE WEST COAST MAINLINE TO CONNECT WITH THE DALLINGTON GRANGE DEVELOPMENT. LAND OFF A5199, NORTHAMPTON ROAD, NORTHAMPTON

The Development Management Team Leader submitted a report to the Committee. She explained that the majority of the application site fell within Daventry District Council's boundary with the southern end situated within Northampton Borough. The proposed road would run for 1.6km and be designed as a single carriageway, designed to enable it to be upgraded to dual carriageway in the future if required. The road would connect to a new roundabout at the Sandy Lane junction with the A5199 and a further new roundabout to the east at the Brampton Lane junction with the A5199 Welford Road. From the Sandy Lane junction roundabout, the relief road would extend southwards over the Rugby to Milton Keynes railway line connecting into the Dallington Grange Roundabout, a new roundabout east of Grange Farm proposed as part of the Kings Heath SUE development (Dallington Grange) which includes a link to the A428 New Sandy Lane.

Elements of the proposed scheme included:

- A single two-lane carriageway, plus 3m wide shared foot/cycle path to the west side, connecting the Dallington Grange roundabout to the A5199 at Sandy Lane;
- Railway overbridge over the Rugby to Milton Keynes railway line;
- River crossing over the River Nene;
- A new roundabout at the Sandy Lane junction with the A5199 Northampton Road including Public Right of Way (PRoW) crossing provisions; (Toucan and pedestrian crossing – north side of roundabout and shared use uncontrolled crossing western arm (Sandy Lane));
- Single two-lane carriageway (plus street lighting) connecting the new Sandy Lane Roundabout and Brampton Lane;
- A new roundabout at the existing Brampton Lane, A5199 Welford Road and Northampton Road Junction, including PRoW crossing provisions to include the diverted Public Footpath CC6 and National Cycle Route 6 (both to be permanently diverted);
- Modifications to the existing A5199 Northampton Road from Sandy Lane to Brampton Lane to provide a traffic free route for non-motorised users;
- Flood and drainage provisions;
- Landscaping and ecological mitigation areas.

NBC Public Health had expressed concerns around the extent of information in respect of air quality to fully determine the impact of development. It was noted that there were concerns around the impact of the proposal on the potential future re-opening of the Northampton to Market Harborough Railway Line, however as there were no current formal plans this was not a material consideration. Any future plans for the railway line would have to take the Relief Road into account. The Development Management Team Leader noted that the recent issues consultation for the West Northamptonshire Strategic Plan also asked whether the potential to deliver a re-opened line on that route should be considered for that plan. The Development Management Team Leader noted that the Highway Authority raised no objection to the proposal subject to the imposition of conditions to ensure the proposed off-site highway mitigation measures were secured.

Patrick Cross, a local resident, spoke against the application and stated that he had witnessed the volume of traffic in the town surpass acceptable levels over the years. He commented that the number of proposed homes to be served by the NWRR would result in increases in the number of vehicles and questioned capacity figures

contained within the report. He further commented that proposed mitigation measures would be insufficient. Mr Cross stated that the Northampton North Orbital Road was a more important scheme and asked Members to refuse the application and lobby NCC for an expedited Orbital Road, which should not include the NWRR.

In response to questions, Mr Cross stated that the road would work better if built off junction 16 of the M1, running from the A45 to the A43 near Sywell. He stated that orbital roads should not be built near houses, nor should they have roundabouts. An additional 22,000 homes would push the road past capacity.

Sean Brady, Co-Chair of WASPRA, spoke against the application and commented that NCC Highways did not properly investigate or understand the current levels of congestion on Brampton Valley Way and Welford Road and based their application on theoretical data. He further commented that investigation into current traffic levels had been insufficient. Mr Brady stated that the application process had been flawed throughout; the consultation phases did not publish details of residents' feedback and leaflet-drops missed out WASPRA members. He stated his belief that the road would result in others being used as "rat runs", endangering members of the public. Mr Brady maintained that the proposal is developer lead and asked that the Committee, as safeguards for the town's development, refuse the application.

In response to questions, Mr Brady explained that he had made presentations at a series of meetings where he would have expected a counter-presentation from NCC, however the responses barely addressed points he made. Mr Brady had expressed his support for the need for houses and road building but statistics show that the application would be unsustainable.

In response to questions, the Development Management Team Leader advised that concerns had been addressed in the addendum and that the application had been assessed by an independent part of the Highways department. The proposal had been independently assessed by a separate section of Kier WSP and the assessment further scrutinised by NCC Highways Development Management afterwards. The Head of Planning further advised that the 22,000 proposed dwellings were to be situated throughout the Northampton Related Development Area.

The Head of Planning explained that the North West Relief Road would address short/medium-term needs, with capacity expected to be reached by 2031. He noted that there was currently no commitment or funding for the Northern Orbital Road.

Members discussed the report.

RESOLVED:

That Northampton Borough Council raise **NO OBJECTION IN PRINCIPLE** subject to:

1. Northamptonshire County Council seeking an appropriate level of mitigation with due regard to comments received from relevant consultees and conditioning any planning permission accordingly in respect of impacts arising from the development on the local highway network, air quality, flood risk and drainage, biodiversity, noise, and impacts on amenity, particularly during the course of construction; and

2. Northamptonshire Country Council give due consideration to the impacts of the proposed development on the Safeguarded Former Transport Route identified in Policy C3 of the West Northamptonshire Joint Core Strategy and Policy 30 of the emerging Northampton Local Plan Part 2, and to ensure that the development does not delay or compromise the allocation and delivery of the Northampton North Orbital Road.

The meeting concluded at 6:10 pm

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Tuesday, 17 December 2019

PRESENT: Councillor Oldham (Chair); Councillor Lane (Deputy Chair);
Councillors Birch, Bottwood, Golby, Haque, Kilbride, B Markham,
McCutcheon and Russell

OFFICERS: Peter Baguley (Head of Planning), Rita Bovey (Development
Manager), Nicky Scaife (Development Management Team Leader),
Kanchan Sharma (Principal Planning Officer), Theresa Boyd
(Planning Solicitor), Ed Bostock (Democratic Services Officer)

1. APOLOGIES

Apologies for absence were received from Councillors M Markham, Haque and Cali.

2. MINUTES

The minutes of the meeting held on 5th December 2019 were adjourned to be agreed at the next Planning Committee.

3. DEPUTATIONS / PUBLIC ADDRESSES

RESOLVED:

That under the following items, the members of the public and Ward Councillors listed below were granted leave to address the Committee:

N/2019/1362

Anthony Potter
Lizzy Ringisai
Natalie Grimes

N/2019/1370

Pat Dooley

N/2019/1165

Pat Dooley

4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Kilbride declared a personal and disclosable pecuniary interest in respect of items 12a and 12b as a board member of Northampton Partnership Homes (NPH).

Councillor Bottwood declared a personal and disclosable pecuniary interest in respect of items 12a and 12b as a board member of Northampton Partnership Homes (NPH).

5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE CONSIDERED

There were none.

6. LIST OF CURRENT APPEALS AND INQUIRIES

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of The Head of Planning. She reported that 2 appeals had been allowed by the Planning Inspectors. Of note was an appeal relating to advertising consent which was refused by officers who felt that the proposed display's prominence would affect the street scene – the Inspector disagreed and allowed the appeal.

In response to a question, the Committee heard that any advertising consent was finite; the display could be removed after five years if there were sufficient reasons.

Members discussed the report.

RESOLVED:

That the report be noted.

7. OTHER REPORTS

There were none.

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

None.

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

(A) N/2019/1270 - LISTED BUILDING CONSENT APPLICATION FOR THE INSTALLATION OF WI-FI AROUND THE BUILDING, TO INCLUDE ALL EQUIPMENT AND CABLING LOCATIONS. ABINGTON MUSEUM MANOR HOUSE ABINGTON PARK, WELLINGBOROUGH ROAD

The Development Manager submitted a report to the Committee. Members were informed that the changes were non-invasive with no material external alteration, 20 Wi-Fi units were to be installed and the Conservation Officer was in approval of this. 20 units were required to ensure signal due to the thickness of walls within the building.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

10. ITEMS FOR DETERMINATION

(A) N/2014/1429 - OUTLINE PLANNING APPLICATION (ALL MATTERS RESERVED EXCEPT ACCESS) FOR A SUSTAINABLE URBAN

EXTENSION COMPRISING UP TO 3,000 DWELLINGS INCLUDING AFFORDABLE HOUSING; UP TO 7.2HA EMPLOYMENT LAND (CLASS B1 OFFICE/LIGHT INDUSTRY AND CLASS B2 GENERAL INDUSTRY); A LOCAL CENTRE TO ACCOMMODATE A FOOD STORE (2,230M2), 6 SHOP UNITS (750M2) FOR RETAIL (CLASS A1), PROFESSIONAL AND FINANCIAL SERVICES (CLASS A2), RESTAURANT/CAFE (CLASS A3), DRINKING ESTABLISHMENT (CLASS A4) AND HOT FOOD TAKEAWAY (CLASS A5); PUBLIC HOUSE/RESTAURANT; NURSERY (CLASS D1); 2 PRIMARY SCHOOLS; SECONDARY SCHOOL; REDEVELOPMENT OF GRANGE FARM FOR CAFE/RESTAURANT/PUBLIC HOUSE OR HOTEL; EXTENSION OF THE NORTH WEST BYPASS ON THE SITE; PROVISION OF OPEN SPACE AND STRATEGIC LANDSCAPING AND WILDLIFE CORRIDORS; SURFACE WATER/FLOOD MANAGEMENT WORKS AND ASSOCIATED ENGINEERING WORKS FOR DRAINAGE AND SERVICES. DALLINGTON GRANGE, MILL LANE

The Development Management Team Leader submitted a report to the Committee and advised that the outline application had previously been approved in principle in October 2018 subject to the completion of a S106 Legal Agreement and conditions. Negotiations are ongoing regarding the S106 Agreement and it was anticipated that these would be complete early in 2020. Alongside this a Section 257 application for the diversion of part of Public Footpath HW44 is being considered and further advice had been sought regarding relevant procedures for this application. In order to meet requirements of Section 257, an additional condition, Condition 52, was proposed in the report which required the footpath diversion order to be in place prior to the occupation of any part of the development. The application remained unchanged in all other aspects.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a S106 agreement to secure planning obligations as set out in the officer report and the conditions and reasons as set out in the report, and to allow delegated authority for the Head of Planning in consultation with the Chair to amend or add conditions as appropriate. In the event that the Section 106 Legal Agreement is not completed within 3 calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

Councillor Haque joined the meeting at this juncture and advised of no declarations of interest/predetermination.

(B) N/2019/1165 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 15 BURNS STREET

The Planning Officer submitted a report to the Committee and advised that it had been deferred from the previous meeting; the Council's new Supplementary Planning

Document (SPD) in relation to HiMOs had been adopted so the application had been reassessed. The proposal included a single-storey extension to provide a shower room. En-suite facilities would be provided throughout the development. However, the concentration of HIMO properties in a 50m radius was 14.1%, in excess of the Council's newly adopted 10% limit, so the officer recommendation was for refusal.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the application had originally been validated on 9th September and not publicised until 3 weeks later. He noted that the NPPF stated that old policies could be used to consider applications for 12 months after they had been replaced and asked the Committee to consider the application under the previous policy. Mr Dooley noted that another HIMO application had been allowed under delegated authority around the time of his client's application being deferred.

In response to a question, Mr Dooley confirmed that his client had other similar properties, finished to a very high standard, with clients waiting to move in.

The Head of Planning confirmed that the application Mr Dooley referred to had not been called in. He further confirmed that all Cabinet call-in periods expired at 5pm, 3 working days after publication of a decision, as prescribed in the Constitution. The Head of Planning advised that consultation on the new SPD had already commenced when Mr Dooley's application reached the Council.

Members discussed the report.

RESOLVED:

That the application be **REFUSED** in accordance with the Officer recommendation for the reasons as set out in the report.

(C) N/2019/1195 - CHANGE OF USE FROM HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION. 75 IVY ROAD

The Development Management Team Leader submitted a report to the Committee and advised that the application sought approval for the construction of a single-storey extension and sub-division of the lounge to provide additional bedrooms. No changes were proposed for the upper floor. The property sat in a sustainable location, close to public transport links and shopping facilities. Notwithstanding this, the Local Highway Authority had raised objections to the application. The facilities were considered appropriate for 6 occupants.

In response to questions, the Committee were informed that since the property was an existing HIMO, concentration was not a material consideration. They further heard that the property had 2 separate toilet facilities.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(D) N/2019/1211 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 22 BOSTOCK AVENUE

The Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional neighbour representations and the correct location plan. The Committee were informed that the application sought approval for a change of use from dwellinghouse to HIMO for 4 people. No external alterations were proposed and the living room would be retained. There would be 1 shared toilet on each floor and should the application be approved, the concentration of HIMOs in a 50m radius would be 8%. A request was made of the applicant to carry out a parking beat survey, however it was declined. Due to the property sitting in a sustainable location, close to public transport links and shopping facilities, the proposal was considered to comply with the principles of the SPD.

In response to a question, the Committee were informed that a future application would be required in order for the spare bedroom to be inhabited.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(E) N/2019/1337 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION FOR 9 OCCUPANTS (SUI GENERIS). 51 AXE HEAD ROAD

The Development Management Team Leader submitted a report to the Committee. Members were informed that as part of the application, some internal walls would be removed to enlarge the kitchen and entrance hall. 4 of the rooms would be double occupancy. Whilst the Local Highway Authority had objected to the application, it was noted that the property sat in a sustainable location, close to public transport links and shopping facilities.

In response to questions, the Committee heard that the proposed facilities in the property complied with all of the Council's adopted policies.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(F) N/2019/1362 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO CHILDREN'S HOME (USE CLASS C2). 30 FIVE ACRES FOLD

The Development Manager submitted a report to the Committee. Members were informed that the application sought approval for the conversion of a dwellinghouse to Children's Home for 2 children aged 10-17 and 2 full-time carers. There were no objections raised by any statutory consultees and it was not envisaged that there would be any activities taking place outside of family arrangements and a condition was included to restrict the number of occupants.

Anthony Potter, a local resident, spoke against the application and commented that residents purchased their properties on the assumption that the area was residential, not commercial. He stated that there would be higher vehicle use than the report suggested and that the road occasionally got blocked as it was. Mr Potter stated that the development would be to the detriment of all of the current residents.

Lizzie Ringisai, the director of BTTLR Limited, spoke in favour of the application and commented that the property would allow children to be raised in a home environment with the staff acting as parental figures. She noted that the company was governed by OFSTED, that training for staff would take place off-site and that all children would be inducted before residing.

In response to questions, Ms Ringisai confirmed that 2 members of staff would be on the premises at all times, with rules and boundaries set firmly between themselves and the children. All staff would have enhanced DBS checks carried out and Ms Ringisai and other senior staff would be on-call at all times. For the sake of continuity for the children, the same members of staff would be scheduled in. She explained that children responded well if they were given an appropriate environment to do so.

Natalie Grimes, a manager for BTTLR Limited, spoke in favour of the application and commented that children in the care system were being forced to leave the county due to a lack of local care facilities. She stated that she lived close to the property and would be available if any problems arose.

In response to questions, Ms Grimes explained that she had experience working with children of all ages and backgrounds and had always worked in "secure" facilities. She further commented that she had a good working relationship with CAMHS.

Phylis Grimm, a local resident, spoke against the application and commented that existing parking problems would be exacerbated should the application be approved and questioned why a parking survey had not been undertaken by the applicant, and the lack of consultation.

The Development Manager explained that as part of the consultation, the Council was required to consult the adjoining properties or post a notice near the property; both had been done in this instance.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(G) N/2019/1370 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 6 OCCUPANTS, INCLUDING SINGLE STOREY REAR EXTENSION (AMENDMENT TO PLANNING PERMISSION N/2019/0866). 85 LEA ROAD

The Development Manager submitted a report to the Committee. Members heard that the application sought approval for the conversion of a dwellinghouse to HIMO for 6 occupants and a single-storey extension, to create an additional bedroom. It was noted that the application was a revision of application N/2019/0866 which was granted in September 2019 and allowed for the conversion to a 5 bed HIMO. The development would result in a slight impact upon a neighbouring property due to the proposed extension on the neighbours' bay window, however the proposed extension was only slightly larger than what could be allowed under permitted development.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that en-suite facilities had been provided where they could be, and bathrooms where they could not. Mr Dooley advised that his client's properties were all finished to a very high standard and that his client managed all of his properties himself.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

Councillors Golby and B Markham left the meeting at this juncture.

(H) N/2019/1372 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 5 OCCUPANTS. 125 UPPER THRIFT STREET

The Development Management Team Leader submitted a report to the Committee. Members were informed that the application sought approval for a change of use from dwellinghouse to HIMO for 5 occupants; the ground floor would be reconfigured to create additional bedrooms. Whilst the Local Highway Authority had objected to the application, the property sat within a sustainable location, close to public transport links and shopping facilities. Should the Committee approve the application, the concentration of HIMOs in a 50m radius would be 3.8%.

In response to questions, the Committee heard that the cycle storage to the rear could be accessed from the side of the property. The Committee were further informed that any change in occupiers would be subject to future planning applications.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

Councillors Golby and B Markham re-joined the meeting.

Councillors Bottwood and Kilbride left the meeting.

11. ITEMS FOR CONSULTATION

None.

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

(A) N/2019/0704 - INSTALLATION OF CAR PARK BARRIER TO EXISTING CAR PARK. CAR PARK REAR OF 38 TO 54 MARKET STREET

The Development Manager submitted a report to the Committee. Members were informed that the proposal sought to prevent unauthorised parking in the car park. The proposed barrier would not affect highway safety and the Local Highway Authority had not objected to the application.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

(B) N/2019/1163 - ERECTION OF 1NO NEW BUILD BUNGALOW WITH ASSOCIATED PARKING. LAND ADJACENT TO 30 BROOK LANE

The Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained further representations from a neighbouring property. The Committee were informed that the application sought approval for the erection of a bungalow. The proposed dwelling would be facing the nearby footpath to avoid the sub-station and a condition was included to ensure that materials used were in-keeping with nearby properties. It was noted that Environmental Health had recommended that a noise survey be undertaken in respect of the sub-station.

Members discussed the report.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report.

The meeting concluded at 7:17 pm

Planning Service

Head of Planning: Peter Baguley



List of Appeals and Determinations – 21st January 2020

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2018/1599 APP/V2825/W/19/3236520	DEL	Alterations to layout of external areas within the curtilage of the existing building at Compton House, 85 Abington Street	AWAITED
N/2019/0157 APP/V2825/W/19/3234474	DEL	Change of Use from Restaurant (Use Class A3) to House in Multiple Occupation (Use Class C4) for 5 occupants at the Imperial Oriental Restaurant, 22 Castilian Street	DISMISSED
N/2019/0369 APP/V2825/D/19/3232906	PC	Creation of new parking area outside of property, including dropped kerb, removal of part of grassed area and repositioning of footpath at 18 Eastfield Road	DISMISSED
N/2019/0447 APP/V2825/W/19/3233085	DEL	Change of Use from House in Multiple Occupation (Use Class C4) for 6 occupants to House in Multiple Occupation (Sui Generis) for 8 occupants, including extension of roof and front rooflights at 64 Edith Street	AWAITED
N/2019/0819 APP/V2825/D/19/3240988	DEL	Loft conversion with rear dormer and change hipped to gable roof (Retrospective) at 2 The Headlands	AWAITED
N/2019/1119 APP/V2825/Z/19/3240308	DEL	Single illuminated sequential display affixed to frame of communication hub outside of 25 Market Square	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Appeal decisions can be viewed at - <https://acp.planninginspectorate.gov.uk>

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Mrs Rita Bovey, Development Manager
Telephone 01604 837237
Planning Service
The Guildhall, St Giles Square,
Northampton, NN1 1DE



PLANNING COMMITTEE:	21st January 2020
DEPARTMENT:	Planning Service
DIRECTOR OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2019/1470
LOCATION:	County Hall, 24 Guildhall Road
DESCRIPTION:	Change of Use of part ground floor from Offices (Use Class B1a) to Artist Studios (Use Class D1)
WARD:	Castle Ward
APPLICANT:	Northampton Borough Council
AGENT:	GSS Architecture
REFERRED BY:	Director of Planning and Sustainability
REASON:	Council 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 as proposed is acceptable and would contribute to the aims of regenerating the town centre and providing a cultural focus within Derngate Conservation Area and a viable long-term use for the existing buildings. The proposal would not lead to any undue impacts in respect of flood risk, highways or impact on surrounding amenity in accordance with the aims and objectives of the National Planning Policy Framework, Policies S10, E7, BN5 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 1, 5, 10 and 21 of the Northampton Central Area Action Plan.

2. THE PROPOSAL

- 2.1 The application relates to the change of use of part of the ground floor of the building from Offices (Use Class B1a) to Artist Studios (Use Class D1).
- 2.2 The section of the building that this relates to fronts Guildhall Road (from the museum entrance) to the element fronting Angel Street.
- 2.3 The change of use is related to the relocation of NN Contemporary Art, which offers art space for artists in all stages of their careers. They are currently located in No.9 Guildhall Road but have now outgrown these premises.

- 2.4 The application relates to Phase 1 of the works, which involves the formation of a reception and seating area, project space, 9 artist studios (offering work and research space for artists), an education room for 10 people with audio-visual technology for presentations, staff room, office for the CEO, kitchen and WCs.
- 2.5 There are further plans for a phase 2, which could offer a new gallery, but that is not part of this current application.
- 2.6 The proposal does not involve alterations to the external appearance of the building, only internal works.

3. SITE DESCRIPTION

- 3.1 The site is part of the former County Council buildings constructed in 1935, but now forms part of the wider Central Museum development.
- 3.2 The building is located on Guildhall Road opposite the Royal and Dergate. Access to the site is from Guildhall Road.
- 3.2 To the north and adjoining the application site is the Northampton Museum and Art Gallery, which is currently under refurbishment. To the south of the site is the Vulcan Works, which is also the subject of major redevelopment and combined these two will form important elements of the cultural quarter of Northampton.
- 3.3 The application buildings were constructed as the County Council Offices in 1934 in a neo-Georgian style with a stone frontage and brick on the rear elevation. The ownership was subsequently transferred to Northampton Borough Council around 2017.
- 3.4 The buildings are not listed but included in the Dergate Conservation Area.

4. PLANNING HISTORY

- 4.1 In 2012 a two-storey side extension was added to the existing building providing additional display areas for the Northampton Museum and Art Gallery. Since that time the only other planning applications related to additional signage on the building.
- 4.2 In 2017 consent was granted for the remodelling and extension of museum, new courtyard extension to provide a new shoe gallery, cafe and multi-functional space and to link the buildings, new substation and demolition to facilitate the extension, and the change of use from Offices (Class B1) to museum (Class D1). This permission does not cover the site of the current application.

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 Central Area Action Plan (2013).

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

5.2 National Policies

The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 8 – There are three dimensions to sustainable development. These dimensions give rise to the need for the planning system to perform a number of roles: an economic role, a social role, an environmental role.

Paragraph 11 – Central to the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

Section 7 relates to good design is a key aspect of sustainable development and should contribute to making places better for people. In Paragraph 85 reference is made to ensuring the vitality of town centres considers the need to allocate a range of suitable sites to meet the scale and type of uses within town centres including leisure, tourism and cultural uses.

Section 9 and in particular Paragraph 110 considers sustainable transport – developments should be located and designed where practicable to create safe and secure layouts which minimise conflicts between traffic and cyclists and pedestrians.

Section 12 relates achieving well designed places noting that proposals should be sympathetic to local character and history, whilst not preventing or discouraging appropriate innovation or change and create places that are safe, inclusive and which promote health and well-being.

Section 16 relates to conserving and enhancing the historic environment - In considering the impact of proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.

Paragraph 195 adds where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

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 S10: sustainable development principles
Policy E7: Tourism, Visitor and Cultural Industries
Policy BN5: The Historic Environment and Landscape
Policy BN9: Planning for pollution control

5.4 Northampton Central Area Action Plan 2013

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

Policy 1: Promoting Design Excellence
Policy 5: Flood risk and drainage
Policy 10: Parking

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Parking Standards (November 2019)

5.6 **Other Material Considerations**

Derngate Conservation Area Appraisal and Management Plan.

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **NBC Conservation** – No objection. No external alterations are proposed and the change of use will not affect the character of Derngate Conservation Area.

6.2 **NBC Public Protection** – no comments to make on the proposal.

7. APPRAISAL

7.1 The key issues for consideration are the appropriateness of the use and impact on the setting of heritage assets.

Principle

7.2 The works only relate to the change of use of part of the building. No external alterations are proposed.

7.3 The part of the building in question is next to the existing museum. It is considered that the principle of the use is acceptable in the town centre. In any event, the use has been occupying another building in close vicinity and the proposal is merely a relocation of the same from the existing premises.

Impact on Heritage

7.4 As no external alteration is proposed, it is not considered that the proposed use would impact on the character and appearance of the Conservation Area.

7.5 Section 16 of the NPPF states that account should be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. This approach is continued in Paragraph 195 which states “Where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

7.6 In this instance, the proposal is to enable the relocation of an existing use, which will in turn seek to offer a viable and public use for these prominent Town Centre buildings, that lie within the Northampton Cultural Quarter.

7.7 Given that the drawings indicate that some internal walls are to be removed, further discussions have taken place with the Conservation Officer, who considers it would be appropriate to require a building recording condition, to ensure that a record is kept of the building in its original state.

Highways

- 7.8 The application does not propose any parking on site, but deliveries have already been addressed through the wider Museum project. Given that this is a Town Centre location and there are car parks and public transport links nearby, this is not considered to be a significant issue and is compliant with Policy 10 of the Central Area Action Plan.

Flood Risk and Drainage

- 7.9 The National Planning Policy Framework, Policy BN7 of the Joint Core Strategy and Policy 5 of the Central Area Action Plan require that development proposals do not increase the risk of flood and, where possible, offer betterment.
- 7.10 The application site is located in an area designated as Flood Zone 1 which is identified as an area of low probability of flooding, land having a less than 1 in 1,000 annual probability of river or sea flooding. However, that this application relates to a change of use only and that no additional hard standing or floor space is being created, there is no requirement for the application to include a flood risk assessment.

Impact on neighbouring uses

- 7.11 The proposed use will not introduce a new use into this Town Centre location, but seek to compliment the other cultural uses in this area.
- 7.12 The activities will all be carried out within the building and no extraction systems are proposed. The use has already been operating on a smaller scale within the same locality and it is considered that the move to this location would not result in a significant impact on any nearby properties or uses, in terms of noise, dust or odour.
- 7.13 Bloomsbury House, located to the south of the Royal and Derngate Theatres, is occupied as residential flats. It is considered that these properties are sufficiently distance away from the application site to not be significantly adversely affected by activities in this section of the building.
- 7.14 The use is considered to bring new vitality into this area of the town and bring part of the building back into a viable use and is not expected to have a significant adverse impact on the area.

8. CONCLUSION

- 8.1 The development as proposed is acceptable and would contribute to the aims of regenerating the town centre and providing a cultural focus within Derngate Conservation Area and a viable long term use for the existing buildings. The proposal would not lead to any undue impacts in respect of flood risk, highways or impact on surrounding amenity in accordance with the aims and objectives of the National Planning Policy Framework, Policies S10, E7, BN5 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 1, 5, 10 and 21 of the Northampton Central Area Action Plan.
- 8.2 The proposal is acceptable and recommended for approval.

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: SK400 (site location plan) and SK410 (plans, section and elevations)

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

3. No alteration or demolition shall take place until a programme of buildings recording has been compiled and submitted to and approved in writing by the Local Planning Authority in accordance with the recording brief issued by the Local Planning Authority.

