



# PLANNING AGENDA

**Tuesday, 18 February 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](mailto:democraticservices@northampton.gov.uk) or 01604 837722



# PLANNING COMMITTEE

## AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 2<sup>nd</sup> July, 30<sup>th</sup> July, 3<sup>rd</sup> September, 24<sup>th</sup> September, 22<sup>nd</sup> October, 19<sup>th</sup> November, 17<sup>th</sup> December 2019, and 21<sup>st</sup> January, 18<sup>th</sup> February and 17<sup>th</sup> March 2020.

The Council permits public speaking at the Planning Committee as outlined below:

### Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

### How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.  
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837722
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)

by email to: [democraticservices@northampton.gov.uk](mailto:democraticservices@northampton.gov.uk)

### When Do I Speak At The Meeting

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

### How Long Can I Speak For?

- All speakers are allowed to speak for a maximum of three minutes.

### Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.

- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

**NORTHAMPTON BOROUGH COUNCIL**

**PLANNING COMMITTEE**

Your attendance is requested at a meeting to be held:  
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1  
1DE  
on Tuesday, 18 February 2020  
at 5:00 pm.

**AGENDA**

- 1. APOLOGIES**
- 2. MINUTES**  
(Copy herewith)
- 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 & Sustainability (copy herewith)
- 7. OTHER REPORTS**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
  - (A) N/2019/1585 - CONTINUE USE AS A TEMPORARY EMERGENCY NIGHTSHELTER FOR ANOTHER TWO YEARS. NIGHT SHELTER, ST ANDREWS ROAD**
- 10. ITEMS FOR DETERMINATION**  
(Addendum attached)
  - (A) N/2019/1342 - CONVERSION OF RESTAURANT (CLASS A3) TO PUBLIC HOUSE (CLASS A4) INCLUDING INTERNAL AND EXTERNAL ALTERATIONS, NEW DECKING, DOORS AND SHELTER. FORMER BUDDIES RESTAURANT, ACRE LANE**
  - (B) N/2019/1460 - DEMOLITION OF EXISTING DOUBLE GARAGE AND CONSTRUCTION OF NEW DWELLING. GARAGE ADJACENT TO 6 HESTER STREET**
  - (C) N/2020/0006 - PROPOSED LOFT CONVERSION WITH NEW REAR ROOF DORMER AND NEW ROOFLIGHTS. 17 SPINNEY HILL ROAD**

**11. ITEMS FOR CONSULTATION**

**12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS**

**(A) N/2019/0248 - ERECTION OF 3 NEW DWELLINGS TOGETHER WITH  
PARKING SPACES SERVED OFF NORMAN ROAD. LAND ADJACENT  
TO 573 WELLINGBOROUGH ROAD**

**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, 21 January 2020

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

**OFFICERS:** Rita Bovey (Development Manager), Nicky Scaife (Development Management Team Leader), Hannah Weston (Principal Planning Officer), Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic Services Officer)

#### 1. APOLOGIES

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

#### 2. MINUTES

The minutes of the meetings held on 19<sup>th</sup> November, 5<sup>th</sup> December and 19<sup>th</sup> December 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/2019/0851**

Andy Lord

##### **N/2019/1028**

David Kemp

##### **N/2019/1123**

Pat Dooley

##### **N/2019/1212**

Councillor G Eales  
Raymond Dumont  
Matt Collerson

##### **N/2019/1213**

Belinder Gill

##### **N/2019/1282**

Matt Collerson

##### **N/2019/1395**



Sandra Emmet  
Pat Dooley

#### **4. DECLARATIONS OF INTEREST/PREDETERMINATION**

Councillor Kilbride declared a personal and disclosable pecuniary interest in respect of items 10g, 12a, 12b and 12c as a board member of Northampton Partnership Homes (NPH) and item 10j as a trustee of The Spires Academy.

Councillor Bottwood declared a personal and disclosable pecuniary interest in respect of items 10g, 12a, 12b and 12c as a board member of NPH.

Councillor Birch declared a personal interest in respect of item 10h as a NCC member but advised of no predetermination.

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

None.

#### **6. LIST OF CURRENT APPEALS AND INQUIRIES**

The Development Manager submitted a List of Current Appeals and Inquiries on behalf of the Director of Planning and Sustainability and advised that 2 decisions had been reached. An appeal relating to Castilian Street, refused under delegated powers, had been dismissed by the Inspector who found that the location, being next-door and below to a nightclub, was unsuitable for a HIMO, due to potential noise impact from the nightclub. The second related to an application seeking to create additional parking on a grass verge on Eastfield Road. This was refused by the Planning Committee with Members concluding that the application would result in an unacceptable impact on the street scene. The Inspector agreed, adding that the proposed development would be incongruous.

Responding to a question, the Development Manager explained that regarding the Eastfield Road appeal, the grass verge was not owned by Northamptonshire County Council.

#### **RESOLVED:**

That the report be noted.

#### **7. OTHER REPORTS**

None.

#### **8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

#### **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**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained representations from the Town Centre Conservation Area Advisory Committee. The application sought approval for a change of use from offices to artist studios. This was considered by officers an appropriate change due to County Hall being located within the Cultural Quarter of the town centre. Minor internal works were proposed and there would be no impact on the conservation area.

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/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**

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained clarification around EV charging points following the adoption of the Council's Parking Standards SPD. The proposed development would provide six 1 bed, thirteen 2 bed and one 3 bed flats; this was an increase from the previous application where 14 flats were proposed. The rear of the Leatherworks building would be rebuilt and gardens provided for some of the ground floor flats, while the front of the building would be renovated to keep its character. An independent viability assessment had been carried out and concluded that the development would not be financially viable if affordable housing or any contributions were provided. Subsequently, 0% affordable housing was proposed and no financial contributions.

Andy Lord, Development Manager for CC Town Planning, spoke in favour of the application and commented that the same footprint had been utilised for the current application as the previous. He explained that there was a potential buyer for the site, subject to the decision Members reached, and asked that they look favourably upon the application before the building fell further into disrepair.

In response to questions, Mr Lord confirmed that the pond would be reinstated, however the cypress trees on site were not part of the previously approved plans.

Members had concerns around the lack of EV charging points. In response to these concerns, Mr Lord advised that his client would agree to a maximum of five charging points, in order to secure a favourable decision.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report with **additional Condition 25** to secure the provision of 5 electric vehicle charging points, condition to be agreed by the Chair.

**(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**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained further neighbour objections, representations from statutory consultees and a letter from the applicant sent to Planning Committee members.

David Kemp, Planning Consultant on behalf of the applicant, spoke in favour of the application and commented that the area was well served by public transport and that the proposed development would have a similar number of occupants as the existing 3 flats. He thanked the Committee for their visit in November 2019 and suggested that they could see by the size of the property and its rooms that the proposal did not amount to an overdevelopment. Mr Kemp advised that the applicant would be willing to restrict occupants to those who did not own a vehicle, to assuage concerns around parking issues.

In response to questions, the Committee heard that there was space to store bins at the front and rear of the property; the applicant would be willing to have more bins provided if needed.

Members discussed the report.

**RESOLVED:**

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

**(C) N/2019/1123 - 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**

The Development Management Team Leader submitted a report to the Committee. The revised application sought approval for a change of use from dwellinghouse to HIMO for 6 occupants. A previous planning permission was granted for a 5-person HIMO, now a single-storey rear extension was also proposed to allow for an additional occupant. The proposed extension would protrude out and come within close proximity to neighbouring properties, however the size was only slightly larger than what could be constructed under permitted development. Whilst the Local highway Authority had objected to the application, the property sat in a sustainable location close to local shopping facilities and to public transport links with a regular bus service to town.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the Council's new HIMO Specialist Planning Document (SPD) made it more difficult for his client to find properties to convert so he was revisiting and updating his existing stock.

In response to a question, the Committee heard that an extension could be built extending 3m out from the existing rear elevation as permitted development in line with the existing building; the proposed extension was protruding 3.3m.

Members discussed the report.

**RESOLVED:**

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

**(D) N/2019/1212 - 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**

The Development Management Team Leader submitted a report to the Committee. Members' attention was drawn to the addendum which contained comments from the Wildlife Trust, amended Conditions 8 and 10, and additional Condition 16, and advised that the Highway Authority had confirmed that an Order was to be imposed on a section of Mill Lane reducing the speed limit to 30mph with additional street lighting being required as part of the S278 works associated with the development. The Committee heard that access from Mill Lane had been agreed through a previously approved Outline Planning Application. A number of the proposed dwellings would be facing the internal access road and a distance of at least 21m between new and existing properties would be achieved where required. Details of boundary treatments would be agreed through a condition. Access to the adjacent pond, which was not part of the application site, would be restricted to residents of the development. Trees central to the site which were protected by TPOs were to be removed whilst protected trees towards the edge of the site would remain. Following concerns raised by neighbours, the height of Plot 14 had been lowered and the design amended to be a hipped roof with a single storey garage adjacent to the neighbouring boundary. It was explained that from the rear gardens of Corran Close, only the top section of the garage would be visible with the 2-storey element set approximately 16.5m away from the nearest existing rear elevations.

Councillor G Eales, in his capacity as the Ward and County Councillor, spoke against the application and commented that security on site would be lacking; he noted that the boundary wall was falling down in places and stated his insistence that it be rebuilt by the developers. He commented that Plot 14 was still intrusive to residents on Corran Close and further noted that the Wildlife Trust raised concerns regarding the proximity to trees. Agreed that Plot 14 would be overlooking existing properties and suggested that it be removed from the application. Councillor Eales advised that he had requested a meeting with the developers before Christmas; this had not

happened but he was still keen to meet them. He asked that the item be deferred, if Plot 14 was to remain.

In response to a question, Councillor Eales agreed that the drop in ground level for Plot 14 was an improvement, however it would still be intrusive to nearby properties.

Raymond Dumont, a local resident, spoke against the application and disagreed with the report's assertion that there would be no unacceptable impact on neighbouring properties, whilst it acknowledged that there would be some overlooking, Mr Dumont stated that the report minimised the extent of overlooking that would take place. He further stated that the gradient of the site meant that distances should be further than 21m between new and existing properties. Mr Dumont further questioned how 4 and 5-bedroom dwellings represented a "mix" of different sized homes, as referenced in Policy 13 of the Local Plan Part 2.

Matt Collerson, the agent on behalf of the applicant, spoke in favour of the application and commented that concerns had been addressed, including boundary treatment and explained that Plot 14 had been redesigned, following objections; he stated that Plot 14 would be much lower than adjacent properties and being located to the north there would be no overshadowing of gardens from the property.

