



# Strategic Planning Committee

A meeting of the Strategic Planning Committee will be held at The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 19 March 2024 at 2.00 pm

## Agenda

1.	<b>Apologies for Absence and Appointment of Substitute Members</b>
2.	<b>Declarations of Interest</b> Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	<b>Minutes</b> (Pages 5 - 14) To confirm the Minutes of the meeting of the Committee held on 23 January 2024. To confirm the Minutes of the meeting of the Committee held on 20 February 2024.
4.	<b>Chair's Announcements</b> To receive communications from the Chair.
<b>Planning Applications</b>	
5.	<b>2023/7939/FULL - Market Walk Shopping Centre, Market Square Northampton, NN1 2DP</b> (Pages 15 - 56)
6.	<b>2023/6293/RM - Land at Norwood Farm, Sandy Lane, Harpole</b> (Pages 57 - 92)
7.	<b>2023/6485/MAR - Land at Norwood Farm, Sandy Lane, Harpole</b> (Pages 93 - 106)
8.	<b>Exclusion of Press and Public</b> In respect of the following items the Chairman may move the resolution set out below, on the grounds that if the public were present it would be likely that exempt Public Document Pack Page 1 information (information regarded as private for the purposes of the Local Government Act 1972) would be disclosed to them: The Committee is requested to resolve: "That under Section 100A of the Local Government Act 1972, the public be excluded from the meeting for the following item(s) of business on the

	grounds that if the public were present it would be likely that exempt information under Part 1 of Schedule 12A to the Act of the descriptions against each item would be disclosed to them”
<b>9.</b>	<b>Urgent Business</b> The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.

Catherine Whitehead  
Proper Officer  
11 March 2024

### **Strategic Planning Committee Members:**

Councillor Phil Bignell (Chair)	Councillor Kevin Parker (Vice-Chair)
Councillor Ann Addison	Councillor Alan Chantler
Councillor André González De Savage	Councillor Rosie Herring
Councillor Rosie Humphreys	Councillor David James
Councillor Charles Manners	Councillor Ken Pritchard
Councillor Bob Purser	Councillor Cathrine Russell
Councillor Danielle Stone	

## **Information about this Agenda**

### **Apologies for Absence**

Apologies for absence and the appointment of substitute Members should be notified to [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk) prior to the start of the meeting.

### **Declarations of Interest**

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item

### **Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates**

Members are reminded that any member who is two months in arrears with Council Tax must declare that fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

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If you have any queries about this agenda please contact Diana Davies, Democratic Services via the following:

Tel: 01327 322195

Email: [democraticservices@westnorthants.gov.uk](mailto:democraticservices@westnorthants.gov.uk)

Or by writing to:

West Northamptonshire Council  
The Forum  
Moat Lane  
Towcester  
NN12 6AD

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### **Strategic Planning Committee**

Minutes of a meeting of the Strategic Planning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 23 January 2024 at 2.00 pm.

#### **Present:**

Councillor Phil Bignell (Chair)  
Councillor Kevin Parker (Vice-Chair)  
Councillor Ann Addison  
Councillor Alan Chantler  
Councillor André González De Savage  
Councillor Rosie Herring  
Councillor Rosie Humphreys  
Councillor David James  
Councillor Charles Manners  
Councillor Ken Pritchard  
Councillor Bob Purser

#### **Also Present:**

Penny German, Objector  
Councillor Laura Cook, Tiffield Parish Council  
Councillor Fiona Baker, Supporter  
James Hobson, Agent  
Matt Price, Hexa Consulting

#### **Apologies for Absence:**

Councillor Cathrine Russell  
Councillor Danielle Stone

#### **Officers:**

Rebecca Grant, Major Projects Officer  
Katherine Hall, Head of Legal Services - Place  
James Rodger, Interim Assistant Director - Planning and Development  
Nicky Scaife, Development Management Team Leader  
Hayley Usher, Development Management Highways  
Diana Davies, Democratic Services Officer

#### 159. **Declarations of Interest**

There were no declarations of interest.

#### 160. **Minutes**

That, the Minutes of the Strategic Planning Committee of 21 November 2023 be approved and signed as a correct record.