Reason: In the interests of archaeological research in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

4. 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: 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.

10. BACKGROUND PAPERS

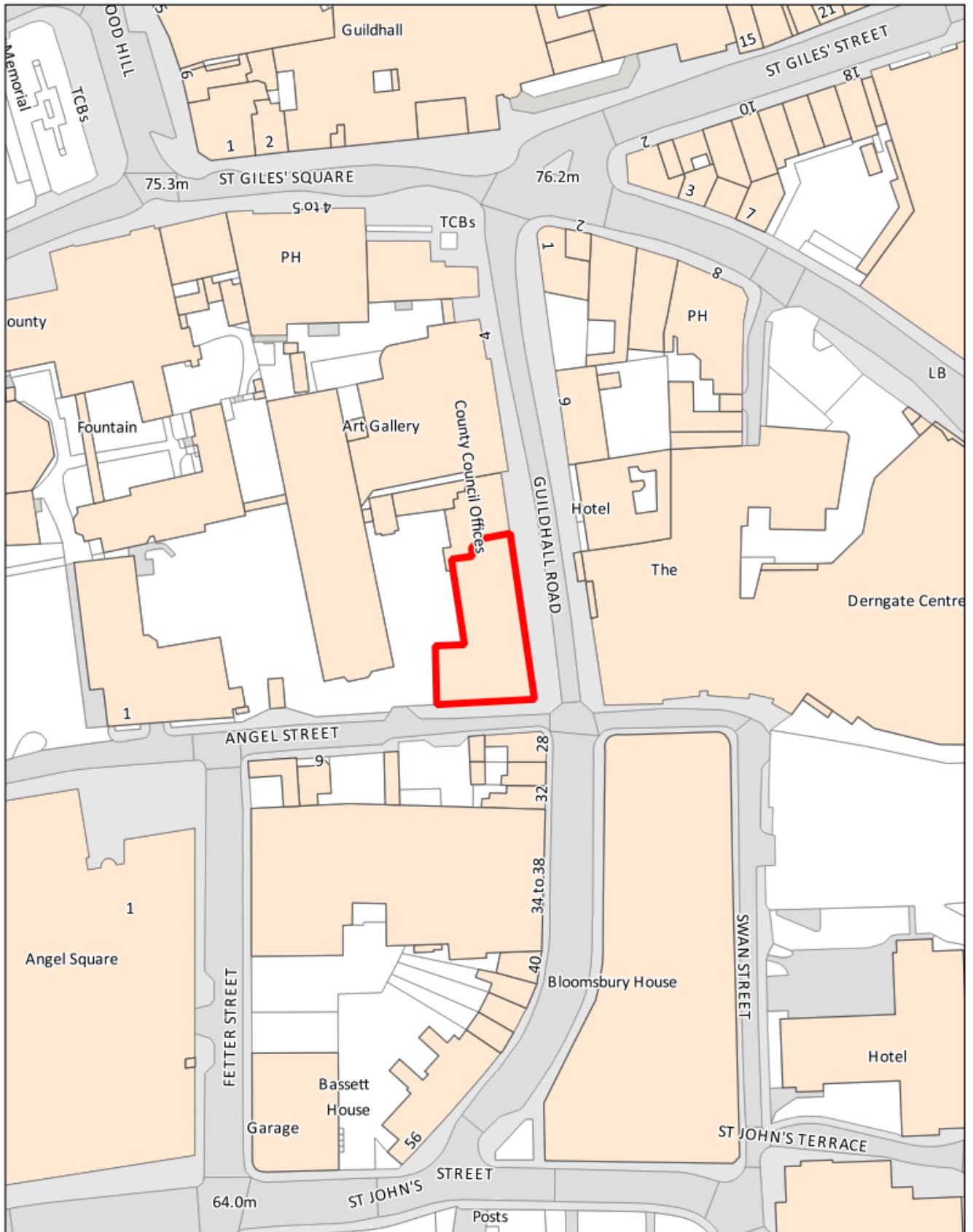
- 10.1 Application number N/2019/1470.

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **County Hall, 24 Guildhall Road**

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Addendum to Agenda Items Tuesday 21st January 2020

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

Item 9a

N/2019/1470

Change of Use of part ground floor from Offices (Use Class B1a) to Artist Studios (Use Class D1)

County Hall, 24 Guildhall Road

Town Centre Conservation Area Advisory Committee – welcomes this change of use within the Cultural Quarter.

10. ITEMS FOR DETERMINATION

Item 10a

N/2019/0851

**Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking
Former Pearce Leather Works, Wellingborough Road**

Paragraph 7.24 of the report outlines that there is no policy support for EV charging points. Following the production of this report the Council's Parking Standards SPD has been approved by Council and electric vehicle charging points are required at a ratio of 1 charging point per unit.

It is the case that this application proposal is unviable, as has been demonstrated through a viability report and checked by the Council's independent assessor. The additional costs required to provide 20 electric vehicle charging points is, therefore, likely to further impact on the viability and implementation of this scheme on site.

On balance, it is considered that the importance of securing the long term retention of this listed building, and the potential harm to this through requiring electric vehicle charging points, justifies a nil-requirement for electric vehicle charging points within this scheme.

Item 10b

N/2019/1028

Change of Use from 3no self-contained flats (Use Class C3) to one House in Multiple Occupation unit (Sui Generis) for 16 occupants, together with ancillary changes to existing windows at lower ground level, new windows to the existing roof slope and ancillary bin and bicycle stores

10 The Crescent

Two objections received and summarised as follows:

- Concerned about parking situation in the area
- Noise from traffic and from the property
- More rubbish in the streets and bins in front gardens
- Parking survey was not accurate
- Large HIMO use less in character with the area

- Parking requirement exceeds capacity in the area
- Overdevelopment

NCC Highway – same comments as previously stated (as shown as paragraph 6.2 of the officer's report).

Private Sector Housing – the rooms are suitable for 16 occupants. The kitchen and dining facilities are sufficient for the number of occupants sharing. There are sufficient number of sanitary facilities and WCs. A high degree of fire protection including smoke alarms and self-closing fire doors would be necessary.

Applicant's agent letter to all Members – background information to support the application:

- The property is too large to be retained in single occupancy over the whole property
- The property could be used for a similar number of bed spaces without the need to apply for a change of use out of Class C3
- The proposed a HIMO would be no larger than the total lawful capacity of the three existing flats in terms of bedrooms and bed spaces
- The transport statement submitted with the application have sought to demonstrate that the proposal would be unlikely to lead to on-street parking stress, due mainly to the close proximity to public transport
- This property will lead to only a 8.33% concentration of HIMOs within the 50m radius of the site in line with the 2019 HIMO SPD

Item 10c

N/2019/1123

**Change of use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants with single storey rear extension and new window
102 Lea Road**

No update.

Item 10d

N/2019/1212

**Reserved Matters Application pursuant to Outline Planning Permission N/2018/0710 (Outline planning application for 14 residential dwellings with all matters reserved except access) for the approval of details of appearance, landscaping, layout and scale
Land off Mill Lane, Dallington**

Additional comments received from the **Wildlife Trust** on amended scheme advising trees adjacent to Plot 14 would need appropriate protection to ensure roots are not damaged by earthworks.

Officer response: These issues are addressed in the officer report.

Further to paragraph 7.33 of the report, the **Highway Authority** has confirmed that an Order is to be imposed on a section of carriageway of Mill Lane between Bants Lane and Gladstone Road roundabout to reduce the speed limit to 30mph as from 24th January 2020. In addition, the **Highway Authority** has confirmed that additional street lighting will be required as part of the S278 works required to provide a right hand turn lane into the site from Mill Lane. These off-site highway works are required by condition on the outline consent.

Amended Conditions 8 and 10:

8. The electrical vehicle charging points shall be provided in accordance with the details shown on drawing no. 9021/1E prior to occupation of the development hereby permitted.

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

10. Notwithstanding the submitted plans, prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries 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 a satisfactory standard of development and in the interests of residential amenity in accordance with the requirements of Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

Additional condition 16:

16. Notwithstanding the submitted plans, prior to the construction of the development hereby approved above ground floor slab level, 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.

Item 10e

N/2019/1213

New replacement office

Westbridge Depot, 9 - 13 St James Mill Road

A Phase 1 and Phase 2 Geotechnical and Geo-Environmental Site Investigation report has been submitted and **Public Protection** have been consulted on this. Public Protection advise that the report is of a high standard and the requested conditions can be updated as follows:

Condition 4 is deleted.

Condition 5 is updated to read:

5) Prior to the commencement of the development hereby permitted, a detailed remediation scheme in accordance with the approved Phase I & II Geo-Environmental Site Investigation undertaken by 'EP Consulting Engineers, dated 19th December 2019, Report No 44637-001' to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

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

Item 10f

N/2019/1282

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants, including installation of rear conservation roof windows and removal of existing rear dormer (part retrospective)

46 Palmerston Road

No update.

Item 10g
N/2019/1286
Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective)
41 Alfred Street

No update.

Item 10h
N/2019/1394
Reserved Matters Application pursuant to Outline Planning Permission N/2018/0170 (Application for outline planning permission with all matters reserved, apart from access for up to six dwellings) for the details of the appearance, landscaping, layout and scale
Grazing Land, Mill Lane, Kingsthorpe

Additional representation received – unable to attend the Planning Committee but disappointed that no planning officer visited neighbouring property to appreciate objections made.

Officer Comment: Officers visited the application site and satisfied that the impact on neighbouring properties have been fully considered.

Amended plans have been received relating to Plots 3 and 4 to either remove or obscure glaze side windows, to reduce overlooking of neighbouring properties.

Amended Conditions 2 and 10:

2) The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, SAR 322 PA 001 rev B, SAR 322 PA 050, SAR 322 PA 100, SAR 322 PA 200, SAR 322 PA 300 rev B, SAR 322 PA 400 rev A, SAR 322 PA 500, SAR 322 PA 600, 19052/101 and 19-118-01.

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

10) The side elevation window to Bedroom 3 for Plot 3 at second floor level 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 properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

Item 10i
N/2019/1395
Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants plus the insertion of a new rear door
17 Holly Road

No update.

Item 10j
N/2019/1523
Variation of Condition 1 of Planning Permission N/2018/0845 (Variation of Condition 1 of Planning Permission N/2016/1264 to extend temporary period) to allow the Spires Academy to occupy the building for another three months to 15th May 2020
The Spires Academy, Station Close

No update.

12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

Item 12a

N/2019/0386

Demolition of 10 lock up garages and erection of two storey detached dwelling and provision of car parking

Lock Up Garages adjacent to 43 Hopmeadow Court

One **additional objection** received on following grounds:

- Impact on existing parking situation in the area

The proposed site plan has been amended. The alterations relate to reducing tarmac hatching around the existing trees, and to move the garden shed away from an existing tree. In line with this the approved plan number P03F should be replaced by 03G.

Condition 2 is updated to read:

2) The development hereby permitted shall be carried out in accordance with the following approved plans: P01A, P02A, P03G, P04, P05 and P06A.

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

Item 12b

N/2019/0392

Construction of 2no new build units and car parking spaces

Land adjacent to 37 Windermere Way

No update.

Item 12c

N/2019/1232

Two storey side extension, front porch, rear conservatory, replacement windows, external finish of house in brick, demolition of single garage and replacement with double garage, and additional hardstanding (Retrospective)

11 Toms Close

Amended plans received to show further detail of conservatory roof.

Amended Condition 1:

1) The development hereby permitted shall be carried out in accordance with the following approved plans: 301-8009 (site location plan), 061-(CO)-8009 Rev C (External), 321-(CO)-8009 Rev D (floor plans), 341-(CO)-8009 Rev B (garage elevations), 1 322-(CQ)-8QQ (Proposed Elevations) Rev E and 351-8009 Rev D (garage sections).

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



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0851

LOCATION: Former Pearce Leather Works, Wellingborough Road

DESCRIPTION: Alterations and extension to existing building and conversion to 20no flats including 3no offices as part of live-work units, provision of bin store areas and car parking

WARD: Billing Ward

APPLICANT: Clayson Country Homes Ltd
AGENT: CC Town Planning

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

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 bring about the development of a disused Grade II listed building in an area surrounded by residential development in a sustainable location, the renovation of which would make an overall positive contribution to the environmental character of the area. It is acknowledged that the proposed alterations may cause harm to the historic integrity of the listed building but it is considered that this is outweighed by the public benefits identified above and the positive contribution that the residential development of the site would make towards meeting housing need in the area and the Council's 5-year housing supply. The proposal is therefore considered in accordance with the requirements of Policies S3, S10, E1, H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Local Plan and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The application proposes alterations and extension to the existing factory to facilitate the conversion to 20no flats including 3 offices as part of live-work units, bin store, and car parking.

- 2.2 A separate listed building consent application N/2019/0852 for the proposal was submitted to the Council and subsequently approved under officer delegated powers on 18th December 2019.

3 SITE DESCRIPTION

- 3.1 The application site is located on the south-eastern side of Wellingborough Road. The application site comprises a Grade II listed building, set back from Wellingborough Road and framed with Grade II listed entrance gate piers, gates, and forecourt pool.
- 3.2 The entire building is now disused.

4 PLANNING HISTORY

- 4.1 N/2016/0446 - Listed Building Consent for Alterations of building to form residential units including ground and first floor extensions, installation of new windows and doors, removal of sky lights, internal walls, north lights, erection of garden fence and internal walls – Approved 17/3/17
- 4.2 N/2016/0365 - Alterations and extension to existing building and conversion to 14 flats and offices as part of livework units provision of bin storage areas and car parking – Approved 17/3/17
- 4.3 N/2012/0926 - Conversion of existing power house to 17 dwellings – Approved 8/8/13
- 4.4 N/2012/0888 - Listed Building application for the conversion of the power house to 17 dwellings – approved 7/12/12
- 4.5 N/2010/0244 - Partial demolition of Pearce Leather Works and outbuildings with remaining building to be an office use. Erection of new screen wall to enclose retained part of building and alterations to business area parking. Construction of 126 dwellings (including conversion of existing Power house to 6 units), associated highway works, public open space, landscaping and ancillary works (WNDC Consultation) – Approved 14/10/10

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 saved policies.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering whether to grant planning permission for development to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which the building possesses.

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:

S1 – The distribution of development
S2 – Hierarchy of Centres
S3 – Scale and distribution of housing development
S10 – Sustainable Development Principles
C2 – New developments
E1 – Existing employment areas
H1 – Housing density and mix and type of dwellings
BN5 – Historic Environment
BN9 – Pollution control
INF1 and 2 – Infrastructure delivery
N1 – The regeneration of Northampton

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
Parking Standards (November 2019)

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection and observed similar use previously approved. Conditions regarding contamination are required as previous. EV charging points of 1 per unit are requested, alongside a condition requiring details on the boiler. Working hours are also requested to be controlled through condition.
- 6.2 **NBC Conservation Officer** – No objection to revised proposal for the conversion of the building. The proposed revisions to the previously approved scheme will not harm the surviving character of Pearce's Leatherworks and will help to secure a viable use for an important listed building that is deteriorating. Previously agreed heritage conditions should be attached to the new consents.
- 6.3 **Historic England** – No comment.
- 6.4 **Anglian Water** – Request informative advising of Anglian Water assets near to the site, used water network, and surface water disposal. A condition is requested regarding surface water drainage.
- 6.5 **NCC Highways** – No comment.
- 6.6 **Environment Agency** – No objection. Advise that an updated land contamination report is required as that previously approved is out of date.

- 6.7 **Lead Local Flood Authority** – No comment.
- 6.8 **Northamptonshire Police** – Advise that access control will be required throughout the building and that details of this access control system should be required through condition. It is also advised that an audio/visual system with no trade button is recommended with external letter boxes by front door, that the bike store should have a lockable store, and that doors should comply with building regulations. It is also raised that garden boundaries (railings) will not provide privacy and robust defensive prickly planting is recommended.
- 6.9 **NHS England** – Request a contribution towards health facility.
- 6.10 **NCC Planning** – A primary education contribution and a library contribution is requested. A condition requiring fire hydrants and sprinkler systems is requested.
- 6.11 **Fusion 22** – A contribution is requested towards apprentice schemes.
- 6.12 No representations from neighbouring properties have been received.

7 APPRAISAL

- 7.1 The current application follows previous application N/2016/0365 which was approved on the 17th March 2017 and as such is still a live and valid planning permission which could be implemented on site. That application was for alterations and extension to the existing building and conversion to 14 flats and offices as part of livework units, provision of bin storage areas and car parking. The current application is largely similar to this previous approval, with the main alterations being internal changes to provide 20 flats as opposed to 14.

Principle of development

- 7.2 The application proposes the conversion of the existing disused former leatherworks factory to 20 flats, 3 of which would form live work units with office units attached. The principle of converting the existing building into residential units, some as live work units, has been established within previous application N/2016/0365. In line with this, it is considered that the principle of providing residential units is acceptable. The proposal would also contribute to the Council's housing land supply.

The impact of the proposed conversion on the character and appearance of the listed building

- 7.3 The application site comprises a Grade II listed building, and Grade II listed entrance gate piers, gates, and forecourt pool.
- 7.4 The application is largely similar to previous approval N/2016/0365. Externally the differences amount to:
- On the western elevation – insertion of one additional window above doorway.
 On the southern elevation – slight alteration in ground floor openings with position of windows and doors changing (same number of openings).
 On the northern elevation – addition of two new windows at first floor matching appearance of ground floor.
 On the eastern elevation – slight changes in window/door openings at ground floor (same number of openings).
- 7.5 Internally the alterations to form 20 flats as opposed to the 14 previously approved is largely facilitated through internal layout changes in the proposed extensions.
- 7.6 The Council's Conservation Officer has been consulted on the proposed amended scheme and has advised that there is no objection to the revised proposal. It is advised that the proposed

revisions to the approved scheme will not harm the surviving character of Pearce's Leatherworks and will help to secure a viable use for an important listed building which is currently deteriorating. It is advised that previously agreed heritage conditions should be attached to the new consents.

- 7.7 Paragraph 196 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.8 The application site as existing comprises a disused building. It is the case that the building has been empty for some time. The application proposes a viable use for the vacant listed building and would assist in bringing a disused Grade II listed building back into use.
- 7.9 The proposal would ensure the building's repair and long term retention. It is considered important to secure a viable use for this vacant listed building and to stop any further decay to the built form.
- 7.10 On balance, it is considered that the securing of a viable use for the vacant listed building would outweigh any harm to the historic form through the proposed conversion. As such it is considered that the proposal would have an acceptable impact upon the listed building.

Residential amenity

- 7.11 The application proposes 20 flats. These comprise:

6 x 1 bedroom flats;
13 x 2 bedroom flats;
1 x 3 bedroom flat.

- 7.12 All of the proposed flats comply with the nationally described space standards (DCLG 2015), providing a good standard of accommodation for future occupiers. The proposed flats will have a good level of outlook and light provision, with windows externally and also internally over the central courtyard.
- 7.13 7 of the proposed flats at ground floor level are provided with outside garden space. The remaining 13 flats are not provided with private amenity space. There is, however, an area of soft landscaping provided within the north-western portion of the site, which provides open space for those remaining units, and the application site is within close walking distance of Billing Park and a gym. It is considered that with the provision of this open space on the development site, and the close proximity of a park, the non-provision of private amenity space for each unit is justified.

Neighbouring amenity

- 7.14 The application site is bordered by residential development to the east and south, which forms part of a previous re-development of the former factory. These properties have short rear gardens and are within close proximity of the proposed residential units, being between 12 and 17 metres window to window. Whilst this relationship is shorter than would normally be expected, it is the case that this site forms a wider redevelopment of the former factory site, with the existing dwellings following the pattern of the factory. As such, the existing properties are characterised by short rear gardens and close relationships. The windows facing southwards are shown to be obscure glazed up to 1.8 metres above floor level, which was an approach agreed within the previous approval to provide an acceptable relationship. With this close relationship previously being granted consent under application N/2016/0365, which can still be implemented, it is considered that this relationship is acceptable in this circumstance.
- 7.15 The proposed extension follows the existing footprint of the building, and as such it is not considered that there would be an unacceptable impact upon neighbouring amenity from the proposed extensions in terms of overshadowing/loss of light. It is also not considered that the proposal would appear unacceptably overbearing.

Highways

- 7.16 The proposal includes the provision of 47 parking spaces. 34 parking spaces are required for the proposed development, and as such parking is overprovided on this site.
- 7.17 Northamptonshire County Council have been consulted on the proposal and have raised no comment. With no objection having been received from the County Council Highways Team, it is considered that the proposed parking arrangements and cycle storage are acceptable. The arrangements will comply with the standards set down in the Parking Standards SPD.

Crime Prevention

- 7.18 Northamptonshire Police advise that access control systems should be provided throughout the building, and an audio/visual system should be required. Previous approval N/2016/0365 did not include a condition requiring this, however this was for a reduced number of units. It is, therefore, considered reasonable to attach a condition requiring details of crime prevention measures. Northamptonshire Police also advise that the garden boundaries (railings) will not provide privacy and robust defensive prickly planting is recommended. It is considered reasonable to attach a condition requiring details on landscaping.

Planning Obligations

- 7.19 As part of this application, NHS England requested a contribution for health facility. NCC Planning requested a contribution for primary education, and Fusion 22 have requested contribution for construction training. It is also the case that with the development over 15 units, affordable housing at 35% should be provided on site, and a contribution towards open space should also be provided.
- 7.20 NCC Planning also request a contribution towards libraries, however, there is no planning basis for such a contribution to be requested.
- 7.21 As part of this application, a viability assessment has been submitted by the applicant claiming that no contributions and no affordable housing can be provided as part of this development.
- 7.22 The NPPF identifies at paragraph 57 that if full contributions cannot be made, it is for the applicant to demonstrate whether particular circumstances justify the need for a viability assessment. The weight to be given to the viability assessment is for the Council to decide, having regards to all the circumstances in the case, including whether the plan and the viability evidence underpinning is up to date and any changes in circumstances.
- 7.23 The viability assessment submitted with the planning application has been independently assessed by the Council's approved contractor. It has been confirmed that the development is not viable if contributions or affordable housing are required. With the independent assessor confirming that no contributions or affordable housing can be provided, it is considered that it has been justified for non-provision as part of this application.

Other matters

- 7.24 The Council's Public Protection team were consulted on the application and advised that EV charging points at 1 per unit are required. The Council does not have a planning policy requiring the provision of EV charging points and as such it is not considered reasonable to attach a condition requiring EV charging points. Public Protection also raise comments on details of boilers, however this would be controlled through the building control process as opposed to planning. A condition on working hours is requested and due to the scale of development it is considered reasonable to attach this.

- 7.25 Anglian water requested a condition on hard standing in relation to surface water drainage. The application site is an existing building with existing hardstanding, and as such there would not be a significant increase in footprint as a result of this proposal. It is not, therefore, considered reasonable to add a condition in this instance.

8 CONCLUSION

- 8.1 To conclude, the proposal would bring about the development of a disused Grade II listed building in an area surrounded by residential development in a sustainable location, the renovation of which would make an overall positive contribution to the environmental character of the area. It is acknowledged that the proposed alterations may cause harm to the historic integrity of the listed building, but it is considered that this is outweighed by the public benefits identified above and the positive contribution that the residential development of the site would make towards meeting housing need within the area and the Council's 5-year housing supply. The proposal is therefore considered in accordance with the requirements of Policies S3, S10, E1, H1 and BN5 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Local Plan and the aims and objectives of the National Planning Policy Framework. 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: Site location plan, 2371/1D, 2371/2D, 2371/3, 2371/4A, 2371/5, 2371/9, 2371/10, 2371/11, 2371/12, 2371/30A, 2371/31A, 2371/32A.

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

3. Details of all proposed external facing materials including new doors and windows 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 the historic integrity of the building and to ensure that the development will harmonise with its surroundings in accordance with Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy.

4. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination of the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

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

5. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme

must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

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

6. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 5 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 6 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 7.

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

8. The parking spaces shown on the submitted plan (reference 2371/5) shall be constructed prior to the first occupation of the building hereby approved and retained solely for the parking of vehicles thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

9. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include, but not be limited to, details of the intended hours and duration of work, measures proposed to minimise dust and noise, on and off site traffic management proposals (including details of wheel washing facilities) and the location of waste management and site compound areas within the site. Development shall be carried out in accordance with the approved details during construction works.

Reason: Pre-commencement condition to manage the impact of the development upon the local area during its construction in the interests of public amenity and the local natural environment in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. The first floor windows on the southern elevation shall be obscure glazed up to 1.8 metres above first floor level in accordance with details on submitted drawing no. 2371/3. Prior to installation a

sample of the obscure glazing shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented and retained in that form at all times.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

11. Notwithstanding the submitted plans, further details of an enclosed bin store to be sited in the south west corner of the site shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details prior to occupation of the development hereby permitted.

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

12. Prior to the first occupation of the building hereby approved, the applicant shall submit to the Local Planning Authority an assessment of the Noise Exposure Category of each habitable room due to its exposure to transportation (and street noise). This must take into account the likely growth of traffic over the next 15 years.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

13. Where any part of a façade of any residential premises does not fall into NEC A, a noise insulation scheme to protect habitable rooms on that façade, which will require the provision of suitable mechanical ventilation, shall be submitted to the Local Planning Authority for written approval. The approved scheme shall be implemented prior to the properties being occupied.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

14. The area for cycle storage shall be provided in accordance with the approved details as shown on drawing no. 2371/1D prior to occupation of the development hereby permitted and retained thereafter.

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

15. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site. 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.

16. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the 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 S10 of the West Northamptonshire Joint Core Strategy.

17. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced

area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

18. Details of the repair and proposed maintenance of the forecourt pool, entrance gate piers and gates shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to the occupation of the building.

Reason: In the interests of amenity, the preservation of heritage assets and to secure a satisfactory standard of development in accordance with Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy.

19. Full details of boundary fencing as indicated on drawing no. 2371/5 shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the occupation of the building hereby permitted and retained thereafter.

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

20. 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 other form of enlargement to the units hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place.

Reason: To prevent overdevelopment of the site 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 doors or windows, other than those shown on the approved plans, shall be installed or altered and no other material alterations carried out to the external appearance of the building without the prior written consent of the Local Planning Authority.

Reason: In order to ensure that the design of any alteration is appropriate to the general character and architecture of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

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 satellite dishes shall be erected on the building unless permission has been granted by the Local Planning Authority.

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.

23. Prior to first occupation of the development hereby permitted, details of access control systems for the development shall be submitted to and approved in writing by the Local Planning Authority. The approved access control system shall be implemented on site in full accordance with the approved details and retained on site thereafter.

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

24. The office floor space as detailed on drawing nos. 2371/1D and 2371/2D shall be used as ancillary accommodation for the use of residents of the site only and shall at no time form a separate planning unit.