In response to a question, Mr Collerson explained that he had not met with residents, but knew that the case officer had. The scheme had been amended and the design complied with policy.

The Development Management Team Leader confirmed that details of the security gates would be secured by condition. She further explained that the boundary wall, which was owned by the applicant, would be repaired as necessary and details of boundary treatments agreed by condition. It was explained that the Arboricultural Officer had confirmed that Plots 13 and 14 could be constructed without causing damage to the nearby protected trees. The Development Management Team Leader further confirmed that the Local Plan Part 2 had not yet been adopted by the Council.

Members discussed the report.

#### **RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **Amended Conditions 8 and 10** and **Additional Condition 16** in the addendum.

#### **(E) N/2019/1213 - NEW REPLACEMENT OFFICE. WESTBRIDGE DEPOT, 9 - 13 ST JAMES MILL ROAD**

The Principal Planning Officer submitted a report to the Committee. Member's attention was drawn to the addendum which contained an update to Condition 5 and the removal of Condition 4. The Committee were informed that as part of the application, the porta-cabins would be removed and a new office building constructed as well as re-configuring of parking spaces.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **deletion of Condition 4** and **amended Condition 5** in the addendum.

**(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**

The Principal Planning Officer submitted a report to the Committee. Members were informed that a previous application for the property had been refused under delegated powers due to the proposed basement kitchen lacking natural light. The application was also dismissed at appeal. A dormer window would be removed as part of the application since it was constructed without planning permission. It was noted that NBC Conservation Officers were happy with the proposed roof light. Should the application be approved, the concentration of HIMO properties in a 50m radius would be 4.3%.

Matt Collerson, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposal had been amended several times to pacify Officers' concerns. There were no habitable rooms in the basement and no objections from the Local Highway Authority. Whilst there were 6 bedrooms in the property currently, the proposal was for 4 occupants only.

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.

**(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**

The Development Manager submitted a report to the Committee. Members were informed that the property, sold under the Right to Buy scheme, was currently used as a HIMO. The property did not benefit from any outdoor space or allocated parking provision, so the adequate provision of indoor cycle storage was important. Cycles were currently kept in a small storage cupboard which was inadequate and occupants would need to carry bicycles to the first floor via two flights of stairs.

Members discussed the report.

**RESOLVED:**

That the application be **REFUSED** as per the Officer recommendation in the report.

Councillors Bottwood and Kilbride re-joined the meeting at this juncture.

**(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**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained additional neighbour representations and amended Conditions 2 and 10. The Committee were informed that outline planning permission was granted in May 2018 with access established at that time. The existing access road would serve 1 property and the new road would serve the remaining properties. The windows on all proposed dwellings were carefully placed so as to not overlook neighbouring houses. All of the proposed dwellings would be served by off-street parking by way of parking spaces and garages. Whilst objections had been received in respect of the reserved matters application, the development's impact was not considered unacceptable.

In response to a question, the Committee heard that there would be no change to the speed limit on the stretch of Mill Lane that served the site.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **amended Conditions 2 and 10** in the addendum.

**(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**

The Development Management Team Leader submitted a report to the Committee. Members were informed that no external alterations were proposed and that all bedrooms would have en-suite facilities. Should the application be approved, the concentration of HIMO properties in a 50m radius would be 8.7%. Members heard that the garage could be used to store refuse and cycles. It was noted that whilst the Local Highway Authority had objected to the application, the property sat in a sustainable location close to a regular bus service to town and local shopping facilities.

Sandra Emmet, a local resident, spoke against the application and commented that HIMOs undermined the character of the area. Ms Emmet stated that there were several unlicensed HIMOs in the area, including no. 12, and highlighted existing issues that she believed were caused by them, including double-parking and culminations of waste on the street.

Pat Dooley, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposed number of occupants was not dissimilar to the number that could live there as a family home.

Responding to a question, Mr Dooley explained that neighbours were provided with the property owner's telephone number who was available at all times to deal with any issues.

The Development Management Team Leader confirmed that no. 12 Holly Road was licensed as a HIMO.

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 Councillor Kilbride left the meeting.

**(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**

The Development Management Team Leader submitted a report to the Committee. Members were informed that the applicant would like to extend the period as requested for staying on the current site until the development works are completed at their permanent site on Sheep Street.

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 Councillor Bottwood left the meeting.

**11. ITEMS FOR CONSULTATION**

None.

**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**

The Principal Planning Officer submitted a report to the Committee. Members' attention was drawn to the addendum which contained an additional neighbour objection and an update to Condition 2. The Committee heard that 10 garages would



be removed to allow for more formalised parking and the construction of a 2 storey, 3-bedroom property.

In response to a question, the Committee heard that the development would result in a net increase of 9 unassigned parking spaces.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report with **amended Condition 2** in the addendum.

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

The Principal Planning Officer submitted a report to the Committee and explained that the proposed dwellings would be slightly staggered to be in-keeping with the existing properties. The nearby grass strip would be turned into parking.

Members discussed the report.

**RESOLVED:**

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

**(C) N/2019/1232 - 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**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained an amended Condition 1. The Committee heard that planning permission was granted in October 2016. The works were now complete, however the development had not been carried out in accordance with the approved plans. The completed development was similar to the plans, the garage was different in size and the conservatory a different shape and with a tiled roof.

Members discussed the report.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **amended Condition 1** in the addendum.

The meeting concluded at 8:04 pm

Planning Service

Director of Planning and Sustainability: Peter Baguley



**List of Appeals and Determinations – 18<sup>th</sup> February 2020**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<b>N/2018/1599</b> 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	<b>DISMISSED</b>
<b>N/2019/0447</b> 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	<b>ALLOWED</b>
<b>N/2019/0486</b> APP/V2825/W//19/3241756	DEL	Loft conversion and extension of residential building to create 4no additional rooms and a kitchen to existing House in Multiple Occupation (Sui Generis) at 5-11 Horseshoe Street	<b>AWAITED</b>
<b>N/2019/0819</b> APP/V2825/D/19/3240988	DEL	Loft conversion with rear dormer and change hipped to gable roof (Retrospective) at 2 The Headlands	<b>AWAITED</b>
<b>N/2019/1119</b> APP/V2825/Z/19/3240308	DEL	Single illuminated sequential display affixed to frame of communication hub outside of 25 Market Square	<b>ALLOWED</b>
<b>N/2019/1175</b> APP/V2825/W/19/3242722	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 8 occupants at 8 Bostock Avenue	<b>AWAITED</b>
<b>N/2019/1182</b> APP/V2825/D/19/3242287	DEL	Loft conversion with rear dormer and hipped to gable roof extension incorporating tile hanging to side gable (Part Retrospective) at 2 The Headlands	<b>AWAITED</b>

**Public Inquiry**

		None	
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**Hearings**

		None	
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**Enforcement Appeals**

		None	
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**Tree Preservation Order (TPO) Appeals**

		None	
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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:** 18<sup>th</sup> February 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1585

**LOCATION:** Night Shelter, St Andrews Road

**DESCRIPTION:** Continue use as a temporary emergency nightshelter for another two years

**WARD:** Castle Ward

**APPLICANT:** Mr Phil Harris, NBC  
**AGENT:** N/A

**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 proposal has been considered in light of the need to balance the social and wellbeing needs of the homeless, impact on nearby residents and the aspirations of Local and Central Government in addressing the problem of rough sleepers. The proposal, which is a temporary expedient and with appropriate planning conditions, would have a neutral impact on nearby residents and is considered acceptable in accordance with Policies S10, N1 and N11 of the West Northamptonshire Joint Core Strategy, Policies 1 and 19 of the Northampton Central Area Action Plan and the National Planning Policy Framework.

### 2. THE PROPOSAL

- 2.1 The application relates to the continue temporary use of the former British Rail Sports and Social Club as an emergency night shelter (Sui Generis Use) for a period of two years, to accommodate for up to 20 people who are currently rough sleeping in Northampton.
- 2.2 The facility is aimed at identifying rough sleepers and encouraging them onto programmes to provide avenues for health and wellbeing management and eventually into more permanent housing solutions.

- 2.3 The facility will be operated by two full time members of staff, assisted by a team of volunteers from a variety of community, charitable and religious organisations and overseen by a multi-agency management board.
- 2.4 Details of a Management Plan has been submitted with the application stating that the facility will operation between the hours of 21:00 to 09:00 hours every day.

### **3. SITE DESCRIPTION**

- 3.1 The property is located on the eastern side of St Andrews Road, close to the junction with Black Lion Hill/St Peters Way and the railway station.
- 3.2 The building is a single storey building constructed probably around the 1950s as a sports and social club. It has been extended over the years.
- 3.4 The former social club is understood to have closed around six years ago and has been occupied as a night shelter since February 2017.

### **4. PLANNING HISTORY**

- 4.1 Consent was granted in September 2016 for use of the building as a temporary night shelter (application number N/2016/0383). The permission has expired on 31<sup>st</sup> November 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) and Northampton Central Area Action Plan (2013).

#### **5.2 National Policies**

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

Paragraph 17 sets out the core planning principles of the NPPF and encourages development that supports local strategies to improve health, social and cultural wellbeing for all and deliver sufficient community and cultural facilities and services to meet local needs.

Paragraph 69 seeks to promote healthy communities which create safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion.

Paragraph 171 encourages closer links with public health leads and health organisations to understand and take account of the health status and needs of the local population including expected future changes, and any information about relevant barriers to improving health and wellbeing.

In terms of planning conditions paragraph 206 of the NPPF sets out that they should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all respects.

### 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 - in assessing the suitability of sites for development priority will be given to making best use of previously developed land and vacant and under-used buildings in urban or other sustainable locations.

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 reached by non-car modes; protect, conserve and enhance the built environment and heritage assets; minimise pollution from noise, air and run-off.

Policy N1 - relates to the regeneration of Northampton and identifies the need to address the factors of deprivation within the communities of Spring Boroughs, Kings Heath, Spencer, Eastfield and Northampton East.

Policy N11 - relates to community regeneration and seeks to create safe and sustainable environments by designing out opportunities for crime and anti-social behaviour.

### 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 seeks to promote design excellence which includes the need to preserve and enhance the character, appearance and setting of the central area's heritage assets.

Policy 19 relates to the Castle Station and its immediate surroundings and notes the significance of the Castle site, the Scheduled Ancient Monument and setting of the heritage assets of the area.