That, the Minutes of the Strategic Planning Committee of 11 December 2023 be approved and signed as a correct record.

161. **2023/6827/FULL St Johns Centre, St Johns Road, Tiffield, NN12 8AA**

The Committee considered the demolition of the existing buildings and erection of a three storey SEND school building and supporting infrastructure which includes a new access arrangement, car parking area, surface water attenuation basin, landscaping, sports facilities (Tarmac Outdoor Physical Education Area – TOPEA), new substation and renewable energy installations.

The Major Projects Officer outlined the information in the report and the late representations and provided a presentation which included location maps, site plans, site layout, building elevations, highways access and photographs from various viewpoints to provide contextual information.

Councillor Gonzalez de Savage arrived at 14.08, during the officer's presentation, and offered his apologies.

The Development Management Manager provided further clarification to complement the Major Project Officer's presentation:

- Material planning considerations for the application - the St. John, Tiffield site would address the need for SEND provision in the former South Northamptonshire area; reduce journey times for children; reduce the Council's home to school transport costs; and would meet the statutory obligations of the council
- Identified the roads for consideration and distinguished the jurisdiction between the National Highways Agency and West Northamptonshire Council
- Highways impacts and highways safety – the increase of traffic to the development was considered to have no measurable influence on the flow of traffic or the junction of the A43 and St. Johns Road
- The National Highways Agency had initially objected to the application. The applicant had subsequently produced a detailed rebuttal and addressed the National Highways Agency concerns. The highways objection to the application had been withdrawn
- Minibuses would be the primary access for people to the site, they would have a staggered start and finish time which would be varied to the adjacent Gateway school. Access conditions were included in the Travel Plan and the Park Management Strategy

Penny German addressed the Committee and advised that, whilst in principle supported the application for the SEND school, would raise concerns regarding;

- Traffic safety issues on the A43 crossing
- The proposed routing of additional traffic
- Requirement for a safe Travel Plan
- Impact of the number of vehicle movements on local villages and the resulting safety concerns
- Concern regarding the basis of the statics quoted for vehicle movements

- Arrival and Departure times of the new SEND school conflicting with other local schools and the impact of traffic movements on the local highways network.
- Mitigation of the safety risk and impact on village residents not considered during roadworks on the A43
- That the Traffic Plan did not take into account the additional traffic from the proposed employment development sites on the A43 at Bell Plantation

Councillor Laura Cook, Tiffield Parish Council, and advised that, whilst in principle supported the application for the SEND school, would raise concerns regarding;

- Nationally recognised traffic models did not take into consideration local knowledge, daily experience and driver behaviours.
- Accidents and near misses were regularly witnessed by locals on the A43 junction
- Proposed developments along the A43 would increase the volume of traffic and road safety risks. The proposed development for DHL predicted a vehicle passing that Junction on the Northbound A43 every two seconds
- Safety concerns raised that the Traffic Management Plan would enable the additional traffic to use the A43
- The shortness of the deceleration Lane

Councillor Fiona Baker, Cabinet Member for Children, Families and Education, addressed the Committee in support of the application and its importance;

- National shortage of Education places for children and young people with special educational needs and disabilities
- Fulfil the need for St. John's trust need to provide education site for deprived children
- West Northamptonshire County Council had a statutory duty to provide education for the SEND cohort
- Provision of a purpose built, dedicated school within Northamptonshire would; reduce travel time for children; ensure that children and young people with additional needs had access to appropriate education; reduce the pressure placed on mainstream schools; reduce the social isolation and the resulting impact on mental health
- Had addressed highway concerns and mitigating the impact of the increased traffic in the area and associated risks and would anticipate continued consultation
- Occupation of the school would be gradual which would provide an opportunity for review of issues arising.