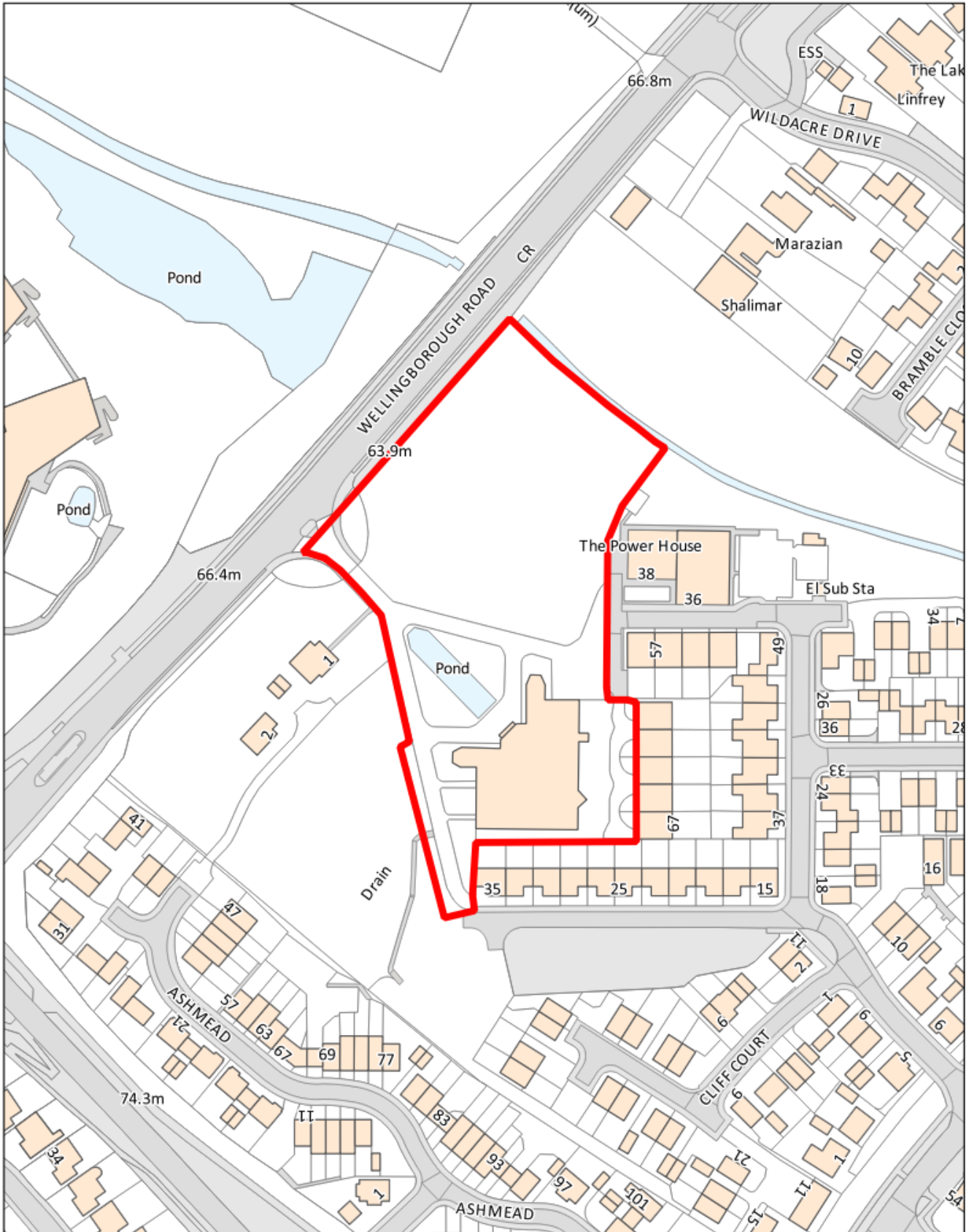
Reason: For the avoidance of doubt and to ensure that a satisfactory standard and layout of accommodation is provided in the interests of the amenity of occupants of the building in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10 LEGAL IMPLICATIONS

- 10.1 The development is CIL liable on the extended element.

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: **Former Pearce Leather Works**
Wellingborough Road
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Date: 07-01-2020
 Scale: 1:1,500
 Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1028

LOCATION: 10 The Crescent

DESCRIPTION: Change of Use from 3no self-contained flats (Use Class C3) to one House in Multiple Occupation unit (Sui Generis) for 16 occupants, together with ancillary changes to existing windows at lower ground level, new windows to the existing roof slope and ancillary bin and bicycle stores

WARD: Phippsville Ward

APPLICANT: 10 The Crescent Ltd
AGENT: DRK Planning Ltd

REFERRED BY: Councillor D Stone
REASON: Overdevelopment and 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 without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses. The proposal thereby complies with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, H18 and H30 of the Northampton Local Plan, the Council’s Houses in Multiple Occupation SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for a change of use of three existing two bedroom flats to one single House in Multiple Occupation (HIMO) for sixteen persons in 10 bedrooms. External alterations are limited and relate to enlarged lightwells to the front and a new door to the side elevation, at the rear. Rooflights are also proposed to the rear of the main roofslope, together with a small area of solar panels.

- 2.2 No on-site parking is proposed.
- 2.3 The proposal has been amended during the course of the application from three separate HIMOs to one single unit. Plans have also been amended to remove a bedroom from the basement and to alter the use of this room to a living room.

3 SITE DESCRIPTION

- 3.1 The site comprises a three storey former terraced house which has been converted to three flats. This is located within a row of similar properties, several of which have also been converted to flats, and within a street where there is variation in house types including also detached and semi-detached houses. There is a garden to the rear of the application premises with rear access into a garage. This garage, however, is not proposed to be used for parking. The premises are a historic property retaining original features but it is not listed and is not in a conservation area.
- 3.2 The ground and first floor flats as existing each have two double bedrooms, a bathroom, kitchen, and separate living room whereas the second floor flat has two double bedrooms, a bathroom and a combined kitchen / living room.

4 PLANNING HISTORY

- 4.1 49/0502 - The Conversion of 2 Flats into 3 Flats – Refused 01/11/1949
- 4.2 49/0542 - The Conversion of 2 Flats into 3 Flats – Approved 29/11/1949

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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

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 policies are material to this application:

Policy E20 – Design
Policy H30 – Multi-occupation with a single dwelling

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG (2004)
Parking Standards (2019)
Houses in Multiple Occupation SPD (2019)

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 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Private Sector Housing – Comments on the original scheme** - Providing the property meets all the HIMO amenities and facilities criteria for NBC then this property could be licensed for 22 persons and 11 households.
- 6.2 **Local Highway Authority (LHA) – Comments on the original scheme** - No objection to the approval of the application. The access to the cycle parking area is considered acceptable, the parking beat survey shows capacity for 5 to 6 cars. The difference in car parking requirements between the existing and proposed developments is four spaces. Based on this, the LHA consider there is sufficient car parking for the proposed development.
- 6.3 **Councillor Stone –** Calls in this application on the grounds of overdevelopment. The area is already at maximum with car parking and cannot absorb any further need for car spaces. 16 tenants will put undue pressure on services in the area, like sewage and rubbish collection. Need to support community cohesion, this proposal undermines this because of the inbuilt transient nature of the proposed tenancies.

7 **APPRAISAL**

Principle of the development

- 7.1 The conversion of the existing dwellings to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities.

Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Concentration of HIMO uses in the area

- 7.2 Records indicate that there are 3 existing HIMOs within a 50m radius of the application site. Including the application premises, the concentration would be 8.33% with the change of use of the three separate flats to one single HIMO. Therefore the proposal would not result in an over-concentration of such uses in line with the SPD.

Size of the property and facilities for future occupiers

- 7.3 All bedrooms, the living room, kitchen and shower rooms are of sufficient size, when judged against the standards in the HIMO interim policy.
- 7.4 Comments from Private Sector Housing (on the previous proposal for three separate units) indicate that the proposal is suitable for the number of residents, subject to room sizes and facilities being appropriate. It can be confirmed that these standards are met and therefore it is considered that the proposal would provide adequate amenity to serve the future occupiers.

Flood Risk

- 7.5 In respect of flood risk, the site is located outside the areas at risk of flooding.

Highways / Parking

- 7.6 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the applicants must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 In this case the parking survey which has been produced shows that parking was not at capacity i.e. on street parking was available. The Local Highway Authority has no objection to the application.
- 7.8 However, notwithstanding the survey, it can be noted that the application site is in a sustainable location within 400 metres of bus stops on Kettering Road with buses stopping at intervals of 15 and 25-30 minutes.
- 7.9 The site is also located within 400m of local facilities on Kingsley Park Parade, which has a range of shops including convenience stores. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD.
- 7.10 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. This is indicated within the rear garden area.
- 7.11 Furthermore, in practical terms it can be noted that the current use as three 2 bedroom flats could potentially result in 3 to 4 car driving adults being resident in each flat, meaning there would be no increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all proposed residents would own cars.
- 7.12 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars.

Refuse Storage

- 7.13 The submitted plans indicate a refuse storage container within the front garden area. Precise details are not included and therefore a condition requiring this is recommended.

Amenity

- 7.14 The proposed use falls outside any use class, being a Sui Generis use. However, the use is in effect 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 more conventional residential dwellings. 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 change of use of the 3 existing flats to a single HIMO accommodating 16 persons would not have any undue impact on the amenities of adjoining occupiers, would not result in an over concentration of HIMOs within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal complies with the SPD in relation to parking considerations, NCC Highways do not object to the scheme and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The proposal is therefore recommended for approval.

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: TCS.SP.P, TCS.GA.P B, TCS.GA.P2 B, TCS.ELE.2.

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 16 residents at any one time.

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

4. Full details of facilities for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority prior to first use of the building for the use hereby approved within this decision notice. The approved bin storage shall be provided on site in full accordance with the approved details prior to the premises being first brought into use as a house in multiple occupation 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.

5. 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 prior to first use of the building for the use hereby approved within this decision notice. The approved bicycle parking shall be provided in accordance with the approved details and fully implemented prior to the premises being first brought into use as a house in multiple occupation 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.

6. The basement shall be used as a secondary living space only and shall not be used as a bedroom at any time.

Reason: To ensure a satisfactory standard of accommodation for future residents, in accordance with Policy H30 of the Northampton Local Plan.

10 BACKGROUND PAPERS

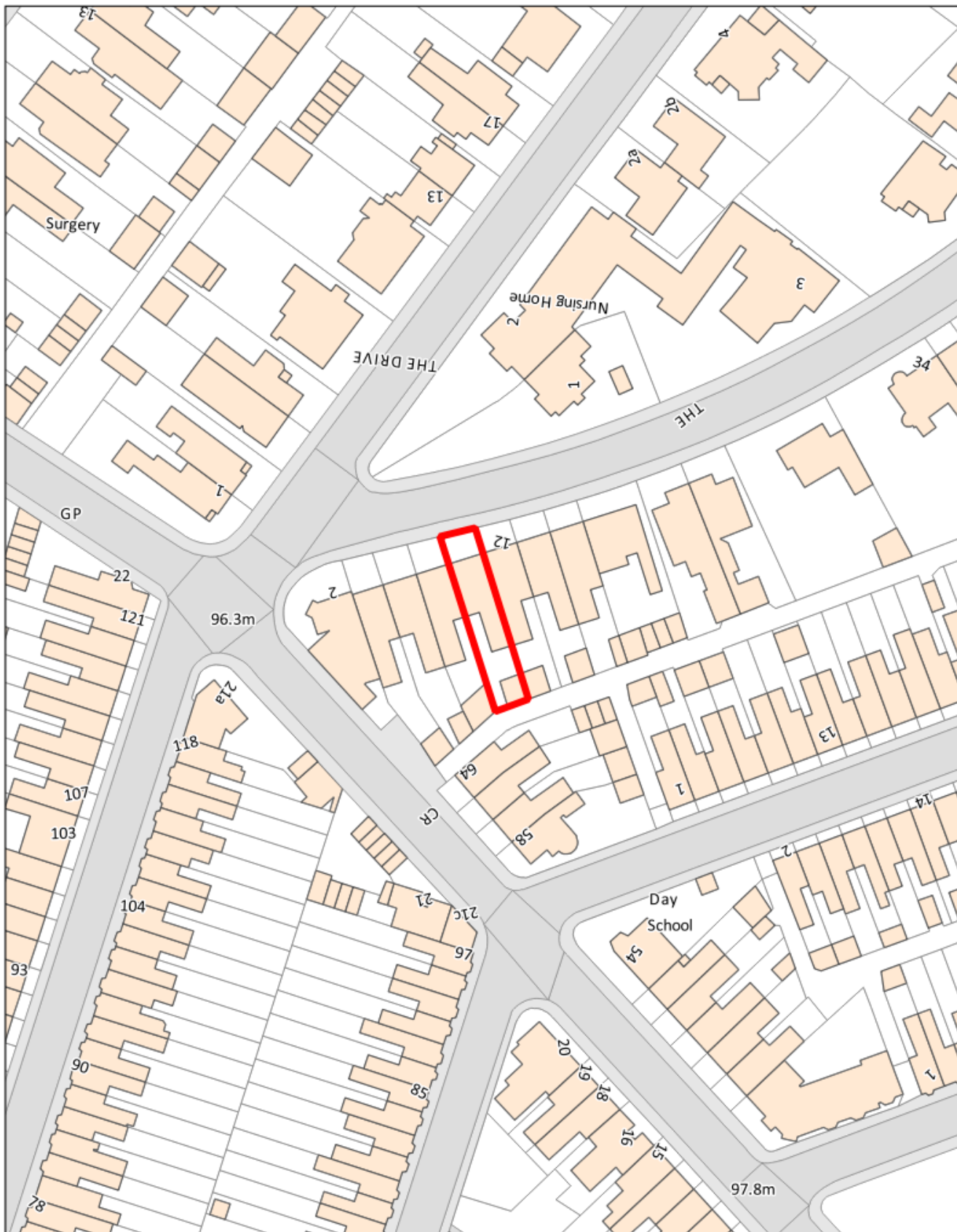
- 10.1 Application File N/2019/1028.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



NORTHAMPTON
BOROUGH COUNCIL

Title: **10 The Crescent**

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Date: 02-12-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1123

LOCATION: 102 Lea Road

DESCRIPTION: Change of use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 6 occupants with single storey rear extension and new window

WARD: Abington Ward

APPLICANT: Century Assets Ltd
AGENT: Pat Dooley

REFERRED BY: Councillors D Stone and Z Smith
REASON: Concerns over parking and refuse

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The principle of the proposed use is considered acceptable as planning permission has recently been granted for the change of use of the property to a house in multiple occupation for 5 occupants. The proposed extension and to increase the number of occupants to 6 is considered acceptable as the premises would provide adequate facilities for future occupants and have no undue impact on residential amenity. 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 and have an acceptable impact on flood risk. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, H18 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 Permission is sought to convert a dwelling house into a House in Multiple Occupation for 6 persons (Use Class C4) including single storey rear extension 3.3m deep. This is a revised planning application following approval for a change of use to a 5-person HIMO under planning permission

N/2019/0866, granted in September 2019. The previous proposal did not include a single storey rear extension. Parking would be on street on an unrestricted basis.

3 SITE DESCRIPTION

- 3.1 The application site comprises a mid-terraced, 4 bedroom property on Lea Road located in a residential area with similar terraced properties on the street. The property has a kitchen, lounge, dining room on the ground floor, 3 bedrooms and a bathroom on the first floor, second floor bedroom and a basement storage room.
- 3.2 The site is in near to Wellingborough Road which includes retail and commercial units in a Local Shopping Centre. The site is also within close proximity to bus routes on Abington Avenue, Allen Road, Stimpson Avenue and Wellingborough Road. The site is not in a conservation area and is in a low risk flood zone (flood zone 1).

4 PLANNING HISTORY

- 4.1 **N/2019/0866** Permission for conversion of dwelling into 5 person HIMO - APPROVED, this has not been implemented.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

5.2 National Policies

- 5.3 **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

Section 12 – seeks to achieve well designed places

5.4 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 and Type of Dwellings
Policy H5 - Managing the existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7 - Flood Risk

5.5 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 H18 – extensions

Policy H30 – Multi occupation within a single dwelling

5.6 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Residential Extensions and Alterations Design Guide SPD 2011

Northampton Parking Standards SPD 2019

Houses in Multiple Occupation SPD (November 2019)

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 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

Comments summarised as follows:

- 6.1 **Councillor Z Smith** - object and called in to committee due to parking concerns, refuse and too many occupants.
- 6.2 **Councillor D Stone** – called in; concerns over parking, over-development and impact on balanced community.
- 6.3 **Highway Authority (NCC)** - The LHA was consulted and objected to the proposal on the grounds of highway safety due to the inadequate number of on-street parking spaces available in the area.
- 6.4 **Private Sector Housing (NBC)** - no objection to amended plan as kitchen/dining room combined exceed 16 square metres and an alternative means of escape has been shown through the garden and rear alleyway.

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 The property has received planning approval for a change of use to a HIMO for 5 occupants in July 2019 under reference N/2019/0866 and as such, the area concentration is no longer a material consideration as the principle of the use as a HIMO has already been considered acceptable and approved.

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 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 Facilities and Amenities Guidance. A condition restricting the use of the property to a maximum of 6 people would ensure over-development does not occur. Private Sector Housing have confirmed that the room sizes, amenities and facilities are acceptable. The kitchen together with the dining room as combined would meet room space standards. All bedrooms would be served by adequate outlook and light. Although bedroom 4 is 38 cm² below the required 10 square metres, this is considered to be insignificant. The size of communal rooms are well in excess of the minimum standard required. The application property has a basement and a condition has been recommended to ensure that it would be used as a storage area only.

Flood Risk

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

Highways / Parking

- 7.5 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.6 No parking beat survey was submitted with the application. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 20 minutes on Stimpson Avenue and Wellingborough Road. The site is also located within 400m of local facilities on Abington Avenue. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD.
- 7.7 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. Details have been submitted for the cycle storage located to the rear of the property. The proposal is, therefore, in compliance with this principle of the SPD.
- 7.8 In this case, the Highway Authority have raised objections to the application stating that the development would increase the demand for parking due to the inadequate number of on street parking spaces available in the area. The Northamptonshire Parking Standards state that HIMO 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 previous use, as a 4 bedroom dwelling would normally require 3 parking spaces.
- 7.9 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.

- 7.10 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, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 7.11 Details have been submitted for refuse storage which are deemed acceptable. A condition has been recommended to secure the arrangement.

Design and appearance and impact on the character of the host building and area

- 7.12 Given that the proposed extension would be screened from Lea Road behind the existing house, there would have no effect on the street scene. Even though the roof form proposed is asymmetrical, it is considered that the proposed extension would be acceptable in terms of materials, size and appearance, any approval would be subject to matching materials to ensure a satisfactory appearance of development.

Impact on adjoining occupiers are a result of single storey rear extension

- 7.13 In terms of neighbour impact, the main impact would be on the adjacent occupiers at nos. 100 and 104 Lea Road. The extension would project 3.3 metres off the existing outrigger and come within 1.25 metres of the boundary with no. 100 Lea Road which has its own rear conservatory off their existing outrigger.
- 7.14 Given the projection and sense of enclosure on the rear ground floor window and side windows, the proposal would result in some loss of outlook and light on no.100. However, the extension is of similar size to what can be erected under permitted development and some weight must be attached to the applicant's "fall back" position. It is not considered that the impact is significant enough to warrant a refusal of the application.
- 7.15 In terms of no. 104 Lea Road, the effect is less apparent as the impact would be on a rear non-habitable window. Due to rear to rear separation, there would be minimal effect on the properties to the immediate rear of the site.

Amenity

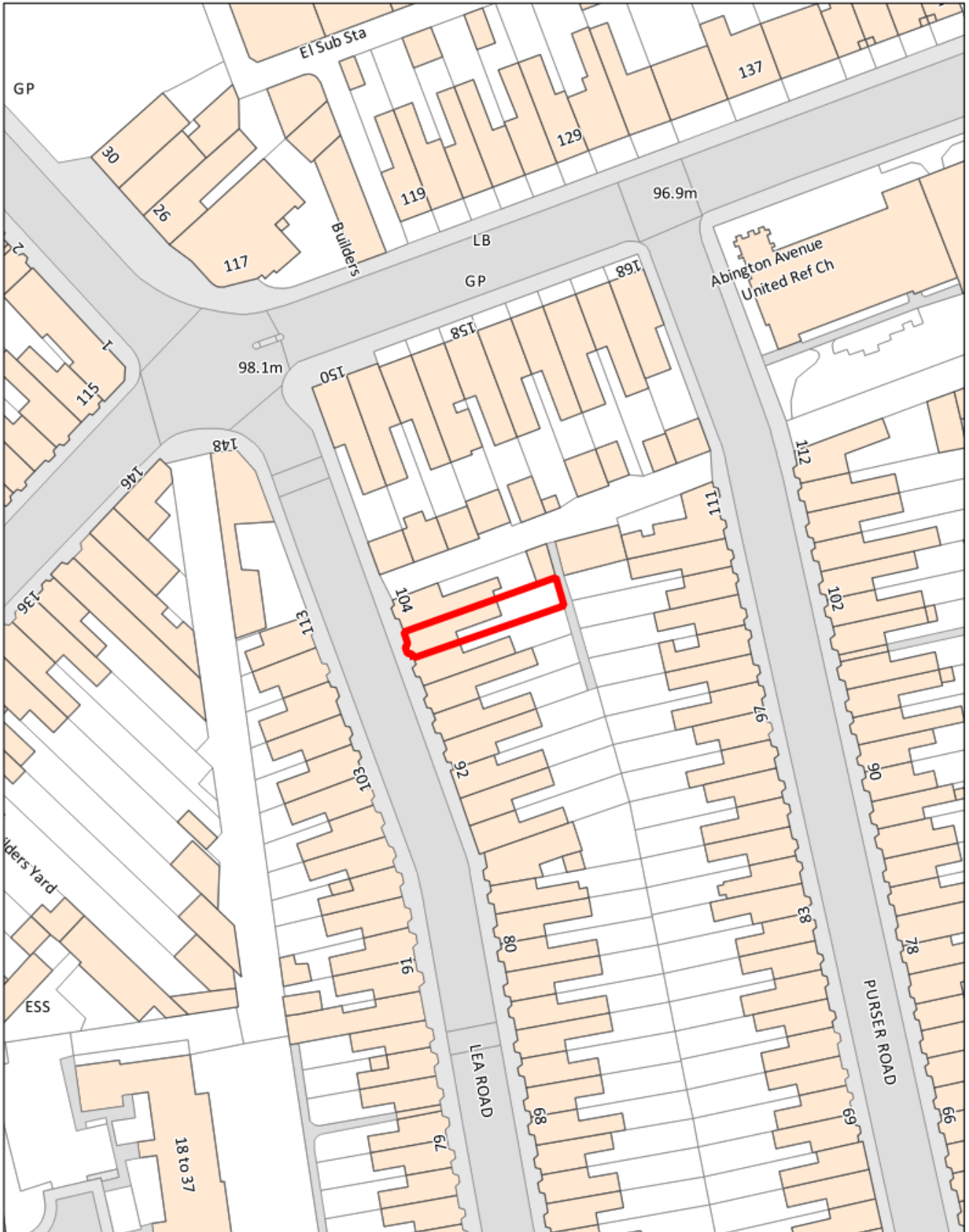
- 7.16 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling. 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 would not lead to significant adverse impacts on neighbouring amenity and the property is of sufficient size to accommodate the level of accommodation as proposed. The proposed extension would not lead to unacceptable adverse impact on surrounding properties. 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 Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework. 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 plans: 19/ K98/1, 2a and 3a received on 3 January 2020.
- 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 six at any one time.
- Reason: To prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.
- 4 The bin and cycle storage shall be implemented as per the approved plans prior to the first occupation of the property as a 6 person house in multiple occupation and retained in that form throughout the duration of the development.
- 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 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.
- 6 The external walls and roof 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.
- 7 The property shall not be occupied as a six 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.
- 10 BACKGROUND PAPERS**
10. N/2019/0866 and N/2019/1123
- 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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **102 Lea Road**

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Date: 10-01-2020

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PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1212

LOCATION: Land Off Mill Lane, Dallington

DESCRIPTION: Reserved Matters Application pursuant to Outline Planning Permission N/2018/0710 (Outline planning application for 14 residential dwellings with all matters reserved except access) for the approval of details of appearance, landscaping, layout and scale

WARD: Spencer Ward

APPLICANT: Archway Developments Ltd
AGENT: CC Town Planning

REFERRED BY: Councillor G Eales
REASON: Impact on neighbour amenity and highway 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 layout, appearance, scale and landscaping details are considered acceptable and would provide a good standard of development whilst having no unacceptable impact upon the occupiers of neighbouring properties, heritage assets, ecology, or highway safety. The proposed development would therefore comply with the requirements of the National Planning Policy Framework, Policies S1, S3, S10, S11, H1, BN1, BN2, BN3, BN5 and BN7 of the West Northamptonshire Joint Core Strategy and Policies E20 and E26 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks reserved matters approval for 14 dwellings following on from an outline consent for residential development of the site approved in September 2018, reference N/2018/0710. Details of the vehicular access to the site from Mill Lane were approved as part of the outline consent. The reserved matters for consideration under this application are layout, appearance, scale and landscaping.

- 2.2 The proposal comprises of a mix of 2 to 2 ½ storey dwellings comprising 8 x 4-bedroom and 6 x 5-bedroom detached dwellings.
- 2.3 Access to the site would be via the existing access from Mill Lane which would be altered to accord with the details approved at outline stage comprising the addition of a right hand turn lane into the site from Mill Lane. The access would be gated to provide additional security to the site with the road extending into the site along the southern edge of the site branching off to smaller private roads and driveways. Parking provision would comprise a mix of on plot parking spaces, detached single and double garages with each plot having an electric vehicle charging point. Two visitor parking spaces are proposed within the site off a private drive with the potential for additional visitor parking along the proposed access road.
- 2.4 The proposal includes the removal of a number of trees predominantly within the centre of the site, including a small group of trees protected by a Tree Preservation Order. The principle of removal of these trees was accepted and established under the outline permission.

3 SITE DESCRIPTION

- 3.1 The application site comprises a 1.2 hectare parcel of undeveloped land, located north west of Mill Lane. The majority of the site is situated within a Local Wildlife Site (LWS), Dallington old tennis courts and ponds. The boundary of the wildlife site extends northwards beyond the application site and includes a large pond and area of protected woodland extending up to Dallington Brook along the northern boundary. The pond and adjacent woodland to the north, which sit outside the application site, are in the ownership of the applicant. Beyond Dallington Brook are the grounds of St Mary's Catholic School, with residential development to the north west. Dallington Brook Fields LWS is situated outside of the application site along the western boundary, with Dallington Cemetery situated on the south western boundary adjacent to a small flood control reservoir. The site is bound to the south by residential properties on Corran Close, situated at a slightly higher ground level. The site is bound to the east by trees and mature vegetation bordering Mill Lane, beyond which is Dallington Conservation Area.
- 3.2 The site is affected by a Tree Preservation Order (TPO014) comprising a number of individual trees, groups and an area TPO which predominantly covers the western part of the site and an area in between the disused tennis courts in the centre of the site, extending outside of the application site around the pond along the western boundary and along the northern boundary adjacent to Dallington Brook.
- 3.3 The majority of the application site is situated within Flood Zone 1; the northern section, abutting the pond, is situated in Flood Zones 2 and 3. The land slopes towards the pond with an approximate variation in ground levels from the southern boundary of the site adjacent to the rear boundaries of properties on Corran Close to pond level of 6.5m, and a further variation in levels from the western boundary to the eastern entrance to the site of approximately 1.8m. The rise in land levels towards the southern boundary means that properties in Corran Close generally sit in an elevated position overlooking the application site.
- 3.4 Historically, the site lay within the grounds of Dallington Manor, but has since been severed by Mill Lane. The tennis courts are no longer in use, with provision now to the east beyond Mill Lane at Dallington Tennis Club. There is an existing access to the site from Mill Lane up to the site boundary, currently used to gain pedestrian access by the angling club who fish the pond.

4 PLANNING HISTORY

- 4.1 N/2018/0710 – Outline planning application for 14 residential dwellings with all matters reserved except access. Approved 26.09.18.
- 4.2 768/85 – Residential development for 7 houses and access road (outline application). Allowed at appeal 13/02/87. Permission has since lapsed.