### 5.5 **Supplementary Planning Documents**

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Northampton Parking Standards SPD 2019

### 5.6 **Other Material Considerations**

#### Together We Change Lives

Together we change lives is a multi-agency strategy aimed at ending the need for people to sleep rough in Northampton.

The document was reported to Cabinet on 8<sup>th</sup> June 2016 and it was decided at that meeting to approve the document, subject to minor changes and to establish a temporary night shelter (subject to due diligence and the production of a detailed business case).

A workshop was held on 13<sup>th</sup> July 2016, which involved 60 participants representing more than 30 services and organisations with an aim to produce a comprehensive 3 years action plan that will underpin the strategy for tackling, preventing and reducing rough sleeping and Members received a report advising them of the workshop at Full Council on 18<sup>th</sup> July 2016.

#### Spring Boroughs Neighbourhood Plan

The site lies outside the area covered by the Spring Boroughs Neighbourhood Plan, so this is not relevant in the determination of this application.

## **6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – no comments to make on the application.
- 6.2 **Northamptonshire Police** – no objection to the continued use of the night shelter. The local sergeant has reported that the facility creates no problems and is well run.
- 6.3 **Network Rail** – no comments on the application.
- 6.4 **NCC Highways** – no objections or observations.
- 6.5 One letter has been received from a party who is a resident and also comments on behalf of the Spring Boroughs Voice and Friends of Northampton Castle. The points raised relate to the designation of the Scheduled Ancient Monument and the aspiration of the Spring Boroughs Neighbourhood Plan to enhance and protect the historic environment. The use of the building as a night shelter does not “go with the flow” of the neighbourhood plan. The letter continues that there is a further similar facility run by a private company nearby, as well as the nearby residential estate is part of the Council’s resource for the homeless. Concerns are expressed that a further 2 years period is too long and the Council should make suitable long term arrangements sooner.

## **7. APPRAISAL**

### **Background**

- 7.1 Approximately 28 people were sleeping rough in Northampton in November 2019. In addition, a further 16 were identified as living in group encampments in various locations around the Borough. The Council’s strategy aims to reduce this. Most of the rough sleepers were male.
- 7.2 This proposed facility is aim at male rough sleepers and is to provide emergency overnight accommodation. Visitors to the shelter will be offered a floor space, washroom facilities and light refreshments in the morning (such as tea/coffee and toast).
- 7.3 On arrival, visitors will be screened to identify any particular needs of that individual. This gives the staff the opportunity to establish if the visitor is on medication and store this in a secure location. Those staying in the shelter will not be allowed access to alcohol or drugs and screening can remove this from the individual.
- 7.4 It was initially envisaged that the facility will operate for up to two years, by which time a more permanent solution can be found or those who have been rough sleeping will be included on programmes that provide accommodation and welfare facilities. Unfortunately, a suitable premise has not been identified and the use has continued.
- 7.5 It is still anticipated that an alternative long-term solution will be found, but as a property has not been identified, it is anticipated that a further two years period would be required to maintain the current facility.

### **Principle of use**

- 7.6 The building is located in an area close to the town centre which is where a number of the rough sleepers congregate. It allows agencies to direct them to an appropriate location where the needs of the individuals can be identified for future management.

- 7.7 Given that the building does not directly abut residential properties and has one route into the building, it does offer a facility that allows for management of those needing its services.
- 7.8 The building was vacant and acquired by the Council to offer an appropriate alternative use until a permanent solution can be found to the issue of rough sleepers.
- 7.9 The proposed use is temporary for a further two years only. It is therefore considered that the use is in compliance with of Policies S10, N1 and N11 of the West Northamptonshire Joint Core Strategy.

### **Management of the site**

- 7.10 A statement of the management arrangements for the site has been submitted, which sets out how the night shelter will be staffed, managed and operational detail of the shelter. The Council employs three staff (a full time coordinator, a full time assistant coordinator and a part time assistance coordinator. The staff are responsible for the management of the building and to offer a Duty Team Leader role to support and direct volunteers.
- 7.11 Around 60 trained volunteers cover the times that the shelter is open (21:00hrs – 09:00hrs) and coordinate activities and ensure that those staying in the night shelter is able to access the help and support they need. To date these volunteers have donated a total of 19,500 hours of their time to the shelter.
- 7.12 Access to the shelter is subject to an assessment process, which includes a risk assessment, to ensure those accessing the shelter are in a fit state to stay. The Nightshelter Team actively discourage people from queuing or congregating outside the premises and encourage guests to move on when they leave the shelter (generally between 07:00 and 09:00hrs the following morning). In order to protect the amenities of the local residents, it is proposed to impose the previous condition to ensure that the site is operated in accordance with these measures.
- 7.13 The supporting statement indicates that since it opened in February 2017, the night shelter has provided 358 homeless men with somewhere safe, warm and dry to stay. Two thirds of these have moved on successfully into permanent accommodation.
- 7.14 In the consultation response from Northants Police, the local Sargant reported that the nightshelter was running well.

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

- 7.15 The application does not propose any external alterations to the building although the management of such facilities can also impact on the character of an area. The submitted management plan is considered acceptable and would mitigate concerns raised by local residents.
- 7.16 It is considered that subject to compliance with the proposed conditions and the management plan the character and appearance of the area are protected.

### **Impact on the amenities of nearby occupiers and uses**

- 7.17 There are residential properties opposite the building at Western View although they are set back from the road frontage. It is important to ensure that the occupiers are protected in terms of potential noise and disturbance. The submitted management plan states that clients only to be admitted into the shelter between the hours of 21:00 to 23:00 and only on rare occasions where clients will be admitted after those hours. It is important that proper management of the site is in place to avoid any potential problems arising from the proposed use. It is considered that the imposition of conditions relating to the management of the site would seek to protect residential amenity.

- 7.18 With appropriate management plan in place, it is considered that the proposal would not cause unacceptable impact on amenity of nearby residents.

### **Parking and highway issues**

- 7.19 The property does not have off street parking and is in an area where there is no available on street parking. However, the property backs onto the station car park and is close to Chalk Lane car park, both of which are public car parks.
- 7.20 It is unlikely that those seeking to use the night shelter will have their own vehicles, although staff and volunteers may have.
- 7.21 It is anticipated that traffic generation arising from the use would be minimal and no objections have been raised to the application from the Local Highway Authority.

### **Heritage Assets**

- 7.22 The site lies within an area designated as a Scheduled Ancient Monument. The application does not propose any material external building works to the site.
- 7.23 It is therefore understood that there are no plans to carry out any disturbance on the land around the building that would require Scheduled Ancient Monument Consent.

## **8. CONCLUSION**

- 8.1 The proposal has been considered in the light of the need to balance the social and wellbeing needs of the homeless, impact on nearby residents and the aspirations of Local and Central Government in addressing the problem of rough sleepers.
- 8.2 The proposal would have a neutral impact on nearby residents and is considered acceptable in accordance with Policies S10, N1 and N11 of the West Northamptonshire Joint Core Strategy, Policies 1 and 19 of the Northampton Central Area Action Plan and the National Planning Policy Framework.

## **9. CONDITIONS**

- 1) The use hereby permitted shall be discontinued and the building returned to its former use on or before 28<sup>th</sup> February 2022.

Reason: In the interests of amenity as the Local Planning Authority consider the use is only acceptable as a temporary expedient in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework and to allow a more permanent solution to be investigated.

- 2) The premises shall only be occupied for the permitted use between 21.00hrs and 10:00hrs and at no other times.

Reason: In the interests of the protection of residential amenities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

- 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Ground Floor Plan HABW-NS-003.

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

- 4) The night shelter hereby permitted shall operate in accordance with the submitted Management Plan dated 17<sup>th</sup> December 2019 at all times.



Reason: In the interests of general amenity and to protect the amenities of nearby properties and the area in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- 5) 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 within one month from the date of this permission. Thereafter the approved details shall be implemented and put into operation all times when the building is used for its permitted purpose.

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.

## **10. BACKGROUND PAPERS**

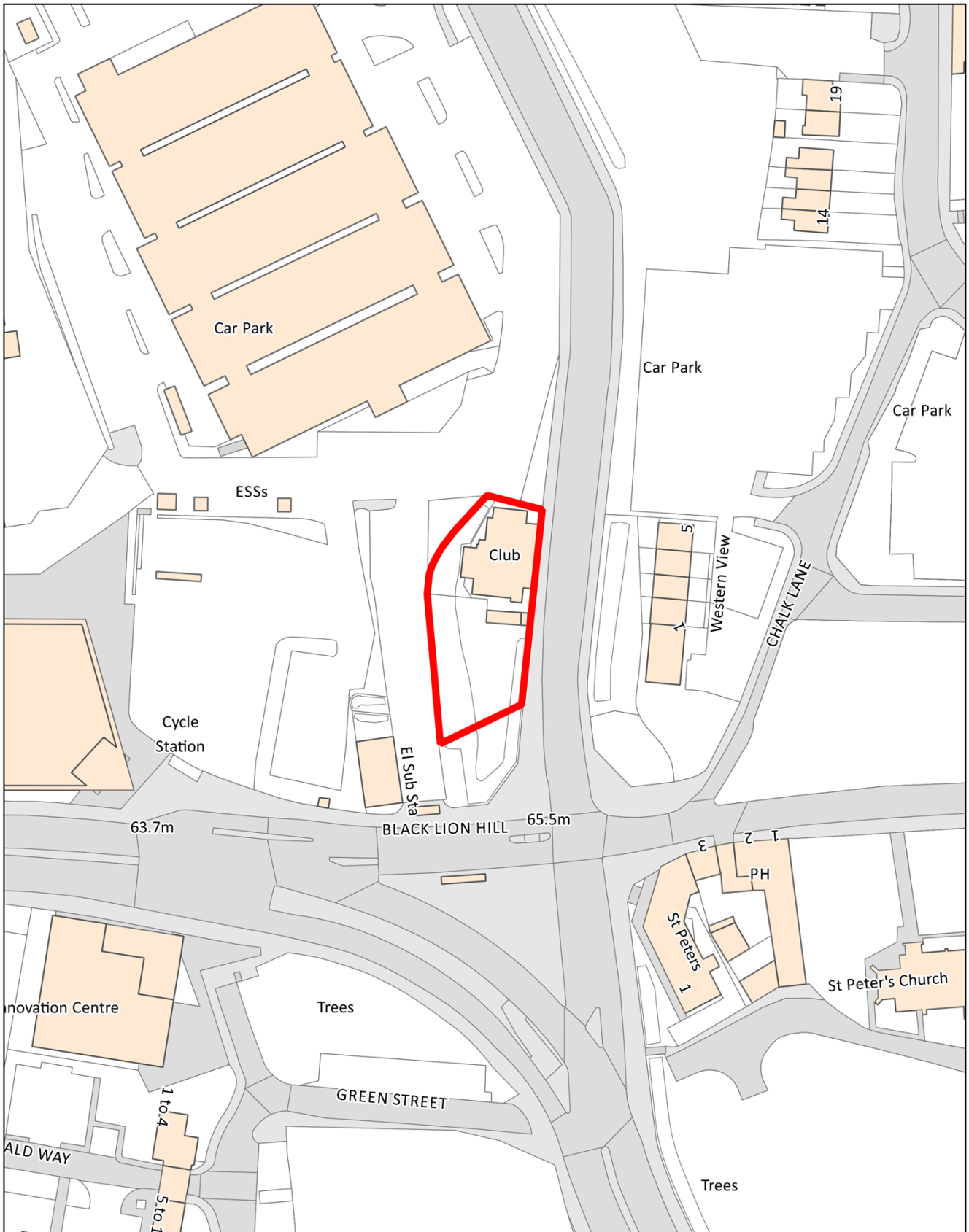
- 10.1 Together We Change Lives – Ending the Need for People to Sleep Rough in Northampton. NBC published June 2016
- 10.2 N/2019/1585.