James Hobson the Agent, attending with Matt Price, Hexa Consulting, addressed the Committee in support of the application and outlined the benefits of the development;

- Would meet the Councils statutory obligation for SEND provision, current and future requirements
- Site was considered to be in the optimum geographical location to serve the needs of the pupils within the catchment area
- Reduction of travel times for children
- Would be delivered within the project delivery time scale – 2025

- Referred to West Northamptonshire Councils development plan policies - supported the growth of schools and their importance role for communities
- Utilisation of a derelict site for the creation of a community education hub
- Had conducted a very robust approach to highway safety and Junction capacity; and taken account of predicted the future level of trip generation and impacts on St. John's Road and the A43 junction
- Anticipated the landscape impact to be in commensurate with existing modern buildings
- The development would achieve a biodiversity net gain exceeding 10% With, the protection of the great crested newts being subject to planning conditions and badgers being protected by the operation of a two-phase construction strategy to ensure sustainability
- Energy Efficiency standards, delivery, where practicable, net zero carbon in operation of building

During the course of the Committee, members gave consideration to:

- National Highways reasons for objection to the application and subsequent response withdrawing the objection
- The length of the deceleration lane into St. Johns Lane and the safety assessments carried out on the junction with the A43
- The reduction in journey times and home-school transport costs
- Safety concerns regarding; pedestrian and cycle access across a 70mph road; and vehicles crossing the junction of A43; inclement weather; poor visibility
- Travel Plan and whether a specified route could be adopted for; accessing the site; and possible alternatives measures to mitigate risk for vehicles transporting children
- Anticipated pupil numbers and percentage using minibus transport, shared taxis and guardian transport vehicles
- Arrival and Departure times and the processes and procedures employed to ensure safety and flow of pupils and associated transport within the site. Concern expressed that the transfer time of pupil from vehicle to building be minimised
- Collision data provided by the Police and the subjective data provided by local residents
- Policy SS2 and the assessment of the buildings compatibility and integration within its surroundings
- September 2025 being the proposed opening date for the school
- Interaction with the existing Gateway School and the proposed sharing of facilities for older pupils
- Catchment area for the pupils, pupils awaiting places and the anticipated demand for SEND places going forward
- Environmental impact of vehicle engines running whilst they wait for pupils to embark/disembark. The applicant would support the inclusion of a bullet point on the travel plan to include measures to stop vehicle idling
- The additional traffic on the highways network and the impact on local villages
- Possible vehicle routing measures to protect Caldecote and Tiffield; the application of a routing condition, and the limitations of which vehicles it could be applied to; the risks of being too prescriptive in the wording – forecasting home locations for future school attendees, home address' of staff



- The applicant's highways assessment and the traffic modelling undertaken
- Speed survey undertaken on St Johns Road and the findings requiring the adjustment of the vision splays

The Development Management Manager summed up members considerations for an additional routing condition: Officers would word the condition in conjunction with highways colleagues and it would be shared with the Chair of Strategic Planning Committee for approval and added to the decision for the planning application.

Councillor Pritchard proposed the application be approved, subject to the inclusion of an additional routing condition to control the movement of West Northamptonshire Council's contracted vehicles, with the wording to be agreed by officers, highways and shared with the Chair. The proposition was seconded by Councillor Purser and on being put to the meeting was declared carried unanimously.

Councillor Gonzalez de Savage did not vote.

In reaching its decision, the Committee considered the officer's report, late representations, presentation, public representations and the Committee updates.

**Resolved:** That Permission be granted subject to the conditions set out in the report and subject to the additional condition:

- Prior to the first occupation of the school hereby permitted, a scheme for the routing of the school mini-buses and contracted taxis to and from the site, including measures to restrict the use during peak traffic times of the internal give-way within the central reservation at the junction of St Johns Road / A43 by such vehicles when travelling southbound on the A43 to and from the school site shall be submitted to and approved in writing by the Local Planning Authority. The school shall operate in accordance with the approved details throughout the life of the development unless the Local Planning Authority gives its written consent to any variation.

With Delegated Authority being granted to the Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

## 162. **Urgent Business**

At the Strategic Planning Committee held on 21 November 2023, the Committee had identified an Action Point during their discussions in relation to Application WNN/2022/1391 Dallington Grange, Mill Lane, Kingsthorpe, Northampton, NN5 7PZ:

The Committee would like the delivery of affordable housing within the SUE to be actioned at the earliest opportunity. That the Chair to communicate the panels concerns to the Executive with a view to changing how the residents are being accommodated within West Northamptonshire. And to provide a response to Committee.