- 4.3 The site has been identified for housing development within the Northampton Local Plan Part 2 Submission Draft Consultation (April 2019).

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.

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

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
Section 5 - Delivering a sufficient supply of homes
Section 8 - Promoting healthy and safe communities.
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
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 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 H1 - Housing Density and Mix and Type of Dwellings
Policy BN1 - Green Infrastructure Connections
Policy BN2 - Biodiversity
Policy BN3 - Woodland Enhancement And Creation
Policy BN5 - The Historic Environment
Policy BN7 - Flood Risk

5.4 Northampton Local Plan 1997 (Saved Policies)

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

E20 – design and adequate protection of amenity

E26 – preservation or enhancement of conservation area

5.5 **Supplementary Planning Documents**

Northampton Parking Standards Supplementary Planning Document (SPD) (November 2019)

Northamptonshire Parking Standards SPD (2016)

Planning out Crime in Northamptonshire SPG 2004

5.6 **Other Material Considerations**

Biodiversity Supplementary Planning Document (August 2015)

Northampton Green Infrastructure Plan (May 2016)

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – no objection. Historically the site lay within the grounds of Dallington Manor, however, the historic relationship with the Hall was severed by the construction of Mill Lane. As such, the site is physically separated from Dallington Village Conservation Area and vegetation from Mill Lane further screens the site from the defined Conservation Area. Consider the development would have a neutral impact on the historic character and appearance of Dallington as an estate village.
- 6.2 **Arboricultural Officer (NBC)** - the arboricultural impact assessment and method statement is well reasoned, well-argued and well-presented and makes a convincing case for the tree removals proposed, including the loss of trees within A4 of TPO 014. The proposed tree protection measures are well thought out and therefore no adverse comment to the development on arboricultural grounds providing protection measures are implemented in a timely fashion and properly maintained.
- 6.3 **Public Protection (NBC)** – no objection. Refer to requirements of conditions in respect of contamination on the outline consent.
- 6.4 **Highway Authority (NCC)** – no objection. If the intention is for the site to remain private in perpetuity then the gates would be permitted with at least a suitable length provided between the channel line of the existing carriageway and the gates, with the gates hung inwards only. Request a 'private street' condition, and prospective tenants would need to be made fully aware that the site would remain private, and the upkeep would remain their responsibility.
- 6.5 **Highways England** – no comment.
- 6.6 **NCC Ecology** – No objection.
- 6.7 **Wildlife Trust** – seek clarification in respect of management of the Local Wildlife Site in respect of the submitted Landscape and Ecological Management Plan, and advise on retention of tree adjacent to Plot 14 and the provision of sufficient space and light to continue to grow.
(Officer response: Condition 11 of the outline consent requires the submission and approval of a Landscape and Ecological Management Plan for the application site and area of the Local Wildlife Site to the north).
- 6.8 **NCC Archaeology** – no comments to make.

- 6.9 **Lead Local Flood Authority** – in the absence of a Drainage Strategy we are unable to comment on surface water drainage matters. Request submission of a detailed Surface Water Drainage Strategy.
(Officer response: Conditions 16, 17 & 18 of the outline consent deal with surface water drainage mitigation matters.)
- 6.10 **Environment Agency** – no objection. Refer to requirements of outline permission in respect of foul water drainage.
- 6.11 **Anglian Water** – no comment.
- 6.12 **Crime Prevention Design Advisor** – recommendation for fencing to be supplemented with trellis does not appear to be included and absence of fence line to Plots 1 and 3 is of concern. Whilst parking is on plot, the security of the gates has gone, and very little overlooking of parked cars from routinely inhabited rooms. This should be addressed with side windows.
- 6.13 **Councillor Gareth Eales** – calls the application to Committee. Comments received are summarised as follows:
- Inadequate security on site. Existing boundary wall/fence would need rebuilding. Security gates should be installed.
 - Increased highway movements on Mill Lane and increased potential for accidents with 40 mph speed limit.
 - Previously removed street light on Mill Lane should be re-installed for safety which would then justify 30mph speed limit.
 - Intrusion on residents of Corran Close, particularly from Plots 12, 13 and 14. Plot 14 is intrusive, should be downsized to bungalow or completely removed, and Plots 12 and 13 recalibrated.
 - Inconsistency in plans regarding height of Plot 14.
 - Concerned about the removal of the Angling Club access to the lake, general lake access and responsibility of maintenance and security.
 - Speculation of protected newts on site.
- Comments on amended scheme:
- Concerns remain. Specific residents' concerns about ground levels and distances have not been addressed.
- 6.14 A total of 14 objections from 10 residents have been received on both the application as originally submitted and the amended scheme. Comments received are summarised as follows:
- A significant number of trees would be lost. Additional planting on site to help with privacy, noise and light pollution to current residents.
 - Impact on neighbouring amenity in respect of overlooking, loss or privacy and separation distances, particularly due to difference in ground levels, and loss of security.
 - Fundamental change to proposed highway layout and access arrangements, in particular vehicles turning right into development from Mill Lane. Now no separate lane for these vehicles.
 - Request low level street lighting to reduce light pollution on existing residents.
 - Street lighting should be re-installed on Mill Lane and the speed limit reduced to 30 miles per hour to help with safety issues on already busy road.
 - Installation of security gates on entrance to aid with security risks to residents on both sites.
 - Plot 14 has been increased to 5-bedroom, 3-storey family home with garaging for 3 cars. Garage so close to the wall will provide easy access to thieves.
 - Design of Plot 14 should be reconsidered – does not fit in with bungalows. Should be a bungalow.
 - Plot 14 is extremely restricted by a large tree.
 - Do not want large trees planted adjacent to boundary.
 - Overshadowing of bungalows.
 - Noise and disruption during construction.

- Loss of view.
- Require clarification of distances between existing and proposed properties.
- Can quick growing shrubbery be installed to provide screening and additional security along the boundary?
- Concern regarding responsibility for/ ownership of and stability of the wall/fence and potential structural damage (*along Corran Close boundary*).
- What will happen to the narrow strip of land between the new and existing walls?
- Frontage houses of Plots 1, 2, 5, 6, 7 and 8 will all directly face rear of properties on Corran Close
- The difference in build levels between the site and Corran Close is very high.
- Layout is not good design, unsympathetic and detracts from quality of the area and quality of life.
- Proposal is in direct contravention of Council's Residential Extensions and Alterations policy.
- Housing Mix – unable to see any evidence in the application of an assessment of Housing needs, concern raised as to whether provision of 4/5 bedroom properties complies with existing and emerging planning policy.
- Inadequate parking provision and should be 14 visitor parking spaces.
- Vehicles parking in main road in site will cause obstruction and cause security issues.
- Will access to Dallington Lake for fishermen be maintained and will public have access? Associated parking issues.
- Impact on badgers.
- Evidence of baby newts on site.

7 APPRAISAL

Principle of Development

- 7.1 The principle of development of the site for up to 14 dwellings and the details of the access to the site from Mill Lane has been established under the outline permission. Therefore, the matters for consideration in respect of this current application relate to matters reserved for consideration by the outline permission, these being details of layout, appearance, scale and landscaping.

Design

- 7.2 The scheme has been designed with the main access road situated along the southern boundary of the site and Plots 1, 2, 5, 6, 7 and 8 orientated to face onto the road facing towards the rear of properties on Corran Close, with the remaining dwellings orientated to face onto private drives branching off the access road. Plots 3, 4, 9 and 10 are sited to the north of these road frontage dwellings at a lower ground level orientated side on to the pond. Plots 12 and 13, situated at the western end of the site, are orientated with the rear elevation and gardens facing towards the pond. Plot 14 is situated in the far western corner, where the site narrows adjacent to the TPO trees, and orientated with the front elevation facing into the site, the rear elevation facing towards Dallington Cemetery, and side elevation towards properties on Corran Close.
- 7.3 The proposal comprises a mix of 4 and 5-bedroom detached dwellings, incorporating 2-storey and 2½ storey dwellings with dormers in the roof. The proposed dwellings are of a relatively simple form with gabled roofs, reflecting the gabled character of adjacent 2-storey properties on Corran Close, and gable features to the front. Plot 14 differs, in that a hipped roof is proposed. Maximum building heights are approximately 9m. The properties are all of a similar design with arched headers and lintel details to windows, but with variations in details of front bay windows, porches, chimneys and scale of front gable projections, and a mix of attached and detached garages to add visual interest. Specific details of materials would be agreed by condition, however the submitted details indicate a mix of red brick and render elevations. Areas of block paving proposed for the private driveways and parking areas would contrast to the tarmacked access road adding additional variation and interest.
- 7.4 The layout has been designed to work with the varying land levels throughout the site with dwellings stepping down towards the pond, and enclosed rear gardens tiered to account for the change in levels. A retaining wall approximately 1.8m in height would be constructed along the

southern boundary of the site alongside the proposed access road and existing boundary wall/fence to the rear of properties on Corran Close to account for the change in land levels. Areas of planting are proposed along the strip of land in between the proposed retaining and existing boundary treatment. A condition is proposed to agree maintenance details for both the wall and landscaped area which would be situated outside of any residential curtilage. In addition, the applicant has indicated that the existing boundary wall/fence along the boundary with properties on Corran Close is within the applicant's ownership and will be retained/repared as required.

- 7.5 The scheme has been amended to provide gated access to the site to ensure an appropriate level of security. Additional surveillance would be provided within the site due to the orientation of properties facing onto the access road. Details of lighting within the site are required by a condition on the outline consent which will ensure an appropriate level of security is provided by any proposed lighting whilst ensuring that existing and proposed residential amenity is not adversely affected. The Crime Prevention Officer raises no objection subject to agreeing appropriate boundary treatment details. Boundary treatments are proposed as 1.8m fences between plots and 1.8m high walls on more visually prominent boundaries within the development and are considered acceptable.
- 7.6 The retention of the trees to the west and east of the site, the presence of the pond and woodland area to the north, and the proposed additional landscaping throughout the site would assist in softening the appearance of the development, and predominantly screen views of the development from the east, north and west.
- 7.7 Overall, it is considered that the design of the development is acceptable and that it would not have an adverse impact on the character and appearance of the surrounding area.

Residential Amenity – Neighbouring Properties

- 7.8 Paragraph 127 of the NPPF seeks to ensure a high standard of amenity for existing and future users. This is reflected in Policy H1 of the JCS which seeks to ensure due regard is paid to the impact of proposed development on the amenity of occupiers of neighbouring.
- 7.9 Residential properties on Corran Close are situated to the immediate south of the site and set at higher ground level, on average at approximately 1m higher ground level with some gardens rising gradually from the boundary with the application site. The majority of properties on Corran Close are 2-storeys with rear elevations facing towards the application site, with three bungalows situated towards the western end of the site, Nos. 35-39 Corran Close, adjacent to the proposed Plot 14.
- 7.10 In respect of the residential amenity of neighbouring properties on Corran Close, the proposed front elevations and habitable room windows of Plots 1, 2, 5, 6, 7 and 8 would face directly towards the rear elevations of 2-storey properties on Corran Close, some of which have conservatories to the rear. The proposed dwellings on these plots are 2-storey and do not have any dormers to the front. Plot 5 has been amended to alter the position of the proposed bay window to ensure that a 21m distance is achieved to the nearest neighbouring conservatory at No. 67 Corran Close.
- 7.11 Due to the variation in land levels throughout the site, the ground levels would predominantly be lowered to provide level plots such that the proposed dwellings would sit at a lower level than properties on Corran Close. For instance, the proposed ground floor level of Plot 2 would be set just over 1m below the base of the existing boundary wall/fence to the rear of properties on Corran Close, such that the height of this boundary wall/fence would sit approximately in line with the floor level at first floor of the proposed dwelling. Similarly, Plot 8, situated the other end of this row, would be set approximately 1.8m below this boundary wall/fence such that the top of the boundary wall/fence would sit approximately towards the top of first floor window height of the proposed dwelling.
- 7.12 Whilst it is acknowledged that there would be an element of overlooking from the proposed dwellings on these plots towards the rear of properties on Corran Close that currently does not exist, the front facing main habitable room windows of the proposed dwellings on these plots would

be situated a minimum of 21m away from main habitable room windows to properties on Corran Close. The only exception to this in respect of these plots is where properties on Corran Close face side on to the application site, and therefore no habitable room windows are adversely affected. As such, it is considered that the proposal provides an appropriate distance between existing and proposed dwellings in respect of these plots such that the development would not lead to an unacceptable impact on adjacent residential amenity in respect of overlooking, overshadowing or visual overbearance.

- 7.13 Plot 11 is situated side on to the southern boundary of the site with a first floor en-suite window proposed at first floor level facing towards the rear of properties on Corran Close. A condition requiring this window to be obscure glazed would ensure there is no loss of privacy.
- 7.14 Plots 12 and 13 are set back further in the application site but with front elevations orientated at an angle towards the rear of properties on Corran Close. Plot 12 is set slightly forward of Plot 13, such that the nearest proposed first floor window would be in excess of 26m from the main habitable room window on a conservatory to the rear of the nearest property on Corran Close, No 43. This distance, together with the fact that these dwellings would be set at a lower ground level in the site, the ground level of Plot 13 being situated approximately 4.4m below the top of the boundary wall/fence along the southern boundary, would ensure that there is no undue overlooking of the adjacent neighbouring properties.
- 7.15 Plot 14 is situated at the western end of the site and would be situated side on to Nos. 35 and 37 Corran Close, both of which are bungalows with habitable room windows facing towards the application site and rear gardens immediately adjacent to the site boundary. No. 33 Corran Close, is a 2-storey property, also situated adjacent to the boundary of Plot 14, the rear elevation of which is situated approximately 11m from the boundary wall and would overlook the rear garden of Plot 14.
- 7.16 Significant concern has been raised regarding the proximity and height of the proposed dwelling on Plot 14 and the relationship with these neighbouring properties. Plot 14 is constrained somewhat by its proximity to the boundary and the presence of the protected Oak tree and adjacent protected trees to the north of the plot.
- 7.17 As originally submitted, Plot 14 was approximately 9m in height to the ridge with the gable end situated approximately 2m from the southern boundary wall adjacent to these neighbouring properties. In response to concerns raised, the design of Plot 14 has been amended to reduce the overall ridge height to approximately 8.4m with an eaves height of approximately 5.4m and a hipped roof sloping away from the neighbouring boundary. An integral garage with a ridge height of approximately 4.2m is now proposed immediately adjacent to the boundary with No. 37 Corran Close, situated approximately 1.8m away from the boundary wall with the side gable elevation of garage situated approximately 14m away from the rear elevation of No. 37. Whilst the Council has no specific guidance in relation to minimum distance requirements in respect of new housing development, a 13m distance from main habitable room windows to a 2-storey blank elevation as required by the Council's Householder Extensions and Alterations Guidance is generally considered an appropriate guide. The proposed single storey element of Plot 14 would be in excess of this. Furthermore, the existing site levels would be lowered such that the ground floor level of Plot 14 would sit approximately 3m below the top of the existing boundary wall such that only the upper part of the gable of the garage would be visible above the boundary wall. The 2-storey element of the proposed dwelling would be off-set from the boundary by approximately 16.5m and roof sloping away. No first floor windows are proposed on the side elevation facing towards Nos. 35 and 37 Corran Close.
- 7.18 In respect of the relationship with No. 33 Corran Close, a 2-storey dwelling, the dwelling on Plot 14 would be off-set from this property, with the rear of No. 33 facing towards the proposed rear garden. Whilst there would be overlooking of the proposed rear garden from upper floor windows of No. 33, the rear elevation of the existing dwelling is situated approximately 11m away from the boundary and the circumstances are not dissimilar to those found in residential areas where an element of overlooking of rear gardens occurs. The upper floor windows to the rear of the

proposed dwelling on Plot 14 would face away from the rear elevation of No. 33 with the nearest first floor bedroom window in excess of 21m away such that no direct overlooking of the existing neighbouring rear windows would occur. The nearest proposed first floor window would allow an element of overlooking of part of this neighbouring rear garden, however, this would be an obtuse angle and again, whilst it is appreciated this is a change to the existing circumstances where currently no overlooking occurs, the distance and angle of view is such that it is not considered significant harm on residential amenity could be demonstrated that would warrant refusal on this basis.

- 7.19 It is acknowledged that the outlook from these adjacent neighbouring properties will alter significantly with the presence of the proposed dwelling at Plot 14. However, loss of view is not a planning consideration and the amended scheme assists in mitigating the impact in respect of visual dominance by increasing the distance of the 2-storey element from the rear elevations and the boundary of the neighbouring properties and lowering the overall height of this proposed dwelling in relation to these neighbouring properties. Furthermore, a condition is proposed, to prevent extensions and the addition of dormers to the new dwellings throughout the overall development to safeguard the amenity of existing and proposed occupiers. On balance, it is considered that the proposed amendments in respect of Plot 14 sufficiently mitigate the impact on these neighbouring properties such that there would not be an unacceptable adverse impact on neighbouring amenity.

Residential Amenity – Future Occupiers

- 7.20 In respect of the residential of future occupiers of the proposed development, as detailed above, it is considered that the new dwellings would have an acceptable relationship with existing neighbouring residential properties.
- 7.21 All habitable room windows in the proposed dwellings would have an acceptable level of outlook and daylight with properties having rear gardens of a minimum depth of 10m. However, given the relatively compact nature of development on parts of the site, it is recommended that the permitted development rights for rear extensions and dormer windows are removed for all properties across the application scheme to ensure the amenities of future occupiers are safeguarded and to avoid an overdevelopment of the site.
- 7.22 Details of boundary treatments are required by the outline consent to ensure an appropriate level of security and privacy between dwellings is maintained throughout the site.
- 7.23 Overall, subject to conditions, it is considered that the development would provide a reasonable standard of amenity for future occupiers.

Landscaping and Trees

- 7.24 The reserved matters scheme is supported by a detailed Arboricultural Report which has been assessed by the Council's Arboricultural Officer.
- 7.25 The majority of protected trees on the site would be retained with the exception of the removal of a small group of protected trees between the former tennis courts and a number of unprotected trees adjoining the pond area, to the east of the eastern former tennis court, and a small number of trees adjacent to the protected trees to the west of the site. The trees to be removed predominantly comprise of Category C trees, those being considered of a low quality and amenity value.
- 7.26 The proposed development will encroach within the root protection area of an English Oak to be retained in the western corner of the site in respect of footings required for Plots 13 and 14. The submitted Arboricultural Report advises that the encroachment is considered to be minor and on the periphery of the tree's root protection area. Proposed works within the excavation area would be carried out under arboricultural supervision in accordance with the recommended British Standards.

- 7.27 The Council's Arboricultural Officer considers the submitted report to be thorough and the raises no objection to the extent of removal and method for works proposed within the root protection area of the Oak, or in respect of impact on amenity of the proposed occupiers of Plots 13 and 14 due to the proximity of the retained trees. The majority of trees on the western boundary of the site and to the east of the site fronting onto Mill Lane would be retained, which would predominantly screen the development from Mill Lane. The recommendations of the Arboricultural Report will be conditioned accordingly and include a requirement to ensure tree protection measures are in place prior to commencement of development.
- 7.29 In respect of proposed landscaping, additional tree planting and ornamental planting are proposed throughout the site and along parts of the southern boundary. Whilst the proposed landscaping is relatively simple in nature the existing landscaped setting of the site with the retained trees on the application site and to the north of the pond adjoining the site provide sufficient landscaping to assist in softening the impact of the development. As such, the development is considered acceptable in this regard.

Parking and Highway Safety

- 7.30 Access to the site from Mill Lane was approved under the outline permission with alterations to Mill Lane to provide a right turn lane into the site required by condition to be provided prior to development commencing on site.
- 7.31 In respect of parking provision, the Northamptonshire Parking Standards require 3 parking spaces per dwelling for 4 and 5 bedroom properties. Provision on site would comprise a mix of on plot spaces and single and double garages. The scheme has been amended to provide sufficient size parking spaces and where single garages are proposed, sufficient size sheds are provided on plot to accord with the Highway Authority requirements. Electric vehicle charging points are proposed on each plot the provision of which within the development is required by condition of the outline permission. Two visitor spaces are proposed, with the width of the access road sufficient to allow additional roadside visitor parking.
- 7.32 The proposed road will be built to adoptable standards allowing sufficient turning provision within the site but, as the development will be gated to ensure an appropriate level of security, it is not intended that the road will be put forward for adoption by the Highway Authority. A condition is therefore recommended to agree details of the provisions to be made for the maintenance of the access road to ensure it remains fit for purpose in perpetuity.
- 7.33 Comments in respect of the provision of a street light on Mill Lane are noted, however, this was not requested by the Highway Authority as part of the outline planning permission. Off-site highway works in respect of the proposed right hand turn on Mill Lane will be subject to a separate Section 278 agreement with the Highway Authority and may form part of discussions with the Highway Authority in relation to these works.

Heritage Assets

- 7.34 Whilst the site previously lay within grounds of Dallington Manor, the historic context has since been severed by Mill Lane. Due to the presence of the road and mature roadside vegetation, the development would not be apparent in views from the Conservation Area and is therefore considered to have a neutral impact on the historic character and appearance.

Ecology

- 7.35 In respect of ecology, the outline application was accompanied by an Ecological Appraisal which was assessed by the County Ecologist and found to be acceptable subject to the development being carried out in accordance with the recommendations of the appraisal. In addition, the outline consent is subject to a condition for the submission and agreement of a Landscape and Ecological Management Plan covering both the application site and area of the Local Wildlife Site to the north,

including the pond, which is in the applicant's ownership to ensure any impact on the wildlife site and biodiversity are appropriately mitigated and managed and, where possible, enhanced.

- 7.36 In respect of concerns raised regarding the presence of newts on site, the applicant has advised that a qualified ecologist has assessed the potential of the pond for the presence of newts and determined that the potential was negligible, particularly given the presence of fish in the pond. The pond is to be retained and, given that the County Ecologist and Wildlife Trust have raised no concerns in this regard, that there are conditions in place to ensure ecological matters are appropriately managed, and that newts are protected under statutory legislation, it is considered that sufficient measure are in place to ensure there is no adverse impact on protected species.

Other Matters

- 7.37 Matters relating to flood risk, drainage and contamination were considered as part of the outline application and are subject to conditions to ensure appropriate mitigation is in place. A condition is also imposed on the outline permission to agree the details of a Construction Environment Management Plan to ensure measures are in place to appropriately mitigate any impacts on adjacent residential amenity and the highway during construction.
- 7.38 The existing pond is actively used by a private angling club. The applicant has confirmed that, with some reluctance, it would be difficult for the angling club to continue to fish the lake as it will conflict with the residential occupation of the site and the need to make the site secure. The lake will therefore be closed to the public with future residents provided with limited access. The lake will be retained by the applicant or transferred to a management company to ensure the site is appropriately maintained in perpetuity.

8 CONCLUSION

- 8.1 The proposed development, as amended, would be in accordance with the outline planning permission and the details of layout, appearance, scale and landscaping, as part of a balanced assessment and having regard to the presumption in favour of sustainable development, are of an acceptable standard. As such, and subject to conditions, the proposal would not give rise to an undue adverse impact on the character of the area, the amenities of surrounding properties, or highway safety and would provide a reasonable standard of amenity for future occupiers of the residential development. As such it is recommended that the reserved matters application is approved subject to the conditions detailed below.

9 CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the attached schedule of approved plans.

Reason: For the avoidance of doubt and to conform with the reserved matters application.

2. The development shall be carried out in accordance with Arboricultural Impact Assessment and Method Statement by Aspect Arboriculture dated September 2019 and all trees shown to be retained in the submitted report shall be protected for the duration of the construction of the development in accordance with the tree protection measures as detailed in Appendix C 'Tree Protection Plan (10311 TPP 01).

Reason: To ensure appropriate protection of protected and retained trees within the application and in the interests of the character and appearance of the area and biodiversity in accordance with the requirements of Policies S10, BN2 and BN3 of the West Northamptonshire Joint Core Strategy.

3. Prior to the construction of the development hereby approved above ground floor slab level, full 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 Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

4. The access road, parking spaces and garages shown on the approved plan, reference 9021/1E, shall laid out and constructed prior to the first occupation of the dwellings 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 requirements of the National Planning Policy Framework.

5. 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 hereby approved shall be used as habitable accommodation.

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

6. In the event that any of the streets associated with the residential element of this proposed development are not being proposed for adoption as public highway, the following conditions apply:
 - a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, will be submitted to the Local Planning Authority and agreed in writing prior to the commencement of development;
 - b) The streets will in any event be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
 - c) That prior to first occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and,
 - d) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).
 - e) Prior to commencement of development, 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 Policy S10 of the West Northamptonshire Joint Core Strategy and 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. Pre-commencement condition to ensure details are agreed in a timely manner.

7. Prior to occupation of the development hereby permitted details for the management and ongoing maintenance of the landscaping and retaining wall along the southern boundary of the site 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 continue in perpetuity.

Reason: To ensure a satisfactory standard of development and in the interests of existing and proposed residential amenity in accordance with the requirements of Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

8. The electrical vehicle charging points shall be provide in accordance with the details shown on drawing no. 9021/1E prior to occupation of the development hereby permitted.

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

9. Prior to the first occupation of any of the dwellings hereby permitted, the vehicular access from Mill Lane shall be fitted with automatic electronic gates as shown on drawing no. 9021/1E the details of which shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include the method of hanging the gates which shall open inwards only and the associated closing mechanisms. The gates shall be installed in accordance with the approved details and shall be retained thereafter.

Reason: In the interests of highway safety, the free flow of traffic and residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. Boundary treatments shall be provided in accordance with the approved details shown on drawing no. 9021/1E prior to occupation of the development hereby permitted and retained thereafter.

Reason: To ensure a satisfactory standard of development and in the interests of residential amenity in accordance with the requirements of Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

11. All planting, seeding or turfing comprised in the details of landscaping as shown on the approved drawings 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.

12. The development shall be carried out in accordance with the levels details as shown on the approved drawings.

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.

13. The first floor en-suite window to Plot 11 as shown on the approved drawings 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 properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

14. 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 gates, fences, walls or any means of enclosure or similar structures other than approved pursuant to Condition 10 above shall be erected or constructed in front of the main wall of any dwelling or of any other principal building of the estate nor in front of the line of any flank wall of any dwelling where the flank boundary of the curtilage abuts a highway.