## **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.



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## Addendum to Agenda Items Tuesday 18<sup>TH</sup> February 2020

### 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

#### Item 9a

N/2019/1585

Continue use as a temporary emergency night shelter for another two years  
Night Shelter, St Andrews Road

No update.

### 10. ITEMS FOR DETERMINATION

#### Item 10a

N/2019/1342

Conversion of Restaurant (Class A3) to Public House (Class A4) including internal and external alterations, new decking, doors, shelter  
Former Buddies Restaurant, Acre Lane

#### Amendment to Condition 4:

4) The premises shall be open to customers only between the hours of 8am and 11.30pm Sundays to Thursdays and 8am to 1am (the following morning) on Fridays and Saturdays and at no other times.

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

Additional objections received on the following grounds:

- Inadequate consultation with residents
- Plans are not very clear
- Environmental Health seem to ignore site is in a quiet residential area with noise and light pollution
- Impact on property values
- Impact on local community
- Concern over potential for unauthorised parking
- Concern of would be events held at site
- Concern over hours of operation
- Concern over relationship with proposed Licensing
- Increase in rubbish
- Increase in ant-social behaviour and crime
- Not comparable to other opening hours in area
- Concern over noise from music if doors are open
- Concern over ongoing work / activity at the current site
- Health and safety issues
- Concern over impact of previous pub

**Officer Comment:** the above concerns have already been addressed in the officer's report.

**Item 10b**

**N/2019/1460**

**Demolition of existing double garage and construction of new dwelling  
Garage adjacent to 6 Hester Street**

No update.

**Item 10c**

**N/2020/0006**

**Proposed loft conversion with new rear roof dormer and new rooflights  
17 Spinney Hill Road**

No update.

**12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS**

**Item 12a**

**N/2019/0248**

**Erection of 3 new dwellings together with parking spaces served off Norman Road  
Land adjacent to 573 Wellingborough Road**

No update.



**PLANNING COMMITTEE:** 18<sup>th</sup> February 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1342

**LOCATION:** Former Buddies Restaurant, Acre Lane

**DESCRIPTION:** Conversion of Restaurant (Class A3) to Public House (Class A4) including internal and external alterations, new decking, doors and shelter

**WARD:** Spring Park Ward

**APPLICANT:** Buddies USA  
**AGENT:** The New Factory

**REFERRED BY:** Councillor S Beardsworth  
**REASON:** Impact on neighbours

**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 change of use and conversion works are considered acceptable and would not have an undue detrimental impact on the appearance and character of the host building, wider area, neighbour amenity, security and highway safety to accord with the aims and objectives of the National Planning Policy Framework, Policies SA, S10 and BN9 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

**2 THE PROPOSAL**

2.1 Planning permission is sought for the conversion of a restaurant (Class A3) to a public house (Class A4) including internal and external alterations including cladding, new decking, doors and smoking shelter. The original submission also included a 1.8m high boundary fence enclosing the site and rear shipping container to be used for external dining which have now been omitted from the proposal.

2.2 The application premises were previously used as a public house known as The North Star, but the use was changed to a restaurant (Buddies) approximately 10 years ago. It is the applicant's intention to revert the use back to a public house. The proposed hours of operation will be as

follows: Sundays to Thursdays from 8am to 11.30pm and Fridays and Saturdays from 8am to 1am.

2.3 The opening hours of the former Buddies restaurant were:

- Mondays to Thursdays 8.30am to 10.30pm
- Friday and Saturdays 8.30am to 11pm
- Sundays 9am to 10.30pm

2.4 The previous North Star Public House had unrestricted opening hours.

### **3 SITE DESCRIPTION**

3.1 The application site is located on a prominent position at the intersection of the busy Welford Road and Acre Lane, Kingsthorpe. The site is accessed off Acre Lane and comprises a substantial car park to the side and front separating the building with an adjacent car showroom which is accessed further along Acre Lane. The site is in an established residential area comprising properties constructed mainly in the 1970s.

3.2 The application premises are single storey and is currently vacant. The rear site boundary is adjoining residential properties along Partridge Close. The nearest residential properties to the front of the site are some 35m away across Acre Lane.

### **4 PLANNING HISTORY**

4.1 The site had planning permission in 2009 for various signage but there have been no recent planning applications in the last 10 years. The property has up until a few months ago been used as an American Diner known as Buddies, and prior to use was a public house called the North Star.

### **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.

### **6 National Policies**

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

Paragraph 108 Access for all  
Paragraph 127 Design and residential amenity

#### **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:

SA Presumption in Favour of Sustainable Development

### 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:

E20 Design of new development/extensions

### 6.4 **Supplementary Planning Documents**

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

## 7 **CONSULTATIONS/ REPRESENTATIONS**

Comments summarised as follows:

- 7.1 **Councillor S Beardsworth:** call in the application and object due to increase in impact on neighbouring occupiers and longer opening hours.
- 7.2 **Public Protection (NBC):** No objection. Consideration may be given to prohibiting live music inside and outside the pub and preventing use of beer garden after 11pm. If concern have been raised over anti-social use of car park after trading hours, a condition could be attached requesting a barrier scheme when the pub is locked. Have noted two other pubs in similar locations with comparable hours of opening.
- 7.3 **Northamptonshire Highways (NCC):** No objection. Have undertaken assessment of site and conclude that proposed use would be no worse than existing in terms of traffic and vehicle parking. Adequate visibility should be provided at the site access.
- 7.4 **Northamptonshire Police:** No objection to proposed change of use.
- 7.5 Neighbour objections from 10 addresses summarised as follows:
- No need for fence around site
  - Concern over hours of use proposed
  - Parking
  - Impact on views/ highway safety
  - Impact on safety of children playing
  - Size of decking
  - Impact on nearby school
  - Concern over refuse and possible fly-tipping
  - Impact on property values/ prices
  - Impact on neighbour amenity
  - Contrary to policy
  - Would encourage vandalism
  - Will attract different clientele to restaurant
  - Contrary to covenants in area
  - Fence may attract vandalism and graffiti
  - Out of character with area
  - Against principle of burger van at site
  - Impact on nearby business/ car showroom
  - Security concerns
  - Concern over impact on viability of other commercial uses nearby

- Excessive hours of operation proposed

7.6 This includes a petition with a total of 29 signatures.

## **8 APPRAISAL**

### **Proposed change in use from restaurant to public house**

8.1 In terms of the proposed use, this would involve reversion back to the previous use prior to becoming a restaurant. The building was a purpose-built public house. In principle, this is considered acceptable in this location and would provide a community facility to serve the local residents, subject to satisfactory impact on neighbour amenity, security, design and access/ parking. If permitted, the proposal would also bring a vacant building back into active use.

### **Employment and Community Benefits**

8.2 The applicant has confirmed that the proposed use would create a total of 15 full time and 10 part time jobs, contributing to local employment. In addition, the proposal would provide a community facility for the local area and passing traffic using the Welford Road.

### **Impact on appearance and character of the host building and wider area**

8.3 National Planning Policy Framework requires high standards of design in consideration of planning applications. Paragraph 127 states: "Planning decisions should ensure that developments will function well and add to the overall quality of the area and create places which provide a high standard of amenity for existing and future occupiers". Policy S10 of the Joint Core Strategy and E20 of the Local Plan require good design. In terms of the proposed decking, cladding and external alterations, these are all considered of an appearance in keeping with modern commercial premises. Details of external colour treatment of the cladding can be agreed by condition to ensure a satisfactory external appearance.

### **Impact on neighbour amenity**

8.4 The site is bound by residential properties to the immediate north and west on Partridge Close and the closest residential dwellings are on Acre Lane being approximately 35m away, opposite the site access point. The site is also adjacent to a car showroom to the immediate north currently occupied by the Acre Lane Garage.

8.5 It is intended that the proposed business would open until 1am on Fridays and Saturdays which can be controlled by planning condition to limit the effect on residents' living conditions from patrons leaving the site, late into the night. Even though the opening hours proposed are later than the hours operated at the previous Buddies restaurant, which typically closed around 11pm, it would be comparable to the previous use as a public house when The North Star occupied the site. The opening hours are also similar to other pubs in Northampton, located in the vicinity of established residential areas.

8.6 It is anticipated that customers will likely congregate in the adjacent car park after dining/ drinking at the premises. However, with the separation to the nearest residential properties to the front and rear, the position of existing boundary planting to the rear, this relationship is considered acceptable. NBC Public Protection raise no objections but suggest restrictions to hours of opening, restrictions on late night music and late-night use of the beer garden. In response, a planning condition would be secured controlling hours of use. In addition, details of a Management Plan would be required to be submitted to ensure impact of the proposed use is minimised in the locality.

8.7 No details have been submitted in relation to bin storage. A condition is recommended to seek such details prior to the use commences. In terms of the proposed decking, given the height and separation to surrounding occupiers, the proposal would not unduly overlook any other residential



properties in the vicinity and its associated noise would unlikely be a major issue. A condition is recommended that no live or piped music shall be allowed for the open decking area.