The Chair provided information from Stuart Timmis, Executive Director, Place and Economy, that discussions were taking place with Persimmon Homes with a view to

bringing the development forward and the Committee would be updated when information was available.

The meeting closed at 4.10 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_

### **Strategic Planning Committee**

Minutes of a meeting of the Strategic Planning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD on Tuesday 20 February 2024 at 2.00 pm.

**Present:**

Councillor Phil Bignell (Chair)  
Councillor Kevin Parker (Vice-Chair)  
Councillor Ann Addison  
Councillor Rosie Herring  
Councillor Rosie Humphreys  
Councillor David James  
Councillor Charles Manners  
Councillor Ken Pritchard  
Councillor Bob Purser  
Councillor Danielle Stone

**Substitute Members:**

Councillor Stephen Clarke  
Councillor Cecile Irving-Swift

**Also Present:**

Mr Harley, Planning Agent

**Apologies for Absence:**

Councillor Alan Chantler  
Councillor André González De Savage  
Councillor Cathrine Russell

**Officers:**

Shaun Robson, Head of Service - Development Management  
Nicky Scaife, Major Projects Team Leader  
Simon Ellis, Head of Development Management  
Katherine Hall, Head of Legal Services - Place  
Diana Davies, Democratic Services Officer

163. **Declarations of Interest**

None declared

164. **Minutes**

**Resolved:** That, the Minutes of the Strategic Planning Committee of 9 January 2024 be approved and signed as a correct record.

165. **Chair's Announcements**

The Chair made the following announcements:

- Due to technical issues the Strategic Planning Committee could not be live streamed.
- Application 2023/7794/MAF was before the committee to consider the proposed height of the building, which exceeded the permissible development of the Development Consent Order (DCO).

166. **2023/7794/MAF - Plot 4, Northampton Gateway Strategic Rail Freight Interchange, Northampton, NN4 0XW**

The Committee considered the Construction of a storage and distribution building (B8 use), including ancillary office space, together with ancillary buildings with associated access, parking, service and yard areas, drainage, landscaping and associated infrastructure.

The Major Projects Team Leader explained that the application was submitted outside of the Development Consent Order (DCO) process as the intended occupiers of the building, required a bespoke distribution building which exceeded the maximum height parameter set by the DCO.

The Major Projects Team Leader outlined the late representation report, which included additional conditions and amended conditions to the officer's recommendations, for the committee's consideration.

The Major Projects Team Leader further outlined the information in the report and provided a presentation which included location maps, site plans, site layout, building elevations, highways access and photographs from various viewpoints to provide contextual information.

Steve Harley, the Agent, addressed the Committee in support of the application providing an overview of the progress of the delivery on the overall site, and outlined the plans and the benefits of the development:

- The Highways consultees had raised no objections to the application
- The site was laid out, ready for the development
- The rail terminal was completed and ready to become operational
- The development would expand the present site and act as an exemplar building
- The DCO for the wider site had required a plot specific drainage system to be provided
- The proposed occupier, a global logistics supplier, required a higher bay than was allowed by the DCO consent order
- Information regarding the distribution network to the site
- The landscaping impact assessment had considered the impacts acceptable. Mitigation measures had been

- Energy efficiencies would include, electric vehicle (EV) charging points in car parks, heat source pumps and photovoltaic panels. With a future plan to feed power back to the National Grid.

During the course of the Committee, members gave consideration to:

- The changing requirement of occupiers for buildings with smaller footprint and taller buildings
- The DCO and the reasons 'Full; applications may be brought before committee. And the need to assess each application on its own merit
- The height and quality of the additional landscaping on the mitigation bund which was covered by the DCO. A landscape management plan would be submitted to the Council.
- The proposed occupancy of the building and the changing requirement of occupiers for specific unit types
- That PV panels should not increase the height, that they would be flush fitting/integrated into the roof
- A routing agreement would be addressed within the DCO for the whole site
- The height of the proposed building and the potential effect on the visual amenity from various perspectives

Councillor Manner requested that the minutes record his hope that the committee would consider robustly any future applications, to increase the height of the units, and the appropriate landscape mitigation measures for the site.

Councillor Pritchard proposed the application be approved in line with officer's recommendations. The proposition was seconded by Councillor Parker and on being put to the meeting was declared carried unanimously.