Reason: To ensure that the character of this residential development is maintained in the interests of visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

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 extensions or roof enlargements/dormer windows shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site and safeguard residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

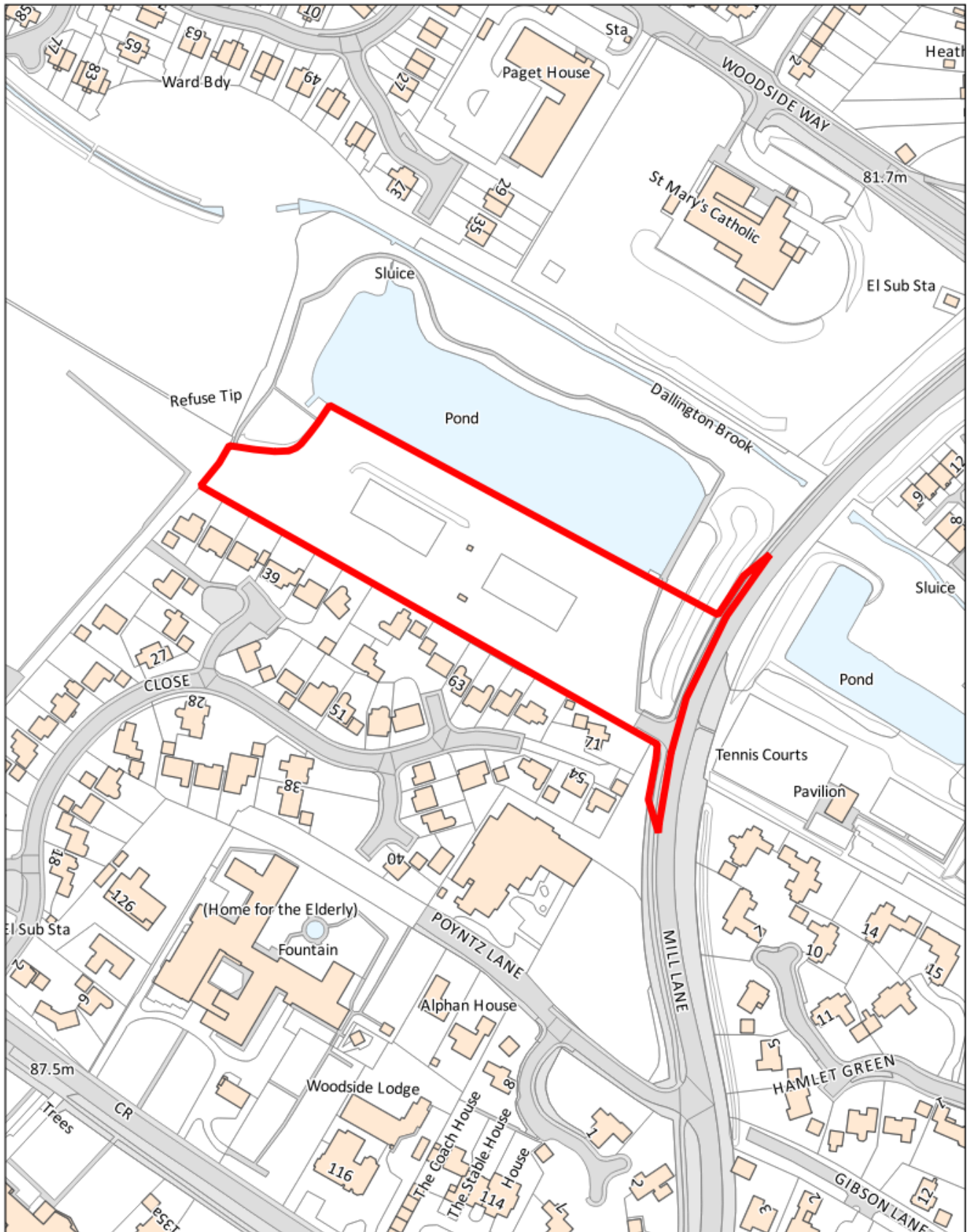
10.1 N/2019/1212.

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 Mill Lane, Dallington**

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Date: 08-01-2020

Scale: 1:2,000

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1213

LOCATION: Office Block Westbridge Depot, 9 - 13 St James Mill Road

DESCRIPTION: New replacement office

WARD: St James Ward

APPLICANT: Veolia (UK) Ltd
AGENT: Ms Belinder Gill

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposal relates to employment development within an existing employment area and would have no unduly adverse impacts on the character of the area, nearby residents, highway safety and drainage. This would accord with the aims and objectives of the National Planning Policy Framework and Policies S10, C2, E1, BN9, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The proposal relates to the provision of a replacement office and welfare building on the site. Existing temporary buildings would be removed from the site and a new building to be erected. This building would be 20.8 metres wide and 10.9 metres deep with a height of 4.3 metres. The building would form office space and staff facilities, with a mess room, bathroom facilities, kitchen and office space. This is to be used by Veolia staff members.

3 SITE DESCRIPTION

3.1 The application site falls within Westbridge Depot, a site predominantly used by Veolia on behalf of the Council, and by the Council's housing team. The site is positioned on the eastern edge of Westbridge Depot.

- 3.2 The application site is located within flood zones 2 and 3. It is also within a Hazardous Area. The site is positioned within Enterprise Zone 9a.

4 PLANNING HISTORY

- 4.1 N/2003/0055 – Security fencing – Approved 26/03/2003.

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 – Sustainable development.
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:

S10 – Sustainable Development Principles
C2 – New developments
E1 – Existing employment areas
BN9 – Pollution control
INF1 and 2 – Infrastructure delivery

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)
Parking Standards (November 2019)

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Request conditions on contamination.

- 6.2 **Health and Safety Executive** – No objection - The application site lies within the consultation distance of a major hazard site (fuel terminal) however as the office building will have fewer than 100 occupants and is 1 storey it is sensitivity level 1 development.
- 6.3 **NCC Highways** – No observations or objections.
- 6.4 **Environment Agency** – No objection.
- 6.5 **Lead Local Flood Authority** – No comment.
- 6.6 **Northamptonshire Police** – No objection – site has 24/7 security and covering the building with CCTV linked to the system monitored at the gatehouse is recommended.

7 APPRAISAL

Principle of development

- 7.1 The application proposes the creation of a relatively small new office and welfare facility within an existing business site, replacing existing temporary style facilities. The principle of providing a replacement building for the use of existing workers on the site is accepted.

Design

- 7.2 The application proposes a 20.8m x 10.9m building with a ridge height of 4.3m with two outside ramps for access. The building is of a functional appearance. With the building being within the existing depot, it is considered that the design of the proposal is appropriate for the location.

Neighbouring amenity

- 7.3 The proposed office building is not positioned within close proximity of any residential properties, being within the existing depot, and as such there would not be an unacceptable impact upon any neighbouring properties.

Highways

- 7.4 The application site is part of an existing depot. The building will be repositioned in an area currently forming parking for large waste collection vehicles.
- 7.5 A plan has been submitted which shows a re-arranged parking layout to facilitate the new location of the office and welfare facilities whilst providing increased parking provision. NCC Highways have been consulted on this proposal and raise no objection.

Flood Risk

- 7.6 The application site is located within Flood Zone 2 and 3. The Environment Agency and Local Lead Flood Authority have been consulted on the proposal and no objections have been received. It is the case that the existing site is hardsurfaced in its entirety. It is also the case that the proposal is to remove an existing set of temporary buildings and erect a new replacement building on the site. With the proposal being for a replacement building, it is not considered that the proposal would further impact upon flood risk.

Other matters

- 7.7 NBC Public Protection request condition on contamination. It is considered reasonable to attach such conditions.

- 7.8 The application site is located within the consultation distance of a major hazard site. The Health and Safety Executive have been consulted on the application and have advised that due to the size of the proposal there is no objection to the scheme.

8 CONCLUSION

- 8.1 To conclude, the proposal relates to employment development within an existing employment area and would have no unduly adverse increased impacts on the character of the area, nearby residents, highway safety and drainage. This would accord with the aims and objectives of the National Planning Policy Framework and Policies S10, C2, E1, BN9, INF1 and INF2 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

9 CONDITIONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: VES_ES_WSBG_161_001 Rev A, VES_ES_WSBG_161_004 Rev A, VES_ES_WSBG_161_008, A_00_02, A_00_04.

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

3. The materials to be used in the development shall be in full accordance with those shown on plan A_00_02.

Reason: To ensure that the development will harmonise with its surroundings in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

4. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be submitted to and approved in writing by the Local Planning Authority. The assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination of the site. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The report of the findings must include i) a survey of the extent, scale and nature of contamination, ii) an assessment of the potential risks to: human health, property, adjoining land, groundwater and surface water and ecological systems; iii) an appraisal of remedial options and proposal of the preferred option(s). This must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

5. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures.

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

6. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

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

7. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 4 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 5 above, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 6.

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

8. Within two months of the substantial completion of the building hereby approved, the existing office building(s), as shown within plan VES_ES_WSBG_161_003 Rev A, shall be completely removed from the site and the parking spaces shown on the submitted plan (reference VES_ES_WSBG_161_008) shall be constructed and retained solely for the parking of vehicles thereafter.

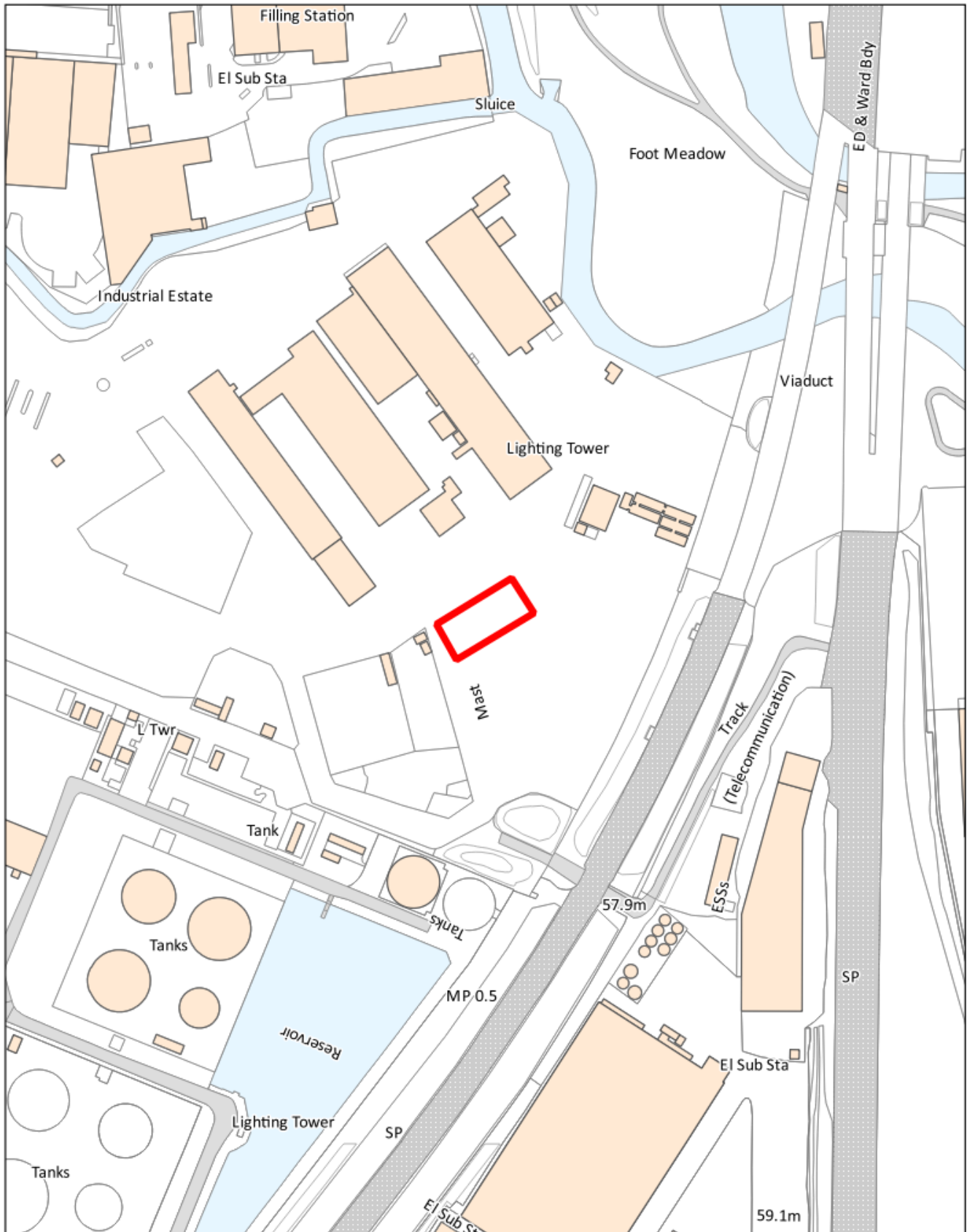
Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10 LEGAL IMPLICATIONS

- 10.1 The development is not CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **Westbridge Depot. 9-13 St James Mill Rd**

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Date: 07-01-2020

Scale: 1:1,500

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1282

LOCATION: 46 Palmerston Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants, including installation of rear conservation roof windows and removal of existing rear dormer (part retrospective)

WARD: Castle Ward

APPLICANT: Mistry & Parmar Investment Management Ltd
AGENT: CC Town Planning

REFERRED BY: Councillor D Stone
REASON: Overdevelopment and 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 principle of the proposed use is considered acceptable within an established residential area. The premises would provide adequate facilities for future occupants. Notwithstanding existing parking conditions in the local area, the site is in a sustainable location close to the town centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage and have an acceptable impact on flood risk and the appearance and character of the conservation area. The proposal thereby complies with Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26, H18 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 Permission is sought to convert a dwellinghouse into a House in Multiple Occupation for 4 persons (Use Class C4) including rear roof windows and removal of the existing rear dormer. This is a revised planning application following refusal under planning application N/2018/1377 for a proposed HIMO for 6 residents. Parking would be on street in a Permit Zone.

- 2.2 Although the lawful use of the property is a dwellinghouse, the property is currently divided into 7 bedrooms and let out to 6 occupiers in the form of an unauthorised HIMO. If the current application is approved, the property would revert back to a 4 person HIMO.

3 SITE DESCRIPTION

- 3.1 The application site comprises a mid-terraced, property located in a residential area with similar terraced properties on the street. The property has 3 ground floor bedrooms and utility room, 3 bedrooms and a bathroom on the first floor, second floor bedroom and a basement space used as kitchen and lounge.
- 3.2 The site is near to Billing Road and within easy walking of the town centre and Wellingborough Road Local Centre. The site is within close proximity to bus routes in the town centre and Billing Road. The site is in a conservation area and is in a low risk flood zone (flood zone 1). The property is not listed.

4 PLANNING HISTORY

- 4.1 **N/2018/1377** Permission refused for conversion to HIMO for 6 occupants and installation of rear conservation windows: This was refused on the following ground:

The basement kitchen has no outlook and limited light from any window openings providing an unsatisfactory level of residential amenity for its occupiers contrary to Policy H30 of the Northampton Local Plan, Policies H1 and H5 of the West Northamptonshire Joint Core Strategy, the Council's Interim Planning Policy Statement on Houses in Multiple Occupation and the aims and objectives of the National Planning Policy Framework.

- 4.2 The refusal was subsequently dismissed on appeal. The Planning Inspector concurred with the Council that the basement room as the only communal space would not provide sufficient natural light or outlook to provide acceptable living conditions for the occupiers.
- 4.3 The current proposal is a revised scheme which does not involve conversion of the cellar and would provide living accommodation for 4 occupants only.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), Northampton Local Plan (1997) saved policies.

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

5.3 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 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.

Paragraph 192 - development to be sympathetic to heritage assets.

Section 12 – seeks to achieve well designed places.

5.4 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 and Type of Dwellings

Policy H5 - Managing the existing Housing Stock

Policy S10 - Sustainable Development Principles

Policy BN5 - Heritage Assets

Policy BN7 - Flood Risk

5.5 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 - extensions

E26 - Conservation Areas

H18 - extensions/ alterations

H30 - Multi occupation within a single dwelling

5.6 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Residential Extensions and Alterations Design Guide SPD 2011

Parking Standards SPD 2019

Houses in Multiple Occupation (HIMO) Supplementary Planning Document (November 2019)

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 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

Comments are summarised as follows:

- 6.1 **Councillor D Stone** – called in to committee given objections to parking, over-development and loss of family home.

- 6.2 **Highway Authority (NCC)** - note that site is in a Permit Zone which indicates that parking is likely to be already an issue in the area. The LHA are satisfied that parking issues should not be intensified though details of cycle storage to be provided.
- 6.3 **Private Sector Housing (NBC)** - the proposed HIMO would appear to meet the requirements for 4 occupants.
- 6.4 **NBC Conservation** - No objection to change of use and proposed roof windows, provided there is no over-concentration and windows are flush with roof slope.
- 6.5 **Town Centre Conservation Area Advisory Committee** - no objections provided application is assessed against NBC HIMO Policy.
- 6.6 Two neighbour objections were received on the following grounds:
- Want a break from more residential developments in the locality
 - Object to properties being snapped up for profit
 - Concern over parking and traffic in the area

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 2 other HIMOs (out of 70 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 4.3% concentration and would clearly fall within the 10% maximum threshold recommended by the Council's adopted SPD 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 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 Facilities and Amenities Guidance and appropriate kitchen, WC and wash facilities. A condition restricting the use of the property to a maximum of 4 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.
- 7.4 In terms of the recent appeal decision, the applicant has taken on board the Inspector's objections in terms of lack of outlook and light to the basement living room and kitchen and the current plans show this to be used as a cellar only. A condition that this is not used as habitable accommodation would be secured on any planning approval.

Flood Risk

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

Highways / Parking

- 7.6 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 20 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.7 No parking beat survey was submitted with the application. It is considered that the application site is in a sustainable location within 400 metres of bus stop with buses stopping, on average, every 20 minutes. The site is also located within 180m of the nearest bus stop on Wellingborough Road to the north of the site and similar from the Wellingborough Road Local Centre. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Parking Standards SPD (2019).
- 7.8 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. Details have not yet been submitted for the cycle storage located to the rear of the property, however, this can be secured by condition. The proposal is, therefore, in compliance with this principle of the SPD. The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 1 additional space than the lawful use, as a 4 bedroom dwelling would normally require 3 parking spaces.
- 7.9 There is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions 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.
- 7.10 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, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse storage

- 7.11 Details have not been submitted for refuse storage however there is capacity for this in the rear amenity space which are deemed acceptable. A condition has been recommended to secure the arrangement and provision.

Impact on the appearance and character of the Conservation Area

- 7.12 The existing unauthorised rear dormer window would be replaced by conservation roof windows in the back roof plane which are considered more sympathetic to the appearance and character of the conservation area, a view which is supported by NBC Conservation Officers. The proposal would preserve the appearance and character of the conservation area.

Amenity

- 7.13 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 would not lead to an unacceptable concentration of HIMOs 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 or the conservation area. The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20, E26 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD and the aims and objectives of the National Planning Policy Framework.

9 CONDITIONS

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

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

2 The development hereby permitted shall be carried out in accordance with the following approved plans: 1909/21, 1909/31, location plan.

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 four at any one time.

Reason: 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 premises as a 4 person house in multiple occupation, 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 use hereby permitted commences 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 premises as a 4 person house in multiple occupation, 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 use hereby permitted commences 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 for storage and not be converted to a bedroom or habitable room at any time throughout the life time of the development

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

7. Within three months of the decision date, the rear dormer shall be removed and replaced by the approved roof lights which shall be of conservation type and finished flush with the rear roof plane of the property.

Reason: In the interests of preserving the conservation area to comply with Policy S10 and BN5 of the West Northamptonshire Joint Core Strategy and E26 of the Northampton Local Plan.

10 BACKGROUND PAPERS

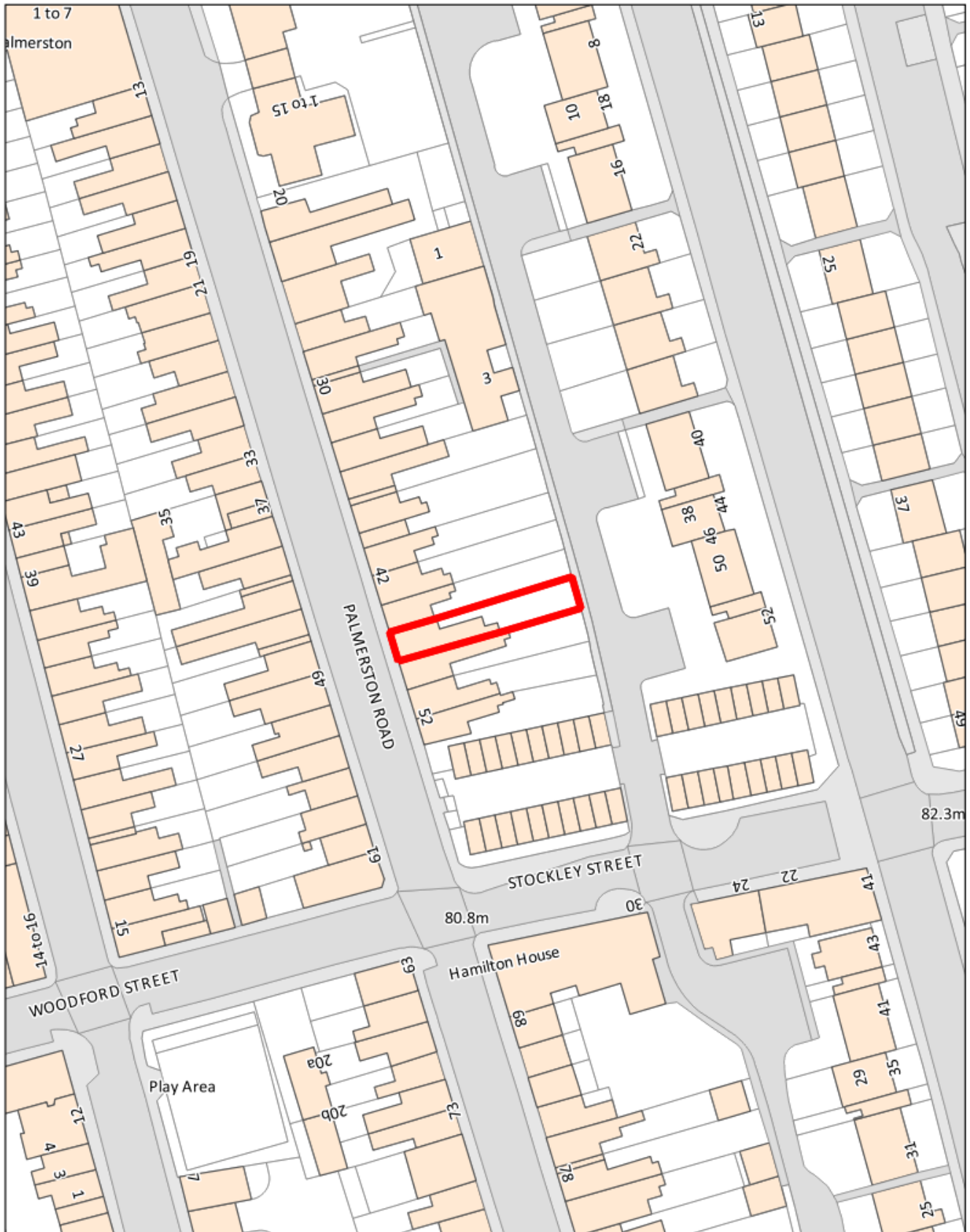
10.1 N/2019/1282

11 LEGAL IMPLICATIONS

11.1 The development is not CIL liable

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **46 Palmerstone Road**

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Date: 10-01-2020

Scale: 1:750

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1286

LOCATION: 41 Alfred Street

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective)

WARD: Castle Ward

APPLICANT: Mr W Agroh
AGENT: Planners & Architects

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 REFUSAL for the following reason:

The proposed development does not provide adequate facility for cycle storage to serve the occupants detrimental to residential amenity contrary to Policy H1 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation SPD 2019, Parking Standards SPD 2019 and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The proposal is for a change of use of an existing 2 bedroom flat to a 4 person House in Multiple Occupation (HIMO). The proposal is retrospective.
- 2.2 Vehicle parking is available to the rear but on an unallocated basis and is shared between all flats in the blocks (15 spaces serving 43 flats).

3 SITE DESCRIPTION

- 3.1 The site comprises a purpose built flat within a block of four. The immediate area is characterised by similar development. The property has no outdoor amenity space.

3.2 The original dwelling had a lounge, kitchen, bathroom and two bedrooms. Conversion has now taken place with three bedrooms provided and a kitchen and bathroom but no lounge. No dedicated cycle storage has been proposed.

4 RELEVANT 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 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

Paragraph 108 promoting sustainable transport.

5.3 West Northamptonshire Joint Core Strategy (2014)

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

Policy H1 - Housing Density & Mix & Type of Dwellings
Policy H5 - Managing the Existing Housing Stock
Policy S10 - Sustainable Development Principles
Policy BN7- Flood Risk

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – Design
Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Houses in Multiple Occupation SPD 2019

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 10% of HIMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities
- Provide adequate waste and recycling facilities and sufficient refuse storage
- Minimise flood risk
- Secure provision of adequate parking
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 Private Sector Housing** – Based on the information provided the property would be suitable for occupancy of 4 people.
- 6.2 Local Highway Authority (LHA)** – The LHA is satisfied that that the two allocated parking spaces should be sufficient as the property is in a town centre location. Require the applicant to demonstrate secure cycle parking provision on a scaled drawing. (Note: no allocated parking spaces is provided as part of the application).
- 6.3 Northampton Partnership Homes** – Object due to intensification of the site and compounding issues of anti-social behaviour and that there is insufficient parking for additional households.

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 JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Concentration of HIMO uses in the area

- 7.2 Records indicate that there are 2 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 6.66% and therefore the proposal would not result in an over-concentration of such uses in line with the SPD.

Size of the property and facilities for future occupiers

- 7.4 All bedrooms and the kitchen are of sufficient size, when judged against the standards in the HIMO SPD.
- 7.5 Comments from Private Sector Housing indicate that the proposals meet their requirements. It is considered that the proposal would provide adequate amenity to serve the future occupiers.

Flood Risk

7.7 In respect of flood risk, the site is located outside the areas at risk of flooding.

Highways / Parking

- 7.2 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the applicants must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays, and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.3 In this case no parking survey has been produced, however even if this was to show insufficient parking, it can be noted that the application site is in a sustainable location within 400 metres of several bus stops with buses stopping at intervals of 10 or 30 minutes.
- 7.4 The site is also located within 400m of local facilities on Wellingborough Road. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations.
- 7.8 Within such areas, the SPD recommends that storage space should be provided which is accessible to cycle users. The property has no outdoor space, although the applicant has indicated that cycle storage can be provided within the storage area of the flat. However, site visit of the premises has reviewed that there is no dedicated cycle storage provided. Although there is an existing storage cupboard next to the front entrance of the flat, the storage cupboard is not of sufficient size to be able to accommodate four bicycles. In addition, for occupants to carry bicycles to the first floor through shared access is not considered to be convenient and accessible. The proposal is therefore considered to be unacceptable and contrary to development plan policy, the NPPF and the adopted Parking Standards SPD.
- 7.9 The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. No on plot parking is available although there is a shared parking area for the block with 6 spaces, this being part of a total provision of 15 spaces in the area, serving 43 flats. The proposed development will produce a demand for 2 additional spaces than the current approved use, as a 2 bedroom dwelling would require 2 parking spaces. Following clarification that the property does not have allocated parking, the Local Highway Authority have confirmed that they are satisfied the property is in a sustainable location and raised no objections subject to details of cycle storage being provided. However, adequate cycle storage could not be provided in this instance.

Refuse Storage

- 7.9 The flats have a dedicated refuse cupboard at the ground floor which would be suitable for the proposed use.

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. 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.

Other Matters

- 7.11 It has been confirmed that there is a clause in the lease of the flat, with Northampton Borough Council, which specifies that the property may only be used for occupation by a single household. The proposed use would be contrary to his clause. However, this would not represent a valid reason for the refusal of planning permission.

8 CONCLUSION

- 8.1 The proposed development would not provide adequate cycle storage facility to serve the occupants detrimental to residential amenity and contrary to development plan policy, NPPF and the adopted Parking Standards SPD. The application is recommended for refusal.