### **Security and Crime Prevention**

- 8.8 Policy S10 of the Joint Core Strategy (JCS) requires high standards of design and security which is also reflected in the NPPF. The site occupies a prominent position on the street with surveillance throughout the day from passing traffic, from the adjacent car show room and nearby residential properties on Acre Lane. No objection has been raised from Northamptonshire Police. As a consequence, it is considered that the effect on crime prevention would be considered acceptable.

### **Parking and Highway Safety**

- 8.9 The site is served by an adjacent car park that can accommodate over 50 cars which is accessed off Acre Lane. It is expected that customers will arrive by car although some patrons may walk from neighbouring residential properties. The Local Highway Authority have been consulted and raise no objection in terms of the effect on highway safety, given that the access and parking are considered sufficient. When assessed against Northamptonshire Parking Standards 2016, the minimum standard for Classes A3 and A4 uses are the same for car parking. Although the site is in an out of town location, it is also reasonably sustainable and has two active bus stops within 60 metres, one adjacent to the site entrance on Acre Lane and one on Welford Road opposite the junction of Acre Lane and Welford Road. It is not considered that the proposal would have unacceptable impact in terms of highway safety.

### **Other issues**

- 8.10 In terms of legal covenants, this is a civil matter outside the control of the planning process. Impact on property values is also not a planning issue that can be afforded any weight in decision making.

## **9 CONCLUSION**

- 9.1 The proposal is considered acceptable and would bring a vacant building back into use. The proposal would provide a community facility to serve the local residents. Subject to conditions, it is considered to have an acceptable impact on the appearance and character of the host building and wider area, neighbour amenity, highway safety or crime prevention.

## **10 CONDITIONS**

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location 01, Block 01, SW/ELE, ProPlan 01 and ProELE01.

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

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

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

4) The premises shall be open to customers only between the hours of 8am and 11.30pm Sundays to Thursdays and 8.30am to 1am (the following morning) on Fridays and Saturdays and at no other times.

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

5) Prior to commencement of construction, full details of the external colour treatment of the cladding hereby approved, shall be submitted to and agreed in writing by the Local Planning Authority and thereafter shall be implemented in accordance with the approved details.

Reason: In the interests of visual amenity to comply with Policies S10 of the Joint Core Strategy and E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are delivered in a timely manner

6) Prior to the occupation of the approved use, full details of a detailed Management Plan to control noise and disturbance from customers leaving the site have been submitted to and approved in writing by the Local Planning Authority. This shall be implemented fully in accordance with the agreed Plan throughout the duration of the site as a public house.

Reason: In the interests of security and controlling noise and disturbance to accord with Policy S10 of the West Northamptonshire Joint Core Strategy.

7) No bottling out (i.e. tipping of empty bottles or cans into refuse bins) shall take place outside the building at the site between the hours of 11pm and 8am on any day.

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

8) No live or piped music shall take place on the approved decked area, beer garden, smoking shelter or any other external area within the site at any time.

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

## **11 BACKGROUND PAPERS**

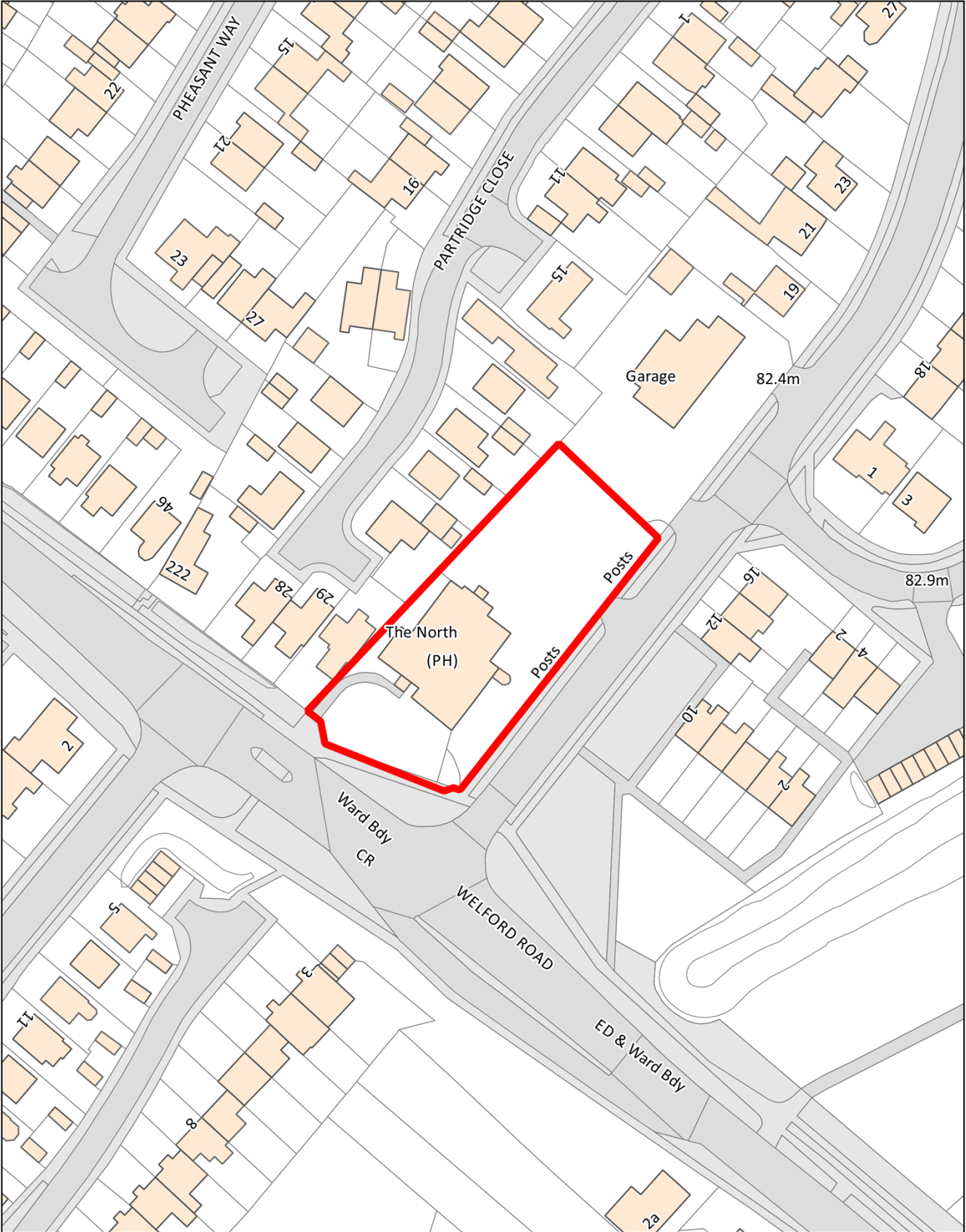
11.1 N/2019/1342.

## **12 LEGAL IMPLICATIONS**

12.1 The development is not CIL liable.

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

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



Title: **Former Buddies Restaurant, Acre Lane**

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Date: 06-02-2020

Scale: 1:1,000

Drawn by: -----



**PLANNING COMMITTEE:** 18<sup>th</sup> February 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1460

**LOCATION:** Garages adjacent to 6 Hester Street

**DESCRIPTION:** Demolition of existing double garage and construction of new dwelling

**WARD:** Semilong Ward

**APPLICANT:** Mr Davies  
**AGENT:** Design and Build Projects Ltd

**REFERRED BY:** Councillor L Marriott  
**REASON:** Parking and traffic 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 a new dwelling is considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. The proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. As such, subject to conditions, the proposed development would comply with 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 current application seeks planning permission for demolition of existing double garage and construction of a new 3-bed three storey detached dwelling.
- 2.2 The scheme has been amended during the course of the application as the depth of the single storey kitchen to the rear has been reduced in depth.

### 3 SITE DESCRIPTION

- 3.1 The application site comprises of a mid-terraced plot, which has two derelict garages, which would be demolished as a part of the current application.
- 3.2 The surrounding area has predominantly terraced properties and parking is predominantly on street.

#### **4 PLANNING HISTORY**

- N/2005/1045 - Renewal of outline planning permission n/2002/1146 - erection of one dwellinghouse. Approved.
- N/2002/1146 - Renewal of outline planning permission 99/0976 - erection of one dwellinghouse. Approved.
- N/1994/0229 - Outline - erection of town house with integral garage at 5 Hester Street, Northampton. Approved.
- N/1992/0283 - Renewal of outline planning permission 89/0374. One town house with integral garage AT 5 Hester Street, Northampton. Approved.
- N/1989/0374 - Outline/one town house with integral garage at 5 Hester street, Northampton. Approved.
- N/1983/0362A - Outline- Situated at 5 Hester Street. One Townhouse with integral garage. Approved.
- N/1979/0304 - Outline/the residential development at 5 Hester Street, Northampton. Approved.

#### **5 PLANNING POLICY**

##### **5.1 Statutory Duty**

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

##### **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:

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

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

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

- Policy S1 - The Distribution of Development
- Policy S10 - Sustainable Development Principles.
- Policy H1 - Housing
- Policy BN9 - Planning for Pollution Control

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

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

- Policy E20 - New Development (Design)

## 5.5 Supplementary Planning Documents

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

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Councillor L Marriott** – advised that he has concerns about the traffic congestion and parking issues in the area and called in the application to be determined by the Planning Committee.

6.2 **NBC Public Protection** – No objection. Suggested conditions on electric chargers along with an informative on construction hours.

6.3 1 neighbour representation has been received raising objection about the proposal. The comments have been summarised as follow:

- Impact on the character of the detached house.
- Adverse impact on the property value because the neighbouring property would be converted to a terraced house.
- Restrict the access to the walls for any maintenance, adjoining to the new property.
- The property already has minimal light due to the large building at no.6.
- The plot was never built and always had a garage.
- The rear garden was originally part of the ancient orchard.
- The historic character of the area is being bulldozed by planning.
- Impact on the light of the property due to the infill of the space.
- Parking issues in the area.
- The garages to be demolished would have asbestos and could affect the occupants of adjoining properties.
- The building would be converted into a house in multiple occupation in future.

## 7 APPRAISAL

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

### **Principle of residential development**

7.2 The application site had an outline permission granted for one dwelling in 1983, which was renewed 6 times, N/2005/1045 was the last outline permission granted for the site. These approvals established the principle of a dwelling at the application site. However, since then NPPF has been updated and the Northamptonshire Joint Core Strategy has been adopted. Therefore, the current proposal has been assessed in the light of current policies and guidelines.

7.3 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and

encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.