In reaching its decision, the Committee considered the officer's report, presentation, public representations and the Committee updates.

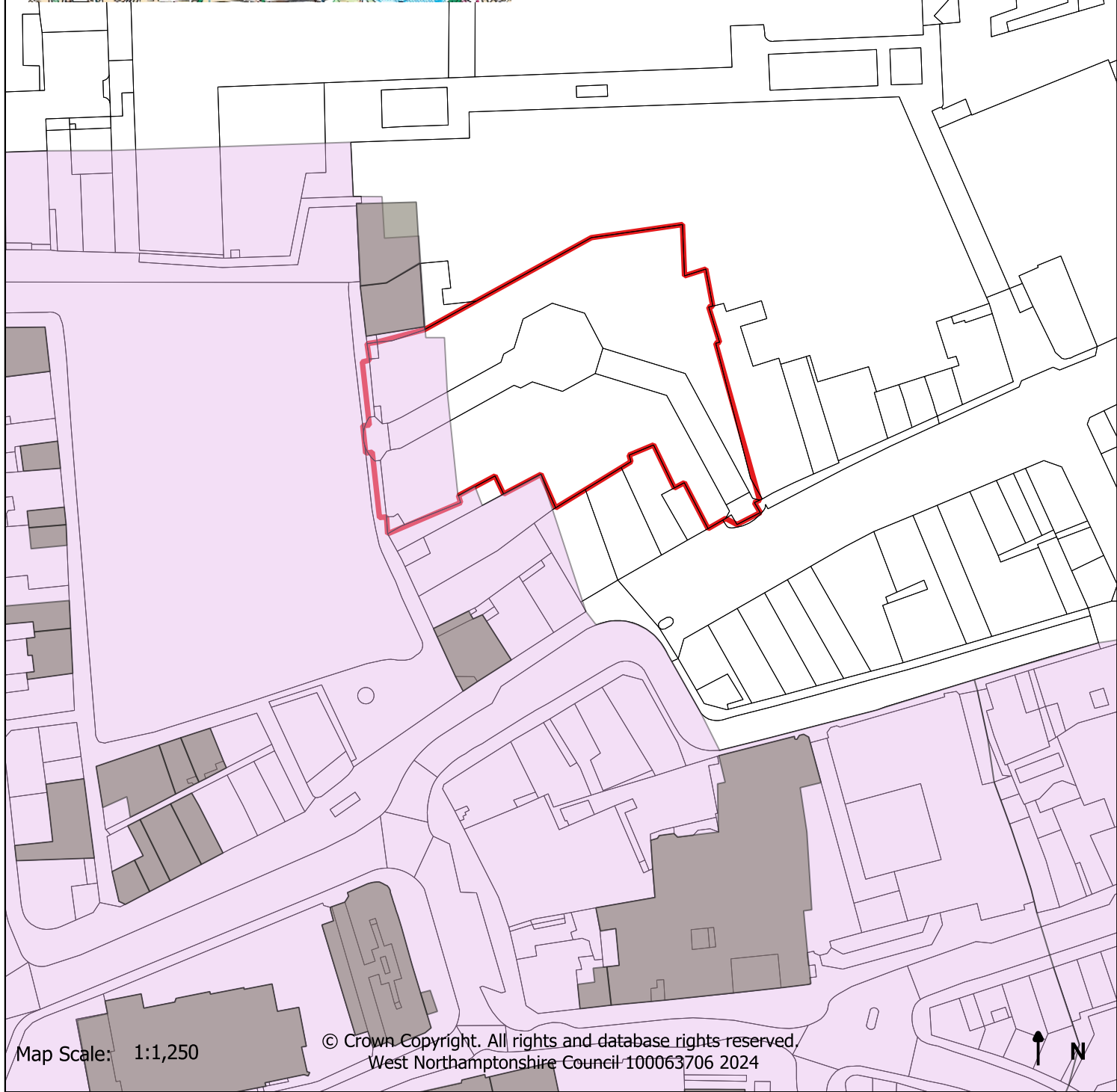
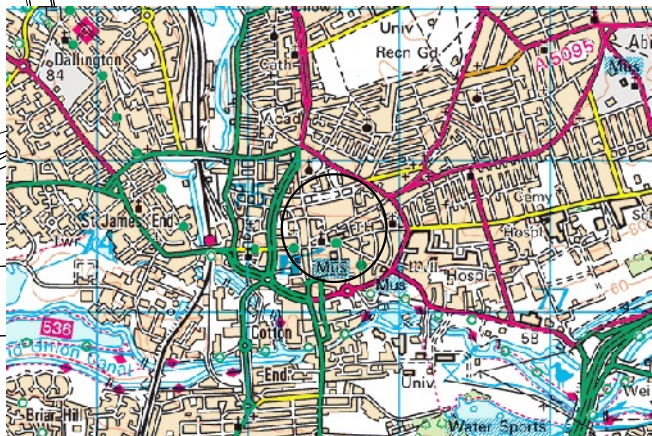
**Resolved:** That permission be granted, subject to delegated powers to the Assistant Director for Planning and Development to resolve any outstanding matters in respect of drainage to the satisfaction of the local planning authority and subject to the following:

