



# PLANNING AGENDA

**Tuesday, 17 March 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, 17 March 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 Head of Planning (copy herewith)
- 7. OTHER REPORTS**
- 8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**
- 9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS**
- 10. ITEMS FOR DETERMINATION**  
(Addendum attached)
  - (A) N/2018/1645 - DEMOLITION OF EXISTING BUILDINGS AND ERECTION 23 NO. APARTMENTS AND 8 NO. TOWNHOUSES. CASTILIAN CHAMBERS, 2 CASTILIAN STREET**
  - (B) N/2019/1225 - ERECTION OF 73NO DWELLINGS WITH ASSOCIATED PARKING, OPEN SPACE AND LANDSCAPING. DEVELOPMENT LAND REAR OF HUNSBURY PARK PRIMARY SCHOOL, DAYRELL ROAD**
  - (C) N/2019/1402 - CONVERSION OF EXISTING DWELLING TO CREATE 2NO APARTMENTS TOGETHER WITH CONSTRUCTION OF 2NO NEW APARTMENTS ON ADJACENT LAND WITH ON SITE PARKING. 1 ADDISON ROAD**



- (D) N/2019/1413 - NEW SINGLE STOREY POST OFFICE WITH FRONT BRICK BOUNDARY WALL, CYCLE STANDS & INSTALLATION OF BLOCK PAVING. BIPIN COMMUNITY CENTRE, ECTON BROOK ROAD
- (E) N/2019/1604 - CHANGE OF USE AND ALTERATIONS TO EXISTING DWELLINGHOUSE (CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (SUI GENERIS) FOR 7 OCCUPANTS WITH THE ADDITION OF A REAR DORMER WINDOW. 50 MANFIELD ROAD
- (F) N/2020/0006 - PROPOSED LOFT CONVERSION WITH NEW REAR ROOF DORMER AND NEW ROOFLIGHTS. 17 SPINNEY HILL ROAD
- (G) N/2020/0030 - VARIATION OF CONDITIONS 2 AND 5 OF PLANNING PERMISSION N/2018/0476 (ERECTION OF 14 NO. 3 BEDROOM DWELLINGS WITH PARKING) TO AMEND THRESHOLD LEVEL ACCESS TO PLOTS 1-6 ONLY. THE FORMER SILVER CORNET PUBLIC HOUSE SITE, 21 WELLAND WAY

#### 11. ITEMS FOR CONSULTATION

- (A) N/2020/0049 - OUTLINE APPLICATION FOR AN URBAN EXTENSION CONSISTING OF CIRCA 1600 DWELLINGS; A NEW SECTION OF A43 DUAL CARRIAGEWAY ROAD; UP TO 5.95HA OF COMMERCIAL LAND, INCLUDING: A LOCAL CENTRE (USE CLASSES A1/A3/A5/D1), ASSISTED LIVING/RESIDENTIAL CARE HOME (CLASS C2), CONVERSION OF FORMER AGRICULTURAL BUILDINGS TO A COMMUNITY HUB (CLASSES D1/A3) AND EMPLOYMENT (CLASSES B1/B2/B8); A NEW 2-FORM ENTRY PRIMARY SCHOOL; PUBLIC OPEN SPACE, INCLUDING ALLOTMENTS AND CHILDREN'S PLAY SPACE; STRUCTURAL LANDSCAPE PLANTING; AND ASSOCIATED INFRASTRUCTURE INCLUDING DRAINAGE FEATURES AND ACCESS (THE ROUNDABOUT, EMPLOYMENT SITE AND CONSTRUCTION ACCESSES INTO THE SITE OFF THE A43 BEING UNRESERVED). (DA/2020/0001) LAND TO EAST OF KETTERING ROAD, OVERSTONE. CONSULTATION BY DAVENTRY DISTRICT COUNCIL

#### 12. NORTHAMPTON PARTNERSHIP HOMES APPLICATIONS

- (A) N/2019/0202 - DEMOLITION OF 11NO DOMESTIC GARAGES AND ERECTION OF 2NO NEW BUILD UNITS. GARAGE 1 LOCK UP GARAGES, HAROLD STREET
- (B) N/2019/0783 - DEVELOPMENT OF 4NO RESIDENTIAL UNITS WITH ASSOCIATED PARKING. LAND TO REAR OF 44 EAST PADDOCK COURT

#### 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.



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## NORTHAMPTON BOROUGH COUNCIL

### PLANNING COMMITTEE

Tuesday, 18 February 2020

**PRESENT:** Councillor Oldham (Chair); Councillor Lane (Deputy Chair);  
Councillors Birch, Cali, B Markham, McCutcheon and Russell

**OFFICERS:** Peter Baguley (Director of Planning and Sustainability), Rita Bovey  
(Development Manager), Hannah Weston (Principal Planning  
Officer), Theresa Boyd (Planning Solicitor), Ed Bostock (Democratic  
Services Officer)

#### 1. APOLOGIES

Apologies for absence were received from Councillors Kilbride, Bottwood and M Markham.

#### 2. MINUTES

The minutes of the meeting held on 21<sup>st</sup> January 2020 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/2019/1342**

John Roy  
Isabel White  
Mark Robinson

##### **N/2019/1460**

Hilary Scott

##### **N/2020/0006**

Paul Toone  
Mike Hallam

##### **N/2019/0248**

Gary Owens

#### 4. DECLARATIONS OF INTEREST/PREDETERMINATION

Councillor Lane declared a personal interest in respect of item 10c and advised that he would leave the room whilst the item was discussed.

**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. She explained that 3 decisions had been reached, of which 2 appeals were allowed by the Inspector. Regarding Compton House, the Inspector agreed with officers' conclusion that the proposed bin storage would be prominent, and the development would compromise highway safety. The Inspector disagreed with officers regarding 64 Edith Street and concluded that the proposed dormer was small and considered appropriate. The Inspector had concern regarding the proposed obscurely glazed windows in the loft space, however the communal space provided mitigated the loss of amenity. Regarding the advertising display, the Inspector found that the size of the display would not affect the character and setting of the conservation area.

In response to a question, the Committee heard that legislation had recently been passed that required developers to apply for advertising consent which would give local planning authorities more control over such development.

**RESOLVED:**

That the report be noted.

**7. OTHER REPORTS**

None.

**8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS**

None.

**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**

The Development Manager submitted a report to the Committee and commented that planning permission had previously been granted in 2016; this application sought approval for the continued use of the site as a temporary night shelter. The Development Manager noted that the applicant had submitted a management plan alongside the application. She further noted that there had been no statutory objections, however an objection had been received from a nearby resident.

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/2019/1342 - 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**

The Development Manager submitted a report to the Committee. Members' attention was drawn to the addendum which contained an amended Condition 4 and additional neighbour representations. The Committee heard that as part of the application, external alterations including French doors leading to a new decking to the side and cladding were proposed. A smoking shelter was proposed and an additional condition (Condition 9) was proposed requiring further details on the external material of the smoking shelter. Officers considered the decking was acceptable, however a condition (Condition 8) was included to restrict live and piped music in the external areas to ensure compliance with the Council's policies regarding residential amenity. Whilst neighbour objections mentioned the proposed opening hours, they were in line with approved licencing hours and similar to other establishments, and there had been no objections from statutory consultees.

John Roy, a local resident, spoke against the application and commented that construction of fencing had already started. He stated that no other gastropubs in the area closed at 1:00am and felt that this was too late. Mr Roy commented that when the North Star pub was in operation, customers would park along Acre Lane and caused problems for residents.

The Development Manager confirmed the new opening times which were agreed at the Alcohol & Gambling Licensing Sub-Committee on 14<sup>th</sup> February.

In response to a question, Mr Roy commented that problematic parking had not been an issue whilst Buddies had been in operation.

Isabel White, a local resident, spoke against the application and commented that nearby pubs had reduced opening hours. She explained that whilst the car park could hold 41 vehicles, the business was looking to employ 15 permanent members of staff which would reduce the number of spaces for customers. Mrs White further explained that yellow lines outside of the pub would push drivers further up Acre Lane.

Mark Robinson, the owner and applicant, spoke in favour of the application and commented that the picket fence bordering the site was erected under permitted development, along with the laurel hedging. Mr Robinson advised that there were no plans for off-site alcohol sales and whilst the opening hours had not yet been announced, it was envisaged that the pub would close sooner than its mandatory closing hours. With regard to the loss of parking spaces for employees, Mr Robinson advised that he would be looking to employ locals who would be able to walk or cycle to the pub.

In response to questions, Mr Robinson advised that the smoking area would not affect the disabled access ramp or take up any parking spaces. He further advised that food would be promoted ahead of alcohol.

The Development Manager clarified that the original plans contained higher fencing but had since been removed from the proposal; the current picket fencing could be installed without planning permission under permitted development rights. She further advised that the Local Highway Authority had raised no objection to the application. The Committee were informed that the Licensing and Environmental Health departments had enforcement powers should the pub fail in meeting its conditions.

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 4** contained in the addendum and **additional Condition 9** in relation to the material of the smoking shelter.

**(B) N/2019/1460 - DEMOLITION OF EXISTING DOUBLE GARAGE AND CONSTRUCTION OF NEW DWELLING. GARAGE ADJACENT TO 6 HESTER STREET**

The Principal Planning Officer submitted a report to the Committee and explained that the proposed detached property would look like a continuation of the terraced houses from the street. The design of the property would be traditional so as to be in-keeping with the surrounding properties. The Officer explained that whilst parking was shown on the plans, the spaces were not to a size where they could be counted as parking spaces within the assessment of the planning application. As such the assessment was that no parking was proposed, however the property sat in close proximity to shopping facilities and public transport links and due to this sustainable location the lack of parking was not considered unacceptable.

Hilary Scott, of a neighbouring property, spoke against the application and commented that the properties were in fact detached, with very little space in between. She stated that there would be no room for air bricks or any maintenance that might need to take place and advised of “tremendous” loss of light to her property, should the application be approved. Mrs Scott advised that the boundary wall referenced in paragraph 2.13 in the report was 1m tall, not 1.8m.

The Principal Planning Officer explained that air bricks were not a material planning consideration, and this would be a matter for Building Control. With regards to the single storey rear projection the Officer advised that during the course of the application the single storey element had been significantly reduced in depth to improve the relationship with the neighbouring property. When measuring the revised single storey element using the “45-degree rule”, the line partially hit the single storey element, however this was to a minimal level and as such it was not deemed to result in an unacceptable impact upon the neighbouring property.

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 Lane left the room.

**(C) N/2020/0006 - PROPOSED LOFT CONVERSION WITH NEW REAR ROOF DORMER AND NEW ROOFLIGHTS. 17 SPINNEY HILL ROAD**

The Principal Planning Officer submitted a report to the Committee and commented that a box dormer was proposed as part of the application. It was advised that there is currently a degree of overlooking from the existing first floor windows and that the creation of additional windows at loft level would result in increased overlooking of the neighbouring property, allowing a full view into the garden and rear of the neighbouring property due to the elevated position.. It was noted that the separation distance between habitable rooms of neighbouring properties should be 27m when adding windows at the third storey level; the distance between the proposed dormer windows and the closest habitable neighbouring room was just 12m.

Paul Toone, the agent on behalf of the applicant, spoke in favour of the application and commented that the previous extension was found acceptable and granted permission and that if this had been flat roofed a dormer may be permitted development. He explained that neighbours had made positive comments regarding the application and that none of them had made representations.

Mike Hallam, the applicant, spoke in favour of the application and commented that the loft space would partially be used as a bathroom and one dormer window would be obscurely glazed. The property would remain a 5-bedroom home. Mr Hallam advised that statutory guidelines state that 1 bathroom was not sufficient for a 5-bedroom property and that he was seeking to rectify this. Mr Hallam suggested that a condition could be attached to alter the design of the dormer.

The Principal Planning Officer advised that the previous two storey extension was granted in 1978 under different planning policies and there is no evidence that a flat roofed two storey side extension would have been acceptable. The existing property has already been greatly extended, and the property is significantly above the permitted development limits (50m<sup>3</sup> permitted, the property is already at 70m<sup>3</sup>). It was advised that any changes to the plans could not be conditioned as this would form a new proposal.

The Director of Planning and Sustainability advised Members that they could defer the application in order for officers to discuss possible amendments to ensure planning compliance.

Councillor Birch proposed and Councillor Russell seconded that the item be deferred.

The motion was carried.

**RESOLVED:**

That the item be **DEFERRED** for further negotiation with the applicant to seek improvement to the proposal.

Councillor Lane re-joined the meeting at this juncture.

## **11. ITEMS FOR CONSULTATION**

None.

## **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**

The Principal Planning Officer submitted a report to the Committee and commented that the scheme had been amended during the course of the application to ensure the retention of two large trees on site and an element of open space for the use of the community. It was advised that the application was for a row of three properties, and that 6 parking spaces would be provided and accessed from Norman Road. The properties would be designed and finished in a manner in-keeping with the surrounding homes.

Gary Owens of NPH advised the Committee that he was available to answer any questions they had for him.

In response to questions Mr Owens advised the Committee that NPH had sent letters to neighbouring properties; there had been some objections and NPH had worked closely with planning officers to mitigate concerns.

Members discussed the report.

### **RESOLVED:**

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

The meeting concluded at 6:46 pm

Planning Service

Director of Planning and Sustainability: Peter Baguley



**List of Appeals and Determinations – 17<sup>th</sup> March 2020**

**Written Reps Procedure**

Application No.	DEL/PC	Description	Decision
<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>DISMISSED</b>
<b>N/2019/0749</b> APP/V2825/W/20/3244897	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 5 St Michaels Mount	<b>AWAITED</b>
<b>N/2019/0884</b> APP/V2825/W/20/3246371	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants at 49 Lutterworth Road	<b>AWAITED</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>ALLOWED</b>
<b>N/2019/1286</b> APP/V2825/W/20/3245912	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants (retrospective) at 41 Alfred Street	<b>AWAITED</b>
<b>N/2019/1390</b> APP/V2825/W/20/3245648	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants including single storey rear extension and new rear door and window at 9 Allen Road	<b>AWAITED</b>

**Public Inquiry**

None

**Hearings**

None

**Enforcement Appeals**

None

**Tree Preservation Order (TPO) Appeals**

None

The Address for Planning Appeals is:

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

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

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

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Planning Service

The Guildhall, St Giles Square,

Northampton, NN1 1DE

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## Addendum to Agenda Items Tuesday 17<sup>TH</sup> March 2020

### 10. ITEMS FOR DETERMINATION

#### Item 10a

**N/2018/1645**

**Demolition of existing buildings and erection 23 no. apartments and 8 no. townhouses  
Castilian Chambers, 2 Castilian Street**

Additional 3<sup>rd</sup> party comments received are summarised as follows:

- Further information has been received indicating the presence of bats in Derrigate.
- The proposed cycle storage is open to theft not being stored in a lockable dedicated room and location under tree will result in all cycles covered in birds mess.

#### **Officer response:**

Revised plans have been received resulting in the loss of 1 unit and the provision of internal secure bike storage.

An **Additional Condition 25** is proposed as follows:

**25)** Notwithstanding the development hereby approved, no demolition on site shall take place until the Local Planning Authority has been provided with either:

- a) A licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development to go ahead; or
- b) Written confirmation from Natural England that the application site has been registered with the Bat Low Impact Class Licence scheme; or
- c) A statement in writing from a suitably qualified ecologist to the effect that they do not consider that the specified activity/development will require a licence.

**Reason:** In the interests of wildlife and nature conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

#### Item 10b

**N/2019/1225**

**Erection of 73no dwellings with associated parking, open space and landscaping  
Development land rear of Hunsbury Park Primary School, Dayrell Road**

Revisions to plans have been received following comments by statutory consultees. The following conditions have been changed to the following to reflect the updated plans:

#### **Amended Conditions:**

2. The development hereby permitted shall be carried out in accordance with the approved plans: 00936-D02 Rev U, 00936-D03 Rev H, 00936-D04 Rev D, 00936-D05 Rev A, 00936-D10 Rev B, 00936-D11 Rev A, 00936-D12 Rev B, 00936-D-20 Rev D, P19-2117\_01 Rev F, P19-2117\_02 Rev F, P19-2117\_03 Rev F, P19-2117-04 Rev F and ENG940-VIS-01 Rev B.

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

5. The revised access to Hunsbury Hill Primary School as shown on site layout drawing 00936-D02 Rev U shall be fully implemented prior to the first occupation of the development hereby permitted.

**Reason:** In the interests of highway safety in accordance with Policy C2 of the West Northamptonshire Joint Core Strategy.

7. The development hereby approved shall be implemented fully in accordance with the submitted Construction Environment Management Plan reference QE-09 written March 2019 and last amended 26th February 2020.

**Reason:** In the interests of ensuring the development does not detrimentally impact the local highway network nor neighbouring amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

In addition to the above changes required following updates to the site layout to show the location of the Bridleway, **the Lead Local Flood Authority** has provided a further response, stating:

We would advise that if the following planning conditions are included as set out below, the impacts of surface water drainage will have been adequately addressed at this stage. Without these conditions, the proposed development on this site may pose an unacceptable risk of surface water flooding.

The following three **additional conditions** supersede Condition 8 included in the report:

Prior to construction above slab level, full details of the surface water drainage scheme for the site, based on the approved Flood Risk Assessment and Drainage Statement (Reference C7514-ODP-FRA-Rev-July 2019, dated 09.07.2019, prepared by Couch Consulting Engineers) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to completion of the development hereby approved. The scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required). Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
- ii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iii) BRE365 Infiltration testing.

**Reason:** To reduce the risk of flooding both on and off site in accordance with the NPPF and Policy BN7 of the Core Strategy for West Northamptonshire by ensuring the satisfactory means of surface water attenuation and discharge from the site

Prior to first occupation of the development hereby approved, a detailed scheme for the ownership and maintenance of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority. The maintenance plan shall be implemented in full thereafter. The scheme shall include:

- i) Details of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space play areas containing SuDS) with evidence that the organisation/body has agreed to such adoption.
- ii) A maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used.
- iii) A site plan including access points, maintenance access easements and outfalls.

- iv) Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arisings generated from the site.
- v) Expected design life of all assets, with a schedule of when replacement assets may be required.

**Reason:** To ensure the future maintenance of drainage systems associated with the development in accordance with Policy BN7 of the Core Strategy for West Northamptonshire.

Prior to first occupation of the 73<sup>rd</sup> dwelling hereby approved, a Verification Report for the installed surface water drainage system for the site shall be submitted to and approved in writing by the Local Planning Authority. The Verification Report shall be based on the approved Flood Risk Assessment and Drainage Statement (Reference C7514-ODP-FRA-Rev-July 2019, dated 09.07.2019, prepared by Couch Consulting Engineers). These shall include:

- a) Any departure from the agreed design is keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) Confirmation that the system is free from defects, damage and foreign objects

**Reason:** To ensure the installed Surface Water Drainage System is satisfactory and in accordance with the approved reports for the development site.

**Item 10c  
N/2019/1402**

**Conversion of existing dwelling to create 2no apartments together with construction of 2no new apartments on adjacent land with on site parking  
1 Addison Road**

**NBC Arboricultural officer** - No objection in principle. The line of pine trees behind the site would seem to be sufficiently remote not to be at risk of harm, and there is an area of hard standing that may well have prevented root development in the vicinity of the proposed area of hard-standing.

**Additional Condition:**

7. Notwithstanding the submitted details, prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first use of the development hereby permitted and retained thereafter.

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

**Item 10d  
N/2019/1413**

**New single storey post office with front brick boundary wall, cycle stands and installation of block paving  
Bipin Community Centre, Ecton Brook Road**

No update.

**Item 10e  
N/2019/1604**

**Change of use and alterations to existing dwellinghouse (Class C3) to house in multiple occupation (Sui Generis) for 7 occupants with the addition of a rear dormer window  
50 Manfield Road**

No update.

**Item 10f**

**N/2020/0006**

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

No update.

**Item 10g**

**N/2020/0030**

**Variation of Conditions 2 and 5 of Planning Permission N/2018/0476 (Erection of 14 no. 3 bedroom dwellings with parking) to amend threshold level access to Plots 1-6 only  
The Silver Cornet Public House site, 21 Welland Way**

Revised plan no.16-20-BR-401 Rev E received showing revised site level details.

**Amended Conditions:**

**4)** The levels for the development shall be implemented in accordance with plan 16-20-BR-401 Rev E.

**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.

**7)** All planting, seeding or turfing shown within plan 16-20-BR-401 Rev B under application N/2018/0476 shall be carried out in the first planting and seeding seasons following the occupation of the dwellings 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 of all trees, shrubs, plants, hedges 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.

## **11. CONSULTATIONS**

**Outline application for an urban extension consisting of circa 1600 dwellings; a new section of A43 dual carriageway road; up to 5.95ha of commercial land, including: a local centre (Use Classes A1/A3/A5/D1), assisted living/residential care home (Class C2), conversion of former agricultural buildings to a community hub (Classes D1/A3) and employment (Classes B1/B2/B8); a new 2-form entry primary school; public open space, including allotments and children's play space; structural landscape planting; and associated infrastructure including drainage features and access (the roundabout, employment site and construction accesses into the site off the A43 being unreserved).  
(DA/2020/0001) - Consultation by Daventry District Council  
Land to East of Kettering Road, Overstone**

No update.

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



**Item 12a**

**N/2019/0202**

**Demolition of 11no domestic garages and erection of 2no new build units**

**Garage 1 Lock Up Garages, Harold Street**

No update.

**Item 12b**

**N/2019/0783**

**Development of 4no residential units with associated parking**

**Land to rear of 44 East Paddock Court**

**Northamptonshire Police Crime Prevention Advisor – the revised layout remains acceptable.**

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**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1645

**LOCATION:** Castilian Chambers, 2 Castilian Street

**DESCRIPTION:** Demolition of existing buildings and erection 23 no. apartments and 8 no. townhouses

**WARD:** Castle Ward

**APPLICANT:** Mr David Corley  
**AGENT:** Rickett Architects Ltd

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

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

The proposed development represents an efficient use of a brownfield site within a sustainable town centre location. The proposal would complement the mix of uses within the town centre and contribute towards the Council's 5-year housing supply. The amended design and appearance are considered an appropriate and sympathetic contrast to the surrounding heritage assets and the context of the Derngate Conservation Area, with any harm considered less than substantial and outweighed by the public benefit of the provision of housing and bringing this underused and unattractive site back into use. The proposal would not lead to any undue adverse impact on adjacent amenity, highway conditions or existing trees of visual amenity merit. It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied and that, on balance, the lack of contributions would be outweighed by the environmental and social benefits of the proposal. The proposal is therefore considered to be in accordance with Policies SA, S1, S3, S10, S11, E1, H1, BN3, BN5, BN7, BN9, INF1 and INF2 of the West Northamptonshire Joint Core Strategy, Policies 1, 10, 15 & 16 of the Northampton Central Area Action Plan and the aims and objectives of the National Planning Policy Framework.