- 7.4 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.5 It is considered that subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

### **Design and Appearance**

- 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 is in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.7 The proposed dwelling would match the front building line of the existing row of terraces and would be of a similar design to the existing row. The ridge line of the proposed dwelling is considered appropriate due to land levels. It is considered that the proposed design would reflect the fenestration, door and chimney details of the neighbouring properties to give the appearance of a continuation of terraced properties. Subject to the use of appropriate materials, the design and appearance is considered to be in keeping with the existing character of the area and is acceptable. A condition has been recommended to require the details of external materials to be submitted to ensure that the proposed new dwelling does not detract from the character of the area and the streetscene. It is considered that the proposed dwelling would be acceptable in design terms.
- 7.8 A condition has been recommended to withdraw the permitted development rights for any additional extensions and roof conversions/alterations to ensure that the overdevelopment does not occur on the site.
- 7.9 It is considered that the design and appearance of the new dwelling is in keeping with the character of the local area and would comply with the guidance outlined in NPPF, Policy H1 of JCS and saved policy E20 of the Northampton Local Plan.

### **Amenity**

- 7.10 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.11 The proposed dwelling would sit adjoining to the existing blank wall at no.6 and owing to the siting, the proposal would be screened behind the existing building of no.6. It is considered that the proposed new dwelling would not have any adverse impact on the amenity of no.6.
- 7.12 The proposed new dwelling would have a part single storey element on the ground floor to accommodate the proposed kitchen, which would sit adjoining to the neighbouring property, no.4 Hester Street. No. 4 has a kitchen window on the lower ground level and a habitable window (office/studio) on the ground floor level, which sit higher than the ground floor level of the application site.
- 7.13 The amended scheme submitted during the course of the application has reduced the depth of the kitchen by approximately 1.5m. The virtual 45' line taken from the centre of the habitable window on the ground floor at no.4 would overlap the corner of the proposed kitchen. It is

considered that due to the small portion of the building that would overlap the 45' line, the impact on no.4 would not be so significant that warrants a refusal of the application. Moreover, there is an existing 1.8m high brick wall along the common boundary between the two properties, the impact of the single storey extension would be lessened as a result. Whilst it is acknowledged that the proposed new dwelling would have some visual impact on this property, however, owing to the scale and design of the proposed dwelling and the position of the existing brick wall, the resulting impact is considered to be acceptable.

- 7.14 The neighbouring properties to the rear are located at a separation distance of over 30m and are divided by an alley. Owing to the siting and separation distance, it is not considered that the proposed new dwelling would have any adverse impact on the neighbouring properties to the rear.
- 7.15 In terms of the amenities for future occupiers, the proposed dwelling would provide good size rooms with adequate light and outlook, alongside sufficient garden amenity space. As such, it is considered that adequate living conditions for future occupiers is provided.
- 7.16 Overall, it is considered that that the proposed new dwelling would not have any adverse impact on the amenity of the neighbouring properties to the side and to the rear. The proposed development would accord with the advice contained in the NPPF, Policy H1 of the Joint Core Strategy and saved Policy E20 of the Northampton Local Plan.

### **Parking and highway safety**

- 7.17 Since the original planning permission was granted, Northamptonshire Parking Standards SPD has been adopted in September 2016 and Northampton Parking Standards in 2019.
- 7.18 The proposal would provide a three-bedroom property, which would require two off-street parking spaces as per the parking standards. Proposed paved area to the front of the property has been designed for the parking of vehicles to serve the new dwelling. However, this space would be substandard with 4.3m depth and would not meet the parking spaces requirements.
- 7.19 Currently, this area is being used to accommodate up to two cars with some overhang on the highway area. The proposed new dwelling has been proposed with the same parking arrangements.
- 7.20 The proposed development would include demolition of the existing garages; however, as per the Northamptonshire Parking Standards, garages are not considered parking spaces. Moreover, the space has not been used for parking for some years as the garages are in delapidated condition.
- 7.21 Moreover, the site is within a sustainable location within easy access to facilities and alternative methods of transport. In addition, Hester Street is characterised by dwellings with no off-road parking, and there are no on-street parking restrictions. All the properties on the street rely on on-street parking and have no dedicated on-site spaces.
- 7.22 On balance, it is considered that the proposed parking would accommodate the dwelling and would not lead to any significant adverse impact on existing parking conditions. It is considered that the proposed development is acceptable and would not cause undue impact on the highway safety.

### **Other considerations**

- 7.23 The Council's Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging point, boilers, and construction hours. However, given the substandard parking arrangements and the scale of the development, it is considered that it would not be practicable to seek such charging point in this instance. 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.

- 7.24 Concerns has been raised in terms of the impact on the historic character of the area. However, the application is not located in any designated Conservation area. A condition has been recommended to require the submission of the external materials to ensure that the development would be in keeping with the local character of the area.
- 7.25 Other matters raised by the local residents such as impact on property values, asbestos from the demolition of the garages are not planning matters and cannot be considered while assessing the planning application.
- 7.26 Concerns were also raised in relation to the potential use of the building for a house in multiple occupation. Such proposal would be subject to a separate planning application and therefore cannot be given consideration while assessing the application.
- 7.27 Refuse storage details are not submitted with the application. A condition has been recommended to require submission of the details to ensure that the new dwelling provide adequate refuse storage area.

## **8 CONCLUSION**

- 8.1 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 site is located in a residential area and therefore the principle of residential development on the site is acceptable. The proposed development would contribute to the Council's five year housing land supply.
- 8.2 The proposed siting and design is considered to be acceptable and would accord with the advice contained in the NPPF, policy S10 of the West Northamptonshire Joint Core Strategy and policy E20 of the Northampton Local plan.
- 8.3 It is recommended that planning permission is granted subject to 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: 3011/01, 3011/02 rev A, 3011/04.

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

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 to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan 1997 (saved policies), and policy H1 of the West Northamptonshire Joint Core Strategy (2014).

4. 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, roof alterations or other form of enlargement to the dwelling hereby permitted shall take place.

Reason: To safeguard neighbouring residential amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

5. Full details of facilities for the recycling and refuse storage 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 prior to the dwelling hereby permitted is first occupied and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

## **10 BACKGROUND PAPERS**

- 10.1 N/2019/1460 and N/2005/1045.

## **11 LEGAL IMPLICATIONS**

- 11.1 The development is CIL liable as it relates to creation of a new dwelling.

## **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.





**PLANNING COMMITTEE:** 18<sup>th</sup> February 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0006

**LOCATION:** 17 Spinney Hill Road

**DESCRIPTION:** Proposed loft conversion with new rear roof dormer and new rooflights

**WARD:** Parklands Ward

**APPLICANT:** Mr Michael Hallam  
**AGENT:** Mr Paul Toone

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Applicant is a Council Member

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1 RECOMMENDATION**

**1.1 REFUSAL** for the following reason:

Due to the close relationship between the application site and the bungalow at 4 Spinney Hill Crescent at the rear of the site, the proposed dormer windows, French doors and Juliet balcony would overlook directly to the rear windows and private garden at 4 Spinney Hill Crescent, detrimental to residential amenity. This would be contrary to the aims and objectives of the National Planning Policy Framework, Policies E20 and H18 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide.

**2 THE PROPOSAL**

2.1 Permission is sought for a proposed loft conversion with new rear box dormer, Juliet balcony, French doors, windows and two new rooflights on the side roof slope. The proposed conversion would accommodate an en-suite double bedroom with an associated dressing room.

2.2 Rear dormers can often be installed under permitted development rights, subject to meeting certain criteria set down in Part 1 Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). In this case, the property has previously been extended, with the combined roof volume of the existing extension and the proposed rear dormer, the proposal exceeds the criteria for permitted development and hence planning permission is required.

### **3 SITE DESCRIPTION**

- 3.1 The application site consists of a brick built semi-detached dwelling along a residential street with access off Kettering Road. The property has an integral garage, lounge, dining room and kitchen on the ground floor and with five bedrooms and a bathroom at first floor level. The site has a relatively short garden as compared with other properties in the locality.
- 3.2 To the rear of the site is a detached bungalow at 4 Spinney Hill Crescent, which also has a small back garden and faces the application site at an angle. This neighbour also has a small rear conservatory. An 1.8m high fence separates the rear of the application site from this neighbour.
- 3.3 The site is not in a conservation area or near any listed buildings.

### **4 PLANNING HISTORY**

- 4.1 N/1978/0107 Permission for erection of garage and extension above 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.

### **6 National Policies**

- 6.1 **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:

- 6.2 Paragraph 127 Design and residential amenity

#### **6.3 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:

S10 Sustainable Development Principles

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

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

E20 New development  
H18 Residential extensions / alterations

#### **6.5 Supplementary Planning Documents**

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

## **7 CONSULTATIONS/ REPRESENTATIONS**

7.1 No comments received.

## **8 APPRAISAL**

8.1 The main issues to consider are the impact on the appearance and character of the host building, wider area, neighbour amenity and parking/highway safety.

### **Impact on appearance and character of the host building and wider area**

- 8.2 The Council's Adopted Supplementary Planning Document (SPD) on Residential Extensions seeks to ensure extensions and alterations are sympathetic to the form and character of the existing dwelling. In addition, the Council's SPD on Residential Extensions refers to dormer windows.
- 8.3 Paragraph 7.12 refers: "Dormer extensions should be in proportion to the roof and set into the roof slope so that they are not a dominant feature and ideally have a pitched roof. Flat roof dormers added to pitched roofs can often look out of place and unacceptably harm the character of the host house and the wider area, complement the window design and align vertically with the windows of the property below; and be set back from the eaves and provide an appropriate distance between the cheek of the dormer and the common building line".
- 8.4 The proposed box dormer is large and would cover a large proportion of the rear roof slope. Although box dormers are not ideal in design, in this instance, the proposal is acceptable visually as it is not considered unduly prominent with views being restricted to "glimpses" between the gaps between properties at the rear of the site on Spinney Hill Crescent. Materials for the dormer cheeks would match the existing roof to ensure a satisfactory external appearance of development in accordance with Policy S10 of the Joint Core Strategy and E20 of the Northampton Local Plan.
- 8.5 In terms of the proposed two side roof windows, these are reasonably small and are considered of a design and size in keeping with the host building. They would also not be particularly conspicuous from the front and therefore their effect on the street scene would be limited. The applicant has also confirmed that they would be obscure glazed.