9. BACKGROUND PAPERS

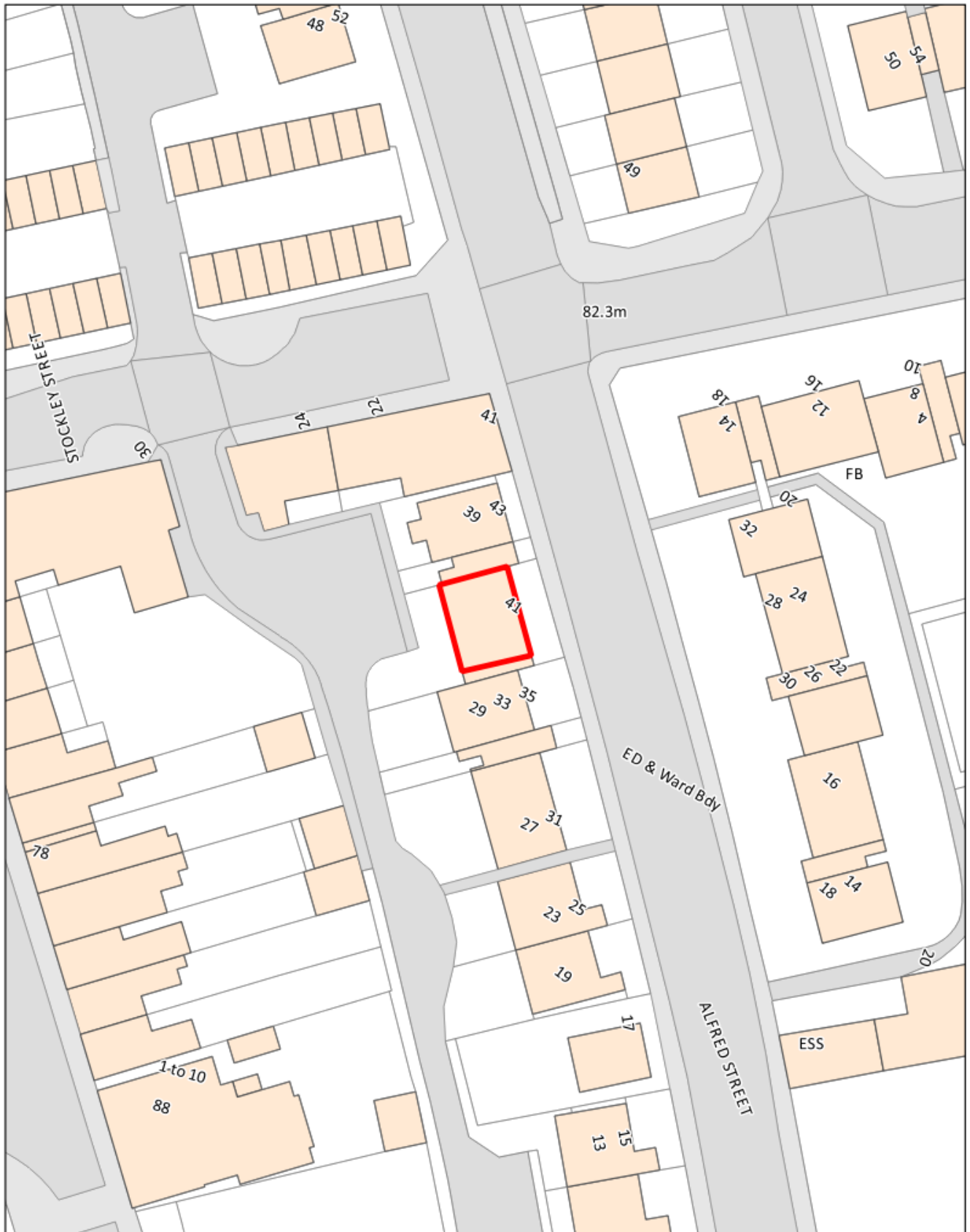
- 9.1 N/2019/1286.

10. LEGAL IMPLICATIONS

- 10.1 The development is not CIL chargeable.

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **41 Alfred Street**

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Date: 02-12-2019

Scale: 1:500

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1394

LOCATION: Grazing Land, Mill Lane, Kingsthorpe

DESCRIPTION: Reserved Matters Application pursuant to Outline Planning Permission N/2018/0170 (Application for outline planning permission (with all matters reserved, apart from access) for up to six dwellings for the details of the appearance, landscaping, layout and scale)

WARD: Kingsthorpe Ward

APPLICANT: Sarma
AGENT: Barry Waine Planning

REFERRED BY: Councillor S Beardsworth
REASON: Development Impact on Surrounding Area

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 contribute towards the Borough's 5-year housing supply and would have less than substantial harm upon the setting, character and appearance of the Kingsthorpe Conservation Area. The proposed development would not have undue impact on neighbour amenity, flood issues, biodiversity and highway safety. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies H1, BN1, BN2, BN5, BN8 & S10 of the West Northamptonshire Joint Core Strategy and Saved Policies E20 and E26 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application is a reserved matters application pursuant to outline planning permission N/2018/0170, which was a proposal for residential development with all matters reserved except access for up to 6 dwellings.

2.2 The reserved matters application provides the details for the 6 dwellings, indicating the design, appearance, layout and scale, as required by the outline consent.

- 2.3 The access points have been previously agreed in the earlier application, one being the location of the existing field gate and the second via a new access road from Mill Lane.

3 SITE DESCRIPTION

- 3.1 The site measures 0.74ha and is currently an irregular shaped paddock grazed by horses. To the front of the site is a stone wall. Whilst this gives the appearance of being a historic feature, records indicate that this was relocated to its current position when Mill Lane was widened in more recent times.
- 3.2 The land slopes away in a westerly direction towards the Nene, with a belt of trees separating the site from the Kingsthorpe Local Nature Reserve along the river valley. To the east of the site, on higher ground is a group of residential properties. The more substantial of these, Kingsmoor House, has been substantially extended since its construction and two further dwellings were erected towards the front of the site in 2000.
- 3.3 Land to the north of the site that adjoins Kingsthorpe Conservation Area is shown as being within the applicant's ownership but is not included in the application.
- 3.4 The Kingsthorpe Conservation Area boundary is situated approximately 14m from the application site.

4 PLANNING HISTORY

- 4.1 N/1997/570 – outline application for 5 dwellings. Refused Oct 2017
- 4.2 N/2016/1188 – outline application for 5 dwellings. Approved 14 February 2017
- 4.3 N/2018/0170 – outline application for 6 dwellings. Approved 2 May 2018

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.

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

National Policies

- 5.2 **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 109 - 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 - Good design is a key aspect of sustainable development.
Paragraph 127 - Create places with a high standard of amenity for existing and future users.
Paragraph 178 - Ground conditions and pollution.
Paragraph 187 - assessing and recording archaeology
Section 8 - Promoting healthy and safe communities.
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - meeting the challenge of climate change, flooding and coastal change

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

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

Policy SA: presumption in favour of sustainable development
Policy S4: Northampton Related Development Area
Policy S10: Sustainable Development Principles
Policy H1: Housing Density and Mix and Type of dwellings
Policy BN1: Green Infrastructure Connections
Policy BN2: Biodiversity
Policy BN5: The Historic Environment and Landscape
Policy BN8: River Nene Strategic River Corridor

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

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

Policy E20: New Development
Policy E26: Development in Conservation Areas

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Parking Standards (November 2019)

5.6 **Other Material Considerations**

Kingsthorpe Conservation Area Appraisal.

The Setting of Heritage Assets – Good Practice Advice Historic England.
Managing significance in decision-taking in the historic environment – Good Practice Advice Historic England.

Northampton Green Infrastructure Plan which identifies this site as being within the Brampton Arm of the River Nene and adjacent to the Kingsthorpe Nature Reserve (which is characterised as riverside meadows). This area is identified as a site with opportunities for the improvement of the management of the streams, wetlands and riverside meadows to increase the biodiversity value.

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NBC Public Protection** – no objection, but observations relating to land contamination, noise and lighting.

- 6.2 **NBC Conservation Section** – The long length of stone wall along the north side of Mill Lane, although previously re-built when Mill lane was widened, is an important feature in the street scene and confirmation is required that it is to be retained as part of the development.
- 6.3 **NBC Arboricultural Officer** – Initial concerns were raised regarding liveability and the potential impact the trees could have on overshadowing of plot 3 and plot 6, however following the submission of amended plans, the changes that have been made, principally from my perspective to the fenestration that should help to alleviate the possible difficulties with shade from the highway trees for plot 3, and for the trees to the west of plot 6.
- 6.4 **NCC Highways and Access** – no comments to make on the application.
- 6.5 **NCC Archaeology** – the site has been archaeologically evaluated and no remains of architectural interest were found. No further comments to make on the proposal.
- 6.6 **NCC Ecology** – The submitted landscape plan includes sufficient detail on the scheme of nest boxes as recommended by the ecologist for the outline application N.2018/0170. Further details will be required regarding landscape management (in particular the wildflower meadow), details of external lighting has yet to be provided. Reference has been made previously to the potential to offer good reptile habitat. If a survey is not possible, then a method statement should be required for site clearance.
- 6.7 **The Wildlife Trust** – The ecology assessment does not assess the impact on the local nature reserve, in particular in respect of maintaining a dark edge to the nature reserve and ensuring that the wildflower seed mix used on the development is complimentary to the nature reserved. Reptile surveys should be carried out and mitigation measures addressed.
- 6.8 **Northants Police** – no further comment to make in respect of this application.
- 6.9 **Councillor S Beardsworth** - call in this planning application on the grounds that this development is on land that acts as a buffer zone between the river and the village at this moment in time all the streams are swollen the river has burst its banks and there is more rain in the sky to come. Would like reassurance that the proposal will not have any serious damage to the properties in the village and surrounding area.
- 6.10 Three letters of representation have been received. These raised the following points:
- Details of boundary treatment sought, the northern boundary should be constructed of stone in keeping with the boundary wall to Mill Lane.
 - Concerns regarding impact on amenity and privacy.
 - Impact on enjoyment of neighbours own property (the neighbour has a music room close to the boundary).
 - Concern that sufficient easement has been provided to protect Anglian Water's drainage assets.
 - The proposal does not respect building lines, privacy and amenity to the north of the site. They should allow an angle of at least 60 degrees and at least 16m to protect the privacy and amenity of neighbouring properties.
 - Consideration should be given to difference in levels between the site and neighbouring properties.
 - Loss of privacy to garden area of existing properties.
 - Concerns about highway and pedestrian safety.
 - Level of parking appears to be in conflict with Government policy to incentivise the use of public transport and reduce vehicle emissions.
 - The last remaining green buffer for Kingsthorpe Village. The area is already served well by this type of residential development. There is no good reason to build right to the bank of the River Nene and adjacent to the historic Green End in the village.

- The development would contribute to excess water run off during the winter months and exacerbate downstream flooding.
- The dwellings may be subject to subsidence and slip due to the topography and presence of springs in the locality.
- The development will compromise biodiversity.
- Residents have not been invited to potential community meetings and have not been consulted as near boundary neighbours.

7 APPRAISAL

7.1 The main issues to consider are the reserved matters in relation to the layout, appearance, landscape, scale and also impact on adjoining properties, heritage assets and biodiversity.

Principle

7.2 The principle of development for 6 dwellings on site has already been established by the outline planning permission N/2018/0170. The proposal would contribute to the Council's five-year housing land supply.

General layout

7.3 The layout submitted is similar to that indicated in the outline application. This shows that 5 of the proposed dwellings are to be served from a private drive, whilst the 6th dwelling (plot 1) is to be served from the existing field opening. The layout of the site is quite constrained due to existing sewers and their respective easements that exist on the site, as well as the trees on the western boundary.

7.4 Plots 1, 2, 4 and 5 are four bed dwellings and plots 3 and 6 are five bed properties. All properties have garaging and parking space in front of the properties. Plot 6 also has an annexe above the garage.

7.5 Plots 1, 2 and 3 offer frontages onto Mill Lane. Plots 1 and 2 are set back from the stone wall on the frontage by approximately 9m. The double garage that serves these properties is located to the front of these plots. It is a single storey structure and set back about 3m from the stone wall and in line with the front wall of plot 3.

7.6 Plots 1 and 2 on the site frontage are two storey dwellings. Plot 3 is a three storey dwelling with dormers in the roof overlooking Mill Lane. Further back into the site, plots 4 and 5 are two storey and plot 6 (at the rear is three storey with dormers). They are all indicated to be constructed of brick with timber cladding detailing. The layout and plot sizes of the dwellings are considered to be acceptable and would provide adequate separation between the new dwellings and the existing nearby properties.

Design

7.7 The properties are contemporary in design, with a combination of the brick and timber cladding, with natural slate roofing, which adds interests to the site and is considered to be appropriate for the character and appearance of the site.

7.8 The internal layout of the properties generally consists of kitchen/diners with a separate lounge on the ground floor. All of the properties also have a family room and downstairs cloakroom/WC, plots 3 and 6 also have studies. The bedrooms and further bathrooms/en-suites are on the upper floors.

7.9 All of the rooms have natural light of varying degrees, the overall standard of accommodation is considered to be acceptable.

- 7.10 The stone wall delineates the front boundary would largely be remained in situ, apart from a section which needs to be removed to allow for the provision of a new access point.

Drainage matters

- 7.11 The site lies within an area designated as Flood Zone 1 on the published drainage maps by the Environment Agency. A flood risk assessment was submitted as part of the outline application which indicates that the site is unaffected by flooding due to surface water runoff.
- 7.12 Objectors had commented that the site has various water mains and sewers running through the site (and potentially other services). The applicant has advised that the layout indicated on the submitted plans has taken this into account and no services will be affected by the proposal.

Impact on Heritage Assets

- 7.13 The Kingsthorpe Conservation Area boundary was established in 1970, amended in 1976 and further amendments have recently been proposed. The application site does not directly adjoin Kingsthorpe Conservation Area.
- 7.14 The designation of a conservation area does not preclude development; however the development needs to take account of the impact that development may have on the setting and appearance of the conservation area. The most significant view of the Conservation Area is from Mill Lane, where the spire of St John's Church and the canopy of trees around the church and village green are visible, although the view is compromised by recent housing development (notably Fremeaux Lodge and Kingsmoor House) that lie outside of the Conservation Area.
- 7.15 The height of the proposed houses is indicated as 9m high and consideration has been given to the views across the valley to ensure that the church spire and trees remain visible. It is considered that the harm would be less than substantial, and the impact would be outweighed by the supply of much needed housing land. The view from the river valley and nature reserve is partly obscured by trees.
- 7.16 The land immediately adjoins the Conservation Area, which is visible from the nature reserve, but as this is not within the site, it is considered that the view towards the Conservation Area from the river valley would not be adversely affected by the properties in the location shown.

Impact on neighbouring properties

- 7.17 There is a difference in site levels between the proposed and existing nearby dwellings of around 1-2m. The location of windows has been carefully considered. Where windows are located close to the boundary, these are proposed to serve bathrooms or en-suites and indicated with obscure glazing. There is no window proposed on the first floor side elevation to plot 1 that faces onto 85 and 87 Mill Lane. It is not considered that the proposed development would adversely impact on these properties.
- 7.18 One of the representations has suggested that the north eastern boundary wall should be constructed in stone rather than brick, in keeping with the front wall to the site. This wall is intended as a retaining wall and will not be visible in the street scene or impact on the conservation area, it is considered that it would be too onerous to insist on this feature.
- 7.19 Given the location of the proposed dwellings on the site, it is considered that there is no significant impact on privacy, daylight or sunlight to the existing properties.
- 7.20 The occupants of Kingsmoor House have raised concerns relating to privacy to their leisure building (including swimming pool). The occupier has provided information about the use of the building and it is considered that this is ancillary to the main dwelling rather than part of the main dwelling. There are windows in the side of the leisure building. These would look towards the garages to plots 4 and 5.

- 7.21 The floor level of the leisure building is recorded as 74.89m. The finished floor level of the garages is indicated as 68.00m. The distance between the two properties is indicated as 2m from wall to wall, with approximately 4m separation distance to the top of the ridge. Given the difference in levels, it is considered that whilst there may be some loss of light to the leisure building, it is considered that the impact would not result in significant harm to the amenities of the adjacent occupiers.
- 7.22 31 Green End was constructed around 2007 within the grounds of Fremeaux House. The garden to this property is also screened by a mature hedge and the main windows are to the front and rear of the dwelling. Overlooking between Plot 5 and 31 Green End is considered to be minimal. It is also considered that there would be no undue impact in terms of loss of light to 31 Green End. Although there is a side elevation window to Plot 6 that would face towards 31 Green End, due to the separation distance, it is not considered that there is objectional impact in this instance.
- 7.23 It is therefore considered that on balance the proposed dwellings do not appear to adversely impact on the residential amenities of the surrounding properties.

Highways and Access

- 7.24 The principle of the access has been established through the outline planning permission. The Local Highway Authority is satisfied with the indicated visibility splay for the proposal, which demonstrates an acceptable access for pedestrians and vehicles. Further information has been requested in terms of the gradient of the access road and this has been covered by condition.
- 7.25 All the plots have on-plot parking spaces and garages in line with the adopted Parking Standards SPD. Whilst representations have referred to the potential highway safety impact, no objections have been raised by the Local Highway Authority that cannot be otherwise covered by conditions.

Ecology

- 7.26 An ecological assessment has been submitted with the application. This considered the presence of amphibians (great crested newts and toads), mammals (badgers, hedgehogs, otters and water voles), reptiles (common lizard and grass snake), bats, and birds on and around the site.
- 7.27 As a result of the additional survey work identified at the time of the outline application, no evidence has been found of bats, badgers, breeding birds and dormice on the site. The existing habitat will be retained, and it is considered that there would be minimal impact on these species. The habitat is suitable for amphibians and reptiles, although no evidence was found at the time of the survey.
- 7.28 The appraisal recommends that further survey work specifically aimed at reptiles, is carried out prior to commencement of work on site (ideally between the months of March and October). The County Ecologist has suggested that a method statement should be required for site clearance. It is considered that this has been covered by the requirement to provide a construction environmental management plan (CEMP), which was conditioned on the outline consent.
- 7.29 The reports note that the likelihood of bats on the adjacent site is high and that the site has high potential for commuting and foraging. A condition was added to the outline application to ensure any lighting was designed to minimise the disturbance of bats and other nocturnal mammals.
- 7.30 The County Ecologist has commented on the surveys and the landscape plan and stated that there are no details of the management of the wildflower meadow to the south and western parts of the application site. This has been discussed with the applicant and details of the management of the land has yet to be established, but it is likely this will be transferred to one of the occupiers of the proposed dwellings.

- 7.31 The Wildlife Trust have raised concerns that the assessments do not assess the impact on the local nature reserve, in particular in respect of maintaining a dark edge to the nature reserve and ensuring that the wildflower seed mix used on the development is complimentary to the nature reserved. Reptile surveys should be carried out and mitigation measures addressed. It is further noted that none of the trees on the boundary are to be removed and the properties are set away from the immediate boundary.
- 7.32 The conditions on the outline application cover these points through conditions relating to lighting, landscaping and the CEMP.

Arboricultural issues

- 7.33 The Council's Arboriculture Officer is satisfied with the protection of the existing trees on the site and the planting scheme proposed. Following discussion with the Arboriculture Officer, additional side windows have been added to Plot 3 to allow additional light into habitable rooms. This would greatly reduce the pressure to remove the frontage trees within the site.
- 7.34 It is considered that the development can be achieved without a negative impact on those trees to be retained. It is therefore considered the proposal accords with Policies BN1, BN2 and BN8 of the Joint Core Strategy, in terms of the impact on biodiversity or green infrastructure grounds. Ecological surveys are recommended along with further details of the planting and habitat enhancement, as required by the outline consent.

Other matters

- 7.35 A contamination report has been submitted with the application. This has indicated that it is unlikely that contamination will be found on the site, but further investigation should be carried out, in the event that any unexpected contamination is identified.
- 7.36 The Environmental Health Officer has sought further information regarding noise mitigation. Whilst a Noise Assessment Report has been submitted with the application, it is noted that addition information is required to meet the requirements set out in condition 15 of the outline consent. The applicant has sought to provide an acoustic fence for plot 3, to screen the rear garden from noise from Mill Lane.
- 7.37 Measures to protect neighbouring residents from unreasonable levels of dust, noise vibration and hours of working, can be addressed through the submission of a Construction Environmental Management Plan (CEMP), which requires the developer to consider the impact and indicate measures to mitigate any potential issues. A condition was imposed at the outline stage to address this.
- 7.38 One of the objectors has raised concern that they were not invited to community meetings to discuss this proposal to air their concerns. Whilst the local planning authority may encourage such meetings to take place, it is noted this is not a requirement on the developer to carry out such consultation.

8 CONCLUSION

- 8.1 The principle of six dwellings on the site has been established by the outline consent. It is considered that the proposed development would contribute towards the Council's 5-year housing supply and would have a less than substantial impact upon the setting of the Kingsthorpe Conservation Area, and no undue impact on neighbour amenity, flood issues, biodiversity and highway safety.
- 8.2 Whilst the site is an open area of grazing land visually enjoyed by the public, it is not land that is publicly accessible. With appropriate landscaping and mitigation, the development can be carried out with minimal impact on the adjacent ecology.

- 8.3 The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies H1, BN1, BN2, BN3, BN5, BN8 & S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 and E26 of the Northampton Local Plan. The application is recommended for approval.

9 CONDITIONS

1. This permission shall be in respect of those matters reserved by the conditions of the outline planning permission no. N/2018/0170 in respect of the following matters: appearance, landscaping, layout and scale.

Reason: For the avoidance of doubt and to secure a satisfactory standard of development in accordance with the National Planning Policy Framework.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan, SAR 322 PA 001 rev B, SAR 322 PA 050, SAR 322 PA 100, SAR 322 PA 200, SAR 322 PA 300 rev A, SAR 322 PA 400, SAR 322 PA 500, SAR 322 PA 600, 19052/101 and 19-118-01.

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

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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.

4. All windows serving bathrooms and en-suites 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 properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

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

Reason: For the avoidance of doubt as a separate planning unit would be undesirable in this location in accordance with Policies E20 and H1 of the Northampton Local Plan.

6. Notwithstanding the provisions of Part 3 Class L Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any provisions equivalent to that Class in any Statutory Instrument revoking or re-enacting that Order with or with modification) none of the dwellings hereby permitted shall be used for the purposes of a house of multiple occupation.

Reason: To enable the Local Planning Authority to assess the implications of a house in multiple occupation in this location. In accordance with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policy H30 of the Northampton Local Plan and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

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 or outbuildings shall be erected to the dwellings hereby permitted.

Reason: To avoid overdevelopment of the site and to enable the Local Planning Authority in consultation with Anglian Water, to assess the implications for the sewers crossing the site. In accordance with Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy.

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 doors shall be installed in any elevations and roofs of the proposed development.

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

9. Prior to occupation of the development hereby permitted, a scheme for the installation of electric vehicle charging points for each dwelling within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: To ensure the delivery of sustainable development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

10. The side elevation window to Bedroom 3 for Plot 6 at second floor level 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 properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

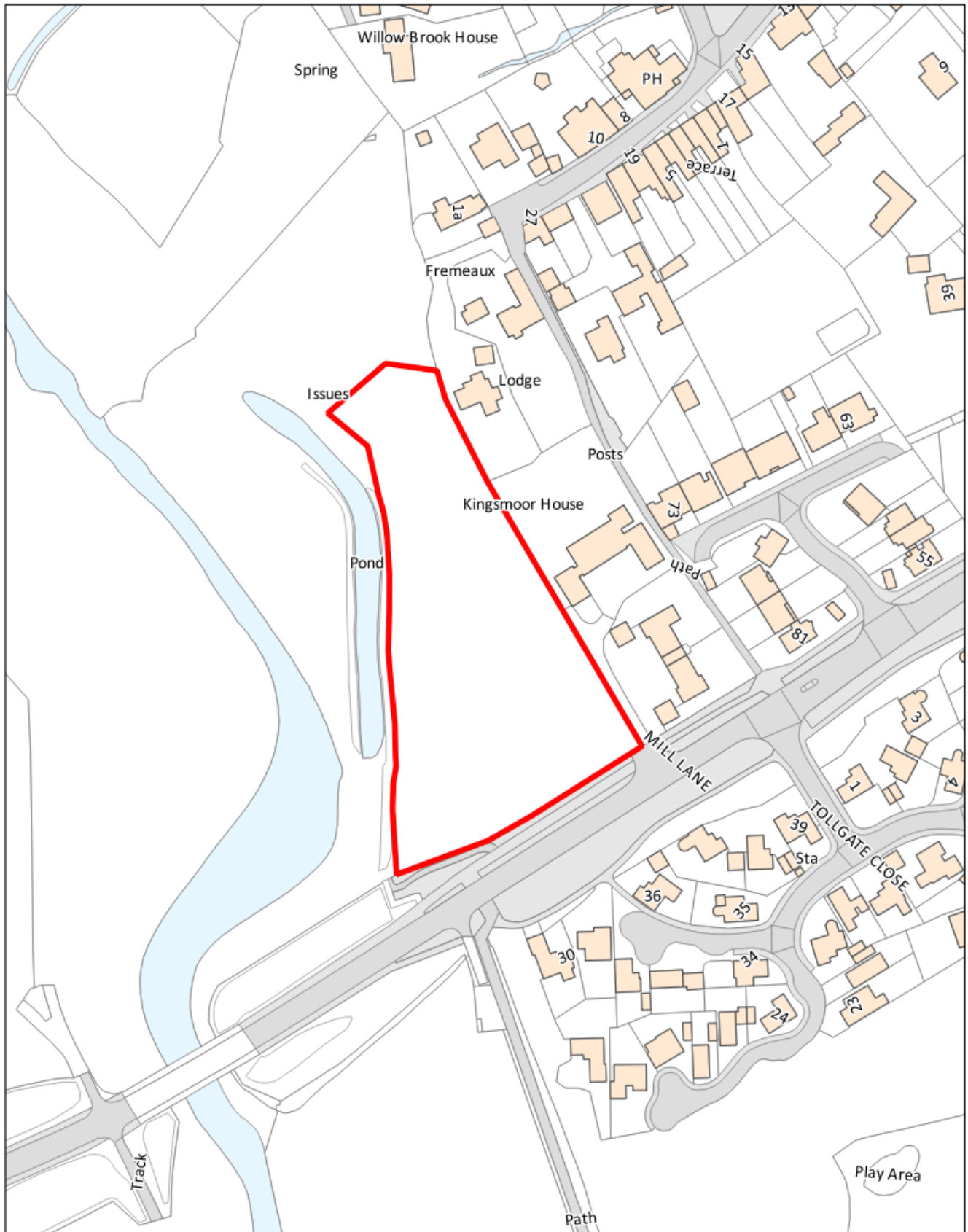
- 10.1 N/2019/1394

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: **Grazing land, Mill Lane**

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Date: 02-12-2019

Scale: 1:1,500

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1395

LOCATION: 17 Holly Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants plus the insertion of a new rear door

WARD: Abington Ward

APPLICANT: Mr V Kryshinets
AGENT: Architectural Solutions

REFERRED BY: Councillor Z Smith
REASON: Parking and refuse 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 overconcentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants, would not be at risk from flooding and would not adversely impact on parking. The site is in a sustainable location close to a Local Centre, bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. 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 Policy H30 of the Northampton Local Plan, Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

2 THE PROPOSAL

- 2.1 The Permission is sought for a change of use from a dwellinghouse (Use Class C3) to a house in multiple occupation (HIMO) (Use Class C4) for 5 people. Parking would be on-street.
- 2.2 No external works had been proposed as part of the current application, apart from a new door to be installed.

- 2.3 The site lies within an Article 4 Direction area, which removes permitted development rights for change of use from a dwelling to a HIMO.

3 SITE DESCRIPTION

- 3.1 The application site comprises a two storey, mid-terraced, 3 bedroom property on Holly Road located in a residential area with similar terraced properties on the street.

- 3.2 The site is in close proximity to Kettering Road, which includes retails and commercial units and a major bus route.