### 2 THE PROPOSAL

- 2.1 The application as originally submitted proposed a total of 95 apartments comprising a mix of 1-bedroom apartments and studios and included the demolition of No. 2 Castilian Street and No. 41 Derngate. The footprint of the proposed development comprised a 6-storey building extending from No. 2a Castilian Street and wrapping around the corner of the site and along the Derngate frontage, enclosing the site and views of Derngate Mews to the northeast of the site with no on-site parking provision.
- 2.2 Due to officer concerns regarding the scale, appearance, overdevelopment of the site, impact on the character and appearance of the conservation area and surrounding heritage assets and impact on neighbouring amenity, the scheme has subsequently been amended.
- 2.3 The amended scheme comprises the demolition of No. 41 Derngate, the retention and conversion of No. 2 Castilian Street to provide 2 x 2-bedroom townhouses, a 4-storey extension to the rear of No. 2 Castilian Street to provide 4 x 2-bedroom townhouses, and the erection of a 4-storey building including accommodation within the roof, fronting onto Derngate comprising 2 x 3-bedroom townhouses and 23 x 1-bedroom apartments, providing an overall total of 8 townhouses and 23 apartments. Vehicular access to the site would be via a gated access from Derngate to a parking area to the rear providing 8 parking spaces. Internal bin storage and bike storage would be provided within enclosed stores on the ground floor of the main building fronting Derngate. The mature tree on the corner of the site and younger tree to the front of No. 2 Castilian Street would be retained.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located with the town centre and Central Area as defined by the CAAP and lies within Derngate Conservation Area on a prominent corner of Castilian Street and Derngate. The site is approximately 0.12 hectares in size and comprises No. 2 Castilian Street, a former solicitors, and the adjacent car park and No. 41 Derngate, a detached two-storey property, formerly a dwelling and converted to office use but disused for some time. A large mature tree is located in the extreme western corner of the site within a raised area adjacent to the car park and protected by virtue of the Conservation Area.
- 3.2 The surrounding area is mixed in character with immediate properties to the south-east along Derngate comprising predominantly 19<sup>th</sup> Century 3-storey terraces with a mix of commercial and residential uses. Nos. 45 & 45a Derngate are residential properties located to the immediate east of the site with a brick wall extending across the remainder of the eastern boundary adjacent to an area of parking serving these residential properties and Derngate Mews, a two-storey building with attic rooms located in a courtyard formation to the north east of the site currently in commercial use. To the west of the site on the opposing side of Castilian Street is a more recent 5-storey residential development of flats above ground floor shops. Northampton Filmhouse and Derngate Theatre are located to the southwest. Castilian Street rises northwards along the western boundary of the site from Derngate and comprises of predominantly 3-storey traditional Victorian terraces with basements. A number of listed buildings are located within the vicinity of the site along Derngate to the south east of the site and Albion Place to the south, with the row of terraces directly opposite the site on Derngate identified as candidates for the Local List.

### **4 PLANNING HISTORY**

- 4.1 N/2014/0694 - Demolition of 41 Derngate and construction of 7 town houses. Approved 6/05/15.
- 4.2 N/2002/808 - Conversion of covered way into an office and a 2-storey extension to rear at 41/43 Derngate. Approved 16/08/02.
- 4.3 89/1268 - Change of use from residential to offices at 41/43 Derngate. Approved 13/12/89.
- 4.4 2a Castilian Street – Prior notification of Change of Use from Offices (Use Class B1a) to Residential (Use Class C3) for 20 studio flats.

## **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), the Northampton Local Plan (1997) saved policies, the Northampton Central Area Action Plan (2013).

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

### **5.2 National Policies**

**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 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- 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 SA - Presumption in Favour of Sustainable Development
- Policy S1 - The Distribution of Development
- Policy S3 - Scale and Distribution of Housing Development
- Policy S10 - Sustainable Development Principles
- Policy S11 - Low Carbon and Renewable Energy
- Policy C2 - New Developments
- Policy H1 - Housing Density and Mix and Type of Dwellings
- Policy H2 - Affordable Housing
- Policy H4 - Sustainable Housing
- Policy BN7 - Flood Risk
- Policy BN9 - Pollution control
- Policy INF1 - Approach to Infrastructure Delivery
- Policy INF2 - Contributions to Infrastructure Requirements

### **5.4 Northampton Central Area Action Plan 2013**

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

Policy 1 - Promoting Design Excellence  
Policy 10 - Parking  
Policy 15 - Office & Business Use  
Policy 16 - Central Area Living

## 5.5 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004  
Northamptonshire County Parking Standards 2016  
Northampton Parking Standards 2019  
Derngate Conservation Area Re-appraisal and Management Plan 2019

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Conservation (NBC)** – the application site is prominent in views within Derngate Conservation Area and appears to have originally been the gardens of the late 19<sup>th</sup> century house at 2 Castilian Street. The site is used for parking and in its current condition detracts from the character and appearance of the area. The amended scheme retains No. 2, with an extension at the rear. The building fronting Derngate is now a single composition preserving views across the site of Derngate Mews. Demolition of the 1930s detached house on the site has previously been accepted. The scale of the revised proposal better reflects the character and appearance of Derngate Conservation Area and will have a similar impact to the previously approved application. The extension to the rear of 2 Castilian Street will have an acceptable impact on public views. The demolition of the 1930s house would be ‘less than substantial’, but outweighed by the wider public benefit of developing a site that presently detracts from the street scene. Request details of materials, doors, window surrounds and boundary treatments by condition.
- 6.2 **Arboricultural Officer (NBC)** – following the receipt of amended plans and clarification that the existing mature tree is to be retained raises no objection.
- 6.3 **Public Protection (NBC)** – request condition for noise assessment including regard to internal noise transfer, and a condition in for the control of any unexpected contamination. Suggest condition for construction working hours.
- 6.4 **Archaeology (NCC)** – request condition for archaeological programme of works.
- 6.5 **Historic England** – the amended scheme retains 2 Castilian Street, a building which contributes to the character of the area, and retains views through to the existing Mews buildings from Castilian Street and Derngate. The reduction in the buildings height now better reflects those of the surrounding built development, meaning the proposed buildings would no longer appear out of scale and overly dominant in the street scene, which would reduce the impact on the character and appearance of the Derngate Conservation Area and address previous concerns raised.
- 6.6 **Highway Authority (NCC)** – no objection. Request a condition for a construction traffic management plan and provision of 1 cycle space per apartment in a secure structure. Parking and access to be laid out in accordance with approved plans.
- 6.7 **Northants Police (Crime Prevention Design Advisor)** – pleased to note gated access to the site, the details of which can be conditioned. Cycle storage should be within fully private space where only residents can gain access, within building or secure lockable structure. Recommends measures for secure access control and mail delivery and that measures should be put in place to avoid unobserved and concealed areas for anti-social behaviour and rough sleeping.
- 6.8 **Development Management (NCC)** – due to accommodation proposed, expect that there will be minimal Early Years and Primary age pupils in residence, therefore no S106 obligation required. Request a condition for the provision of fire hydrants and sprinkler systems, S106 contribution

towards improvement, enhancement or expansion of library facilities and measures to enable required specification for superfast broadband.

- 6.9 **Lead Local Flood Authority (NCC)** – no objection subject to conditions for the submission, approval and implementation of a surface water drainage scheme for the site based on the submitted Flood Risk Assessment and Drainage Strategy, and a subsequent Verification Report following installation of approved drainage system.
- 6.10 **Environment Agency** – no comments to make.
- 6.11 **Anglian Water** – sewage system has available capacity for foul drainage. Surface water strategy unacceptable with no evidence to show that water hierarchy has been followed as stipulated in Building Regulations Part H. Suggest condition for surface water management strategy.
- 6.12 **Town Centre Conservation Advisory Committee** – the amended proposals are an improvement on the previous application and are acceptable in principle. However, whilst it is felt the scale and massing of the Derngate block was acceptable, the detailing is poor. The frontage is very bland in comparison to the detailing on No. 45. The details of the design do not enhance the character of the conservation area or setting of listed buildings in Derngate. The location deserves a high quality development, and the design should reflect this.
- 6.13 **Nene Clinical Commissioning Group** – request a financial developer contribution towards the provision of increased primary healthcare capacity to mitigate the impacts of the development.
- 6.14 A total of 30 objections were received from 26 residents on the application as originally submitted for 95 units. Comments received are summarised as follows:
- High density development resulting in overdevelopment of the site, inappropriate on prominent corner site.
  - Scale, massing, design and inappropriate use of materials out of keeping with conservation area.
  - Contrary to principles of good town planning and urban design.
  - Object to demolition of existing buildings which form part of the cultural quarter.
  - Would prefer the car park used instead as open recreation space or garden for any future development.
  - Airy open feel of this Georgian area will be lost.
  - Impact on Derngate and heritage assets, people come from all over the world to 78 Derngate.
  - 7 townhouses (previously approved) were much better prospect.
  - Impact on significant mature tree.
  - Loss of light and view.
  - Increased noise from residents.
  - Increased waste and visual impact of refuse storage.
  - Devalue property.
  - Insufficient parking and adverse impact on parking in area and attendees of theatre and cinema.
  - Suggesting residents will use cycles as a mode of transport is unrealistic.
  - Deterioration in traffic visibility at difficult crossing point.
  - Lack of infrastructure to accommodate 95 more flats.
  - Too high density, unnecessary and inadequate size for market. Question demand for more apartments in the town centre?
  - Risk that scheme is not financially viable.
  - Site currently unmanaged and has issues with rough sleepers, rodents and anti-social behaviour.
  - Impact on archaeology should be considered.
- 6.15 In respect of the amended scheme for 8 townhouses and 23 apartments, a further 6 objections have been received. Comments received on the amended scheme are summarised as follows:

- Amendment more modest, but remain concerned regarding overall design, bland modern appearance, lack of decorative detail, and window style, out of keeping with conservation area.
- Overdevelopment.
- On-site parking inadequate.
- Flood risk to basement properties.
- Inadequate bin storage.
- Given misuse of site, security conditions should be applied. Lack of security gates or provision for CCTV.
- Concern regarding proximity to protected tree and potential impact.
- Impact on setting of surrounding listed buildings.
- Bats have been filmed in Derrnagat.
- Impact from noise and disruption on surrounding area, including commercial businesses and traffic congestion during construction.
- Lack of space to store building materials and machinery during construction.
- Existing residential projects in the area remain unsold. Questioned the need for more flats and student accommodation in the town centre.
- Query level of occupation proposed for 2 Castilian Street without extending the height.
- Poor internal layout and design.

## **7 APPRAISAL**

### **Principle of development**

- 7.1 The National Planning Policy Framework (NPPF) advises that applications must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework places considerable importance on the need to have an up to-date development plan and that where the development plan is out of date Local Planning Authorities are advised to grant planning permission unless any adverse impacts of doing so would demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole. Paragraph 8 of the NPPF seeks to ensure the planning system maintains the provision of a sufficient number and range of homes to meet the needs of present and future generations.
- 7.2 Paragraph 11 of the NPPF advises that relevant policies for housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year housing land supply which is currently the case for the Borough. Therefore, in accordance with the presumption in favour of sustainable development, as outlined in Paragraph 11, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 7.3 The site is allocated for employment in the Central Area Action Plan (CAAP). Policy E1 of the Joint Core Strategy (JCS) seeks to retain employment sites unless it can be demonstrated that the site is no longer viable for employment use in the longer term. Notwithstanding this, the site has been vacant for some time and the principle of residential development of the site has previously been established with consent granted for the erection of 7 townhouses in 2015.
- 7.4 Policy H1 of the JCS seeks to ensure the provision of an appropriate mix and type of dwellings. Policy 16 of the CAAP allows for the provision of residential development within the Central Area comprising a mix of dwelling types, sizes and tenures. The proposal provides an appropriate mix of dwellings comprising 8 townhouses and 23 apartments, the provision of which would contribute towards the Council's 5-year housing supply and the mix of uses within the town centre. As such, the development is considered to accord with the requirements of the development plan in this regard.

### **Design and Layout and Impact on Heritage Assets**

- 7.5 The application site forms a prominent site within the town centre and within Derrnagat Conservation Area. The Derrnagat Conservation Area Re-Appraisal and Management Plan (2019) acknowledges the overriding character of Derrnagat to the south-east of the application site which



is dominated by “finely proportioned 19<sup>th</sup> century terraces” and the “markedly different character”, of the western part of Derngate “with the street dominated by large buildings”, notably the Royal and Derngate Theatre and the Newton House building with shop units on the ground floor and residential above. No. 78 Derngate is a listed building of national significance located some 120m to the south-east of the application site. Castilian Street to the north of the application site is characterised by well-proportioned Victorian properties.

- 7.6 The site is currently underused and in its current condition detracts from the character and appearance of the area. Unsympathetic flat roof additions and alterations to the rear of No. 2a Castilian Street overlook the site and further detract from the appearance of adjacent buildings.
- 7.7 The scheme has been subject to significant amendment since the original submission in respect of the number of units proposed and the overall mass, scale and footprint of the development. The overall footprint has been broken up providing a visual break between the retained and proposed built forms allowing important views to be retained though to Derngate Mews. The amended scheme retains No. 2 Castilian Street and proposes the conversion of the property to 2 x 2-bedroom townhouses. In respect of external alterations to No. 2, the proposal includes some excavation of levels to the immediate front of the building to make it level with the existing adjacent parking area and to allow the insertion additional windows and a front door to the proposed townhouses. The ridge height of the existing hipped roof would be raised slightly by approximately 300mm, but remain lower than the adjacent property No. 2a Castilian Street, with roof lights inserted in the front roofslope. The tree to the immediate front of No. 2 is proposed for retention with a new pedestrian gated access proposed from Castilian Street and steps providing access down to the lower level. Details of the gate and boundary treatment along this frontage would be agreed by condition to ensure details are sympathetic to the existing character.
- 7.8 The existing flat roof extension to the immediate rear of No. 2 would be demolished and a 4-storey extension is proposed to the rear extending across the side elevation of No. 2a which has prior approval for conversion from office to residential use and the side facing windows of which have all been blocked up. The proposed extension would provide 4 x 2-bedroom townhouses with small outdoor amenity areas to the front enclosed by railings. The design is of a relatively simple brick built form generally set back from the side elevation of No. 2 Castilian Street and with a lower ridge height to provide a degree of subservience to the existing property, with plain window details, Juliette balconies and dormer windows.
- 7.9 To the front of this extension, and fronting onto Derngate, a new 4-storey building is proposed comprising 23 x 1-bedroom apartments and 2 x 3-bedroom townhouses. The design of the building is similar in appearance to the previously approved 7 townhouses on the site, albeit extending slightly deeper into the site with a staggered building line to the rear. Front doors would face onto Derngate providing an active frontage onto the street, with the building set back approximately 1m from the edge of the footway with a low boundary treatment of wall and railings to the front, the details of which would be agreed by condition. The building would appear as 3-storeys with rooms in the roofspace to reflect the character of adjacent building heights and would not exceed the height of the adjacent property at No. 45 Derngate. The design of the building is more contemporary in appearance with simplified window and door details in comparison to the surrounding buildings to the south-east along Derngate and to the north along Castilian Street. However, the design of the building represents a transition from the more detailed design and appearance of these heritage buildings to the larger scale and more simplified detail of the built form to the west of the site along Derngate and in the context of the Royal and Derngate Theatre and Northampton Filmhouse. The design reflects the rhythm of the adjacent terraces with the roof form broken up by parapets and chimneys. Due to the simplicity of the design, the execution and detailing of the scheme in respect of materials, door, window, balcony, chimney, roof light and dormer details remains an important factor in ensuring the scheme positively responds to the surrounding context and therefore notwithstanding the submitted amended plans, a number of conditions are proposed in this regard to agree precise details and ensure the scheme remains sympathetic to the character of the conservation area and surrounding context.

- 7.10 The concerns regarding the demolition of No. 41 are noted, however the building is not listed, and the demolition of the property would allow for the wider development of the site providing much needed housing within the area. It is also acknowledged that the development will reduce views of Derngate Mews from Derngate which is of some architectural merit. However, views of the property will be retained from Castilian Street and the Conservation Officer has no objection in this regard. English Heritage raises no objection to the amended scheme advising that the proposed buildings no longer appear out of scale and overly dominant reducing the impact on the conservation area and addressing previous concerns. The Conservation Officer has no objection to the scheme as amended subject to agreeing details as above. NCC archaeologist is satisfied that the development will not have any adverse impact on areas of archaeological interest subject to a agreeing a written scheme of investigation.
- 7.11 Vehicular access to the site would be via a gated access from Derngate and a pedestrian access from Castilian Street. Windows from the proposed dwellings would provide surveillance of the internal courtyard and parking areas and a condition is proposed to agree the details of security measures for the site.
- 7.12 The existing site fails to enhance the character and appearance of the conservation area, and whilst it is acknowledged that proposed scheme represents a contrasting built form to the existing predominant heritage character of the area, the design is considered to represent an appropriate transition between the historic and more recent development within this part of the conservation area. Any harm to heritage assets is considered to be less than substantial and outweighed by the public benefit of bringing the site back into use and the provision of much needed housing. As such, the proposal is considered in accordance with the requirements of the NPPF and the development plan.

### **Amenity**

- 7.13 Policy H1 of the JCS reflects the aims of the NPPF with regards to amenity advising that development should have regard to the impact on the amenity of occupiers of neighbouring properties and the living conditions of future residents.
- 7.14 Nos. 45 and 45a are dwellings located to the immediate east of the site with main room windows facing towards the site. No. 45 has main lounge and first floor bedroom windows facing onto Derngate with a side dining room/kitchen window facing towards the application site. No. 45a has a front aspect and main windows facing towards the site but off-set to the northeast. Whilst the proposed Derngate block would be just under 12m in height and therefore be an increase in height to the existing two-storey property on site at No. 41, in view of the proximity of the existing property to these neighbouring windows, and that the proposed Derngate block would be set some 3-5m further away, it is not considered that it could be demonstrated that the combination of the increase in height and footprint of the development proposed, whilst located to the west, would lead to a significantly increased adverse impact in terms of overshadowing to the existing situation. The principle of a development of this scale and in the same proximity has previously been accepted. The only proposed windows facing towards these neighbouring properties would be two first floor side windows to a kitchen/living area in one of the proposed townhouses on an otherwise blank side elevation. The main windows to this room are front and rear, and only one of the side facing windows would look towards a side window on No. 45 Derngate. This window could be obscure glazed by condition to prevent any unacceptable overlooking. The nearest habitable room windows to the front of the proposed 4-storey block to the rear of No. 2 Castilian Street would be approximately 20m away from the front elevation of No. 45a Derngate and at an obtuse angle, such that it is not considered there would be any unacceptable overlooking or loss of privacy to the occupants of the existing property or occupants of the proposed dwellings.
- 7.15 The nearest habitable room windows on the northwest facing elevation of the Derngate block will be in excess of 21m from existing windows to the flats facing onto Castilian Street. The proposed building will be situated to the east of these neighbouring windows and whilst there may be some impact in respect of early morning light, due to the distance between the buildings, it is not considered any significant and unacceptable harm would occur. The right to a view is not a

planning consideration. Derngate Mews to the northeast of the site is in commercial use. Whilst part of the rear elevation of the proposed development would overlook this site, it would be in excess of 19m away.

- 7.16 In respect of the amenity of occupiers of the proposed buildings, the main aspect of the townhouses within the converted No. 2 Castilian Street would be towards Castilian Street with a limited number of secondary side facing windows which would be within very close proximity of the new Derngate block, approximately 5m at the closest point. These side facing secondary windows do not serve habitable rooms, with the exception of one ground floor window which provides a secondary window to a living room. Whilst this relationship is not ideal, in view that there is a larger front facing window serving this room and that the internal layout overall of the affected dwelling provides a good standard of living accommodation, it is not considered this relationship would cause any significant adverse impact on proposed residential amenity. However, a condition is recommended to make sure that this ground floor window would remain obscurely glazed and fix shut to reduce any overlooking impact. Overall, the design of these two townhouses provides a good standard of room sizes with sufficient provision of light and outlook.
- 7.17 In respect of the proposed townhouses to the rear of the No. 2 Castilian Street, the front facing habitable room windows will be in relatively close proximity of the rear elevation of the Derngate block with distances ranging from approximately 9m at the closest point to 15m. The closest townhouse to this block has been designed such that the windows of the first floor living/ kitchen area and second floor bedroom are angled away from the Derngate block to allow for a more acceptable outlook. The closest windows to the rear of the Derngate block would serve a stairwell and could be obscure glazed by condition. The nearest habitable room windows on the front elevation of the proposed townhouses and the rear facing habitable room windows on the Derngate block would be approximately within 12m of each other however, the Derngate block windows would be angled away and the separation distances between the two blocks and distance between habitable room windows increases towards the east of the site. Whilst it is acknowledged that the relationship between the two buildings and habitable room windows is in relatively close proximity and will present a degree of overlooking between some proposed habitable room windows, the relationship between the two buildings will be evident to proposed occupiers and furthermore, it is not unusual within a town centre location to have a tighter urban grain and buildings within closer proximity of each other. On balance, it is considered that a reasonable level of amenity could be provided and that this is not sufficient reason to refuse the application on this basis.
- 7.18 In respect of the Derngate block, both the townhouses and apartments would be provided with a good level of outlook and light, with the exception of three of the apartments to the rear which would have a slightly reduced outlook as discussed above. In respect of unit sizes, the smallest apartment would be in excess of 30m<sup>2</sup> internally providing an acceptable level of living accommodation.
- 7.19 Two internal refuse storage areas are proposed on the ground floor of the Derngate block, the details of the management of which will be secured by condition. Whilst the proposal, with the exception of small external areas to the front of the townhouses to the rear of the site, makes little provision for external amenity space, this is not unusual in a town centre environment and the application site is within walking distance of recreational space at Beckett's Park to the south of the site.
- 7.20 On balance, it is considered that the site would not lead to any unacceptable impact on existing or proposed residential amenity and is therefore considered acceptable in this regard.

## **Highways**

- 7.21 Vehicular access to the site would be from Derngate via a secure gated access, the details of which would be agreed by condition. 8 unallocated parking spaces would be provided within the site with secure enclosed cycle storage for a minimum of 24 bikes as required by the Highway Authority. It is acknowledged that the site makes limited provision for parking, however, the site is

in a sustainable location within the town centre with good access to local facilities and public transport. The Highway Authority raises no objection subject to parking being provided as proposed. A condition is proposed to secure a scheme for EV charging points within the site in accordance with the Council's Parking SPD.

### **Flood Risk and Drainage**

- 7.22 The site lies within Flood Zone 1 considered as having a 0.1% chance of flooding in any year. The application is supported by a Flood Risk Assessment which has been assessed by the relevant drainage bodies. Subject to a condition to secure an appropriate and detailed surface water drainage strategy the relevant drainage bodies raise no objection. Anglian Water has confirmed sufficient capacity for foul drainage.

### **Tree Issues**

- 7.23 The existing mature False Acacia located in the western corner of the site is a prominent feature of the site and the conservation area. The tree and adjacent younger tree to the front of No. 2 Castilian Street are currently afforded protection by virtue of their location within the conservation area and in any event are both proposed for retention. To ensure the trees' protection and retention conditions are proposed to agree details of surface treatment and method of construction within the theoretical root protection area and protection measures during construction.