### **Impact on neighbour amenity**

- 8.6 The main neighbour impact would be on the living conditions of the bungalow to the rear of the site and two dwellings on either side at 15 and 19 Spinney Hill Road.
- 8.7 Given that any views from the proposed rear dormer windows would be from an oblique angle of view, direct overlooking to 15 and 19 would be kept to a minimum to these properties' private rear gardens and windows. The impact on the property to the rear at 4 Spinney Hill Crescent, is considered much more substantial, with back to back distance to be less than 12m, which is significantly below the minimum standard of 27m as set down in the Council's Residential Extensions Design Guide.
- 8.8 As a consequence, the rear facing bedroom windows would result in significant overlooking to no.4. Although it is noted that the existing first floor windows already overlook the rear of this property, the proposed dormer would exacerbate the impact to an unacceptable degree. This would create an unacceptable relationship between the properties involved.
- 8.9 Due to the relationship, projection and separation, the impact in terms of overbearing, loss of light and outlook on adjacent neighbours are considered to be acceptable.
- 8.10 In terms of the installation of the 2 side facing roof windows, these would face towards the existing first floor side facing window on the flank wall of 15 Spinney Hill Road. However, due to the size

and type of glazing of the roof lights proposed, overlooking and loss of amenity would be considered acceptable. It is worth noting that these features could be installed under permitted development if they are non-opening or with opening parts more than 1.7m above internal floor level.

### **Parking and Highway Safety**

- 8.11 The existing house consists of five bedrooms. If permitted, the proposal would retain the same number of bedrooms (five). When assessed against current parking standards, this necessitates the provision of a minimum of three off road parking spaces, two of which can be accommodated within the applicant's boundary and one on the adjacent street, without impacting significantly upon highway safety.

## **9 CONCLUSION**

- 9.1 The proposed development would have an unacceptable overlooking effect on the bungalow at the back of the site creating a significant harmful impact on residential amenity. This is contrary to national policy, development plan policy and the NBC Residential Extensions Design Guide.

## **10 BACKGROUND PAPERS**

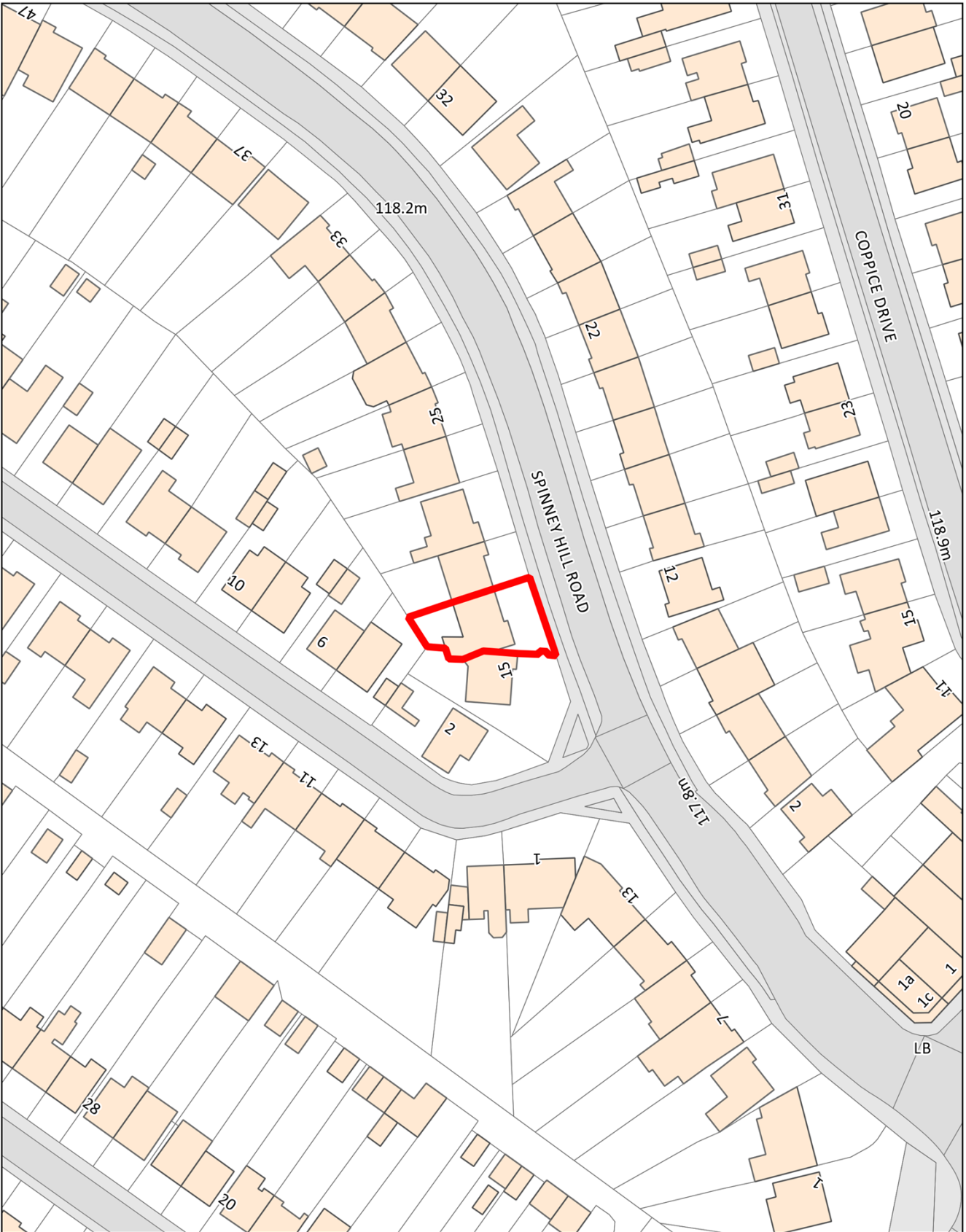
- 10.1 N/2020/0006.

## **11 LEGAL IMPLICATIONS**

- 11.1 The development is not CIL liable being under 100 square metres floor space.

## **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 Spinney Hill Road**

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Date: 06-02-2020

Scale: 1:850

Drawn by: -----





**PLANNING COMMITTEE:** 18<sup>th</sup> February 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0248

**LOCATION:** Land adjacent to 573 Wellingborough Road

**DESCRIPTION:** Erection of 3 new dwellings together with parking spaces served off Norman Road

**WARD:** Headlands 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 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, BN1, BN2, BN5, RC2 and BN9 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 seeks full planning permission for the construction of three dwellings with associated car parking spaces and a new access off Norman Road.

2.2 The new dwellings would be two bed terraced properties with hipped roof forms and elevation treatments comprising bricks at ground floor and render at first floor level. Each dwelling would measure 9.3 metres in depth and 8.2 metres in height, with the two end dwellings measuring 4.7 metres in width and the mid-terrace dwelling measuring 4.5 metres in width.

2.3 In addition, the scheme would include 6 parking spaces served off a new access from Norman Road.

- 2.4 The application has been amended since its submission to reduce the number, size and layout of the dwellings to enable the retention of the mature trees on the site and an area of open space on the corner of the Wellingborough Road. In addition, the design of the dwellings has been amended to hipped roofs and to incorporate first floor render to better reflect the character of properties along the Wellingborough Road, with a bay window also introduced to the east elevation of the terrace to create an active frontage.

### **3 SITE DESCRIPTION**

- 3.1 The application site occupies a prominent location on the junction of Norman Road and Wellingborough Road and comprises a triangular shaped parcel of open green space including a number of mature trees.
- 3.2 The application site is bounded by Norman Road and Wellingborough Road to the north east and southern sides respectively and specifically neighbours No. 573 Wellingborough Road and No. 1A Norman Road to the western side.
- 3.3 No. 573 is typical of properties to the north of the Wellingborough Road in the vicinity of the site, comprising a semi-detached house with a hipped roof form incorporating front gablet features with brick and render elevations. In addition, it has a relatively deep front garden and it is noteworthy that large copper beech trees also form a distinctive part of the character of this section of the Wellingborough Road.
- 3.4 No. 1A is a modern addition but reflects the character of Norman Road in the vicinity of the site, which also comprises hipped roof with brick and render elevation treatments. Although properties in Norman Road lack the gablet features of the existing properties on the Wellingborough Road and also have smaller front gardens.
- 3.5 The Abington Park Conservation Area is located to the southern side of the Wellingborough Road.

### **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.

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

#### **5.2 National Policies**

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

Paragraphs 7-12 - Presumption in favour of sustainable development.  
Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.  
Section 8 - Promoting healthy and safe communities.  
Section 9 - Promoting sustainable transport.  
Section 12 - Achieving well-designed places.  
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 S10 - Sustainable Development Principles.  
Policy H1 - Housing  
Policy RC2 - Community Needs  
Policy BN1 - Green infrastructure  
Policy BN2 - Biodiversity  
Policy BN5 - Historic Environment and Landscape  
Policy BN9 - Planning for Pollution Control

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

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

Policy E20 - New Development (Design)  
Policy E26 - Conservation Areas

### 5.5 **Supplementary Planning Documents**

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

## 6 **CONSULTATIONS / REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Arboricultural Officer (NBC):** The revised Arboricultural report reads well and reflects the new proposed layout. The method statement and control measures specified should be implemented in a timely fashion and properly maintained throughout the duration of the development to seek to prevent harm to the important retained copper beech trees.
- 6.2 **Highway Authority (NCC):** No comments to make following a review of the application.
- 6.3 **Public Protection (NBC):** No objections subject to conditions to address noise, unexpected contamination, working hours and the Council's Low Emissions Strategy.
- 6.4 **Six letters of objection** were received in respect of previous iterations of the application, which included the following points:
- Loss of green space; small green spaces are important breathing spaces and provide areas of open space, reduce temperatures in hot weather and are a home to wildlife.
  - The site is an important gateway to Northampton.
  - The area is used by children for play.
  - Development would be cramped.
  - Proposal would represent an eyesore.
  - Entrance appears too tight and could cause an accident.

- There are existing parking and traffic issues on Norman Road which will be exacerbated by the proposal.
- Proposal would have insufficient parking.
- Unclear whether the parking area will be available for local residents.
- Norman Road is one way but this is often ignored.
- Application should have been advertised more widely.
- Negatively effect on house prices.
- Errors in application submission, such as erroneous references to garages on site.

6.5 **One further letter of objection** has been received in respect of the latest amended scheme. This representation raises concerns that the application does not include details of how traffic will be prevented from driving the wrong way down Norman Road and questions whether the application is ruining green land.