- 3.3 The application site lies in Flood Zone 1, which means very low risk of flooding.

4 RELEVANT PLANNING HISTORY

- 4.1 **N/2002/850** - Single storey rear extension. Approved.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton 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 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community would 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
Policy BN7 - Flood Risk

5.4 Northampton Local Plan 1997 (Saved Policies)

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

Policy E20 – Design for new development

Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Northamptonshire County Parking Standards 2016

Northampton Parking Standards (November 2019)

Houses in Multiple Occupation SPD (November 2019)

Proposals for HMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 10% of HMOs within a 50 metre radius.
- Secure the provision of adequate facilities and amenities.
- Provide adequate waste and recycling facilities and sufficient refuse storage.
- Minimise flood risk.
- Secure provision of adequate parking.
- Provide adequate secure cycle storage in accordance with relevant parking standards documents and SPDs.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Environmental Health** – No comments to make other than recommending an informative restricting hour of construction.
- 6.2 **NBC Conservation** - No objection on conservation grounds; provided the use will not result in a concentration of HMOs in the street, then it will have a neutral impact on the historic character of this part of the Boot and Shoe Quarter Conservation Area. No alterations to the external appearance of the property are indicated and the street scene will not be affected.
- 6.3 **NBC Private Sector Housing** – The room sizes, amenities and facilities indicated on the submitted plans indicate that the proposed HMO would meet the requirements for a 5 occupant HMO.
- 6.4 **Councillor Z Smith** – Calls in the application on the grounds it is likely to exacerbate existing parking and refuse problems in the area.
- 6.5 **NCC Highways** - raised concerns that whilst this development proposal site is located in close proximity to the Kettering Road and public transport services available on this main road, it is likely that residents of the proposed accommodation may be vehicle owners. The local planning authority must therefore be mindful that any further vehicles attracted to this area, either resident, or visitors to the site, will add pressure to the availability of on street parking currently enjoyed by existing residents, who largely park their own vehicles on the carriageway, as such the amenity of the local residents is likely to be compromised.
- 6.6 9 Representations received from 8 neighbouring properties, the comments have been summarised as follow:
- This road and the adjoining road Abington Avenue have an increasing number of such houses.
 - Puts added pressure on parking.

- Increased number of residents increases fly tipping.
- Transient nature of occupants undermines the sense of community.
- Highway safety issues have been raised repeatedly.
- Cars are double parked every evening blocking the way for emergency vehicles.
- Currently 10 licenced HIMOs on Holly Road.
- Previous planning conditions on other HIMOs in the road have been ignored.
- Number of HIMOs granted in Holly Road has had a real detrimental effect on the street.
- Have been numerous problems with the Police called out to HIMOs.
- Permitted number of HIMOs in the vicinity has been exceeded.
- High density is not sympathetic to the nature of a residential area.

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 JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Concentration of HIMO uses in the area

- 7.2 Records indicate that there are 5 existing HIMOs within a 50m radius of the application site. Including the application premises, this would give a concentration of 8.7% and therefore the proposal would not result in an over-concentration of such uses in line with the SPD. There is a mix of dwelling houses and a flatted development on Holly Road, therefore, it is considered that there would be a reasonable mixture of house types within the vicinity in order to meet the differing needs of residents.
- 7.3 Concerns have been raised by the local residents about the over-concentration of HIMOs in the local area. It is confirmed that the concentration is calculated on the basis of Planning and Planning Enforcement records, Private Sector Housing HIMO register. As per these records, there are no other approved or established HIMOs within the 50m radius of the application site.

Size of the property and facilities for future occupiers

- 7.4 All 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 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.
- 7.5 Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 5 occupant HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement, so a condition has been recommended to use it only as a storage area.

Flood Risk

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

Highways/Parking

- 7.7 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be

within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.

- 7.8 Parking beat survey is not submitted with the application, so a further consideration has been given to the access to the available bus routes.
- 7.9 It is considered that the application site is in a sustainable location within 270m of bus stops and within walking distance of local facilities on Kettering Road. There are 5 bus routes that pass through the bus stops and have service in every 10 minutes on Monday-Friday and 3 bus routes on Saturday on different routes, providing service in every 10 minutes. In this regard, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations.
- 7.10 The HIMO SPD 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 has been recommended to submit full details for the cycle storage. The proposal is, therefore, in compliance with Principle 1 of the HIMO SPD.
- 7.11 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 5 parking spaces, which is an increase of 3 compared to the existing use, as parking requirement for a 3-bed dwelling is 2 spaces.
- 7.12 In the absence of on-site parking, the Principle 5 of the Northampton Parking Standards outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is considered to be in accordance with the requirements of the Parking SPD in respect of parking considerations.
- 7.13 Highways Authority have raised concerns about the proposal as it would result in the additional pressure to the availability of on-street parking.
- 7.14 Notwithstanding this, 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.
- 7.15 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 HIMO SPD and the Parking SPD, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse Storage

- 7.16 The submitted plans indicate refuse storage in the front garden area and state also that this could alternatively be in the rear area. Either arrangement would be acceptable, and a condition is therefore recommended requiring full details to be submitted.

Amenity

- 7.17 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 would not lead to an unacceptable concentration of HMOs within the locality that would adversely affect upon 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.
- 8.2 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, 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 SPD.
- 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: 19/K102/2 and 19/K102/3.

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

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) Full details of facilities for the secure and covered parking of bicycles shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use 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 be maintained as such for the duration of the use hereby permitted 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

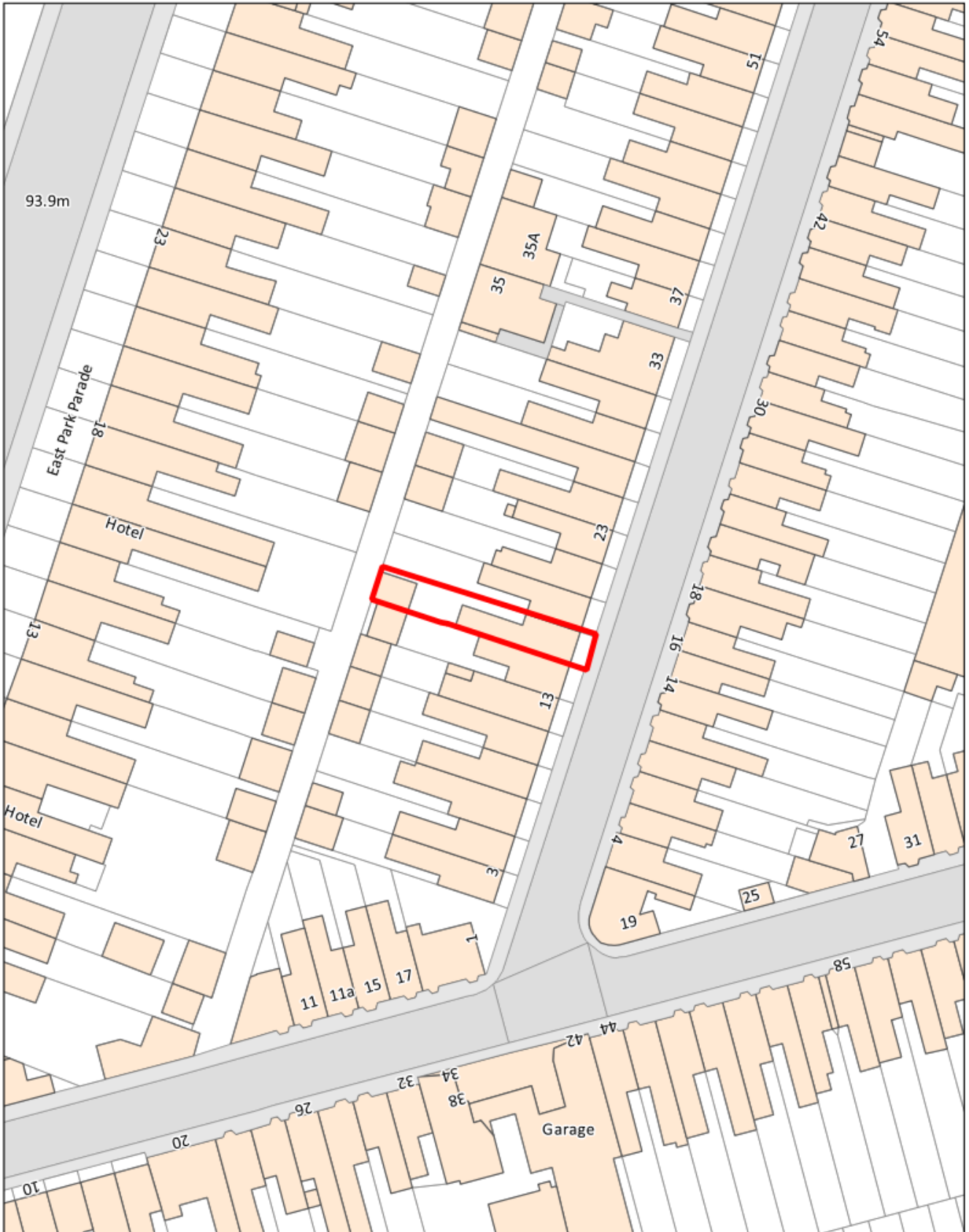
10.1 N/2019/1395.

11. LEGAL IMPLICATIONS

11.1 The development is not CIL 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: **17 Holly Road**

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Date: 10-01-2020

Scale: 1:750

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1523

LOCATION: The Spires Academy, Station Close

DESCRIPTION: Variation of Condition 1 of Planning Permission N/2018/0845 (Variation of Condition 1 of Planning Permission N/2016/1264 to extend temporary period) to allow the Spires Academy to occupy the building for another three months to 15th May 2020

WARD: Billing Ward

APPLICANT: Department for Education (DfE)
AGENT: JLL

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposal would continue to allow for the provision of a temporary facility to meet an existing educational need until a more permanent facility is provided. Subject to the conditions below, it is not considered that the continue use would lead to any unacceptable adverse impacts on adjacent residential amenity or existing highway conditions. The proposal is therefore in accordance with the requirements of Policies S10 and E6 of the West Northamptonshire Joint Core Strategy and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The application seeks to vary Condition 1 of planning permission N/2018/0845 which permitted the use of the buildings as a free school for a temporary period until February 2020. The current application seeks to extend the period of use until 15th May 2020.

3 SITE DESCRIPTION

3.1 The application site comprises of two single storey former Council Depot buildings located around an enclosed courtyard with gated access located at the end of a private road. The site is owned by

the Council. Access to the depot site is via a single track private road from Station Close which runs to the rear of residential gardens of properties on Station Road and Station Close. The surrounding area is residential in character, with residential properties on Station Close adjoining the immediate northern boundary of the site. Great Billing Way forms the eastern boundary of the site beyond a boundary wall and a line of trees.

4 PLANNING HISTORY

- 4.1 N/2018/0845 - Variation of Condition 1 of Planning Permission N/2016/1264 (Variation of Condition 1 of planning permission N/2000/981 to allow the use of the building as a free school) to allow the Spires Academy to occupy the building for longer than the consented period for a further 12 months until 15 February 2020. Approved 1/08/18.
- 4.2 N/2016/1387 - Installation of new doors, windows, infill cladding panels, gates and ramps with handrails. Approved 21/12/16.
- 4.3 N/2016/1264 - Variation of Condition 1 of planning permission N/2000/981 to allow the use of the building as a free school. Approved 15/02/17.
- 4.4 N/2000/981 - Continue use as a training centre on a permanent basis. Approved 1/11/00.
- 4.5 N/1998/632 - Conversion of existing facility for use as an outreach training centre by Youth Service and Chamber of Commerce/Moulton College initiative. Approved 6/10/98.

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

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 94 – seeks to ensure a sufficient choice of school places is available to meet the needs of existing and new communities.

Paragraph 109 – Development 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.

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 S10: Sustainable Development Principles – development will achieve the highest standards of sustainable design incorporating safety and security considerations; be located where services and facilities can be easily accessed by sustainable transport methods.

Policy E6: Education, Skills and Training – new educational facilities will be encouraged and should be developed at sites accessible by sustainable transport modes.

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, there is no relevant policy relating to this proposal.

5.5 **Supplementary Planning Documents**

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

6 **CONSULTATIONS/ REPRESENTATIONS**

6.1 **Public Protection (NBC)** – no objection.

6.2 **Highway Authority (NCC)** – no comments to make.

6.3 Two comments from 3rd parties have been received, the comments of whom are summarised as follows:

- No objection to the continued use of the buildings by the Spires Academy.
- There is insufficient space on site to accommodate all the staff cars resulting in cars parked on both sides of Station Road during the school day, creating a tortuous route for traffic and difficulties for commercial and emergency vehicles.
- Impact on driveway access and visibility for properties on Station Road.
- Acknowledge Headteacher has endeavoured to resolve situation, but any improvements only last a short time.

7 **APPRAISAL**

Principle

7.1 The NPPF advises on the need to take a proactive approach to ensuring the availability of a sufficient choice of school places to meet the needs of the community and the widening of choice in education. Policy E6 of the JCS supports the provision of educational facilities on sites accessible by sustainable transport modes.

7.2 The continued provision of a facility to meet educational needs as proposed is supported by planning policy as identified above. The main issues to consider therefore relate to the continued use of the premises on a temporary basis as a school, and the impacts on surrounding residential amenity and the highway.

Amenity

7.3 The site is situated in a predominantly residential area with a single access from Station Close which runs along the rear garden boundaries of residential properties on Station Road and Station Close.

7.4 The principle of the use of the site as a school on a temporary basis has been established through the grant of the permission in 2017, extended for a further period in 2018 until 15th February 2020. The use of the site has always been intended as a temporary solution with the intention to move pupils from the existing temporary classroom at the depot to a new school at Northgate House on

Sheep Street, currently undergoing conversion to a school. The completion of Northgate House has been delayed due to alterations being undertaken to the car park.

- 7.5 The depot property is leased from the Council, which would retain an element of control over appropriate use of the building in respect of any potential to cause nuisance or inconvenience to the Landlord, or any owner or occupier of neighbouring properties. As such, it is considered that the continued use of the buildings on a further temporary basis as proposed is acceptable and would not lead to any undue impact on surrounding residential amenity.

Highways

- 7.6 Access to the site is from Station Close, via a private road under the ownership of the Council.
- 7.7 The existing school at the depot is staffed by 20 full and part time staff. 13 on-site parking spaces are provided comprising 5 allocated for drop off/pick up and the remaining 8 allocated for staff parking. The application details also advise that parking occurs for 4 vehicles on land immediately south of the school gates for up to 4 vehicles and there are existing lease agreements with 5 nearby residential properties for up to 9 spaces and a further 5 spaces at the Deer Leap Public House.
- 7.8 Concerns raised regarding impacts on parking and highway safety within the area are acknowledged. However, the Highway Authority raises no objection and the current works being carried out to Northgate House provide a greater level of certainty that a more permanent solution will imminently be in place. The proposal seeks to extend the use of the premise for a limited period and, as such it is not considered that the proposal would lead to any unacceptable adverse impacts on highway safety or surrounding residential amenity, particularly when making a balanced judgement against the provision of much needed school places.

8 CONCLUSION

- 8.1 The continued use of the site is intended as a temporary measure until works to the alternative accommodation are completed. A condition imposing a temporary consent is proposed on this basis, and to enable the Local Planning Authority to continue to assess the impacts of the use, should there be a further future requirement for a longer period. Whilst the management of the facility would not be enforceable by planning condition, there would be an element of control under the lease agreement with the Council to enable control over any unacceptable adverse impacts on adjacent residential amenity. The impacts of the proposal in relation to highway matters are not considered to be of such severity that the application should be refused on this basis. On balance, it is considered that the proposal would provide a much needed educational facility, the impacts of which could be appropriately mitigated subject to the conditions proposed, and therefore, the application is recommended for approval.
- 8.2 As this application is for a variation of condition, the previous relevant conditions of the original consent N/2000/0981 are imposed, in addition to the conditions of the previous temporary consent N/2018/0845.

9 CONDITIONS

1. The use of the premises hereby permitted shall be for a temporary period only expiring on or before the 15th May 2020.

Reason: The proposed use is considered acceptable as a temporary use of the land and building to meet a current need and would allow the Local Planning Authority to monitor the impact on adjacent residential amenity and highway safety in accordance with Policy E6 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Proposed Ground Floor Layout Option 6 received 30/01/17.

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

3. The temporary use hereby permitted shall be carried out in accordance with the details set out in the submitted Traffic Management Plan dated 4/07/18.

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

4. The parking area providing 13 parking spaces as shown on the approved drawing, Ground Floor Layout Option 6 received 30/01/17, shall be retained throughout the life of the development.

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

5. The premises shall only be open for the use hereby permitted between 08:00 and 21:00 hours Mondays to Fridays and at no time whatsoever on Saturdays, Sundays or Bank Holidays.

Reason: In the interests of the amenities of nearby residential properties in accordance with the National Planning Policy Framework.

10 BACKGROUND PAPERS

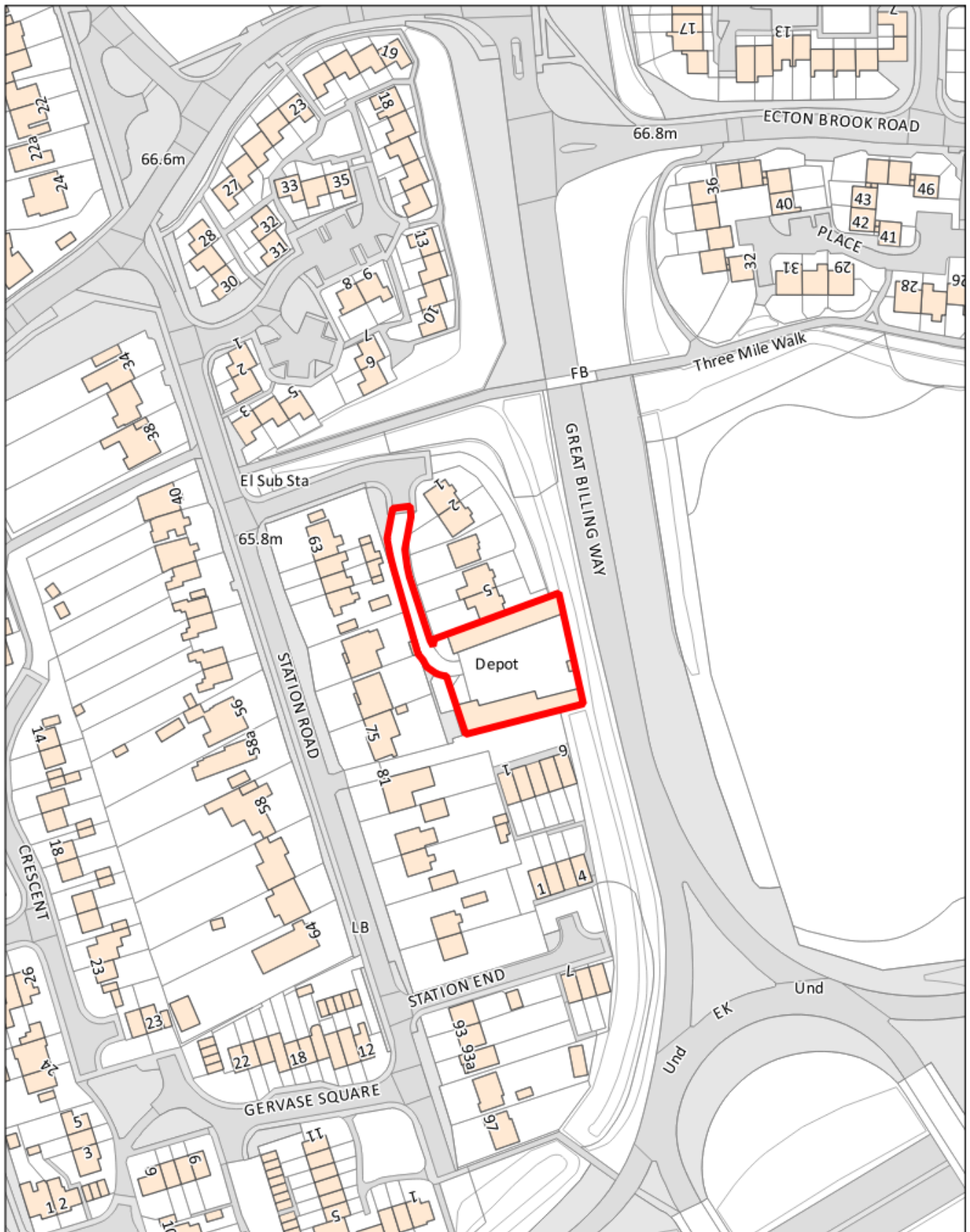
- 10.1 N/2019/1253.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **The Spires Academy, Station Close**

Date: 08-01-2020

Scale: 1:1,500

Drawn by: -----

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PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0386

LOCATION: Lock Up Garages adjacent to 43 Hopmeadow Court

DESCRIPTION: Demolition of 10 lock up garages and erection of two storey detached dwelling and provision of car parking

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The 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 proposed development is therefore 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, Saved Policy E20 of the Northampton Local Plan and Policies 1 and H2 of the Growing Together Neighbourhood Plan.

2 THE PROPOSAL

2.1 Permission is sought for demolition of 10 single garages and erection of a three-bedroom detached dwelling house immediately adjacent to no. 43 Hopmeadow Court. There would be a private garden to the rear measuring 11 metres deep with associated off street parking for 3 cars adjacent. The property would have a pitched roof and measures 8.1 metres in height. The houses would be constructed in brick with roof tiles similar to nearby properties on the estate.

- 2.2 The proposed dwelling house comprises lounge, dining room, kitchen and WC at ground floor level with three bedrooms and bathroom above.
- 2.3 There will be alteration to the existing parking layout, however, the number of new spaces provided following the demolition of garages would be 23 (including 3 to serve the proposed dwellinghouse).

3 SITE DESCRIPTION

- 3.1 The site consists of a residential parking court within an established residential estate. The site comprises 10 single lock up garages and is relatively flat in topography. It is enclosed by residential dwellings with parking on all sides, set within pockets of landscaping and tree planting. None of the trees are protected by preservation orders. The site is not in a conservation area or near any listed buildings. The site 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 and the Growing Together Neighbourhood Plan (2017).

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 Growing Together Neighbourhood Plan (2017)

Policy 1 Design Quality
Policy H2 Small scale Housing

6.5 Supplementary Planning Documents

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

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **NBC Tree Officer** - Have no adverse comment upon the principle of the proposed development on purely arboricultural grounds, but if the development is to proceed a site-specific arboricultural method statement will be required that will set out how the ground protection measures are to be installed.
- 7.2 **NBC Public Protection** - recommend conditions relating to contamination, construction hours and low emissions.
- 7.3 **NCC Highways** - The layout plans submitted are now acceptable. The application site is not affected by a Public Right of Way. Planning Permission does not give or imply permission for adoption of new highway or to implement any works within the highway and / or a Public Right of Way.
- 7.4 **Northamptonshire Police** - The layout still retains the 'gap' between the existing residents rear garden fences and the new gardens. This is likely to be an unpleasant space set between two rear fence lines and should be secured as previously advised with a lockable gate accessible only to those existing residents who have rear garden gates leading out into the existing parking area.
- 7.5 Two neighbour letters of objections summarised as follows:
- Parking and access concerns
 - Impact on disabled residents
 - Crime / security concerns
 - Health and safety concerns
 - Impact on trees
 - Out of keeping with area
 - Noise and vibrations from construction process
 - Loss of garages
 - Loss of light and privacy
 - Impact on open space/ trees
 - Over-crowding

8 APPRAISAL

- 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 development

- 8.2 The application site is located in an established 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 urban area of Northampton. 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 one dwelling, 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 appearance

- 8.3 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.
- 8.4 The proposed design, roof form, fenestration and general appearance are in keeping with the area which also comprises other two storey dwellings with comparable height to the proposed dwelling and a large proportion also constructed in brick. The new house would also follow the building line of the properties to the immediate west and any approval would also be subject to a materials condition to ensure that appropriate external appearance could be achieved.

Residential amenity

- 8.5 The site is surrounded by residential properties on all four sides. To the east of the proposed dwelling, is a row of terraced two storey properties 16 metres away at their closest. Due to the separation involved, the impact is considered acceptable in terms of loss of outlook, light and overbearing. Given that there would be no first-floor east facing side windows in the flank elevation of the proposed dwelling, direct overlooking would also be limited.
- 8.6 In terms of the occupiers to the immediate west, these would be separated by a pedestrian path around 2 metres wide. However, the relationship is such that loss of residential amenity would be minimal as there are no side windows would be affected in the existing property. Given the separation of over 30 metres to the closest property to the south east, at no. 28 Hopmeadow Court, it is considered that there would be limited impact on this neighbour in terms of overlooking loss of light, outlook and overbearing.
- 8.7 Turning to the effect to the nearest occupiers to the north of the application site, the rear wall of the new dwelling is in excess of 20 metres away and positioned at a slight angle. For this reason, the impact of built form would be reasonably limited.
- 8.8 In terms of the amenity of future occupiers, 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 space 11 metres long, providing an acceptable level of residential amenity. Although the two storey properties to the east of the site would directly overlook the rear amenity space, it is considered that the separation involved is reasonable and the need for an additional dwelling would outweigh these concerns. Matters relating to the energy efficiency of buildings are generally addressed under the Building Regulations. As all new properties have to comply with these, the proposal complies with Policy S10 of the JCS.

Parking and Highways

- 8.9 The application site currently comprises 10 single garages which are all earmarked for demolition. 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

out of the 10, 6 are currently occupied and 4 vacant. However, a desktop exercise was carried out and each current occupant would be offered an alternative garage as close as possible to their homes either on Hopmeadow Court or Greatmeadow Court, a short distance away.

- 8.10 The Northamptonshire County Council Parking Standards seek 1 on plot parking space for 1 bedroom properties and 2 parking spaces for two and three bedroom houses. The proposal provides 1 three bedroom property, with 3 parking spaces to the side/front which exceeds the minimum parking requirement by 1 space for a single dwellinghouse.
- 8.11 The proposal provides 23 parking spaces. There will be a net loss of 1 space as compared with the existing parking provision, if the existing garages were to be included in the calculation. However, as garages are not counted as parking spaces, there will be a net increase of 9 spaces to serve the local residents. The Local Highway Authority raise no objection. There also appears to be spare parking capacity during the day for resident parking. It is considered that the proposal would not have an unacceptable impact upon the highway network and accords with Paragraph 108 and 109 of the National Planning Policy Framework.
- 8.12 There are also at least 4 bus stops on the nearby Blackthorn Road within five to ten minutes walk from the site. The site is therefore considered to be sustainable, in accordance with the SPD on Parking Standards. In addition, a vehicle electric charging point would need to be provided in accordance with the requirement of the Parking Standards SPD. A planning condition is therefore recommended for its provision.

Security and Crime Prevention

- 8.13 Northamptonshire Police Crime Advisor raises concern a gap remains between the side of the existing house and proposed dwelling. However, a gate cannot be secured by condition as this would be outside the application site and involve an existing path being stopped up. Appropriate boundary treatment, however, can be secured by condition on any grant of planning permission. Most of the proposed car parking spaces would also benefit from direct surveillance from the new dwelling's front windows.

Contamination and Environmental Health issues

- 8.14 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 Environmental Health legislation. There is no policy justification for insisting on gas fired boilers.

Trees

- 8.15 There are a number of semi-mature trees within the site. 5 are earmarked for removal and some others are to be retained. A tree protection condition is recommended on of any planning approval in accordance with the Tree Officer comments. This would require ground protection measures and a Method Statement to be submitted and agreed. This accords with Policies S10 and BN3 of the JCS and the aims of the NPPF.