### **Section 106 Obligations and CIL**

- 7.24 Paragraph 54 of the NPPF advises that Local Planning Authorities should consider whether unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
- 7.25 Paragraph 56 advises the planning obligations must only be sought where they meet the following tests:
- a) Necessary to make the development acceptable in planning terms;
  - b) Directly related to the development; and
  - c) Fairly and reasonably related in scale and kind to the development.
- 7.26 Paragraph 57 of the NPPF advises that the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances, including whether the plan and the viability evidence under pinning is up-to-date. National planning guidance advises that an assumption of between 15-20% of gross development value is a suitable return for developers in order to establish viability.
- 7.27 The application is supported by a Viability Report which has been subject to independent assessment on behalf of the Council. The applicant's submitted viability report assumes a profit of 20%. The independent assessment has assumed a profit of 18.5%. Notwithstanding the lower profit assumption, the assessment concludes that the scheme would be unviable with the provision of any affordable housing or S106 contributions. Based on this assessment, it is considered that it would therefore not be reasonable to require any affordable housing provision on the site, or S106 contributions, which would make the scheme unviable and therefore undeliverable.
- 7.28 The County Council has requested the provision of fire hydrants and S106 financial contributions towards libraries, however, there is no policy basis for this and, it is not clear how they would conform with the statutory tests set out in CIL Regulation 122.
- 7.29 Nene Clinical Commissioning Group has requested contributions towards primary healthcare provision associated with the impacts arising from the development. However, these contributions would be subject to the viability assessment as discussed above. Given the conclusions of the viability assessment, the requirement for any contributions would result in the development being

unviable and the site remaining undeveloped for a further period. This is a material consideration in determining the planning application.

- 7.30 The development would be subject to CIL payments in respect of the new build elements proposed.

### **Other Considerations**

- 7.31 In line with the requirements of Environmental Health conditions are proposed for the control of any unexpected contamination and a construction management plan to ensure any impacts arising during construction on surrounding amenity and also the highway are appropriately controlled. In respect of internal noise mitigation between units, this is a matter for control under Building Regulations.
- 7.32 The scheme involves the demolition of part of No. 2 Castilian Street and No. 41 Derngate. Whilst the presence of bats has not been identified within the site, there is separate legislation under the Wildlife and Countryside Act (1981) (as amended) and the Conservation of Habitats and Species Regulations (2017) (as amended) to ensure the appropriate protection of bats should circumstances alter on site.

## **8 CONCLUSION**

- 8.1 The proposal would bring about the development of an underused and unattractive site within a prominent location within the town centre and Derngate Conservation Area. The amended design and appearance are considered an appropriate and sympathetic contrast and response to the surrounding heritage assets and the context of the Derngate Conservation Area with any harm considered less than substantial and outweighed by the public benefit of the provision of housing and bringing this underused and unattractive site back into use. The proposal would not lead to any undue adverse impact on adjacent amenity, highway conditions or existing trees of visual amenity merit and would provide an acceptable level of amenity for proposed occupiers. It is considered that it has been satisfactorily demonstrated that the scheme would not be viable if any affordable housing or the level of S106 contributions required is applied and that, on balance, the lack of contributions would be outweighed by the environmental and social benefits of the proposal. The proposal is therefore considered to accord with the requirements of the NPPF and the development plan.

## **9 CONDITIONS**

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

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

- 2) The development hereby permitted shall be carried out in accordance with the schedule of approved plans.

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

- 3) Details of all proposed external facing materials including window, door and balcony/balustrade details shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

- 4) Rooflights shall be conservation type rooflights and fitted flush to the roof.

Reason: In the interests of the historic integrity of the buildings in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

5) Prior to the commencement of any works above slab level, drawings of a scale of 1:10 showing sections and clearly showing depth of reveals for windows shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual appearance of the building and visual amenity of the surrounding area to ensure that the extension harmonises with the existing building in accordance with Policy 1 of the Northampton Central Area Action Plan.

6) Prior to occupation, a detailed scheme of hard and soft landscaping for the site including parking areas and the proposed steps, shall be submitted to and approved in writing by the Local Planning Authority.

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

7) 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.

Hard landscaping shall be carried out in accordance with the approved details prior to occupation of the development hereby permitted.

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

8) Prior to commencement on site, a detailed Method Statement for proposed surface treatment works within the theoretical root protection area of the mature tree proposed for retention in the western corner of the site shall be submitted for approval in writing by the Local Planning Authority. The Method Statement should be in line with the guidance provided within BS5837:2012 Trees in relation to design, demolition and construction – Recommendations and shall include details of no dig construction methods. The work shall be carried out in accordance with the approved details.

Reason: In the interests of the preservation of the tree and visual amenity of the surrounding area in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy. The condition is required pre-commencement to ensure sufficient protection of the tree from the start of development works on site.

9) All trees shown to be retained in the approved plans shall be protected for the duration of the development in line with the protective fencing detailed within BS5837:2012 Trees in relation to design, demolition and construction – Recommendations and maintained on an alignment to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In the interests of the preservation of the tree and visual amenity of the surrounding area in accordance with the requirements of Policy BN3 of the West Northamptonshire Joint Core Strategy.

10) Notwithstanding the submitted details, prior to occupation of the development, full details of the method of the treatment of the external boundaries of the site together with individual plot

boundaries and including the vehicular access gate and pedestrian gate, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

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

11) The vehicular access and parking area shall be laid out in accordance with the approved plan prior to occupation of the development hereby permitted and retained thereafter.

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

12) Prior to the occupation of the development hereby permitted, a scheme for the provision of electric vehicle charging points in accordance with the requirements of the Northampton Parking Standards Supplementary Planning Document (2019) or any subsequent replacement, shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development hereby approved.

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

13) In respect of the proposed building fronting onto Derngate, the right hand side first floor east elevation kitchen/living room window to Unit 8 and all windows to the rear elevation serving the stairwell shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

14) Notwithstanding the submitted details, the ground floor window to the side of Unit 1 as shown on the approved plan shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority and fixed shut before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

15) Notwithstanding the submitted details, prior to occupation of the development hereby permitted, details for storage and management of waste and recycling storage facilities shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details prior to occupation and maintained thereafter.

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

16) Notwithstanding the submitted details, prior to occupation of the development hereby permitted, full details for the secure and covered parking of bicycles shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approved details prior to occupation and maintained thereafter.

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

17) 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, additional windows or dormer windows shall be erected to the dwellings hereby permitted.

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

18) Prior to occupation of the development hereby permitted, a crime security measures strategy for crime prevention measures (including but not limited to details of CCTV, access controls, lighting and management) for the development shall be submitted for approval in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to occupation of the development hereby permitted and maintained thereafter.

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

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

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Details of site storage for materials and machinery;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- The safe means of access of construction traffic to the site;
- Routing agreement for construction traffic; and
- The hours in which deliveries and construction works would take place.

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

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

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

21) Before any above ground works commence, full details of the surface water drainage scheme for the site, based on the submitted Flood Risk Assessment & Drainage Strategy ref 12864-FRA & Drainage Strategy-01-V2 rev Third Issue dated February 2020 prepared by Waterco, shall be submitted for approval in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:



- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations that indicate a maximum discharge of 2 l/s.
- iii) Cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices.
- iv) Details of permeable paving.
- v) a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site

Reason: To reduce the risk of flooding both on and off site and ensure the future maintenance of drainage systems associated with the development in accordance with the NPPF and Policy BN7 of the West Northamptonshire Joint Core Strategy.

22) No Occupation shall take place until the Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment & Drainage Strategy ref 12864-FRA & Drainage Strategy-01-V2 rev Third Issue dated February 2020 prepared by Waterco, has been submitted to and approved by the Local Planning Authority. The report shall include:

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

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

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

Reason: To ensure that risks from land contamination to the future users of the development and neighbouring land are minimised in accordance with the requirements of Policies BN9 and S10 of the West Northamptonshire Joint Core Strategy.

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

- (i) Approval of a Written Scheme of Investigation;
- (ii) Fieldwork in accordance with the agreed Written Scheme of Investigation;

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

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

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

## **10 BACKGROUND PAPERS**

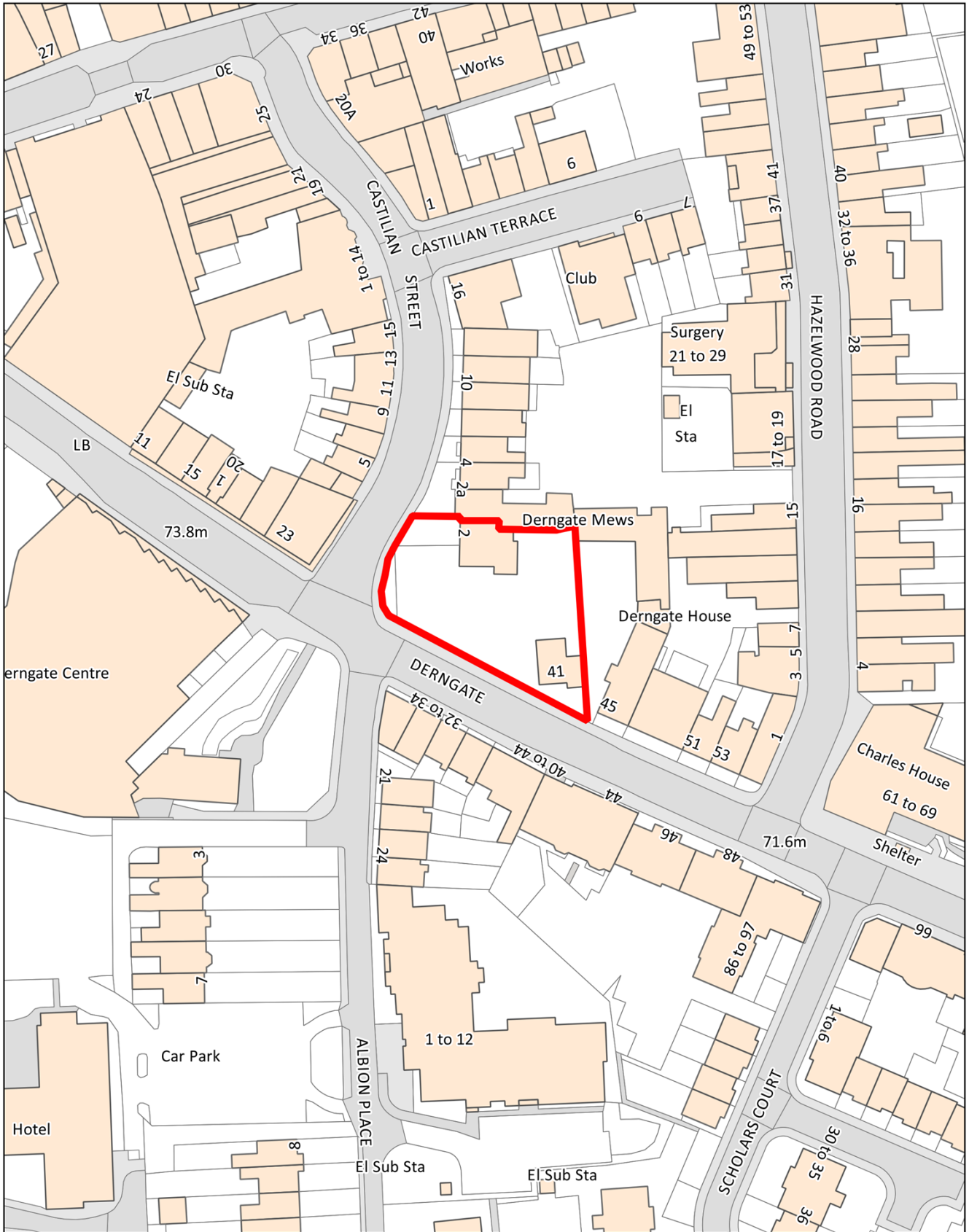
10.1 N/2018/1645.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **Castilian Chambers, 2 Castilian Street**

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**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1225

**LOCATION N:** Development Land Rear Of Hunsbury Park Primary School, Dayrell Road

**DESCRIPTION:** Erection of 73no dwellings with associated parking, open space and landscaping

**WARD:** West Hunsbury Ward

**APPLICANT:** Countryside Properties (WPL) Ltd  
**AGENT:** PBA, now part of Stantec

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

**DEPARTURE:** No

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## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

- 1.1.1
- i) 100% on-site affordable housing;
  - ii) Primary School Education payment;
  - iii) A payment towards improvements in highway capacity at the junction of Hunsbury Hill Road and Danes Camp Way;
  - iv) That a minimum of 1.182ha on-site Public Open Space be provided and is maintained and made available for public access in perpetuity;
  - v) A payment towards the enhancement and maintenance of the Multi-Use Games Area;
  - vi) A payment towards the enhancement and maintenance of the Rothersthorpe Road Allotment site;
  - vii) A contribution to primary healthcare facilities in the local area to meet needs arising directly out of the development;
  - viii) Construction worker training opportunities and a financial contribution towards the operation of the scheme; and
  - ix) The Council's monitoring fee, subject to the Director of Planning and Sustainability being satisfied the monitoring fee is necessary and of an appropriate scale.

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

The proposed development, subject to conditions, will make a significant contribution towards the Council's five-year housing supply and will introduce an appropriate land use within the locality, which would help to enhance the character and appearance of the surrounding area. It will also have an acceptable impact upon the amenity of existing neighbouring properties and local highway safety and will deliver a policy-compliant number of affordable housing for the Borough. The development is therefore in conformity with the requirements of the National Planning Policy Framework, Policies S1, S3, S10, H1, H2, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

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

## **2 THE PROPOSAL**

- 2.1 The application seeks full planning permission for the erection of 73 dwellings, which would all be two storeys in height. Access to the development would be via a new junction created from the existing Dayrell Road roundabout to the northwest of the site.
- 2.2 The total site area measures 3.007ha, of which 1.182ha would be developable once drainage areas and public open space is allowed for. This equates to a density of approximately 40 dwellings per hectare.

## **3 SITE DESCRIPTION**

- 3.1 The application site consists of a currently overgrown and unkempt piece of undeveloped land located within a predominantly residential area approximately 1.5 miles to the southwest of Northampton town centre. To the west of the site is Hunsbury Park Primary School, to the north is existing housing, to the east is Danes Camp Way and to the south is Hunsbury Hill Country Park.
- 3.2 Access to the proposed development would be via the existing roundabout on Dayrell Road, which also serves as vehicular access to a number of residential properties in the vicinity, as well as Hunsbury Park Primary School and community centre.
- 3.3 An existing bridleway connects from the north along the eastern boundary of the site, connecting to Hunsbury Hill Country Park, a Local Wildlife Site, to the south.

## **4 PLANNING HISTORY**

- 4.1 N/2017/0836 – Outline planning permission for the development of up to 50 no. dwellings with associated access, green infrastructure, open space and landscaping (all matters reserved except for access). Approved 28/03/2018, following the finalisation of a S106 agreement secure planning obligations.

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

## 5.2 National Policies

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

- Section 2 – Achieving sustainable development
- Section 4 – Decision-making
- Section 5 – Delivering a sufficient supply of homes
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 15 – Conserving and enhancing the natural environment

## 5.3 West Northamptonshire Joint Core Strategy (2014)

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

- 5.4 Policy BN7 states that the development is required to include adequate flood risk assessments and management procedures.
- 5.5 Policy S1, which refers to the location of development, states that the development would be concentrated primarily in the urban area of Northampton.
- 5.6 Policy S3 identifies the need and amount for new housing to be provided within the Borough over the plan period of 2011-2029.
- 5.7 Policy S10 meanwhile requires that development is sustainable and is of a good standard of design and incorporates safety and security considerations in order to promote a good sense of place. In addition, development should be located in order to encourage access by sustainable means of travel, such as by foot, bicycle or public transport.
- 5.8 Policy C2 of the JCS requires new developments for housing to mitigate its impact upon the highway network and should be supported by an accompanying Transport Assessment.
- 5.9 Policy H1 requires that new residential development provides a good mix of housing and has regard to the location and setting of the site, the character of surrounding areas, accessibility, proximity to public transport routes and amenity.
- 5.10 Policy H2, meanwhile, states that 35% of dwellings (on sites of 15 or more dwellings) should be made available for occupation on affordable tenures.
- 5.11 Policy INF2 requires that new developments will only be permitted in instances where there is a reliable mechanism in place to ensure that required mitigation can be delivered.

## 5.12 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. This requires new development to be constructed to a good design and ensure that there will be no adverse impact upon the occupiers of neighbouring properties in terms of light, overbearing impact and privacy.

### 5.13 **Supplementary Planning Documents**

Planning out Crime in Northamptonshire SPG 2004  
Planning Obligations SPD 2013  
Northamptonshire County Parking Standards 2016  
Northampton Parking Standards SPD 2019

## 6 **CONSULTATIONS/REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** – No objection. Conditions covering noise, contaminated land and air quality are proposed to ensure the development does not have a detrimental impact upon the health of future residents.
- 6.2 **Highways England** – No objection.
- 6.3 **Environment Agency** – No objection.
- 6.4 **NCC Development Management** – Planning obligations requested towards education, fire hydrants and libraries.
- 6.5 **Anglian Water** – Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. A condition is suggested to control the timing of the implementation of any hard surfacing to ensure that surface water drainage has been implemented beforehand.
- 6.6 **NBC Arboricultural Officer** – The planting scheme is non-controversial. The tree species proposed are unimaginative but a safe choice, and the positions proposed offer a high-level screen to the school to the west of the development and those trees placed in the public realm appear to have been well-positioned to avoid future conflict. Shrub beds seem to be well positioned and the shrub mix, judging by the chosen tree species, are likely to be similarly safe and non-controversial choices.
- 6.7 The generic Implementation and Maintenance Guidelines are industry good practice and cannot be faulted, provided that they are followed more or less sequentially during the implementation of the scheme.
- 6.8 **NBC Environmental Protection** – No objection to the site layout. Conditions suggested to require the development to be carried out in accordance with the submitted noise report, contaminated land report and the Construction and Environmental Management Plan. In terms of Air Quality one Electric Vehicle charging point should be provided per dwelling in accordance with the Council's Low Emissions Strategy.
- 6.9 **Northamptonshire Police** – pleased to note that the boundary treatment recommendations have been included in this latest iteration of the layout and that the footpath link has been omitted.
- 6.10 **NCC Highways** – No objection to the site layout. The site has been tracked and is acceptable. In terms of trees within 2.5m of the highway we would permit a tree to be on third part land within 2.5m provided they were in a tree pit a minimum of 1m away from the highway. The species of tree would also need to be agreed upon by highways to ensure no overhang of the public highway. Five conditions are suggested in the event that the streets are not adopted.
- 6.11 A financial contribution towards the improvement of Danes Camp Way/Hunsbury Hill Road roundabout is required.



- 6.12 Please ensure that the applicant is made fully aware of their responsibilities in respect of Public Footpath No HW14 and Bridleway No HW15, which cross and abut the proposed development site. The developer is reminded to apply to the local planning authority for any proposed permanent diversion of a right of way under Section 257 of the Town and Country Planning act 1990 required to facilitate the development of N/2019/0393. The alternative route for such a diversion must be agreed with the local highway authority's Area Rights of Way Officer and be available for public use prior to the closure of any existing route.
- 6.13 **NCC County Ecologist** – No objection. Both the Wildlife Trust and County Ecologist are satisfied with the amended landscaping details.
- 6.14 **Lead Local Flood Authority** – No objection. We note Anglian Water's comments and would advise that their comments should be followed.
- 6.15 **Construction Futures** – A contribution towards construction skills training associated with this development is required.
- 6.16 **NBC Housing Strategy** – The proposed mix of dwellings and tenure mix is acceptable.
- 6.17 **NCC Archaeology** – The site has been extensively quarried. No objection therefore.
- 6.18 **West Hunsbury Parish Council** – The Parish Council object to this application on the grounds of increased traffic issues. There are already considerable concerns about the level of traffic in the vicinity of the primary school, especially as school pick up and drop off times. It is thought that the development of 73 houses will only serve to increase what is already a large problem. The council appreciate that the developer has included 10 free parking spaces which could potentially be used during peak times, however it is felt that this is not enough to mitigate the impact of the extra houses. The council would also like to make the following Observations:
- 6.19 The proposed pedestrian access from the new development into Hunsbury Park should have vehicle controls on it to prevent access to the park by any wheeled or motorised vehicles.
- 6.20 The lowest side of the cage surrounding the MUGA should be raised to prevent balls from being hit across the road.
- 6.21 It is hoped that improvements would be made to the 2 roundabouts in the vicinity of the new development to help the increased traffic flow.
- 6.22 It is requested that restrictions are placed on construction traffic to prevent construction vehicles accessing and leaving the site during peak traffic times around the school.
- 6.23 **Neighbouring Residents** – 2 objections to the proposal have been received from neighbouring residents who raise concerns that the addition of 73 dwellings will create additional traffic and parking problems in combination with the existing school traffic.

## 7 APPRAISAL

### Principle of development

- 7.1 It is proposed to construct 73 dwellings on land to the east of Hunsbury Park Primary School. All of the dwellings will be affordable with a mix of affordable rent, social rent and shared ownership properties. Outline planning permission was granted in March 2018 for a total of 50 dwellings on the site under reference N/2017/0836. The permission remains extant and thus the principle of residential development on this site is considered to be acceptable. In addition, Northampton Borough Council cannot currently demonstrate a five year housing land supply and thus it is considered that the development of this site for housing would be desirable on the grounds that it makes a contribution to addressing the significant need for new housing in the Borough. The increase from 50 to 73 dwellings would further help to meet the shortfall in housing provision in the

Borough. Furthermore, the application site is within the urban fabric of Northampton and thus the proposal complies with Policy S1 of the West Northamptonshire Joint Core Strategy in respect of its location.

- 7.2 The proposal seeks to deliver a 100% affordable housing scheme with all three types of recognised affordable housing; social rent, affordable rent and shared ownership. It is considered that whilst Policy H2 of the West Northamptonshire Joint Core Strategy only seeks 35% of residential developments to be affordable, and thus this proposal is an exception to the requirements of Policy H2, it would represent an overprovision of affordable housing, but it is considered that this would address a wider undersupply of affordable dwellings within the Borough. As set out below, it is considered that there would be no adverse impact as a result of the concentration of affordable dwellings that would significantly and demonstrably outweigh the benefits, which help to readdress a wider undersupply.
- 7.3 Whilst there is the perception that greenspace will be lost, the site is currently inaccessible and the proposal will incorporate over 1 hectare of open space. The existing Multi-use Games Area (MUGA) that is located within the site (although not included as part of the applicant's redline area) will be retained, thus continuing to provide opportunities for outdoor recreation within the area. The existing bridleway to the east and south of the site will also be retained, although a separate application under Section 257 of the Planning Act will be required to divert it by up to approximately 3 metres in some locations, in order to ensure that surface water drainage attenuation ponds for the site can be provided.
- 7.4 The Northampton Local Plan jointly allocates the site as being a site of nature conservation value and also a site for future school expansion. However, it has been confirmed to the Council that Northamptonshire County Council (as the Local Education Authority) have no plans to expand the adjoining Hunsbury Park Primary School (located to the west of the application site) and that the impact on existing ecology and biodiversity can be appropriately mitigated by the proposed landscaping schemes and the inclusion of a number of measures to increase the overall levels of biodiversity on site, including measures to support local populations of birds and bats.
- 7.5 It is therefore considered that the development is acceptable in principle on the grounds that there is a significant need for new housing within the Borough, the provision of affordable dwellings overcomes an undersupply elsewhere, that the site is not identified as public open space and that it has been demonstrated that the site is not a habitat of any ecologically sensitive species and that the impact upon ecology and biodiversity can be appropriately mitigated.