## 7 APPRAISAL

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 Notwithstanding the above, the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for three 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 and trees

7.3 The application site comprises an area of open space. 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.

7.5 In this instance, the proposal would result in the loss of a large proportion of the existing open space which occupies a prominent location and contributes to the character of the area. However, the open space is relatively small in size which limits its role as a recreational resource and it is not identified in either the Council's open space or green infrastructure studies. In addition, the two mature copper beech trees to the Wellingborough Road frontage would be retained with additional tree planting proposed including new copper beech trees. Furthermore, the application has been amended to retain a meaningful triangle of open space on the junction of Wellingborough Road and Norman Road, with strips of open space also running along both roads. Therefore, whilst the loss of a large proportion of the open space is regrettable, as part of a balanced assessment, it is considered that the benefits arising from the provision of three houses would outweigh this harm

### Design, layout and heritage assets

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 is in conformity with the NPPF which advises that planning should always seek to secure high quality design. In addition, as the site neighbours a Conservation Area, special attention must be paid to the desirability of

preserving or enhancing the character or appearance of the Conservation Area, with great weight given to the conservation of the heritage asset.

- 7.7 The proposed houses would front onto the Wellingborough Road and would be set to the side of No. 573 Wellingborough Road, with a set back from the highway to match the prevailing pattern of development. The new dwellings would comprise a terrace of three houses and not semi-detached properties which is characteristic of the northern side of the Wellingborough Road. However, the amended scheme proposes a similar two storey scale and approach to elevation treatments to the neighbouring properties, with brick at ground floor level and render at first floor level. Furthermore, the roof form of the terrace has been amended from a gabled to a hipped roof and thus would have a simplified version of the roof forms of properties along the Wellingborough Road. In addition, a bay window has been introduced to the eastern flank elevation of the new houses to add some interest to this elevation, which would be visible on approach to the site from the east along the Wellingborough Road, and also afford surveillance of the parking area and remaining open space. As such, it is considered that the proposed houses would not appear unduly prominent or intrusive in the Wellingborough Road streetscene.
- 7.8 The development would back onto Norman Road and, whilst such an approach would not reflect the prevailing pattern of development along Norman Road, the rear boundaries of the houses would be set in from the footpath to reflect the building line of the existing houses and allow a landscaped strip to be retained. In addition, the boundary treatments would comprise a mix of walls and railings to help to soften the impact of the development and afford some opportunities for surveillance. Therefore, it is considered that the proposed houses would not appear unduly prominent or intrusive in the Norman Road streetscene.
- 7.9 The new parking area would occupy the centre of the site, but would be surrounded by open space to three sides with in particular a meaningful triangle of open space on the prominent eastern concern of the site. Therefore, it is considered that the parking area would not have an unacceptable impact on the streetscene.
- 7.10 In respect to the impact of the development on heritage assets, the Abington Park Conservation Area is located to the south of the site. However, the Conservation Area is separated from the site by a main arterial road and the mature copper beech trees within the site and a landscaped running along the Wellingborough Road would be retained. As such, it is considered that the proposal would not adversely affect the setting of the neighbouring Conservation Area.
- 7.11 Overall, and subject to conditions relating to floor levels, materials, boundary treatments, external lighting, tree protection and landscaping, it is considered that the proposal would not have an adverse impact on the character and appearance of the area or the Abington Park Conservation Area.

### **Residential amenity**

- 7.12 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.13 In terms of the amenities of neighbours, the proposed houses would be set to the side of properties on Wellingborough Road, with Plot 1 specifically set in from the side boundary with No. 573 Wellingborough Road. No. 573 benefits from flank windows facing the application site, however these comprise a hall, landing, and bathroom room and as also a secondary window serving the ground floor front room. As such, and subject to a condition removing permitted development rights for extensions, roof alterations and dormer windows, it is considered that the proposal would not have an adverse impact on the residential amenity of this or any other neighbouring property.
- 7.14 In respect of the amenities of future occupiers, all habitable rooms would be served by windows providing reasonable level of outlook and daylighting. Furthermore, the garden sizes for the new

dwelling would generally be acceptable for two bed homes subject to a condition removing permitted development rights for extensions. The Environmental Health Officer has requested a noise assessment relating to transportation noise from the Wellingborough Road and this matter can be addressed by condition. As such, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers.

### **Parking and highway safety**

- 7.15 The Parking Standards seek two on plot parking spaces for two bed dwellings which would be met as part of the proposal and as such the County Highway Engineer raises no objections to the scheme. In addition, the new Standards seek electric vehicle charging points and these can be secured by condition. Therefore, and subject to conditions securing the parking and charging points, it is considered that the proposal is acceptable on parking and highway safety grounds.

### **Other considerations**

- 7.16 A land contamination condition is recommended on the request of the Council's Environmental Health Officer.
- 7.17 The Council's Environmental Health Officer also suggests a condition relating to construction hours, however given the scale of the development and the controls that existing under the Environmental Health Legislation, it is considered that such a condition is not necessary in this instance.

## **8 CONCLUSION**

- 8.1 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 site is located in a residential area and therefore the principle of residential development on the site is acceptable under the development plan, with the proposal development also contributing to the Council's five year housing land supply. The proposal would however result in the loss of an area of open space, although the harm from this loss is considered to be outweighed by the benefits 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) 05B, and (P) 07A.

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, tree protection measures shall be installed in accordance with the details in the submitted Arboricultural Reports (reference MacIntyre 18102\_Fv3) and maintained for the duration of the construction of the 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 H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

5. 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.

6. Prior to the construction of the new dwellings hereby permitted above ground floor slab level, a scheme for achieving the noise levels contained within BS8233:2014 (or any standard revoking and replacing that standard with or without modification) with regards to the residential units shall be submitted for approval to the Local Planning Authority. Once approved the scheme shall be implemented before occupation of the residential units and maintained thereafter.

Reason: In the interests of residential amenity and in accordance with Policy E20 of the Northampton Local Plan and Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

7. Prior to the construction of the new dwellings 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 new dwellings hereby approved above ground floor slab level, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved 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. 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 Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

9. The new parking spaces shown on approved plans shall be constructed prior to the 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.

10. Full details of electric vehicle charging points for the approved dwellings / 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 first occupation of the dwellings hereby permitted and retained thereafter.

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

11. 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 S0 of the West Northamptonshire Joint Core Strategy.

12. The proposed boundary treatments as shown on the approved drawing (P)03J shall be implemented in full prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: To ensure a satisfactory standard of development and security for the future occupants in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

13. 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, roof alterations or dormer windows 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.

## **10 BACKGROUND PAPERS**

- 10.1 N/2019/0248.

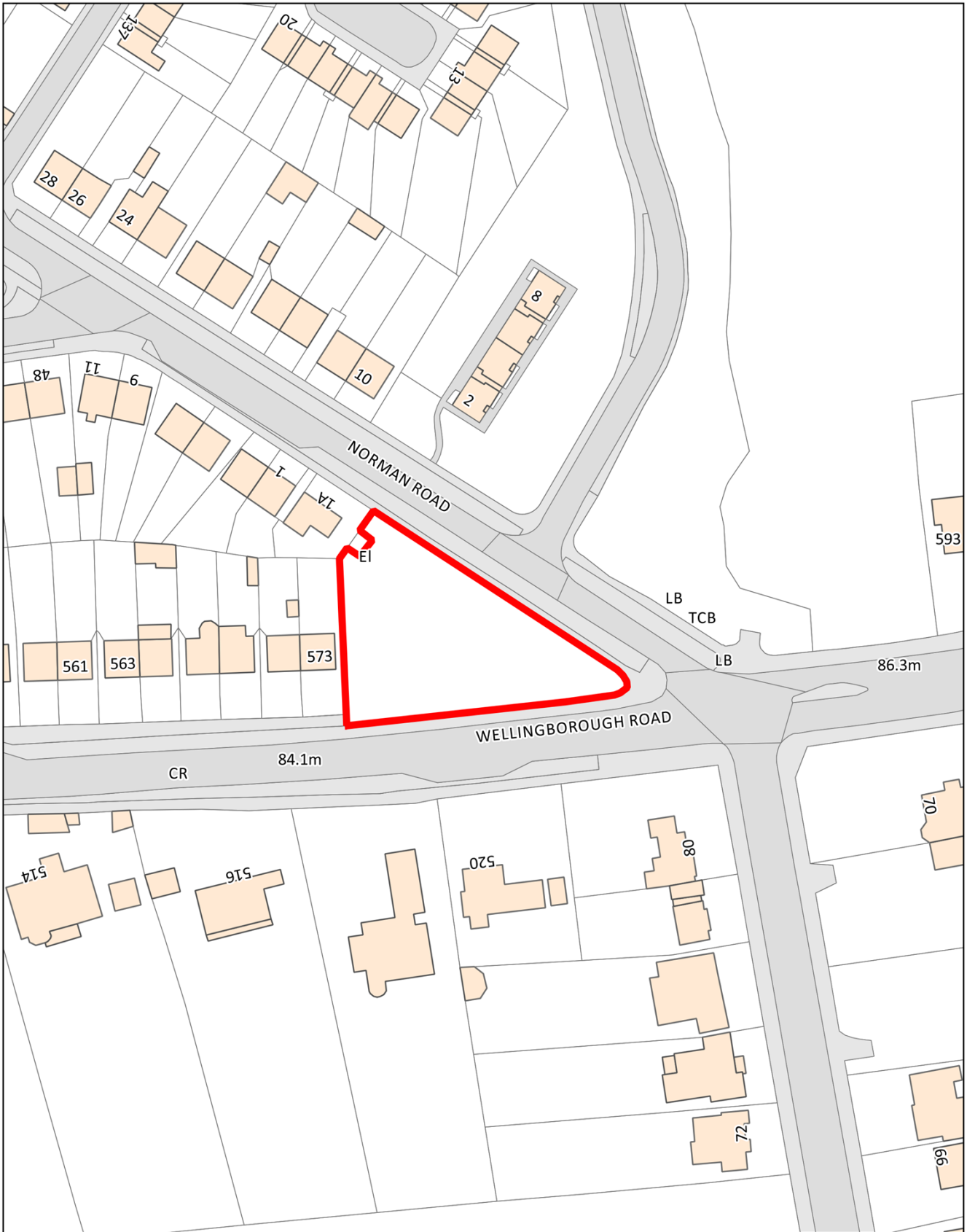
## **11 LEGAL IMPLICATIONS**

- 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 to 573 Wellingborough Road**

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Date: 06-02-2020

Scale: 1:1,000

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