Other issues

- 8.16 Given that construction period is likely to be for a temporary period only, it would be unreasonable to refuse planning permission in terms of noise / nuisance.

CONCLUSION

- 8.17 To conclude, the site is in an existing residential area within the built up area of Northampton and 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.

8 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, P03F, P04, P05 and P06A.

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

- 3) 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.

- 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 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 Policies H1 and S10 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 windows shall be installed at first floor level in the east facing side elevation of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

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 extensions or roof alteration/enlargements including dormer windows and roof lights 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.

9) Prior to the commencement of construction work, the applicant shall provide a site specific Arboricultural Method Statement detailing ground protection measures in relation to trees earmarked for retention on site to be agreed in writing with the Local Planning Authority. The development shall be implemented in accordance with any recommendations contained therein and prior to the commencement of construction and retained throughout the development process.

Reason: In the interests of sound arboricultural practice to accord with Policy BN3 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

10) The parking spaces shown on the submitted plan shall be constructed prior to the first occupation of the dwelling 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.

11) Full details of one electric vehicle charging point for the approved dwelling or the communal parking spaces hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards SPD.

9 BACKGROUND PAPERS

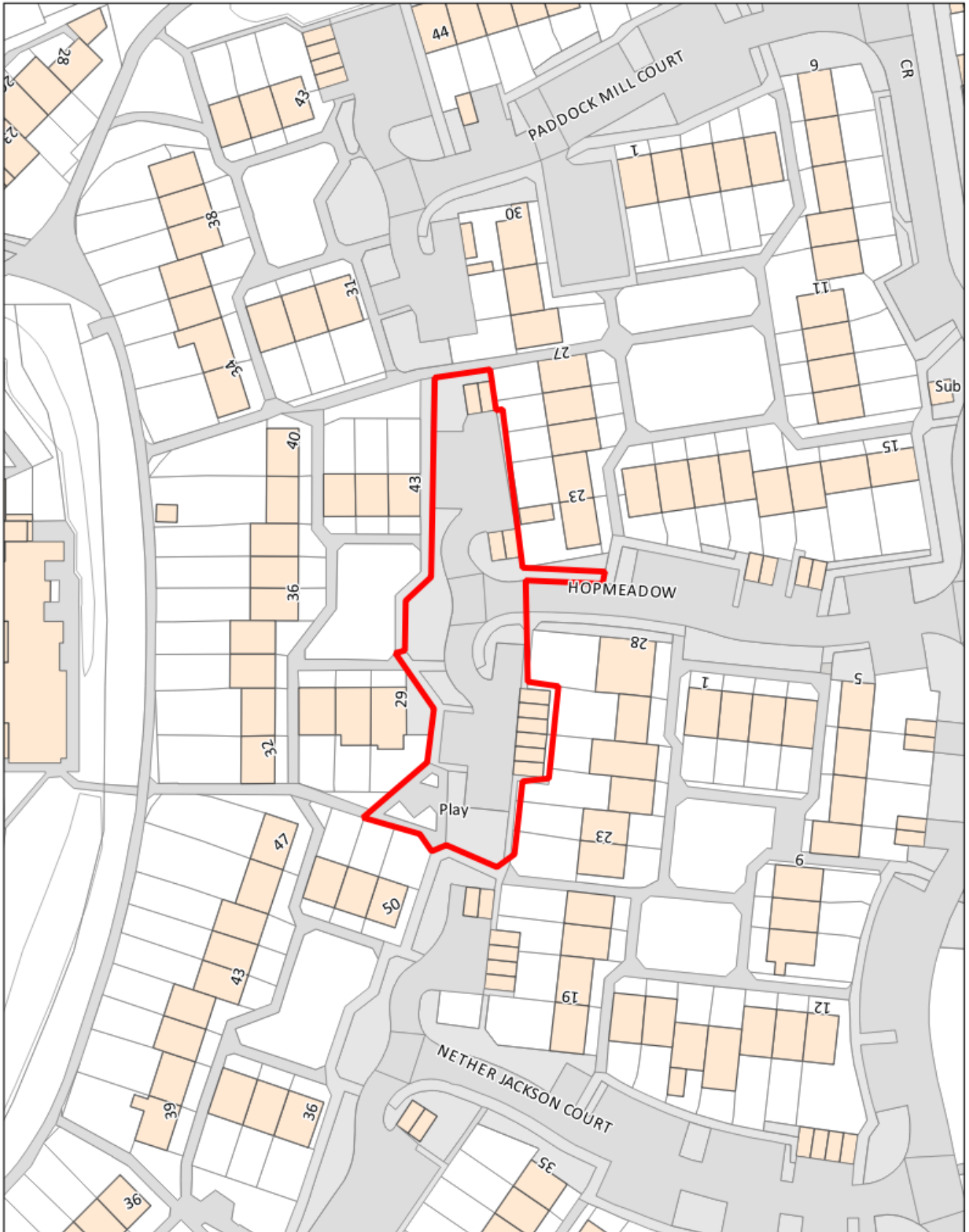
9.1 N/2019/0386.

10 LEGAL IMPLICATIONS

10.1 The development is CIL liable as it would result in the creation of a new dwelling.

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 adj 43 Hopmeadow Court**

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Date: 08-01-2020

Scale: 1:850

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0392

LOCATION: Land adjacent to 37 Windermere Way

DESCRIPTION: Construction of 2no dwellings and car parking spaces

WARD: Eastfield Ward

APPLICANT: Baily Garner LLP
AGENT: Baily Garner LLP

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposal would contribute 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 construction of two dwellings with associated car parking spaces.

2.2 The new dwellings would be two bed semi-detached properties with gabled roof forms. Each dwelling would measure 5.1 metres in width, 9.3 metres in depth and 8.1 metres in height.

2.3 In addition, the proposal would include the provision of 18 parking spaces.

2.4 The scheme was originally due to be reported to the Planning Committee on 2 July 2019 and has been formally amended twice since its submission to omit a dwelling, retain a line of trees to the west of the site and re-arrange the parking and manoeuvring layout.

3 SITE DESCRIPTION

- 3.1 The application site is located in a residential area and comprises areas of parking and landscaping accessed off Windermere Way. More specifically the site includes a parking court to the side of No 37 Windermere Way with a landscaped strip to the rear and western side incorporating four silver birch trees to the side of 8 Troutbeck Walk; 4 parking spaces to the rear of 103 Churchill Avenue; and a grassed area between Nos 33-37 (odd) Windermere Way and the flats at 87-101 (odds) including a walled enclosure.
- 3.2 Properties in the locality predominantly comprise two storey houses and flatted blocks with a mix of facing materials.
- 3.3 The application site backs onto and is enclosed by paths that provide access onto a tree belt that forms part of Eastfield Park to the rear of the site.

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.

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.

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 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

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**

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

6 **CONSULTATIONS/ REPRESENTATIONS**

Comment received are summarised as follows:

- 6.1 **Arboricultural Officer (NBC)** – The latest layout is acceptable in principle: the silver birch trees will need to be effectively protected from avoidable harm throughout the development and a revised arboricultural report will be required.
- 6.2 **Public Protection (NBC)** – No objections subject to conditions to address unexpected contamination, and working hours and an informative relating to the Council's Low Emission Strategy.
- 6.3 **Northamptonshire Police Crime Prevention Design Advisor** – Previous recommendations to reduce opportunities for crime by relocating sheds away from the boundary as they are often used as a means of entry into a garden have not been included in the latest layout. Also the sheds should include no windows and be fitted with a secure lock. The relationship between parked vehicles and the dwelling they relate to is worse in the latest scheme as the vehicles are no longer visible from within the dwelling.
- 6.4 **Highway Authority (NCC)** – No objections.
- 6.5 **Nine neighbour objection letters** were received in respect of the previous iterations of the application. The letters included the following concerns:
- Object to the loss of communal areas in front of properties; these areas are in much demand in the school holidays and provide a safe environment for children to play that have been used for generations. There are no play areas close to the site and the estate is slowly being stripped of its green areas and trees.
 - The loss of the green space will also impact on views from properties.
 - Areas of green space used for play should not be prioritised over areas containing trees.
 - New buildings have already been approved in the area and it is unfair to subject the area to more housing and traffic.
 - Development would result in overcrowded and overpopulated area.
 - Inadequate/loss of parking; the site can currently accommodate some 20 parking spaces utilising a tandem parking arrangement and the plans would severely restrict parking options.
 - Unclear where resident cars can park during construction works and also where construction workers would park.
 - Parking in the area is also used by the public to access Eastfield Park.
 - The ratio of parking for new and existing residents is unfair.
 - Existing residents should be provided with dropped kerb to allow cars to park on their frontages.
 - Parking issues in the area are not helped by empty garages not being released for use by local tenants.
 - Electric vehicle charging points should be provided.
 - Lack of engagement from the applicant with neighbours.

- Not all neighbours have been notified of the application (Officer Note: Neighbour notification letters sent to all properties that bound the site and a Site Notice has also been erected)
- The supporting documents erroneously refer to other sites.
- Adverse impact on house prices.

6.6 **One further letter of objection** has been received following the receipt of the latest amended plans. This letter includes the following points:

- Revised parking layout remains unacceptable.
- Dropped kerbs should be provided to residents off the new parking court.

7 APPRAISAL

Principle of development

7.1 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.

7.2 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 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.

Open Space

7.3 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.

7.4 In addition, Paragraph 97 of the NPPF also seeks to protect against the unjustified loss of open space of public value.

7.5 The application site includes two areas of open space: an area of open space beside No 8 Troutbeck Walk that contains four mature silver birch trees and a grassed area that is fronted onto by houses on Windermere Way and the flats on Churchill Avenue. The application originally proposed the loss of all the existing open space within the site, however the scheme has been amended to retain the strip of open space containing silver birch trees adjacent to No 8 Troutbeck Walk. The grassed area of open space fronted onto by the houses and flats would, however, still be lost as part of the amended proposal to facilitate additional parking. Whilst this open space does not contain any play or recreation facilities, it clearly serves as a recreational and amenity resource for local residents. However, the site neighbours Eastfield Park which affords recreational facilities, including play equipment to the far side of the tree belt, and it is considered that the community benefits arising from the proposed new homes would outweigh the loss of open space in this instance.

Layout and Design

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

- 7.7 The new houses would be marginally taller than neighbouring properties and would also have a narrow width and greater depth. However, the development would not directly adjoin neighbours and instead would occupy a staggered position between two runs of terraced houses. Furthermore, the proposed houses would have a pitched roof design with first floor render to reflect the appearance of properties in the area, which tend to either have first floor cladding or render. In addition, the scheme would retain a landscape strip between the new houses and properties on Troutbeck Walk, which would provide a transitional area between the new and existing properties and allow views through to Eastfield Park. The comments of the Police regarding poor surveillance of parking spaces for the new houses and the location of the sheds. However, the new houses would benefit from side windows serving hallways which would allow opportunities for some surveillance of the adjacent parking, paths and landscaping and the relocated parking for neighbouring residents would be subject to better surveillance as a result of the proposed development. It is recommended that a condition is imposed requiring details of external lighting to the site including the new parking areas. Turning to the location of the sheds, given the small garden sizes, it is considered that there is not any scope for them to be relocated, but details of the sheds including security features can be addressed by condition. As such, subject to the aforementioned conditions and together with floor level and materials conditions, no objections are raised to the proposal with respect to the character and amenity of the area.

Residential amenity

- 7.8 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.9 In terms of the amenities of neighbours, the proposed semi-detached houses would be set to the side of the existing dwelling at No 37 Windermere Way and separated by a pathway. As such, the proposed dwellings would have no implications for the residential amenity of this property. Turning to the neighbour to the west, No 8 Troutbeck Walk, the new dwellings would be separated from this neighbouring property by a treed landscaped strip, parking and pathways. Furthermore, the proposed houses would not benefit from any first floor flank windows and this could be secured by condition. As such, the proposed dwellings would not give rise to an adverse impact with regards to the residential amenities of No 8. The proposal also includes the formation of parking areas including parking forward of the existing flats, however these spaces would not directly abut neighbouring properties and would not have a harmful impact with regards to residential amenity.
- 7.10 Turning to the amenities of future occupiers of the new dwellings, all habitable rooms would be served by windows. The gardens for the new dwellings would be smaller in size than is normally acceptable and the light received in the gardens would be restricted by the existing tree belt running along the boundary of Eastfield Park. However, these proposed gardens would reflect the established character of properties to the east and the site backs onto Eastfield Park such that there is ample open space available in the locality. Therefore, and subject to conditions removing permitted development rights for extensions to ensure adequate private amenity space is retained for each plot, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the site in this instance.
- 7.11 Overall, it is considered that the proposal would not give rise to an unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

Parking and highway safety

- 7.12 The application site currently benefits from two informal parking areas: a parking area to the rear of No 103 Churchill Avenue that can accommodate 4 parking spaces in accordance with the requirements in the County Parking Standards; and a parking area to the side of No 37 Windermere Way that can accommodate 5 parking spaces. It is noted that third party representations detail that additional informal parking presently takes place, with an extra car parking behind No 103 and tandem parking taking place to the side of Windermere Way such that

some 15 cars could potentially park under the existing site circumstances. However, such informal parking cannot be relied upon in a parking assessment under the Parking Standards, although is nevertheless indicative of the level of parking demand in the locality.

- 7.13 The Parking Standards seek 2 parking spaces per 2/3 bed dwelling, which equates to 4 parking spaces for the proposed development. The application proposes 18 formal parking spaces: 4 to the side of the new houses (with scope for an additional two vehicles to park in a triple tandem arrangement); 9 in front of the existing flats and the area to the rear of No 103 Churchill Avenue enlarged to accommodate 5 policy compliant spaces. Therefore, under the Parking Standards the proposal would provide parking to meet the demand from the proposed development and increase the existing levels of formalised parking provision. As such, the proposal would afford a similar level of parking for neighbouring residents to the existing situations but, rather than reliant on informal tandem parking and substandard spaces, there would be separate policy compliant parking spaces provided. It is noteworthy that the proposal would also introduce a formal turning head for the cul-de-sac and thus provide highway safety benefits.
- 7.14 The comments of third parties regarding the potential for the scheme to provide on plot parking for existing properties is noted. However, such works would fall outside the application site and cannot be addressed under this application. Although, the revised layout would not prejudice such arrangements taking place and this is a matter for the third parties to discuss directly with the applicant (NPH).
- 7.15 The neighbour concerns regarding parking provision during construction works are noted and it is therefore recommended that a condition is imposed to seek to secure the provision of the new parking areas prior to the construction of the new dwellings. In addition, vehicle electric charging points would need to be provided in accordance with the requirement of the Parking Standards SPD. A planning condition is therefore recommended for its provision.
- 7.16 The application has been amended to seek to address concerns previously raised by the Highway Engineer regarding a footway and turning.
- 7.17 Overall, it is considered that the proposal is acceptable with regards to parking and highway safety.

Other considerations

- 7.18 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.19 In addition, the Environmental Health Officer has provided guidance regarding the Council's Low Emission Strategy and recommends a condition relating to construction hours. In this respect, matters relating to the energy efficiency of buildings are addressed under the Building Regulations. 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.
- 7.20 Third party concerns have also been raised regarding the impact of the proposal on property prices, however such matters are not material planning considerations

8 CONCLUSION

- 8.1 To conclude, the Council 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 respect, the principle of residential development is acceptable under the development plan and the proposal would also contribute to the Council's five year housing land supply. The proposal would however result in the loss of an area of open space, but a meaningful area of open space would remain and the site backs onto a large park. As such, it is considered that this limited harm is considered to be outweighed by the benefits to the community of providing housing to contribute to the Council's five year housing land supply. Furthermore, subject to

conditions, no other 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)01A, (P)02A, (P)03J, (P)04C, and (P)05D.

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

3. 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.

4. Prior to the construction of the development hereby permitted, 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 H1 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

5. Notwithstanding the submitted details and prior to the commencement of development hereby permitted, an Arboricultural Report detailing the tree protection measures for all the trees to be retained as part of the development shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved tree and hedge protection details.

Reason: In the interests of the character and appearance of the locality and biodiversity in accordance with Policies H1, BN1, BN2 and S10 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

6. Prior to the construction of the development hereby permitted, a timetable for the construction of the parking spaces and manoeuvring areas shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and the parking spaces shall be 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 requirements of the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

7. Prior to the construction of the development 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.

8. Prior to the construction of the development hereby permitted above ground floor slab level, full details of all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

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

9. Prior to the construction of the sheds shown on the plans hereby approved, full details of the sheds shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

10. 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 window(s) shall be installed at first floor level in the side elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

11. 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: 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.

12. Full details of electric vehicle charging points for the approved dwellings or the communal parking spaces hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards SPD.

10 BACKGROUND PAPERS

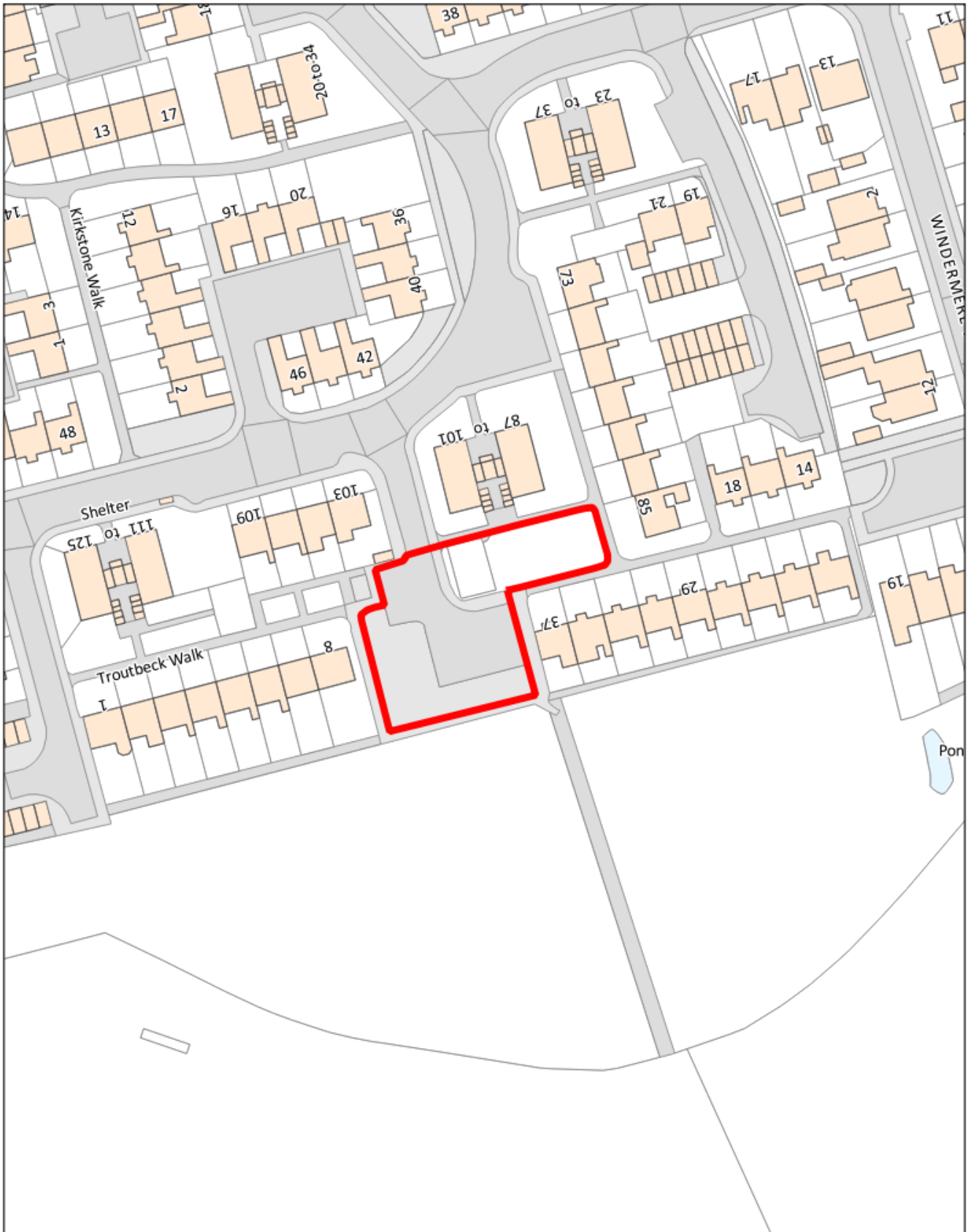
- 10.1 N/2019/0395.

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 adj 37 Windermere Way**

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Date: 10-01-2020

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 21st January 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1232

LOCATION: 11 Toms Close

DESCRIPTION: Two storey side extension, front porch, rear conservatory, replacement windows, external finish of house in brick, demolition of single garage and replacement with double garage, and additional hardstanding (Retrospective)

WARD: Nene Valley Ward

APPLICANT: Northampton Partnership Homes
AGENT: Northampton Partnership Homes

REFERRED BY: Director of Planning and Sustainability
REASON: Affect 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 area. The proposed development would therefore comply with Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The application relates to the retention of a two storey side extension, front porch, rear conservatory, replacement windows, external finish of house in brick, demolition of single garage and replacement with double garage, and additional hardstanding (Retrospective).

3 SITE DESCRIPTION

- 3.1 The site comprises of a two-storey semi-detached house within a cul-de-sac of similar properties. The houses around have recently been redeveloped by Northampton Partnership Homes, which has seen the previous 'Airey' Houses replaced with new brick and tile constructed dwellings.

4 PLANNING HISTORY

- 4.1 N/2016/1152 - Construction of two storey side extension, new porch to the front and a conservatory to the rear. Existing garage is to be demolished and replaced by a double garage. Approved by the Planning Committee in October 2016.

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.

National Policies

- 5.2 **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 124 - Good design is a key aspect of sustainable development.

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 policies are material to this application:

Policy E20 – Design

Policy H18 – Household Extensions

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD 2011

6 CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Collingtree Parish Council** – no comments or objections in respect of this application.

7 APPRAISAL

- 7.1 Planning Permission was granted for a similar proposal in 2016. Works commenced on site, but the conservatory and detached garage have not been constructed in accordance with the approved plans. This application seeks to regularise the works that have been completed.
- 7.2 The extensions and garage have all been constructed in a buff brick with a tiled roof. The main changes relate to the shape of the garage and the design of the conservatory.
- 7.3 The garage that has been constructed is now 6.7m x 6.7m, rather than the 4.8m x 8m garage approved under the 2016 application.
- 7.4 The conservatory was original shown as 3.98m, which is a similar depth to what has been constructed, but the shape has been squared off and a solid roof added.
- 7.5 No amendments have been made to the side extension or the porch from that previously approved.
- 7.6 The impact on neighbouring properties and the street scene was assessed at the time of the 2016 application. It is considered that in planning terms the amended scheme, as built would not significantly adversely impact on the amenities of the neighbouring properties. No representations have been received from the neighbouring properties.
- 7.7 The garage has been constructed on the boundary with 10 Toms Close and has been constructed with the guttering overhanging the garden of 10 Toms Close, which is in the ownership of Northampton Partnership Homes (the applicant) and NBC. Whilst this is not an ideal situation, notice has been served on NBC, which meets the requirements for the planning process.

8 CONCLUSION

- 8.1 It is considered that the proposed development would have no adverse impact on the street scene or on the amenities of the adjoining residential occupiers. The application is recommended for approval.

9 CONDITIONS

- (1) The development hereby permitted shall be carried out in accordance with the following approved plans: 301-809 (site location plan), 061-(CO)-8009 Rev B (Site plan), 321-(CO)-8009 Rev D (floor plans), 341-(CO)-8009 Rev B (garage elevations), 0322-(CO)-8009 (Proposed Elevations) Rev D and 351-809 Rev D (garage sections)

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

10 BACKGROUND PAPERS

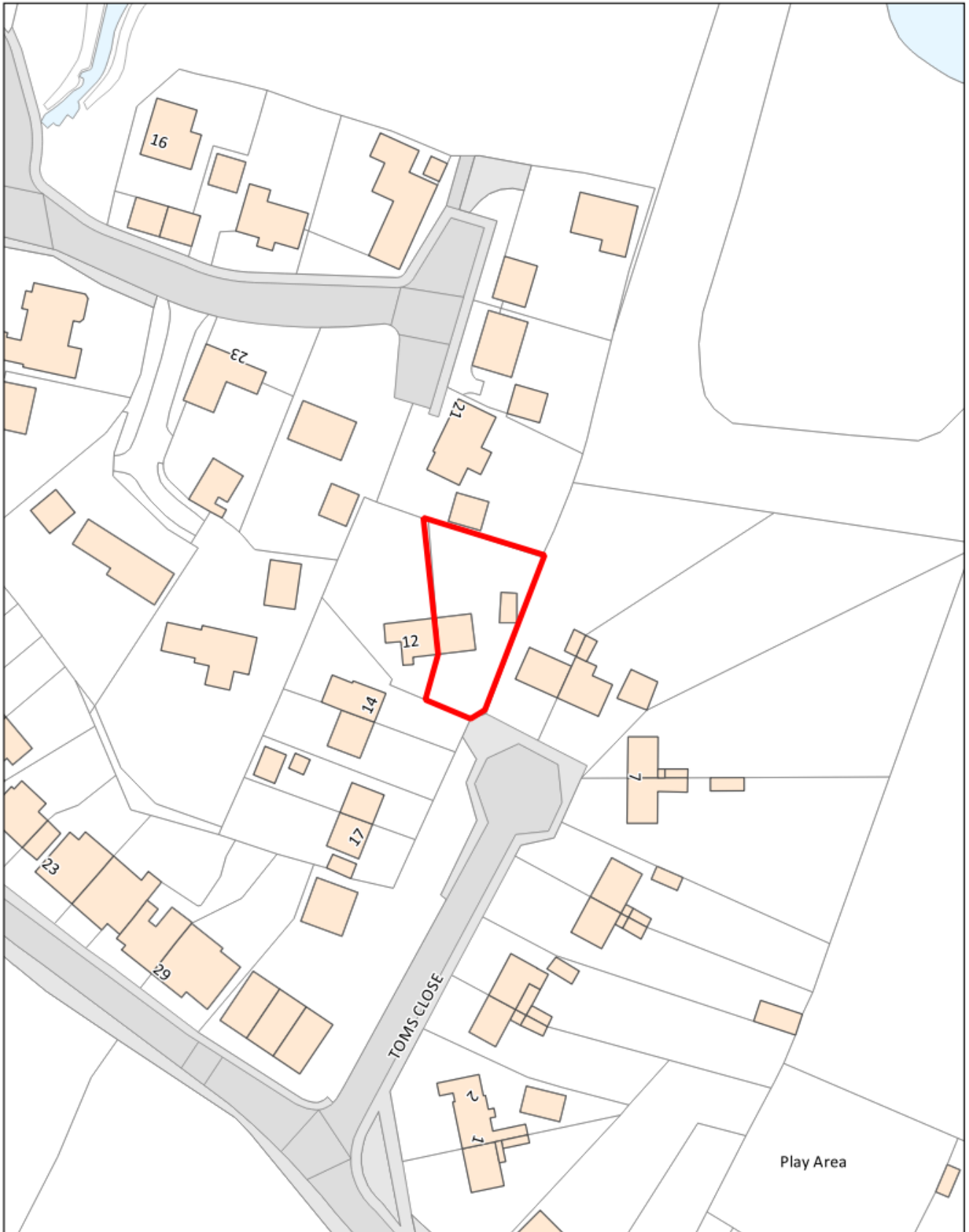
- 10.1 N/2019/1232.

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: **11 Toms Close**

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Date: 10-01-2020

Scale: 1:850

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