### **Layout**

- 7.6 The shape of the site acts as a significant constraint as to the type of layout that can be achieved. It is accessed from an existing roundabout to the northwest which also provides access to the primary school. The shape of the site means that it is not particularly wide at points, which inevitably dictates the layout. The site runs from the existing roundabout at the northwest of the site towards the southeast. It is therefore proposed to have one primary road running from northwest to the south of the site, with two small cul-de-sacs being accessed from the primary road.
- 7.7 It is proposed create a strong street frontage running north to south along this primary road, with the dwellings positively addressing the street. There will be a high level of activity along the main street, with the active frontages of the dwellings facing onto the street. Parking will be predominately tandem at the sides of dwellings, preventing long runs of frontage parking. It will also enable small front gardens to be provided, enabling landscaping at the front of dwellings and a softer suburban appearance with low hedges, planting and areas of grass defining the edges of the individual plots.
- 7.8 Private gardens will be to the rear of the dwellings, predominantly facing out towards the west and east of the site. To the east of the site is Danes Camp Way and between this busy road and the rear gardens there will be a flood attenuation pond and the realigned bridleway. To the west the

rear gardens will run along the boundary of the school and further to the south, along the boundary with Hunsbury Hill Country Park.

- 7.9 The north of the site, due to existing service easements, will largely be formed of natural and semi-natural open space and a car park of 20 spaces for the school. To the south the existing bridleway will be realigned and run in front of the existing tree belt. As such, it is considered that the proposal will create a strong street scene with easily definable plots and parking that will be located so as to not dominate the appearance of the area. Greenspaces will be overlooked, accessible and will give an attractive green setting to the proposed development whilst also ensuring connectivity through the site and beyond is improved.

### **Design, character and appearance**

- 7.10 The proposal seeks to construct a total of 73 dwellings. It is proposed that 28 of the dwellings will be three bedroom properties and the other 45 will be two bedroom properties. All of the proposed dwellings will be two storeys and will be arranged as semi-detached and terraced blocks facing onto the primary street. A total of three house types are proposed. They are a traditional design with dual-pitched roofs, traditional porches, symmetrically-arranged windows, brick elevations at ground floor on the front, side and rear and a section of painted render at first floor. They are considered to be an appropriate design and not out of character in this location.
- 7.11 Whilst it could be argued that restricting the development to 3 house types only lacks variety, it is considered that the house types are well-designed, well-proportioned and the restriction to 3 house types will create a strong sense of place and character along the primary street. Conditions to ensure that the houses are built in accordance with the submitted details and that the external materials are appropriate are proposed.
- 7.12 Details regarding landscaping and boundary treatments have been submitted with the application. The landscaping and boundary treatments will work in tandem to soften the appearance of the development in some locations but in other areas, such as the dwellings towards the southern boundary of the site, to ensure that the rear gardens remain secure and private. The mix of proposed trees and hedges for the site is considered appropriate and the boundaries of each of the dwelling will be secure in accordance with the principles of Secured by Design. The proposed design of the development is therefore considered to accord with Policy S10 of the West Northamptonshire Joint Core Strategy (JCS) in respect of design and Policy E20 of the Northampton Local Plan.

### **Residential Amenity**

- 7.13 The shape of the site, as referred to above, has resulted in a layout where the majority of the dwellings face onto each other along the primary street. The exception to this is the two cul-de-sacs where the dwellings are clustered around the turning heads.
- 7.14 All dwellings which front onto each other face the public areas of the property and therefore would not result in an unacceptable level of overlooking or loss of privacy for the future occupants of the dwellings. Those properties arranged in the cul-de-sacs follow these principles. Where dwellings face onto the side elevations of other dwellings there is a sufficient clearance distance of a minimum 13 metres to ensure that the privacy of future occupants is acceptable and that occupants of the dwellings do not experience an overbearing impact from nearby dwellings. No dwellings on the proposal site are located rear elevation to rear elevation. There will be no direct overlooking of any rear gardens or rear windows as a result of a back-to-back arrangement of dwellings.
- 7.15 Given the proximity of the site to Danes Camp Way, the applicant has submitted a Noise Impact Assessment as part of the application to demonstrate that future occupants of the development will not be adversely impacted by noise. Environmental Protection have assessed the report and have concluded that providing that the development is undertaken in accordance with the recommendations included in that report that future occupants of the dwellings will not experience

a detrimental impact upon their amenity in respect of noise. It is considered that the proposal will not result in an adverse impact upon the amenity of future occupants in respect of pollution from light or odour. As such the proposed development is considered to comply with Policy S10 of the JCS in respect of residential amenity.

### **Ecology and biodiversity**

- 7.16 At present the site is comprised of scrubland and poor-quality grassland. Should the development proceed, over 1 hectare of the site would be made available as public open space, in addition to the on-site surface water attenuation ponds which will be planted and landscaped. It is considered that this will provide the opportunity to deliver some ecological improvements over and above the current condition of the site. Furthermore, the area of woodland to the immediate south of the site will also be retained. The on-site open space will be secured by a Section 106 agreement and detailed landscaping has been submitted with the application to demonstrate how the open space will be improved as part of the proposal.
- 7.17 Given that the site will be developed for housing, mitigation is required to ensure that the level of biodiversity on site is increased. The County Ecologist and the Local Wildlife Trust have considered that applicant's Ecological Impact Assessment and the proposed landscaping scheme and the proposed ecological mitigation measures which include bird and bat boxes.
- 7.18 At present, the existing scrubland does not form a desirable foraging ground for pipistrelle bats and it is considered that the development would not have a significant adverse impact on this particular species. However, bat boxes are proposed to be installed in the external elevations of the dwellings to improve the number of bats locally following the implementation of this proposal. The proposed bird boxes will have an equal impact upon the presence of certain species of birds. As such the proposal is considered to be acceptable in respect of its impact upon ecology and biodiversity and no objections to the proposal have been raised on this basis. Conditions are proposed to ensure all proposed ecological mitigation is implemented in accordance with the submitted details.

### **Highway impact**

- 7.19 The proposed development will be accessed from the existing roundabout on Dayrell Road. The applicant has submitted a Transport Assessment which seeks to demonstrate that the development will have no adverse impact upon the local highway network. Northamptonshire County Council Highways have been consulted on the proposal and advise that providing a financial payment is made for improvements to the Danes Camp Way/Hunsbury Hill roundabout the proposal will not have a detrimental impact upon the local highway network and that they do not object to the proposal on highway safety grounds.
- 7.20 The application is accompanied by vehicular tracking drawings, visibility splay diagrams, layouts demonstrating the location of parking spaces and also plans indicating where the proposed landscaping will be planted and boundary treatment plans showing proposed fences. The plans submitted demonstrate that the proposed roads, which are designed to an adoptable standard, will be safe and that there is sufficient off-street parking per plot (2 spaces per dwelling) to ensure that there is a safe and satisfactory level of parking clear of the highway. The manoeuvring and turning spaces within the development have been assessed by Highways and are confirmed to be acceptable.
- 7.21 Two objections to the scheme from neighbouring residents, along with an objection from West Hunsbury Parish Council focus on the additional traffic that the proposed development will create and raise concerns regarding the existing levels of traffic on Dayrell Road. As stated above, the Local Highway Authority raises no objection to the proposal on highway safety grounds and consider the Transport Assessment to be suitable. Provided that the financial obligation to improve the off-site roundabout is met, the scheme is not considered to have a detrimental impact upon highway safety. However, in order to ensure that this is indeed the case, the applicants have proposed an additional car parking area close to the primary school that will have 20 parking

spaces. This will enable parents of children at the school to park clear of the school entrance and clear of the highway when dropping off and collecting their children from the school, thereby not only helping to mitigate the highway impact of the development, but significantly improving the current situation in respect of highway safety at the busiest times of the day. It is proposed that a planning condition be imposed to ensure that a height restriction gate/barrier to be installed to discourage any authorised parking within the parking area. The proposal, therefore is considered to provide a net benefit in respect of highway safety in accordance with Policy C2 of the JCS.

- 7.22 It is also noted that the proposed development is located within the existing urban area and is in relatively close proximity to existing areas of public open space, a small neighbourhood centre, a primary school and Mereway, which is an allocated District Centre. For these reasons the proposal is considered to be sustainably located and would enable residents of the scheme to not have to resort to a private car to undertake short, local journeys. A bus stop is also available in Dayrell Road, close to the entrance of the site.
- 7.23 In order to facilitate a safe layout, the existing access into the car park of Hunsbury Hill Primary School is to be amended. This would ensure that vehicles entering and leaving the school would have adequate visibility of traffic associated with the proposed residential development and pedestrians. This carrying out of these works, prior to first occupation of any of the dwellings, will be secured by condition.

### **Flooding and drainage**

- 7.24 No objections to the proposal have been received from the Environment Agency in respect of flood risk. The Lead Local Flood Authority have been consulted on the proposal in respect of surface water drainage and have concluded that the development would not pose a significant adverse impact upon flood risk either within the application site or elsewhere. It is therefore considered, subject to the imposition of their recommended conditions on drainage, that the proposed development would not be detrimentally affected by flooding or surface water drainage in accordance with Policy BN7 of the JCS.

### **Air quality**

- 7.25 Northampton Borough Council has recently adopted the Northampton Parking Standards SPD 2019. In addition to the requirements to provide appropriately-designed parking spaces one of the purposes of this document is to ensure that development is sustainable and that the impact on air quality within the Borough as a result of combustion engines is reduced by enabling residents to switch to electric vehicles. The SPD requires an electric vehicle charging point per dwelling to reduce the development's impact upon the environment in terms of carbon emissions.
- 7.26 The applicant has proposed one electric vehicle charging point per dwelling as shown on the submitted layout plan. The provision of the EV charging points means that the proposal does not only comply with the requirements of the SPD, but also the requirements of Northampton's Low Emission Zone Strategy. Environmental Protection have been consulted on the proposal and raise no objections to the proposed number of EV charging points.

### **Archaeology**

- 7.27 The site has been previously quarried in the past and it is unlikely that the site has any significant archaeological interest. The site is close to Hunsbury Hill fort, but due to the separation distances (approximately 220m) and the relatively limited scale of the development, it is considered that there would be no significant impact upon this heritage asset. Furthermore, the tree belt to the east of the application site would be retained which would provide additional mitigation. Access to Hunsbury Hill through the proposed development would not be affected. NCC Archaeology have been consulted on the proposal and raise no objection to the proposal in respect of Archaeology.

### **Contaminated land**

- 7.28 The application has been accompanied by a contamination investigation. Environmental Protection have assessed the investigation and conclude that the proposal is acceptable in respect of contaminated land provided that the development is undertaken in accordance with the recommendations of the submitted report. A condition is therefore proposed to ensure that the site is developed in accordance with the submitted investigation.

### **Planning obligations**

- 7.29 By virtue of the scale and type of development, a Section 106 Agreement between the applicants, Northampton Borough Council and Northamptonshire County Council will need to be entered into. The Community Infrastructure Levy Regulations 2010 specify three key legal tests in ascertaining whether a particular obligation can be requested. These specify that obligations should be:

- i) Necessary to make the development acceptable in planning terms;
- ii) Directly related to the development; and
- iii) Fairly and reasonably related in scale and kind to the development.

- 7.30 In line with the requirements of the Council's policies, 100% of the development will be secured for occupation on affordable tenures. The obligation within the legal agreement would provide certainty that a mixed development would be created that addresses the needs of a wider number of people. Furthermore, the legal agreement will ensure that the affordable housing is representative of the overall composition of the development.

- 7.31 In addition to the Highway works referenced previously, the Section 106 Agreement would also secure a financial payment towards the provision of primary school education. This Section 106 Agreement is based upon the number of bedrooms proposed and thus the predicted demand created for primary school places by the proposed development.

- 7.32 A further obligation requires that there is the provision of a minimum 1.1 ha of public open space on site and to ensure that this is maintained in accordance with an agreed management strategy and for these spaces to be made available for public use in perpetuity. Whilst it is appreciated that this space would assist in creating a good sense of place and meeting some of the recreation needs of the future occupiers of the development, a contribution is also sought to improve the existing MUGA, as proposed by the Parish Council, to ensure that it is a suitable standard for both the future occupants of the development and others who may use it.

- 7.33 The legal agreement would also secure the provision of construction worker training opportunities, in addition to a financial contribution towards the operation of the scheme.

- 7.34 It is noted that the County Council have requested financial contributions towards the provision of the library service. In response, and with reference to the aforementioned legal tests and the lack of a specific planning policy requiring such a contribution, it is considered that there is insufficient justification to include such matters within the Section 106 Legal Agreement. The provision of fire hydrants would be addressed through the relevant Building Regulations, rather than planning legislation.

## **8 CONCLUSION**

- 8.1 It is considered that the proposed development represents an appropriate land use that would make a significant contribution to addressing the need for new housing within the Borough and also for the requirement for affordable housing. Furthermore, subject to conditions and a Section 106 Legal Agreement, it is considered that the impacts of the development can be appropriately mitigated.

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the approved plans: 00936-D02 Rev T, 00936-D03 Rev G, 00936-D04 Rev D, 00936-D05 Rev A, 00936-D10 Rev B, 00936-D11 Rev A, 00936-D12 Rev B, 00936-D-20 Rev D, P19-2117\_01 Rev D, P19-2117\_02 Rev D, P19-2117\_03 Rev D, P19-2117-04 Rev D and ENG940-VIS-01.

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

3. The remediation scheme submitted with the application (reference GRM - Phase II Site Appraisal GRM/P8716/F.1 and GRM Development Solutions Ltd Gas Addendum Letter dated 21/8/19) must be fully implemented in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective remediation of the site 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. In the event that any contamination not previously identified is found during implementation of the approved development, 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 in accordance with Condition 3.

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

5. The revised access to Hunsbury Hill Primary School as shown on site layout drawing 00936-D02 Rev T shall be fully implemented prior to the first occupation of the development hereby permitted.

Reason: In the interests of highway safety in accordance with Policy C2 of the West Northamptonshire Joint Core Strategy.

6. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy. This information is required prior to commencement in order to ensure the agreement of such details in a timely manner.

7. The development hereby approved shall be implemented fully in accordance with the submitted Construction Environment Management Plan reference QE-09 written March 2019 and last amended 17<sup>th</sup> February 2020.

Reason: In the interests of ensuring the development does not detrimentally impact the local highway network nor neighbouring amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

8. The surface water and foul drainage for the development hereby permitted shall be implemented fully in accordance with the Catchment Area Plan (C7514-302 Rev P0 dated 08.11.19) and Section 104 Drainage Layout (c7514-103 Rev P0 dated 08.11.2019) submitted as part of the application unless otherwise agreed in writing by the Local Planning Authority. The surface water drainage scheme shall thereafter be maintained fully in accordance with the details included in the Drainage/SuDS Maintenance and Management Plan document produced by Couch Consulting Engineers and received by the Local Planning Authority on 14<sup>th</sup> November 2019.

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

9. No hard-standing areas shall be constructed unless and until the works to provide the surface water drainage scheme have been implemented fully in accordance with the submitted details referred to in the previous condition unless otherwise agreed in writing by the Local Planning Authority.

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

10. The development hereby approved shall be implemented fully in accordance with the conclusions and recommendations contained within the submitted noise assessment prepared by Philip Dunbavin Acoustics Ltd dated 6<sup>th</sup> August 2019, reference DA/J002592/3921/01. The noise mitigation measures identified in the report shall be implemented in full and retained thereafter.

Reason: In the interests of the amenities of the future occupiers of the development, in accordance with Policy S10 of the West Northamptonshire Joint Strategy.

11. Prior to construction above slab level, full details of cycle storage to serve the development shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby approved and retained thereafter.

Reason: In the interests of creating a sustainable development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

12. The development hereby permitted shall be implemented fully in accordance with the four Detailed Soft Landscape Proposal plans submitted with the application. 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 of shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

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



13. Notwithstanding the details shown on the four submitted soft landscape drawings with references P19-2117\_01 Rev F, P19-2117\_02 Rev F, P19-2117\_03 Rev F and P19-2117\_04 Rev F, no tree shall be planted closer than 1 metre from the highway edge and each tree planted within 2.5 metres of the highway edge shall be planted in a tree pit to prevent the roots from damaging/undermining the highway.

Reason: To ensure that the proposed landscaping scheme does not detrimentally affect the condition of the highway and thus highway safety in accordance with Policy C2 of the West Northamptonshire Joint Core Strategy.

14. The electric vehicle charging points, as shown on the submitted layout plan 00936-D02 Rev T, shall be installed prior to first occupation of each dwelling hereby approved.

Reason: To ensure that the development provides for electric powered cars to improve air quality in the Borough in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

15. In the event of any of the streets associated with the residential element of this proposed development are not being proposed for adoption as public highway, the following applies:

- a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to the Local Planning Authority and agreed in writing prior to the commencement of development;
- b) The streets will, in any event, be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
- c) That prior to first occupation of any dwelling, a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and,
- d) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).
- e) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle cross-overs.

Reason: For the avoidance of doubt and in the interests of safety to accord with the National Planning Policy Framework.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or any means of enclosure or similar structures shall be erected or constructed in front of the main wall of any dwelling or of any other principal building of the estate nor in front of the line of any flank wall of any dwelling where the flank boundary of the curtilage abuts a highway.

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

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

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

18. Prior to first use of the 20 car parking spaces at the north of the site for use by Hunsbury Park Primary School at school drop-off and collection times, details of a barrier to prevent unauthorised vehicular access to the parking spaces outside of school times shall be submitted to and approved in writing by the Local Planning Authority. The approved barrier shall be fully implemented prior to first use of the car park and shall be retained thereafter.

Reason: To prevent the unintended use of the car park outside of school hours that could result in detriment to the future occupants of the development hereby approved in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

19. Prior to first occupation of the development hereby approved, the 20 car parking spaces at the north of the site for use by Hunsbury Primary School shall be fully implemented in accordance with the approved layout plan and shall, at all times, be reserved for the parking of vehicles by staff and visitors and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are used and maintained in a manner that prevents a detrimental impact upon the amenity of future occupants of the development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

20. Prior to the commencement of development, full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients 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 secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

21. The dwellings hereby approved shall only be used as single units of residential accommodation within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.

Reason: For the avoidance of doubt and in the interests of residential amenity and to prevent an overconcentration of Houses in Multiple Occupation in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

## **10 BACKGROUND PAPERS**

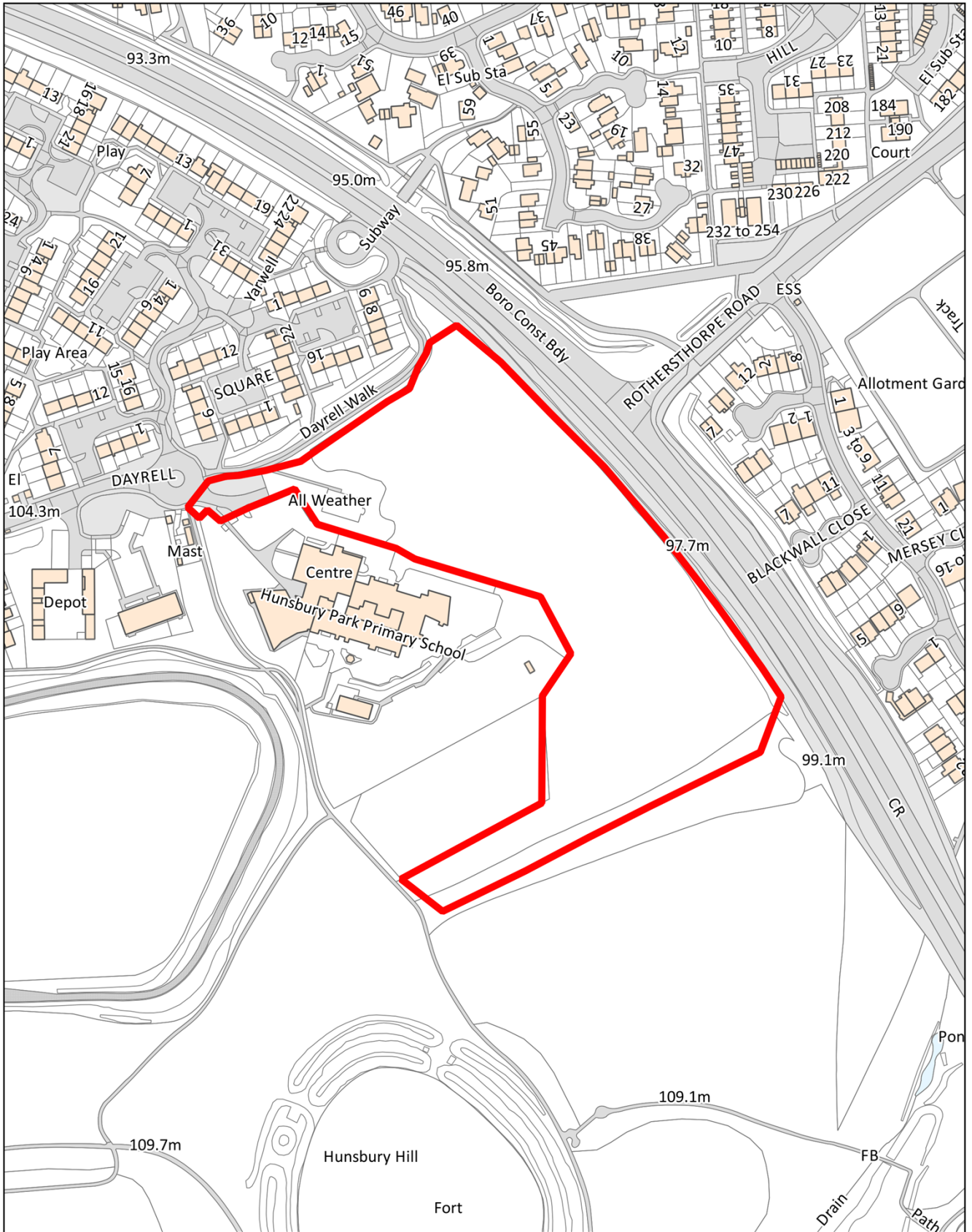
10.1 N/2019/1225 and N/2017/0836.

## **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.



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **Development land, Dayrell Road**

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Date: 06-02-2020

Scale: 1:2,500

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**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1402

**LOCATION:** 1 Addison Road

**DESCRIPTION:** Conversion of existing dwelling to create 2no apartments together with construction of 2no new apartments on adjacent land with on-site parking

**WARD:** Eastfield Ward

**APPLICANT:** Mr N Lawlor & Mr G Doran  
**AGENT:** Mr Pat Dooley

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Part NBC owned land

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

The proposed development is located in an established residential area where residential development is acceptable in principle. The proposal would also contribute to the Council's 5 Year Housing Land Supply. Due to its scale, layout and design, the proposal would not have an undue detrimental impact on the appearance and character of the host building, wider area, residential amenity and highway safety to accord with the aims and objectives of the National Planning Policy Framework, Policies S10, BN9 and H1 of the West Northamptonshire Joint Core Strategy and Policies E20, H21, H23 and H24 of the Northampton Local Plan.

### 2 THE PROPOSAL

- 2.1 The application site has an extant planning permission (N/2018/0956) for a new semi-detached dwelling with similar footprint as what is proposed in this application. The permission has not been implemented.
- 2.2 The current application seeks planning permission for a conversion and extension of the existing dwelling with a single storey front extension, two storey side and rear extension to create 4no. 1-bed flats.

- 2.3 The proposed flats would be split over two floors. 2 flats on the ground floor would have their own dedicated amenity and refuse storage areas; however, the 2 first floor flats would share the amenity space and refuse and recycling storage in the rear. 4 parking spaces are proposed to the rear of the site to serve the proposed flats, with access off Wheatfield Road North.
- 2.4 The main difference between the previously approved scheme and the proposed scheme is that the originally approved application was for a 2-bed, two storey house and the current application is for conversion of the existing dwelling into 4 flats, including two storey side and rear extensions with similar footprint as the originally approved new dwelling. Also, the proposed scheme has a two storey rear extension attached to the existing house, which was originally approved as a single storey rear extension.
- 2.5 The scheme has been amended during the course of the application and revised drawings have been submitted with improved design, appearance and visibility splays.

### **3 SITE DESCRIPTION**

- 3.1 The application site consists of an end of terrace property with a large side/rear garden. There is a parking space at the rear of the property with an existing crossover. The application site is sited at a junction between Addison Road and Wheatfield Road North.
- 3.2 The local area is predominantly residential and has a mix of terraced and semi-detached properties with varying design and external building materials.

### **4 PLANNING HISTORY**

- 4.1 **N/2018/0956** - Construction of a new 2 bed semi-detached dwelling to 1 Addison Road plus alterations to existing property to include single storey front and rear extension and 2no. new vehicular crossovers. **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 **The National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

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

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

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

- Policy H1: Housing Density and Mix and Type of Dwellings
- Policy S3: Scale and Distribution of Housing Development
- Policy S10: Sustainable Development Principles

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

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

- Policy E20 - New development
- Policy H6 - Residential development in primarily residential area
- Policy H21 and H23 - Conversion to Flats

#### 5.5 Supplementary Planning Documents

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

### 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **NCC Highway:** Raised some concerns on the originally submitted scheme in relation to visibility splays. Amended scheme has been submitted which is deemed acceptable.

6.2 **NBC Environmental Health Officer:** No objections, subject to the recommended conditions on electric charging points and informatives on boilers and construction hours.

6.3 6 objections have been received on the original scheme. The comments have been summarised as follow:

- Adverse impact on the character of the area
- Loss of green /open space
- Loss of privacy
- Overdevelopment and overcrowding of the plot
- Additional Traffic
- Parking
- Impact on the preserved Pine Trees
- No provision of electric charging points and cycle storage

6.4 1 petition with 9 signatures and an objection has been received on the revised scheme raised the same concerns as listed above and additional concerns have been raised as follows:

- Likelihood of conversion to house in multiple occupation.
- Proposed study would be converted into bedroom and would resulting in cramped development.
- Impact on existing infrastructure.

### 7 APPRAISAL

7.1 The application site has an extant planning permission for a 2-bedroom dwelling. The main issues for consideration are principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity and highway conditions.

#### Principle of residential development

- 7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area. Saved Policy H6 of the Northampton Local Plan allows for residential development in such residential locations providing that the development is in keeping with the character of the area and does not result in an over-intensive development of the site.
- 7.3 The principle of residential development on the site 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.
- 7.4 Moreover, the application site has an extant planning permission, so the principle of residential development has already been established. Therefore, the principle is acceptable, subject to acceptable design, parking provision and impact on amenity.

### **Layout and design**

- 7.5 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.
- 7.6 The proposed two storey side and rear extension to the existing property have been designed to be in keeping with the existing character of the local area and the adjacent properties. The proposed development would have the same ridge height as the existing building and follows the building line of existing properties on Addison Road. Proposed details of fenestration, door and chimney are in line with neighbouring properties to give the appearance of a continuation of the terrace. Subject to the use of appropriate materials, the design and appearance are considered to be in keeping with the existing character of the area and is acceptable.
- 7.7 It is considered that the proposed development would accord with the saved policies H1, S1 and S10 in the West Northamptonshire Joint Core Strategy, saved policies H18 and E20 in Northampton Local Plan and advice given within the National Planning Policy Framework.

### **Residential amenity**

- 7.8 In assessing the living conditions of future occupiers, the proposal needs to be considered against Paragraph 127 of the NPPF. Policy H1 of the JCS seeks to ensure high quality design and a good standard of amenity for existing and proposed occupiers and saved policies H23 and H24 of the Northampton Local Plan.
- 7.9 The proposed development includes a single storey front porch extension. Due to the scale of the proposed extension, it would not cause undue impact on the neighbouring properties.
- 7.10 Owing to the location of the two-storey side and rear extension on a corner, there are no immediate neighbours directly to the right; however, the properties across the other side of the Wheatfield Road North would face a side elevation with two small windows on the ground floor. There is a separation distance of over 17 metres between the proposed side extension and Nos. 70, 72 and 74 Wheatfield Road. The recommended separation for two storey properties from a side elevation to the front/rear elevation should be 13m. As the separation is over 17m, it is considered that the proposal will not have any undue detrimental impact on these properties in terms of overlooking or loss of privacy.



- 7.11 The proposed two storey rear extension on the original dwelling would sit away from the common boundary between the application site and the neighbouring property at no.3. There is no ground floor habitable window on the rear elevation at this property but there is a pair of French doors that sit adjoining to the common boundary; however, the virtual 45' line taken from the quarter point of this door would not be infringed by the proposed extension. The proposed side elevation overlooking no.3 would have a small ground floor bedroom window, which would be largely screened behind the proposed 1.8m high boundary treatment. Therefore, it is considered that the proposed two storey rear extension would not result in any undue impact on the residential amenity of this property in terms of being overbearing, loss of light or overshadowing.
- 7.12 Overall, it is considered that the proposed extensions would not have any unacceptable adverse impact upon the residential amenity of the neighbouring properties. The proposed development would comply with policies S10 and H1 of the West Northamptonshire Joint Core Strategy, saved policies H18 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.
- 7.13 Saved Policy H23 of the Northampton Local Plan specifies that planning permission will not be granted for the conversion to flats with a combined ground and first floor area of 100 square metres or less and with a frontage of less than 4.7m. The 4 flats have a combined ground and first floor area of approximately 164 m<sup>2</sup> and it is considered that the proposal would accord with this policy. However, as this policy is dated, less weight is afforded.
- 7.14 All proposed habitable rooms would be served by adequate levels of natural light and outlook either to the front or back. The proposal complies with Policy H1 (f) of the JCS as it would provide satisfactory residential amenity for future residents. Policy H1 of the JCS can be afforded more weight in decision making, given that it is up to date development plan policy; criteria (f) relates specifically to the amenity of future occupiers. It is considered that the proposal accords with the aims of Policy H1 in terms of residential amenity due to the sufficient room sizes.
- 7.15 Refuse storage as indicated on the submitted drawing is acceptable and a condition has been recommended to implement the arrangements prior to the first occupation of the approved flats.

### **Parking and highway safety**

- 7.16 As per the Northamptonshire Parking Standards, the proposed 4 1-bed flats would require 4 on-site parking spaces.
- 7.17 The proposed development has provided 4 spaces to the rear of the site accessed off Wheatfield Road North. An increased width of the crossover has been proposed as a part of the proposal, which is deemed acceptable.
- 7.18 Highways has initially raised some concerns in relation to the dropped kerb and visibility splays. Additional information was submitted which was found to be acceptable. A condition has been recommended for implementing the parking, visibility splays as described in drawing no. 19/L/158/2e.
- 7.19 As such, it is considered that the proposed development would meet the parking requirements and subject to the conditions, the proposed development would not result in the adverse impact on the highway safety.

### **Other considerations**

Electric Charging point and Construction hours

- 7.20 Environmental Health Officer suggests the inclusion of a condition relating to electric vehicle charging points and an advisory note relating to hours of working. Conditions have been recommended for the electric vehicles charging point. However, given the proposal for a single dwelling, it is considered that it would not be reasonable to seek details for construction management plan, the proposal is only for a small scale development and there are controls under the Environmental Health legislation to address such matters should issues arise. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in an air quality management area, such that it is not considered that it would be reasonable to condition that specific boilers to be installed in the new flats.

#### Impact on Preserved Trees

- 7.21 There is a row of Pine trees to the rear of the site, which are subject to a blanket Tree Preservation Order. It is considered that the proposed development would be some distance from these trees, so there would be minimal impact resulting from the proposed development. The Arboricultural Officer has been consulted and any comments received would be reported via the addendum.

### **8 CONCLUSION**

- 8.1 The application site has an extant planning permission for a 1 new dwelling, which established the principle of residential development on the site. It is considered that proposed design and appearance submitted under the amended scheme is acceptable. The proposed development would be in keeping with the character of the host dwelling and the local area.
- 8.2 The overall relationship between the proposed and existing properties is acceptable and would not have any unacceptable adverse impact on the residential amenity of neighbouring properties. The parking arrangement submitted for the proposed development is deemed acceptable.
- 8.3 The proposal would therefore comply with Policies S1, S10 and H1 of the West Northamptonshire Joint Core Strategy, saved policies H6, H18 and E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework and the Council's Residential Extensions and Alterations Design Guide Supplementary Planning Document.
- 8.4 Moreover, the residential development of the site would contribute towards the Council's 5-year housing supply. Therefore, it is recommended that planning permission is granted subject to the following conditions.

### **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 19/L158/2e, 19/L158/3a, 19/L158/1.

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

3. The proposed refuse storage areas as shown on the submitted plan 19/L158/2e shall be provided prior to the first occupation of the development hereby permitted and retained thereafter.

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

4. Prior to the construction of the development hereby approved above ground floor slab level, full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

5. The access and parking area as shown on drawing no.19/L158/2e shall be provided and made available for use prior to the first occupation of the dwellings hereby permitted and maintained thereafter. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or any means of enclosure or similar structures exceeding 0.6 metres in height shall be erected or constructed within the 2 metre by 2 metre vehicle to pedestrian vision splays to both sides of the new access off Wheatfield Road North hereby permitted.

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.

6. Full details of 4 electric vehicle charging points for the dwellings hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

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

## **10 BACKGROUND PAPERS**

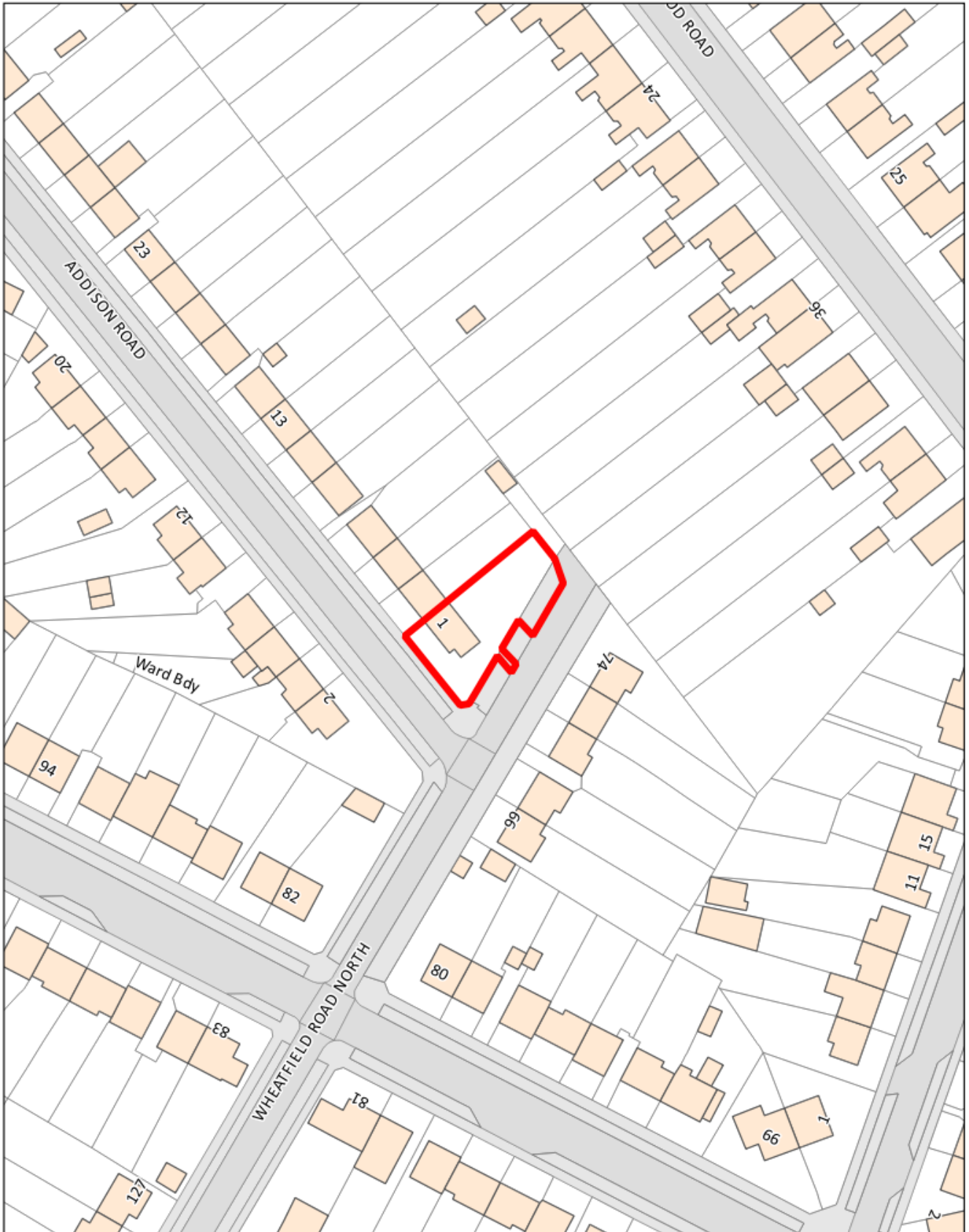
- 10.1 N/2018/0956 and N/2019/1402.

## **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: **1 Addison Road**

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Date: 28-01-2020

Scale: 1:850

Drawn by: -----



**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1413

**LOCATION:** Bipin Community Centre, Ecton Brook Road

**DESCRIPTION:** New single storey post office with front brick boundary wall, cycle stands and installation of block paving

**WARD:** Billing Ward

**APPLICANT:** Mr Patel  
**AGENT:** A Chhatralia

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

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

The proposed development is considered acceptable and would not have any undue detrimental impact on the appearance and character of the host building, wider area, highway safety, security or amenity of nearby occupiers to comply with the aims of the National Planning Policy Framework, Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 Permission is sought for a single storey extension to provide a post office and boundary wall 1.2metre high with adjacent cycle stands and block paving. The post office would be relatively small with a floor area of 31 square metres. The proposal would be constructed in light coloured composite cladding to match the other parts of the host building.

2.2 It is proposed to relocate the existing Post Office located within the existing shop to a more prominent and accessible location to serve the local community. Separate access for bins has been provided with secure doors. Ventilation to the bin stores will be provided via the roof.

### 3 SITE DESCRIPTION

- 3.1 The premises comprise of a modern two-storey brick-built property, part rendered with wood clad and previously used as a public house, but now consisting of a takeaway and part community centre. A small service yard is located to the rear for refuse storage. The adjacent properties comprise of a post office, local store, medical centre and pharmacy, all of which surround a number of shared parking areas divided by landscaping. St Andrew's Primary School is located to the north of the site.
- 3.2 On the opposite side of Ecton Brook Road are residential properties. The site is not close to a conservation areas or listed buildings. The site is partly NBC owned land.

#### **4 PLANNING HISTORY**

**N/2017/1220** Partial change of use to include hot food takeaway and cafe/restaurant uses with erection of extraction flue (part retrospective)- this has been implemented.

**N/2017/0421** Permission for change of use of public house to part community centre and restaurant/hot food takeaway.

**N/2017/0227** Permission for changing the external materials of the existing walls. Erection of new open entrance porch and front boundary wall (part retrospective).

**N/2015/0100** Permission for new door and rood windows.

**N/2014/1092** Permission for change of use from public house to community centre.

#### **5 PLANNING POLICY**

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

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

##### **National Policies**

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

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

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

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

S10 Sustainable Development Principles  
BN9 Pollution Control

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

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

E20 Design of new development

## 5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Northampton Parking SPD 2019

## 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Northamptonshire Police** - welcome a planning condition requiring specific information on doors, windows and CCTV provision.

6.2 **NBC Environmental Health** - no objection subject to condition for unsuspected contamination and construction noise restrictions.

6.3 **NBC Trees** - No objection to make.

## 7 **APPRAISAL**

7.1 The main issues to consider are the principle of development, effect on appearance and character of the host building, wider area, neighbour amenity, parking and highways safety and security.

### **Principle of use**

7.2 The application site is located adjacent to an existing school and convenience store and opposite an established residential estate. Given the character of the area, it is considered that the proposal would complement the locality and includes a use that serves the nearby community and surrounding residential uses. Although the proposal is an out of town retail use, the scale is very minor and would serve a local need. There would be no impact on other centres.

### **Impact on neighbour amenity**

7.3 The nearest residential properties being located approximately 25 metres away on the opposite side of Ecton Brook Road.

7.4 Although the use is likely to generate some additional comings and goings, it is considered that neighbour impact would be acceptable given existing separation and the fact that it would be a day time operation only, the same as the existing post office. Given the minor build form, any loss of amenity in terms of light, outlook and privacy would also be minimal. The Council's Environmental Health Officers have not objected on noise grounds and there is no need to control hours of use by condition given the minor scale of the development. This complies with Policy BN9 of the Joint Core Strategy and Paragraph 127 of the NPPF in terms of noise and amenity.

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

7.5 The proposed front boundary wall would measure 1.2m high which is only 20cm higher than could be erected under permitted development. The height and alignment are considered acceptable and materials can be conditioned on any grant of planning permission. The effect on the street scene would also be reasonably limited. In terms of the post office, the design proposed would use materials to match the host building and is considered to be in keeping with the existing built form. This accords with Policy E20 of the Northampton Local Plan and S10 of the Joint Core Strategy. The proposed cycle stands are considered in keeping with the host building.

## **Parking and Highway safety**

- 7.6 Although the site does not benefit from its own car park, there is a reasonable sized parking area adjacent that can accommodate approximately 40 cars off road. This car park is open 24 hours and available for use by the local community. This complies with Paragraphs 108 and 109 of the NPPF which seek to ensure safe access for all. The proposed cycle stands would encourage sustainable travel to and from the site.

## **Security and Crime Prevention**

- 7.7 The applicant has provided a Security Statement demonstrating how the proposal would address crime and vandalism. This has been assessed by the Northamptonshire Police Crime Advisor and suggested that a planning condition for secure doors and windows and other security measures to be installed. All doors and windows would comply with Part Q of the Building Regulations and Secure by Design principles. CCTV will also be included to further deter criminal activities.

## **Other issues**

- 7.8 The Council's Environmental Health Officers recommend a condition for unsuspected contamination which would be secured by condition in accordance with Policies S10 and BN9 of the Joint Core Strategy.

## **8 CONCLUSION**

- 8.1 The proposal is of a modest scale and intensity and considered appropriate for the area. Given the siting and design the proposal, it would have an acceptable effect on residential and visual amenity, highway safety and crime prevention.

## **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: S1, 02, 03, 04, 05, 06, 07 and 08.

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

- 3) The approved boundary wall shall be constructed of bricks of same type, colour and texture as the existing site boundary wall immediate to the south of the site.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and E20 of the Northampton Local Plan.

- 4) The external walls of the post office shall be constructed with composite cladding of the same type, texture and colour as the external walls of the existing building.

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

- 5) In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to



assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

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

6) Prior to the occupation of development, full details of security measures including windows, doors and CCTV shall be submitted to and agreed in writing by the Local Planning Authority and the approved details shall be implemented prior to the use hereby permitted commences and retained thereafter.

Reason: in the interests of crime prevention to accord with Policy S10 of the Joint Core Strategy.

7) The cycle stands shall be installed in the location as shown on the approved plans prior to the use hereby permitted commences and be retained thereafter.

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

## **10 BACKGROUND PAPERS**

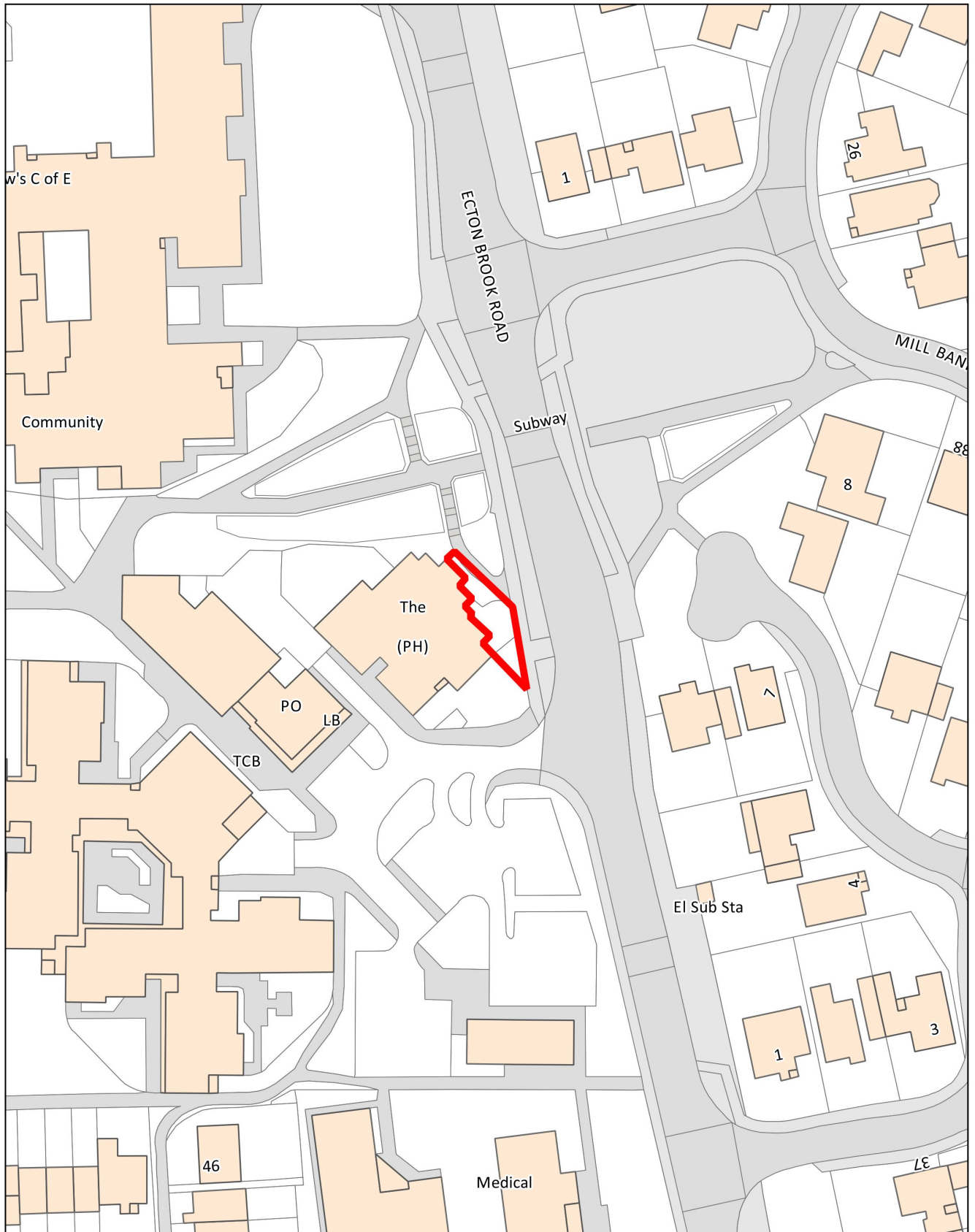
10.1 N/2019/1413.

## **11 LEGAL IMPLICATIONS**

11.1 The development is not CIL liable.

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

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



Title: **Bipin Community Centre, Ecton Brook Rd**

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Date: 28-02-2020

Scale: 1:750

Drawn by: -----



**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/1604

**LOCATION:** 50 Manfield Road

**DESCRIPTION:** Change of use and alterations to existing dwellinghouse (Class C3) to house in multiple occupation (Sui Generis) for 7 occupants with the addition of a rear dormer window

**WARD:** Abington Ward

**APPLICANT:** Amoreiras Property Ltd  
**AGENT:** N/A

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

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

The principle of the proposed use is considered acceptable in this location in line with national policy requirements to deliver a wide choice of homes. The proposed layout would provide adequate facilities for 7 occupants. Notwithstanding the existing parking situation in the local area, the site is in a sustainable location close to Wellingborough Road local centre. The proposal thereby complies with the National Planning Policy Framework; Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy; saved Policy H30 of the Northampton Local Plan, and the Council's adopted Houses in Multiple Occupation Supplementary Planning Document.

### 2 THE PROPOSAL

2.1 The proposal is for the change of use of a dwellinghouse into a 7-person house in multiple occupation (HIMO). All the bedrooms will have en-suite facilities. The proposed kitchen will be located in the basement.

2.2 The proposal also includes the installation of a rear dormer. Parking will be on-street.

### 3 SITE DESCRIPTION

3.1 The site comprises a terraced house within a street of similar properties. The application site has an additional access from Manfield Road to the rear yard and garden space.

#### **4 PLANNING HISTORY**

4.1 None relevant.

#### **5 PLANNING POLICY**

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

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

5.3 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.

##### **5.4 National Policies**

5.5 **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraph 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.

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

Section 12 – seeks to achieve well designed places

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

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

Policy H1 - Housing Density & Mix & Type of Dwellings

Policy H5 - Managing the Existing Housing Stock

Policy S10 - Sustainable Development Principles

Policy BN5 - Heritage Asset

Policy BN7 - Flood Risk

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

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

E20 – allows for new development providing that the design reflects the character of its surroundings in terms of layout, siting, form, scale & appropriate use of materials and that the proposal is designed and located to ensure adequate standards of privacy, daylight and sunlight.

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

H30 – Multi occupation with a single dwelling.

## 5.8 Supplementary Planning Documents

Planning out Crime in Northamptonshire SPG 2004

Northamptonshire County Parking Standards 2016

Northampton Parking Standards 2019

Houses in Multiple Occupation Supplementary Planning Document 2019

Proposals for HMOs should:

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

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **NCC Highways** – requested a parking beat survey be undertaken.

6.2 **Private Sector Housing** – the applicant should be advised that the premises will require licensing under the mandatory licensing scheme. The room sizes indicated on the submitted plans (both before and after amendments) would meet requirements for a 7 occupant HMO.

6.3 **Councillor Z Smith** – Calls the application into Planning Committee on the grounds that seven occupants is excessive, and it is likely to exacerbate parking issues in the area.

6.4 **Two neighbour representations** have been submitted from one neighbour with points as follows:

- Street is busy due to residents and local workers parking in this area.
- Potential for litter problems if tenants and/or landlords are not considerate of the neighbourhood.
- Many new homes built in this road in the last few years which do not have their own parking facilities.
- Sewage system is old and not designed for the number of people which will be increased by the proposed 7 occupant house.
- Must comply with the threshold for no more than 10% HMO within the defined area.

## 7 APPRAISAL

### Principle of the development

7.1 The conversion of the existing dwelling to a HMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

## **Area concentration**

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

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

7.3 The number of HIMOs is calculated from a number of data sources, including previous planning permissions, licences granted under the Housing Act, other data held by the Council and survey work. Within the 50m radius, there are currently 5 other HIMOs (established or with planning approvals) on Adnitt Road, Manfield Road and Allen Road.

7.4 Neighbour concerns have been raised about the number of HIMOs not exceeding 10%. Council records evidence that the proposal would not lead to an over-concentration of authorised and licensed HIMOs within a 50m radius of the application site. The inclusion of the proposed HIMO would result in a concentration of 6.9%. There are a total number of 87 residential properties within a 50m radius, and including the application site, 6 of these would be HIMOs. The proposed 6.9% concentration is within the threshold of 10% as described in the adopted SPD.

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

7.5 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use.

7.6 The property is considered to be of sufficient size, providing larger bedroom sizes (all upwards of 10m<sup>2</sup>) in accordance with the Council’s HIMO Facilities and Amenities Guidance. All bedrooms have en-suite toilets and showers which are considered to be appropriate facilities. The proposed kitchen would be over 16m<sup>2</sup>, this would meet the requirement as stated in Principle 2 of the HIMO SPD 2019. There is also an additional storage room connecting with the kitchen/diner.

7.7 The kitchen/diner would be served by two relatively small higher-level windows (these would be street level at when viewed from the outside). Although these do not provide any outlook for occupants, they do provide sufficient natural light for a kitchen. It is considered that it would be sufficient for the kitchen to have this reduced outlook because each bedroom is large and served by sufficient number and size of windows, as a result, all occupants would have good outlook and space within their own bedrooms. In light of recent appeal decisions on HIMOs, it is considered that it would be acceptable for the shared kitchen to have a reduced outlook provided bedrooms have a good level of amenity. In addition, the kitchen would be located at a lower ground floor level (rather than a deep basement) and in this respect it would not be significantly difficult for occupants on the upper floors to access the kitchen.

7.8 A condition restricting the use of the property to a maximum of 7 people could be imposed. Private Sector Housing have confirmed that the proposals would meet the requirements for the proposal. All bedrooms would be served by adequate outlook and light.

## **Proposed Rear Dormer**

7.9 The application proposes a rear dormer, this would measure 3m in width and 1.8m in depth. It is considered that this would be a modest size dormer window and located to the rear where matching external materials will be used. The proposal would not be considered to be visually intrusive on the streetscene. Properties either side would not be unduly overlooked, and flats located in Burlington Court are located more than 25m away. It is not considered that there would be any undue loss of privacy in this respect.

- 7.10 One front rooflight is provided to the front elevation which would provide additional natural light for the occupant of bedroom 7. This would not lead to an unacceptable impact in terms of design nor overlooking.

### **Flooding**

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

### **Highways/Parking**

- 7.12 The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.13 No parking beat survey has been submitted with the application, however the applicant has submitted an assessment of the existing parking and highways situation. In the assessment, the applicant has ascertained the location is sustainable and close to bus stops with regular bus routes and there are a variety of local facilities. During a site visit, it was clear that there was some pressure on parking on Manfield Road, particularly close to Wellingborough Road. There was parking present on roads further afield. An objection has been received regarding the pressure on parking in this street from residents and businesses. However, as the application site is in a sustainable location within 100-200m of bus stops on Wellingborough Road, and also within walking distance of local facilities on Wellingborough Road, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations. There are 3 bus routes that pass through the bus stops and have services every 10 minutes on Monday-Friday and 4 bus routes on Saturday providing service in every 5-15 minutes.
- 7.14 The HIMO SPD recommends that storage space should be provided which is accessible to cycle users to encourage and facilitate sustainable transport. Space is available to the rear of the house and cycle storage is shown on the submitted Site Plan (013/09/2019B Sheet 2 of 14). The cycle storage would be accessible through a side passage in order that occupants can get bicycles in and out of the secure unit without bringing them through the house. The side passage would also provide access to the rear for all occupants of the proposed HIMO. Further details including dimensions of the secure cycle storage for at least 7 bicycles can be secured via a condition to be agreed prior to occupation.
- 7.15 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for 7 parking spaces, which is an increase of 4 compared to the existing use, as parking the requirement for a 5-bed dwelling is 3 spaces. In the absence of the parking, Principle 5 of the Northampton Parking Standards SPD outlines the requirements, similar to the HIMO SPD, whereby the application site should be within a sustainable location. In this regard, the proposal is considered to be in accordance with the requirements of the Parking Standards SPD in respect of parking considerations.

### **Refuse storage**

- 7.16 There is sufficient space to the rear of the property for bin storage and an indicative bin store is detailed on the submitted plan. This would allow for outdoor storage of waste prior to refuse collection days. The side access would ensure there was space to store refuse in the rear garden prior to refuse collection days and bins could be brought through the access to the front of the property for collection. A condition can be attached to secure details of the type of structure for bin storage prior to occupation of the HIMO and ensure that it is retained thereafter. Comments raised the potential for litter or waste issues if there are inconsiderate tenants, however it is considered

that the bin storage to the rear of the property, with easy access to the front for collection day would ensure that there is suitable provision for future tenants.

### **Other matters**

- 7.17 The proposed change of use is for 7 occupants and a condition is included to ensure a maximum of 7 occupants.

## **8 CONCLUSION**

- 8.1 The use of the property as a 7-person HIMO, following alterations to the layout as shown on the submitted plans, would provide an appropriate standard of accommodation for residents and would not have an undue impact upon the amenity of adjoining occupiers.
- 8.2 The proposed development would be in accordance with the requirements of Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Supplementary Planning Document 2019 and the aims and objectives of the National Planning Policy Framework.

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Sheet 1 of 14 (received 28/02/2020), Sheet 2 of 14 (received 28/02/2020), Sheet 4 of 14 (received 28/02/2020), Sheet 9 of 14 (received 28/02/2020), Sheet 10 of 14 (received 28/02/2020), Sheet 12 of 14 (received 28/02/2020), Sheet 14 of 14 (received 28/02/2020), Sheet 7 of 14 (received 28/02/2020).

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

3. The development hereby permitted shall be occupied by a maximum of 7 residents at any one time.

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

4. Notwithstanding the submitted plans and prior to the occupation of development, further details of facilities for the secure and covered parking of at least 7 bicycles shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

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

5. Notwithstanding the submitted plans and prior to the occupation of development, further details of facilities for refuse and recycling storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.



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

**10 BACKGROUND PAPERS**

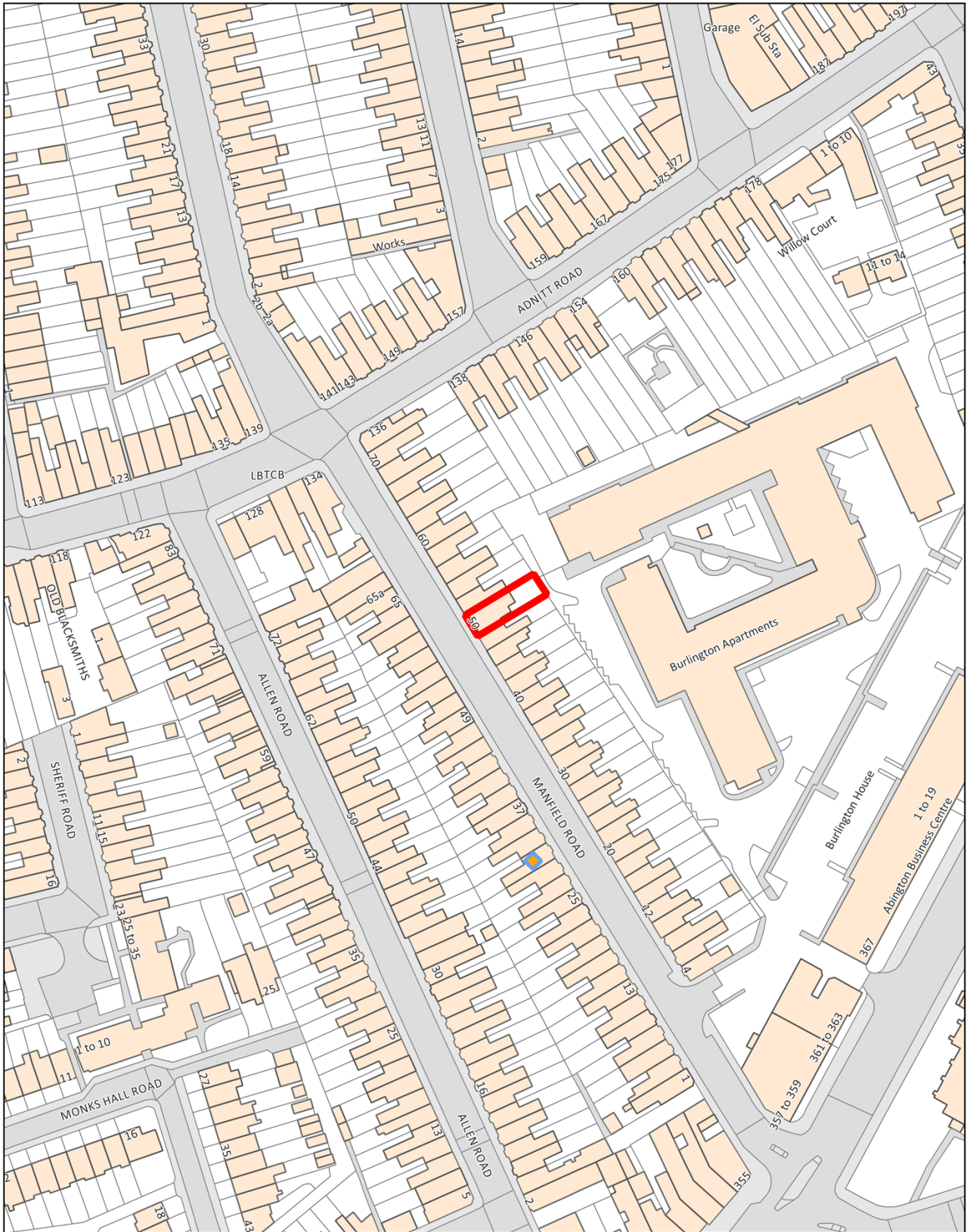
10.1 Application file N/2019/1604.

**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: **50 Manfield Road, Northampton**

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Date: 27-02-2020

Scale: 1:1,250

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**PLANNING COMMITTEE:** 17<sup>th</sup> March 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:** Michael & Shannon 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**

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

The proposed development would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building, wider area, highway safety/parking and neighbour amenity to comply with the aims and objectives of the National Planning Policy Framework. Policy S10 of the West Northamptonshire Joint Core Strategy, Policies E20 and H18 of the Northampton Local Plan and the Council's Residential Extensions and Alterations Design Guide.

**2 THE PROPOSAL**

- 2.1 Members will recall that the application was deferred at the meeting of the last Planning Committee on 18<sup>th</sup> February 2020, in order that further consideration could be given by officers to reach a design solution to address the recommended refusal reason, on overlooking to 4 Spinney Hill Crescent.
- 2.2 The revised application is for a proposed loft conversion with new rear box dormer, two new front roof lights including one new rooflight on the side roof slope. The proposed conversion would accommodate an en-suite double bedroom with an associated dressing room.

- 2.3 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

## 6.5 **Supplementary Planning Documents**

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

## 7 **CONSULTATIONS/ REPRESENTATIONS**

- 7.1 No comments received at the time this report was prepared. Any comment received will be reported to the Committee via the addendum.

## 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 side roof window, this is reasonably small and considered of a design and size in keeping with the host building. It would also not be particularly conspicuous from the front and therefore its effect on the street scene would be limited. The applicant has also confirmed the roof window would be obscure glazed. Regarding the front roof windows, as these can be installed as permitted development, it would be unreasonable to raise objection to these in design terms.

### **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 at 4 Spinney Hill Crescent and two dwellings on either side at 15 and 19 Spinney Hill Road.
- 8.7 Previously a Juliet balcony together with two other windows were proposed for the rear dormer. Officers were concerned about the potential overlooking to 4 Spinney Hill Crescent as a result of these high level windows and doors. Following the deferral of the application at the last Committee meeting, the applicant has amended the proposal which includes the replacement of the Juliet balcony with a window, which is proposed to be top hung with the lower part to be obscure glazed to 1.7m above floor level. One of the other windows was also removed, with the other remaining window to be obscure glazed to serve the en-suite.

- 8.8 Notwithstanding the fact that the separation distance between the application site and 4 Spinney Hill Crescent to be substandard i.e. 12m in comparison with 27m as set down in the Council's Residential Extensions Design Guide, the revised proposal is now considered to have address the overlook issue. It is worth noting that the neighbour at the rear did not raise any objection to the previous proposal and no objection has been received on the revised plan at the time this report has been prepared.
- 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 side facing roof window, this 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 light proposed, the impact in terms of overlooking and loss of amenity would be considered acceptable. It is not considered that the proposal would adversely impact on the amenity of the occupiers of 19 Spinney Hill Road. The proposed front rooflights to the front can be installed without needing planning permission.

### **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 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: PT.17919/1A and site location plan.

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

- 3) The external walls/cheeks of the rear dormer hereby approved shall be constructed with materials of the same type, texture and colour as the external roof of the existing building.

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

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

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

- 5) The rear WC window in the approved dormer shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

6) The proposed rear bedroom window in the dormer hereby approved shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent to 1.7m above internal floor level and fixed shut as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional rear windows shall be installed in the dormer hereby approved.

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

## **10 CONCLUSION**

10.1 The proposed development would have an acceptable 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.

## **11 BACKGROUND PAPERS**

11.1 N/2020/0006.

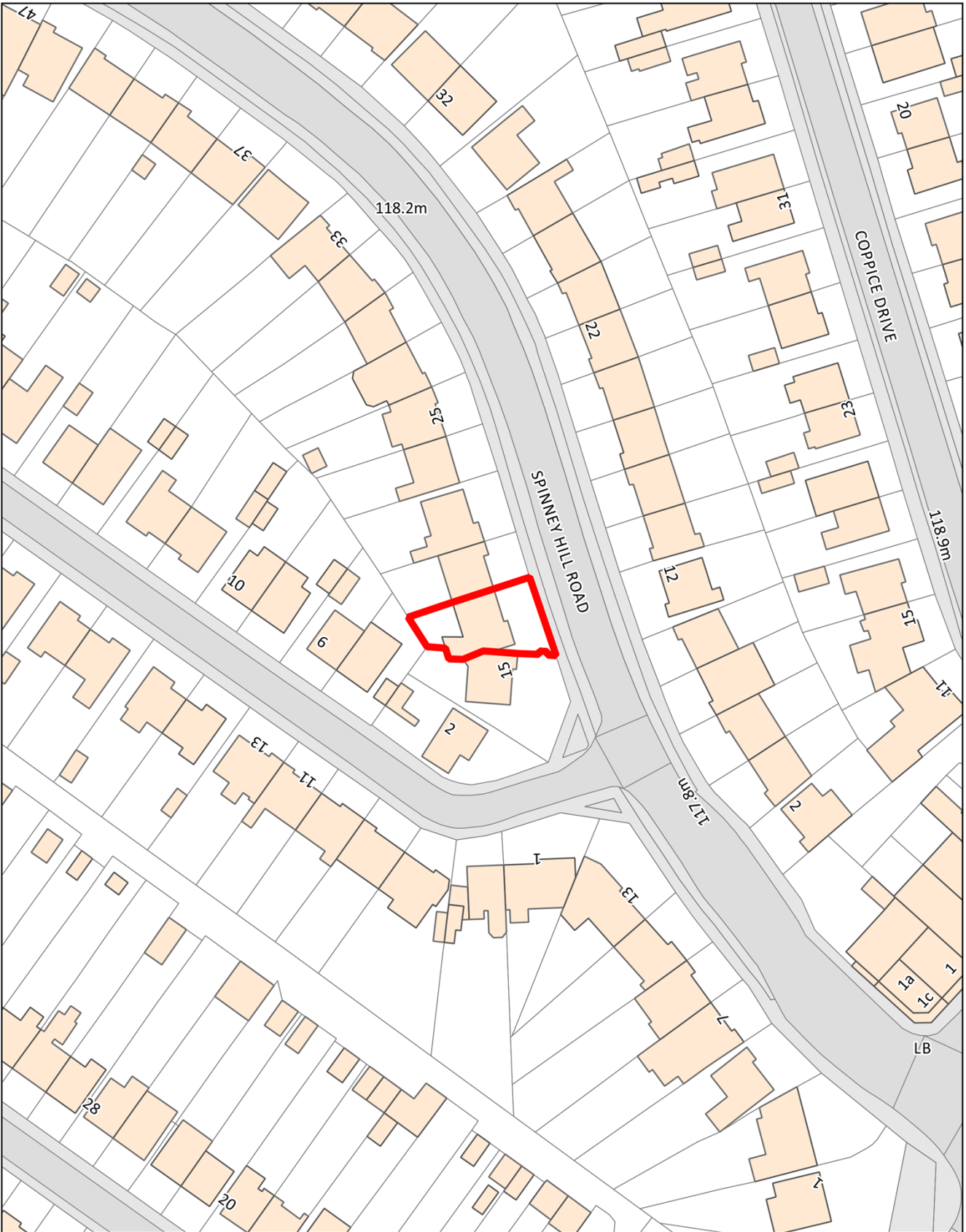
## **12 LEGAL IMPLICATIONS**

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

## **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: **17 Spinney Hill Road**

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Date: 28-01-2020

Scale: 1:850

Drawn by: -----





**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0030

**LOCATION:** The Former Silver Cornet Public House site, 21 Welland Way

**DESCRIPTION:** Variation of Conditions 2 and 5 of Planning Permission N/2018/0476 (Erection of 14no. 3 bedroom dwellings with parking) to amend threshold level access to Plots 1-6 only

**WARD:** Kings Heath Ward

**APPLICANT:** Tameer Construction Ltd  
**AGENT:** Fox Architectural Design Ltd

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

**DEPARTURE:** No

**APPLICATION FOR DETERMINATION:**

**1 RECOMMENDATION**

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

The principle of residential development for the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5-year housing supply. The development would result in the reuse of a derelict brownfield site with associated social, economic and environmental benefits. As part of a balanced assessment, it is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies SA, S1, S3, S10, H1, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

**2 THE PROPOSAL**

2.1 Planning application N/2018/0476 for the development of 14 no. 3-bed dwellings was approved by the Planning Committee in September 2018. Development works on site have commenced.

2.2 The application proposes to vary Conditions 2 and 5 of planning permission N/2018/0476 to amend the threshold level of units 1-6. The rest of the development remains unchanged as previously approved.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located on the corner of South Oval and Welland Way on the Kings Heath Estate. The site was formerly occupied by the Silver Cornet Public House, however this has since been demolished and the site had remained derelict for over 11 years until development commenced on application N/2018/0476. The site is bounded by Welland Way to the north, South Oval to the east, an unnamed access road that leads to the rear of the adjacent residential flats to the south and Park Walk, a pedestrian walkway that links Park Crescent East and Park Square, to the west. Beyond Park Walk is Kings Heath Park. The site slopes upwards in a western direction. The surrounding area primarily consists of residential accommodation of a variety of scales and types.

### **4 RELEVANT PLANNING HISTORY**

- 4.1 N/2018/0476 – Erection of 14no 3 bedroom dwellings with parking – Approved 05/09/2018

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

#### **5.2 National Policies**

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

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

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

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

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

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

Paragraph 178 – Ground conditions and pollution.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 - Achieving well-designed places

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

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

Policy SA: Presumption in Favour of Sustainable Development

Policy S1: The Distribution of Development

Policy S3: Scale and Distribution of Housing Development

Policy S10: Sustainable Development Principles

Policy H1: Housing Density and Mix and Type of Dwellings  
Policy BN7: Flood Risk  
Policy BN9: Planning for Pollution Control

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

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

Policy E20 - New Development (Design)

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

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

### 6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **NCC Highways** – No comments to make on application.

6.2 **NBC Assets** – No objection to the proposed changes.

### 7 **APPRAISAL**

#### **Principle of development**

7.1 The principle of the development has been established within permission N/2018/0476.

#### **Design and impact upon the host property and street scene**

7.2 The application proposes to alter the level access for units 1-6 along the western boundary of the site. As approved, the dwellings are provided with a level threshold consisting of a platform and paving laid to fall towards the public footpath. The application proposes to alter this to a stepped access to a level platform. The proposed dwellings would be set at a slightly higher finished floor level, resulting in the dwellings being set higher than previously approved. The maximum increase in height would be approximately 0.425 of a metre.

7.3 It is considered that the proposed addition of stepped accesses to units 1-6, and the minimal increase in height, would not significantly alter the character and appearance of the approved dwellings nor that of the street scene, and the units would remain set lower than neighbouring properties. It is considered that the proposed alterations would be acceptable in design terms.

#### **Amenity**

7.4 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.

7.5 The proposed alterations to the dwellings would not impact upon the living conditions of future occupiers or neighbouring properties from that previously approved, with the alteration in height being minimal and with the proposed dwellings remaining lower than neighbouring properties.

#### **Parking and highway safety**

7.6 NCC Highways have been consulted on the proposed alterations to units 1-6 and have raised no comment.

- 7.7 Since the approval of application N/2018/0476 the Northampton Parking SPD have been adopted. This SPD requires the provision of EV charging points at a rate of 1 per dwelling. With this application forming a new planning application, it is reasonable to now require the provision of 1 charging point per dwelling, and this will be required through condition.

### **Levels**

- 7.8 The application also proposes to amend Condition 5. Condition 5 required details on levels, which was agreed on the 16<sup>th</sup> December 2019. It is now proposed to alter the levels. Units 7-14 would be lowered by 0.3 of a metre. Units 1 and 2 would be raised 0.425 of a metre, units 3 and 4 would be raised 0.365 of a metre, and units 5 and 6 would be raised 0.285 of a metre. The proposed alterations to levels are minimal and are considered acceptable.

## **8 CONCLUSION**

- 8.1 To conclude, the principle of residential development for the site for up to 14 dwellings is considered acceptable and would contribute towards the Council's 5-year housing supply. The development would result in the reuse of a derelict brownfield site with associated social, economic and environmental benefits. As part of a balanced assessment, it is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies SA, S1, S3, S10, H1, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

## **9 CONDITIONS**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: 16-20-P-L (Site Location Plan), 16-20-P-201 Rev A, 16-20-P-210, 16-20-P-233, 16-20-P-234, 16-20-P-213, 16-20-P-214 Rev A, 16-20-P-215 Rev A, 16-20-P-216, 16-20-P-217 Rev B, 16-20-P-218 Rev B, 16-20-P-220, 16-20-P-221, 16-20-BR-230.

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

2. Within two months of the date of this decision a desktop study, including a site walkover, in respect of possible contaminants within the site, and a site investigation report, shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

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. The levels for the development shall be implemented in accordance with plan 16-20-BR-401 Rev D.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

5. The development shall be undertaken in accordance with the following materials: Bricks - Wienerberger Terca Harvest Buff Multi; Roof tile - Redland Double Roman Breckland Brown; Anthracite grey windows, doors, cladding and grey rainwater gutters.

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

6. The boundary treatments shown within plan 16-20-BR-403 Rev A shall be implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

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

7. All planting, seeding or turfing shown within plan 16-20-BR-401 Rev B shall be carried out in the first planting and seeding seasons following the occupation of the dwellings 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 of all trees, shrubs, plants, hedges 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.

8. The external lighting shown within plan Plan16-20-BR-404 shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

9. The parking spaces and manoeuvring areas shown on the 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. No hard-standing areas shall be constructed until the works have been carried out in accordance with the approved surface water strategy submitted with the application.

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

11. Prior to the first occupation of any of the dwellings hereby permitted, the vehicular access to the rear parking court shall be fitted with automatic electronic gates, the details of which shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include the

method of hanging the gates and the associated closing mechanisms. The approved scheme shall be retained thereafter.

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

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof enlargement 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 Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

13. The secure and covered bicycle parking approved within plan 16-20-BR-401 Rev A under application N/2018/0476 shall be provided on site in accordance with the approved details prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy.

14. Notwithstanding the details submitted, the first and second floors side elevation windows to Unit 7 shall be glazed with obscured glass to level 3 or higher of the Pilkington Scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

15. Full details of the security measures to be incorporated into the development shall be submitted and approved in writing by the Local Planning Authority. The development shall be carried out in accordance the approved measures, which shall be in place before the occupation of the residential accommodation hereby approved.

Reason: To ensure a satisfactory standard of accommodation is provided in the interests of the amenity of occupants in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order amending, revoking and/or re-enacting that order with or without modification), no fences, hedges, gates, walls or any other means of enclosure shall be erected without the prior written consent of the Local Planning Authority, other than those expressly authorized by this permission.

Reason: In order to define the permission and to safeguard the visual amenities of the occupiers of dwellings in the vicinity in accordance with Policy E20 of the Northampton Local Plan.

17. The development shall be undertaken in full accordance with the Construction Environment Management Plan by AGM Construction Services Limited received 10/02/2020 and agreed under planning application N/2018/0476.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework.

18. Full details of a minimum of 14 electric vehicle charging points (1 per unit) for the units hereby approved shall be first submitted to and approved in writing by the Local Planning Authority.

Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

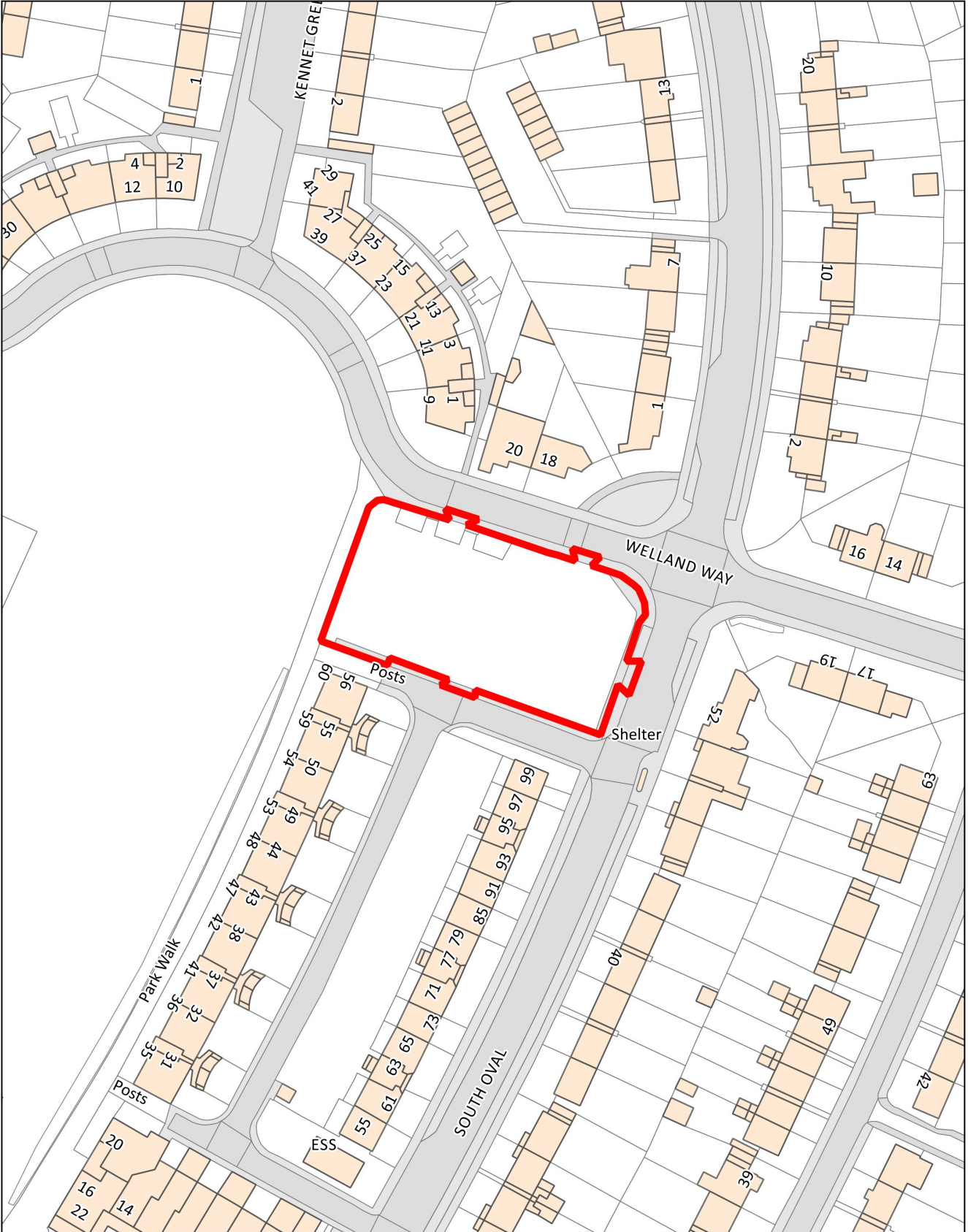
Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document (2019).

## **10 LEGAL IMPLICATIONS**

10.1 The development is CIL liable.

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

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



Title: **Former Silver Cornet Public House site**

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Date: 28-02-2020

Scale: 1:1,000

Drawn by: -----





**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2020/0049

**LOCATION:** Land to east of Kettering Road, Overstone,  
**N:** Northamptonshire

**DESCRIPTION:** Outline application for an urban extension consisting of circa 1600 dwellings; a new section of A43 dual carriageway road; up to 5.95ha of commercial land, including: a local centre (Use Classes A1/A3/A5/D1), assisted living/residential care home (Class C2), conversion of former agricultural buildings to a community hub (Classes D1/A3) and employment (Classes B1/B2/B8); a new 2-form entry primary school; public open space, including allotments and children’s play space; structural landscape planting; and associated infrastructure including drainage features and access (the roundabout, employment site and construction accesses into the site off the A43 being unreserved). (DA/2020/0001)

**WARD:** N/A

**APPLICANT:** Davidsons Developments Ltd and L & Q Estates  
**AGENT:** Pegasus Group

**REFERRED BY:** Director of Planning and Sustainability  
**REASON:** Major Fringe Application

**DEPARTURE:** No

**CONSULTATION BY DAVENTRY DISTRICT COUNCIL:**

**1 RECOMMENDATION**

- 1.1 That Northampton Borough Council **RAISES NO OBJECTION** to the application as proposed, subject to:
- consideration being given to a low emissions strategy to be submitted as part of the reserved matters application(s);
  - A financial contribution towards low emission public transport being sought; and
  - Consideration being given to the allocation of funding for off-site sports provision to be given to sites in the locality, including those within the boundaries of NBC.

**2 THE PROPOSAL**

- 2.1 The application relates to an outline proposal for 1,600 dwellings, commercial land (including a local centre, employment, community hub and residential car home), primary school, open space, a new section of A43 Dual Carriageway, associated infrastructure and enabling works.
- 2.2 The site location plan submitted with the application also indicates a further area of land that is in the ownership of the applicant. This lies outside the allocation area for Policy N3.
- 2.3 The application falls within the boundaries of Daventry District Council, so this application is a consultation, rather than one that will be determined by NBC.

### **3 SITE DESCRIPTION**

- 3.1 The application site forms part of the Northampton North SUE allocation N3 of the West Northamptonshire Joint Core Strategy (December 2014), which makes provision for circa 3,500 dwellings, primary school, 10ha of land providing local employment opportunities; at least one local centre including small scale retail facilities and community and healthcare facilities; and provision of a local multi-modal interchange alongside integrated transport, greenspace and sport and leisure provision.
- 3.2 The land is currently arable land, divided into 8 fields bounded by native hedgerows. There is currently a small group of farm buildings located towards the northern boundary of the site, that are accessed from track off the A43 (Kettering Road).
- 3.3 The site is crossed by overhead lines. It is also crossed by a public footpath that forms part of the rights of way network running between Moulton and Overstone and Sywell Reservoir to Pitsford Reservoir.

### **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 Daventry District Plan.

### **6 National Policies**

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

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

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

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

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

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

Paragraph 178 - Ground conditions and pollution.

Paragraph 187 - assessing and recording archaeology.

Section 5 – housing issues.  
Section 8 - Promoting healthy and safe communities.  
Section 9 - Promoting sustainable transport.  
Section 11 - Making effective use of land.  
Section 12 - Achieving well-designed places.  
Section 14 - meeting the challenge of climate change, flooding and coastal change.

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

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

Policy S1 - Distribution of development  
Policy S3 - scale and distribution of housing development  
Policy S4 - Northampton Related Development Area  
Policy S5 - Sustainable Urban Extensions  
Policy S7 - provision of jobs  
Policy S8 - distribution of jobs  
Policy S9 - Distribution of Retail Development  
Policy S10 - Sustainable Development Principles  
Policy S11 - Low carbon and renewable energy  
Policy C2 - New Developments  
Policy C3 - Strategic Connections  
Policy C5 - Enhancing Local and Neighbourhood Connections  
Policy RC2 - Community Needs  
Policy H1 - Housing Density and Mix and Type of Dwelling  
Policy H2 - Affordable housing  
Policy H5 - Sustainable Housing  
Policy BN2 - Biodiversity  
Policy BN3 - Woodland enhancement and creation  
Policy BN5 - The Historic Environment  
Policy BN7- Flood risk  
Policy BN7A - Water supply, quality and wastewater infrastructure  
Policy BN9 - Planning for Pollution Control  
Policy BN10 - Ground instability  
Policy INF1 - Approach to infrastructure Delivery  
Policy INF2 - contributions to infrastructure requirements  
Policy N1 - The regeneration of Northampton  
Policy N3 - Northampton North SUE  
Policy N10 - Convenience shopping needs outside Northampton town centre

## 6.3 **Settlements and Countryside Local Plan (Part 2) for Daventry District 2011-2029**

Daventry District Council adopted the Part 2 Local Plan in February 2020. The following policies are material to this application:

SP1 - spatial strategy for Daventry  
H08 - housing mix and type  
ST1 - measures to promote walking and cycling  
ENV1 - landscape  
ENV4 - Green infrastructure  
ENV5 - Biodiversity  
ENV7 - Historic environment  
ENV9 - Renewable energy and low carbon development  
ENV10 - Design  
ENV11 - Local flood risk management  
CW2 - open space requirements

Biodiversity SPD (May 2017)  
Housing SPD (July 2017)  
Infrastructure and developer contributions (October 2013)  
Emerging Overstone Neighbourhood plan

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

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

#### 6.5 **Other Material Considerations**

Northamptonshire Minerals and Waste Local Plan 2017 – Policy 28 Mineral safeguarding areas

### 7 **CONSULTATIONS/ REPRESENTATIONS**

7.1 The application is being determined by Daventry District Council, who will be carrying out the statutory and other appropriate consultation.

7.2 To inform this report, internal consultation has been carried out with NBC Public Protection and Planning Policy teams.

### 8 **APPRAISAL**

8.1 The site is supported from a policy context as set out in Policy N3 of the West Northamptonshire Joint Core Strategy. This allows for the development of land, to provide circa 3500 dwellings, employment opportunities, a local centre including small scale retail and community and healthcare facilities (including a 2-form entry primary school), provision of a local multi-modal interchange alongside integrated transport, greenspace and sport and leisure provision. This site has been referred to by the developer as Overstone Green.

8.2 The southern section of the Policy N3 allocation, has been developed as Overstone Leys. Outline consent for Overstone Leys was granted in outline on 27 August 2015 for 2,000 dwellings, a new local centre, food store, new section of the A43 dual carriageway, public house, care home, day nursery, medical centre, retail units, light industry, primary school, public open space and associated landscaping and infrastructure. The site, which is the subject of this application, represents the balance of the SUE allocation.

8.3 As part of the application, archaeological and ecological assessments of the site have been undertaken and appropriate mitigation identified. A flood risk assessment has also been carried out, although the site is of low flood risk.

#### Housing

8.4 The development proposes to include affordable housing of a range of tenures, which is likely to include affordable rent and shared ownership and also indicates the potential to offer an over 55 or a care home.

8.5 A parameter plan has been submitted with the application that sets out maximum thresholds in terms of height. In terms of density, an average of 35 dwellings per hectare is indicated, with lower densities to the edge of the development.

#### Highways

8.6 Access to the development is indicated via three new vehicular accesses. The main access point will be via a three-armed roundabout, a further to the northern part of the site will have a left turn only and is intended to serve the commercial element of the development, whilst the southern

access point is intended as the construction access. This will also have a left turn only arrangement. A new section of A43 dual carriageway is proposed on the site frontage.

- 8.7 The site is close to the bus route that provides a rapid Kettering/Northampton service. The transport assessment submitted with the application proposes additional stops for this service, to serve the development. The long terms strategy is to achieve 5% modal shift away from private motor vehicles.
- 8.8 Additional walking and cycling routes through the development in off road green corridors, linking with the existing right of way network.
- 8.9 In terms of parking, most of the parking will be on-plot, with additional parking provision within individual garages and a few units served by parking courts and on street parking. Pre-application discussions have taken place with the applicant and the local highway authority to inform the masterplan.

#### Community facilities

- 8.10 The proposal includes the retention of the existing farm buildings, which are to be converted for community use. As this is an outline application, so no details of the facility have been submitted at this stage, however the application states that the facility could include meeting rooms, facilities for youths/teenagers, a community café, a satellite library and/or the provision of supporting facilities for a bowling green or other similar outdoor sports facility.

#### Employment

- 8.11 The area designated for employment is located towards the northern section of the development and is intended for small scale Classes B1, B2 and B8 employment uses. This meets the requirement set out in the policy for the wider development of the Northampton North SUE (Policy N3) allocation.

#### Environment

- 8.12 The supporting documents with the application, indicate that a robust landscape framework for the site with structural landscape measures are to be incorporated in the scheme. The layout respects the existing field boundaries and includes additional buffer planting on the north and west boundaries of the site to mitigate the visual effect of the development and wider views from the surrounding countryside and integrate the development into the setting of the Sywell Plateau Landscape Character Area to the north and the Moulton Slopes to the east and west.
- 8.13 Further mitigation is proposed through design, layout and landscaping. Currently there is a Local Wildlife Site at Cowpasture Spinney. This is to be retained and managed to improve and enhance its ecological benefits.

#### Impact on Northampton Borough

- 8.14 The application would in principle meet the policy objectives of the Daventry Local Plan (Part 2) and the West Northamptonshire Joint Core Strategy in respect of the Northampton North SUE. It also provides housing close to the boundary between NBC and DDC, which can make contribution to the five-year housing land supply.
- 8.15 Matters such as ecology, drainage, highways and flood risk, will be the subject of separate consultation with the relevant consultees.
- 8.16 As the site does not abut the boundary of NBC, it is considered that there is no significant adverse impact on the Borough, that has not been previously assessed as part of the policy allocation.

- 8.17 Consultation with this Council's Public Protection team has taken place, who would request that a low emission strategy promoted as part of the reserved matters applications, to include electric vehicle charging points, integration of renewable/low emission technology, integration of renewable/ low emission technology into building design such as low NOx boilers, travel plans, bike schemes, low emission bus services and car clubs to be integrated into the development, to assist with improving air quality and to assist in developing sustainable low carbon producing communities.
- 8.18 The Environmental Health Officer has further commented that a S106 developer contribution should be made to subsidise the local bus service to enable a Euro 6 vehicle to be funded or alternatively funding provided to retrofit any existing bus subject used to service the development to Euro 6 standard (or the equivalent at the time of implementation). The draft head of terms for the S106 are included in the applicants planning statement, which confirm a contribution to public transport will be made.
- 8.19 The draft S106 also refers to a contribution towards off-site outdoor sports provision. It is suggested that consideration should be given to allocating this to facilities within Northampton as well as within DDC boundaries. There are facilities in close proximity to the application site, which could be made more useable if enhanced through investment.

## **9 CONCLUSION**

- 9.1 Given that the site is within the North Northamptonshire SUE, the principle of the development is supported through the adopted development plan.
- 9.2 It is recommended that no objections are made in respect of this application, subject to the inclusion of the low emissions targets and mitigation measures and that consideration is given to allocation of funding for off site sports provision in the locality, including sites within the Borough boundary.

## **10 BACKGROUND PAPERS**

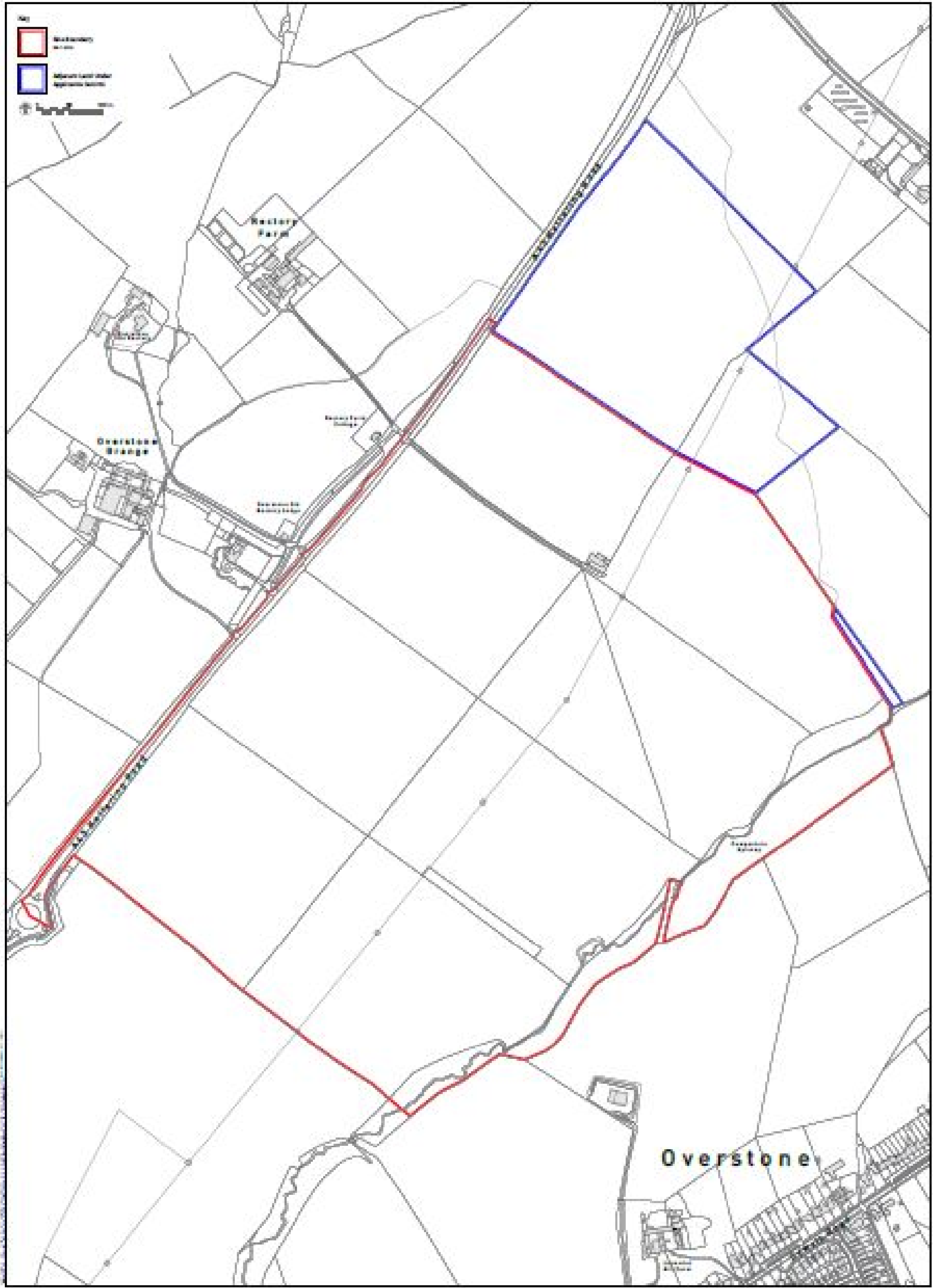
- 10.1 N/2020/0049 & DDC reference DA/2020/0001

## **11 LEGAL IMPLICATIONS**

- 11.1 The development is CIL liable. This will be collected by Daventry District Council or the future charging authority if implementation is post unitary status.

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

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



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**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0202

**LOCATION:** Garage 1 Lock Up Garages, Harold Street

**DESCRIPTION:** Demolition of 11no domestic garages and erection of 2no new build units

**WARD:** Castle 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, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

### 2 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of 11 existing garages and the erection of 2 dwellings. The pair of semi-detached properties would have a combined width of 9.3 metres, and a maximum depth of 11.25 metres. The dwellings would be two storey with a ridge of approximately 7.7 metres. The application site is located within the Boot and Shoe Quarter Conservation Area.

2.2 During the course of the application the proposal has been amended, with the dwellings being repositioned and amended in design to reflect the character of the Conservation Area and protect neighbouring amenity.

### **3 SITE DESCRIPTION**

- 3.1 The application site comprises a garage court located within a residential area. The site is located on the northern side of Harold Street, at the junction with Pytchley Street and comprises two rows of garages. Established trees are positioned on the southern edge of the application site.

### **4 PLANNING HISTORY**

- 4.1 None.

### **5 PLANNING POLICY**

#### **5.1 Statutory Duty**

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

#### **5.2 National Policies**

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

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

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

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

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

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

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

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy BN9 - Planning for Pollution Control

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

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

Policy E20 - New Development (Design)

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

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

Northampton Parking Standards (2019)

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Suggest conditions on contaminated land, vehicle charging points, and boilers, and an informative on construction and demolition noise and working hours.
- 6.2 **NBC Conservation Officer** – Redevelopment of site for housing is appropriate and welcome. Suggest houses are repositioned closer to neighbouring property to better reflect the terrace nature of the streets.
- 6.3 **NBC Arboricultural Officer** – Two hornbeam are to be removed to facilitate the development and replaced with two golden elm. Their position should be determined and agreed on site within the Arboricultural Officer once the development has been completed.
- 6.4 **Northamptonshire Police** – Loss of parking for green space in revised plans results in forcing new residents to park on street where may not be able to observe vehicle and provides a place for flytipping. Recommend sheds moved away from fence line and fencing should be close board fencing and trellis.
- 6.5 **NCC Highways** – No comment on application. Request trees are contained within a tree pit and the species agreed.
- 6.6 Two neighbour letters have been received objecting to the application. The concerns raised can be summarised as follows:
- Rents one of the garages and parks car in it. Concern for safety if can't park in garage.
  - All of the garages are in constant use.
  - There is no street parking available after 6pm.
  - Building new dwelling in highly populated area with no parking is irresponsible.
- 6.7 One neighbour letter has also been received raising comments on the application. The points raised can be summarised as follows:
- No objection to proposed dwellings.
  - Live in urban area where greenery is not very abundant and request the three beautiful specimens of mature trees are saved.

## 7 APPRAISAL

### Principle of development

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

### Design and the Conservation Area

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The application site comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.
- 7.4 The application proposes a pair of semi-detached two storey dwellings with a gable roof. These dwellings face Pytchley Street. During the course of the application the design of the semi-detached properties has been amended to draw on design characteristics of surrounding properties, such as through the use of arched doorway entrances, soldier courses, and a stepped roof to take account of changing land levels.
- 7.5 The Council's Conservation Officer has been consulted on the proposal and raises no objection but suggests the dwellings should be closer to the neighbouring terrace row to continue the appearance of terracing. The proposed location of the semi-detached properties has been studied in detail and the proposed location is the closest the dwellings can be positioned adjacent the neighbouring terrace row without harming neighbouring amenity. It is considered that the proposed position of the dwellings would be acceptable and would not harm the character and appearance of the surrounding street scenes or that of the Conservation Area.
- 7.6 The application results in the loss of two existing trees on the southern side of the site. These trees are considered to have high amenity value to the character and appearance of the street scene and Conservation Area, where soft landscaping is minimal. Design alterations have been undertaken throughout the assessment of this application to try and secure the retention of these trees, however it has been established that in order to provide housing on this site, two of the existing trees will need to be removed (those nearest the corner of the site). To overcome this loss to the character of the area, two replacement golden leaved elm trees are proposed, which once established, will assist in improving the character and appearance of the area.

### **Amenity**

- 7.7 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.
- 7.8 The application site is bordered by Pytchley Street and Harold Street to the south and west and as such would not offer an unacceptable relationship to neighbouring residential properties across these streets. To the north of the application site is 20 Pytchley Street, which contains two residential flats. During the course of the application the proposal has been amended to re-position the dwellings away from these flats to ensure that there is not an unacceptable impact upon the neighbouring occupiers. To the east of the site is 1 Harold Street which presents a blank gable end to the application site. The separation distance between the rear elevation of the proposed dwellings and 1 Harold Street is 6 metres. Although tight, the side elevation of 1 Harold Street does not contain any windows at first floor for a direct overlooking relationship to be provided. It is also the character of the area for properties to be tight up to each other. On balance it is considered that this relationship is acceptable.
- 7.9 It is not considered that there would be an unacceptable impact upon the neighbouring amenity of 1 Harold Street or 20 Pytchley Street as a result of this application.
- 7.10 It is also the case that the proposed dwellings provide good size rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

### **Parking and highway safety**

- 7.11 Concern was raised in a neighbour letter as to the loss of parking within the existing garages, alongside the lack of provision for the proposed dwellings.

- 7.12 The Northamptonshire County Council Parking Standards seek 2 on plot parking spaces per dwelling for 2 bedroom properties. The application proposes no parking spaces. Sheds are provided for each property which could be used for bicycle storage.
- 7.13 The application site as existing provides 11 garages with no external parking. The applicant has advised that 6 of these garages are currently occupied. 1 tenant is not entitled to a new garage as they live outside of Northampton, 4 are being offered garages in Ecton Street, and 1 is being offered a garage in Portland Place. It is the case, however, that the existing garages are not to a size that could be counted as providing existing parking spaces for the site, and as such the existing parking provision on the site must be assessed as nil.
- 7.14 The application as originally submitted included the provision of parking spaces on the southern edge of the site. This resulted in the loss of all trees and grassed spaces from the site. The provision of soft-landscaping was outlined by both the Conservation Officer and Arboricultural Officer as an important feature that contributes to the character and appearance of the Conservation Area. As such it is considered that the retention of soft-landscaping and the ability to provide replacement trees to enhance the street scene on balance outweighs the requirement for parking on this site. This is due to the application site being located within a highly sustainable location, within close walking distance of the town centre, in an area characterised by terraced properties without parking allocation.
- 7.15 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection. In line with this, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.

### **Trees**

- 7.16 Concern was raised within a neighbour letter as to the loss of existing trees on the site. Northamptonshire Police raised concern with the retention of a soft-landscaping area due to fly-tipping opportunities.
- 7.17 The application site as existing contains three trees of a high amenity value to the street scene and character and appearance of the Conservation Area. During the course of the application, the design of the proposal has been amended to try and retain these trees. Unfortunately, it is the case that two of the existing trees must be removed to allow the re-development of the site to proceed. The removal of two trees has been agreed by the Council's Arboricultural Officer subject to two replacement golden leaved elm trees being planted on the open soft landscaping to the south of the site. Precise details on the location of these replacement trees will be required through condition.

### **Other Considerations**

- 7.18 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.19 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and an informative on construction hours. Given that there is no parking, EV charging points cannot be requested. Matters relating to the energy efficiency of buildings are addressed under the Building Regulations and it would not be reasonable to condition the boilers to be installed in the new properties. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.
- 7.20 The Northamptonshire Police recommend the sheds are secure and the fence has flimsy trellis topping. Details on the proposed shed is recommended through condition. The boundary treatments are brick walls due to the location of the site within the Conservation Area.

## **8 CONCLUSION**

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

## **9 CONDITIONS**

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

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

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

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

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

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

4. Prior to the construction of the new dwellings hereby approved above ground floor slab level, details of all proposed external facing materials for the dwellings and for the boundary wall shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

5. Prior to the first occupation of the dwellings hereby approved, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the provision of at least 2 replacement trees on the site.

All planting, seeding or turfing agreed within the approved scheme 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.

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

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof alteration/enlargement 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.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional window(s) shall be installed in the side elevations of the properties hereby approved.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy (2014).

9. Prior to the commencement of the development hereby approved, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include details of how possible damage to the tree roots of the retained tree will be assessed, and what actions will be proposed as a consequence of this investigation. The development shall be undertaken in full accordance with the details approved.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

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

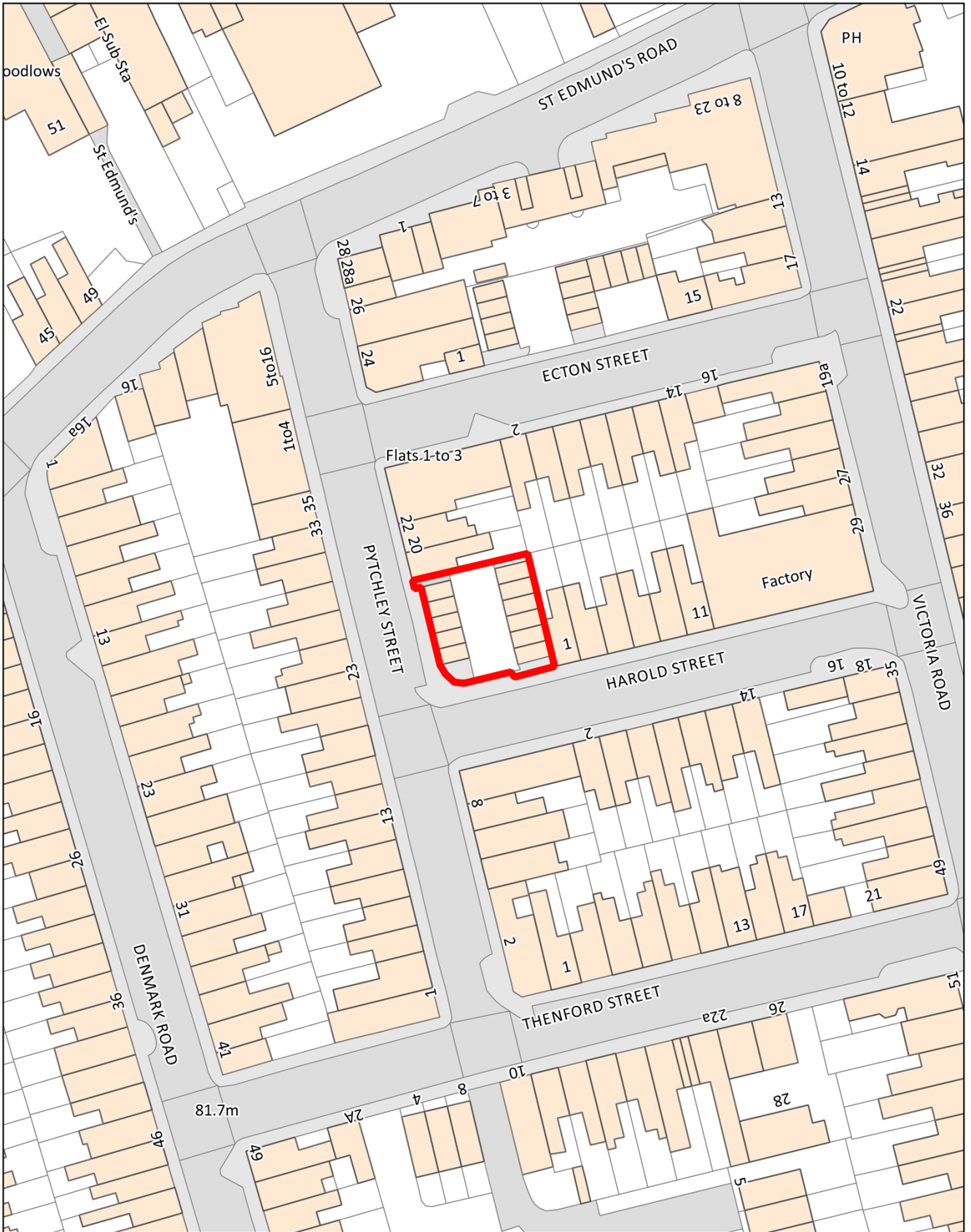
Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

## **10 LEGAL IMPLICATIONS**

- 10.1 The development is CIL liable.

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

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



Title: **Garage 1 lockup garages, Harold Street**

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Date: 28-01-2020

Scale: 1:750

Drawn by: -----





**PLANNING COMMITTEE:** 17<sup>th</sup> March 2020  
**DEPARTMENT:** Planning Service  
**DIRECTOR OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2019/0783

**LOCATION:** Land to rear of 44 East Paddock Court  
**DESCRIPTION:** Development of 4no residential units with associated parking

**WARD:** Brookside Ward

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

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

**DEPARTURE:** No

## APPLICATION FOR DETERMINATION:

### 1 RECOMMENDATION

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

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

### 2 THE PROPOSAL

2.1 The application seeks full planning permission for the erection of a terrace of 4 2-bed properties with associated parking. The proposed row of terraces would have a total width of approximately 20.1 metres, a depth of 9.3 metres and a height of 8 metres.

2.2 14 car parking spaces are proposed with access to the parking area from Hayeswood Road. Due to the change in site levels, the proposed row of terraces would have a broken ridge line, with the properties stepping down to the south. The dwellings would be finished in bricks with a concrete tile roof.

### 3 SITE DESCRIPTION

- 3.1 The application site comprises a grassed area to the south of Hayeswood Road, and to the west of properties on East Paddock Court. Land levels vary considerably on the site, with the land undulating throughout. Neighbouring properties to the east of the site are set higher than neighbouring properties to the south of the site.
- 3.2 To the west of the site is existing play equipment. This play equipment falls outside of the application site and is unaffected by this proposal.

## **4 PLANNING HISTORY**

- 4.1 None.

## **5 PLANNING POLICY**

### **5.1 Statutory Duty**

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

### **5.2 National Policies**

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

Paragraphs 7-12 - Presumption in favour of sustainable development.  
Paragraph 60 - Housing needed for different groups in the community.  
Paragraph 127 - Create places with a high standard of amenity for existing and future users.  
Section 8 - Promoting healthy and safe communities.  
Section 9 - Promoting sustainable transport  
Section 12 - Achieving well-designed places.

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

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

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

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

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

Policy E20 - New Development (Design)

### **5.5 Supplementary Planning Documents**

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

## 6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Suggest conditions on contaminated land, vehicle charging points, and boilers, and an informative on construction and demolition noise.
- 6.2 **NBC Arboricultural Officer** – No objection to the proposal on tree-related grounds. Tree constraints plan identifies a suitable alignment for a protective barrier fence during construction.
- 6.3 **Northamptonshire Police** – Proposed layout complies with crime prevention guidance with parking overlooked and dwellings visible from the road. Concern raised with alleys in the area and request that alley to rear is accessible only by occupiers of the development. Advise that fence line should be supplemented with a trellis topping and sheds away from fence line. Advise that sheds should be secure.
- 6.4 **NCC Highways** – No objection. Request a condition that development is built in accordance with P03 Rev I and an informative advising of the need for a S184 licence.
- 6.5 2 letters have been received objecting to the proposal. The concerns raised can be summarised as follows:
- Believe bungalows would be better as a number of elderly people in the area need bungalows.
  - Privacy concerns as proposed dwellings very close to rear of existing dwellings on East Paddock Court.
  - Family homes will bring more noise pollutions for existing residents.
  - Access difficult to rear of existing properties as a result of development.
  - Concern alleys will become rat-runs for criminal activities.
  - Loss of green space for children to play on.
  - Concerns for children safety from new access road.
  - Concern as to safety during building works, with workers potentially parking on the road and the impact upon bus routes and the nearby school.
  - Question how wide the path is to the rear of the properties (east of the site).

## 7 APPRAISAL

### Principle of development

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

### Design

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF

which advises that planning should always seek to secure high quality design. The application site comprises a grassed piece of land in the middle of a residential estate.

- 7.4 The application proposes 4x2 bedroom dwellings. The proposed dwellings would form a terrace which is positioned sideways to Hayeswood Road. Blank walls forming the end of a row of terraces fronting Hayeswood Road is a character seen within this area, and as such the position of the proposed row of terraces is considered acceptable in design and layout terms. The proposed terrace is two storey with gable end roofs, and steps down in height to the south to accommodate land levels. It is considered that the proposed dwellings would complement the existing area and as such the proposed terrace is acceptable in design terms.

### **Amenity**

- 7.5 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.
- 7.6 The application site had varied land levels, and 41-44 East Paddock Court to the east are set at a higher level than 34-40 East Paddock Court to the south. Due to the varying land levels, level plans would be requested through condition to ensure a suitable relationship.
- 7.7 With regards to 41-44 East Paddock Court to the east, there would be a separation distance of approximately 21 metres between the rear wall of the proposed dwellings and the closest wall of 41-44 East Paddock Court (the conservatory at 43 East Paddock Court), which is considered to be a sufficient separation distance. It is not considered, therefore, that the proposed dwellings would result in unacceptable overlooking or loss of light to these existing residential properties.
- 7.8 With regards to 34-40 East Paddock Court to the south, the proposed dwellings would largely fall in line with the rear elevations of 37 and 38 East Paddock Court. A separation distance of approximately 20 metres is retained between the side wall of the proposed terrace row, which does not contain windows at first floor, and the rear elevation of 37 and 38 East Paddock Court. With a good separation distance, it is not considered that the proposed dwellings would result in unacceptable overlooking or loss of light to these existing residential properties.
- 7.9 The proposed dwelling provides good sized rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

### **Parking and highway safety**

- 7.10 The Northamptonshire County Council Parking Standards seek 2 on plot parking spaces per dwelling for 2-bedroom properties, and as such 8 parking spaces would be required for this development. 14 parking spaces are proposed within this application, providing 6 parking spaces above that required. In line with the Northampton Parking SPD, 4 EV charging points would be required as part of this development through condition.
- 7.11 Concern was raised within neighbour letters as to the safety of the access to this site. Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection to the proposal. As such it is considered that the proposal is acceptable with regards to highway safety.

### **Other considerations**

- 7.12 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.13 In addition, the Environmental Health Officer suggests the inclusion of a condition relating to boilers, and an informative on construction hours. Matters relating to the energy efficiency of

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

- 7.14 Northamptonshire Police recommend that the shed is secure and the fence has flimsy trellis topping. Details on the proposed shed and boundary treatments are requested through condition.

## **8 CONCLUSION**

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

## **9 CONDITIONS**

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: (P)01, (P)03 Rev I, (P)04 Rev C, (P)05 Rev B, (P)06 Rev D, (P)07 Rev G.

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

3. Prior to the construction of the new dwellings hereby approved above ground floor slab level, details of all proposed external facing materials for the dwellings 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.

4. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

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

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

Northamptonshire Joint Core Strategy.

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

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

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

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

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof alteration/enlargement 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.

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

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy (2014).

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

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

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

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

12. Prior to the commencement of the development hereby approved, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include details of tree protection measures for trees on neighbouring sites. The development shall be undertaken in full accordance with the details approved.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

13. Full details of a minimum of 4 electric vehicle charging points (1 per unit) for the units 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 Supplementary Planning Document (2019).

#### INFORMATIVE

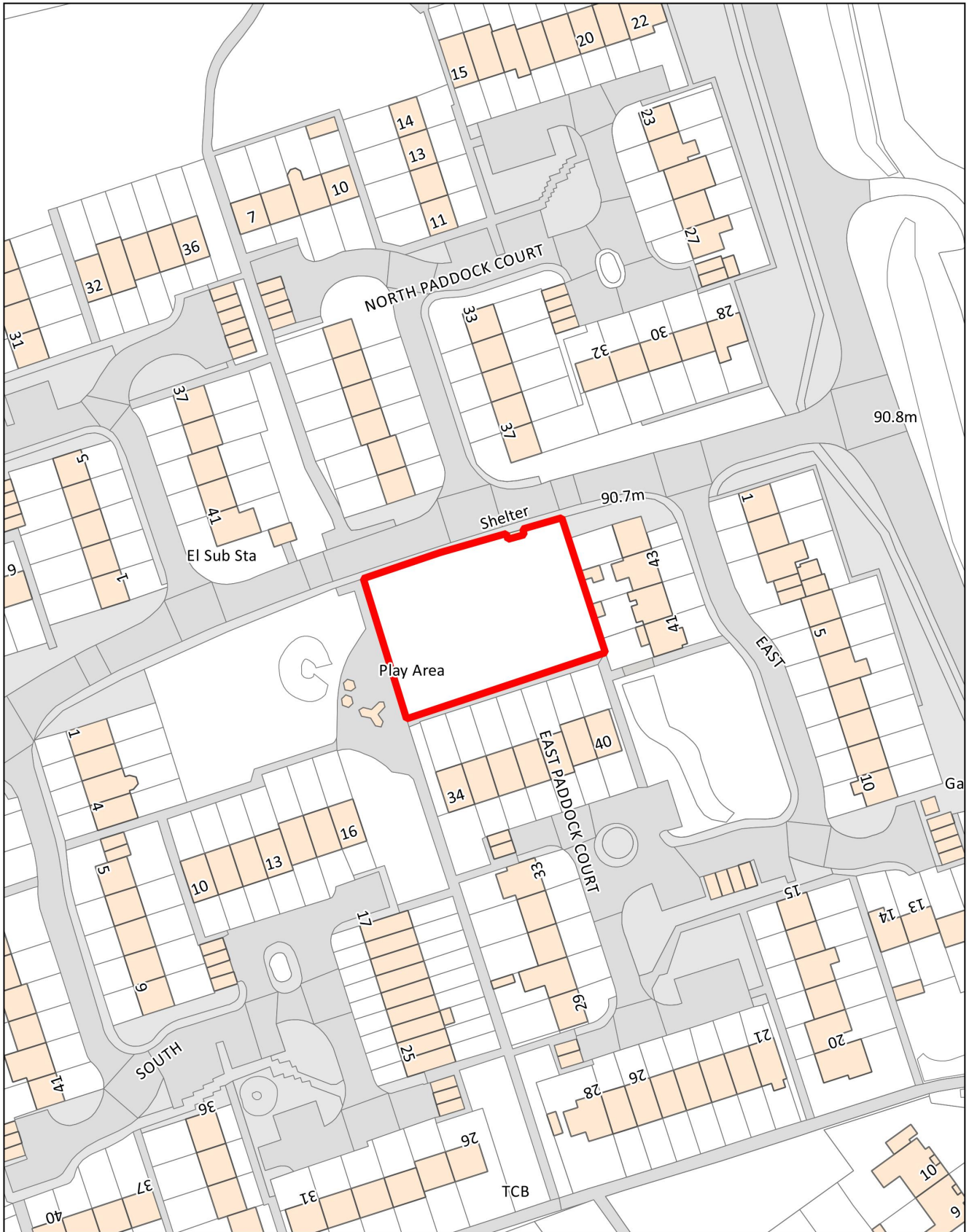
1. The applicant is reminded of the need to apply to Northamptonshire Highways Regulations to a Section 184 licence for the vehicle crossover.

### **10 LEGAL IMPLICATIONS**

- 10.1 The development is CIL liable.

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

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



**NORTHAMPTON**  
BOROUGH COUNCIL

Title: **Land to rear of 44 East Paddock Court**

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Date: 04-03-2020

Scale: 1:1,047

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