1. The conditions as set out in the committee reports with Delegated Powers to the Assistant Director for Planning and Development for any amendments to those conditions as deemed necessary
2. The completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, to secure the following (and any amendments as deemed necessary):
  - a) To ensure the proposed development is made subject to the planning obligations set out in the Northampton Gateway Development Consent Section 106 without which the Planning Permission would not be issued.

The meeting closed at 2.45 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_




Map Scale: 1:1,250

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West Northamptonshire Council 100063706 2024



**2023/7939/FULL**  
**Northampton CP**



 Planning Application

 Conservation Area

 Listed Building

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Map Scale: 1:1,250

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West Northamptonshire Council 100063706 2024

**2023/7939/FULL**  
**Northampton CP**

 Planning Application  
Aerial: 'Latest Available'

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# Planning Committee Report

**Application Number:** 2023/7939/FULL

**Location:** Market Walk Shopping Centre Market Square  
Northampton NN1 2DP

**Development:** Change of Use of Existing Building and Structures to a Mixed Use Building Comprising Uses within Use Class E 'Commercial, Business and Service' and Sui Generis 'Drinking Establishments and Venues for Live Music Performances and Events' with Ancillary Facilities and External Alterations to the Market Square and Abington Street Elevations Including New Entrances, Fascia's and Balconies.

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**Applicant:** Minhoco 76 Limited

**Agent:** Savills (UK) Limited

**Case Officer:** James Paterson

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**Ward:** Castle Unitary Ward

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**Reason for Referral:** Major Application

**Committee Date:** 19 March 2024

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION:**

GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Acting Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

### **Proposal**

Planning permission is sought for the change of use of the existing building and associated structures to a mixed-use comprising uses within Use Class E 'commercial, business and service' and Sui Generis 'drinking establishments and venues for live music performances and events' with ancillary facilities and external alterations to the Market Square and Abington Street elevations including the provision of new entrances, fascia's and balconies.

### **Consultations**

The following consultees have raised **objections** to the application:

- Northampton Town Centre Conservation Areas Advisory Committee

The following consultees have raised **no objections** to the application:

- Environment Agency
- Historic England
- Northants Police, Fire and Rescue
- WNC Environmental Protection
- WNC Heritage and Conservation Team
- WNC Lead Local Flood Authority
- WNC Local Highways Authority
- WNC Planning Policy
- Environment Agency

The following consultees are **in support** of the application:

- Northampton Town Council
- WNC Economic Development
- WNC Regeneration

One letter of objection has been received and no letters of support have been received.

### **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Design and Heritage
- Neighbouring Amenity
- Highways
- Flooding and Drainage
- Ecology

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1 APPLICATION SITE AND LOCALITY**

- 1.1 This application relates to the Market Walk Shopping Centre in the centre of Northampton. This means that the site is within a short walk of all of the goods and services that are available in the town centre as well as the associated

public transport links, such as various bus services as well as being a short walk from the train station.

- 1.2 The bulk of the shopping centre itself is set behind the other buildings fronting Market Square and Abington Street although it also benefits from a substantial presence on Market Square with the shopping centre comprising a significant portion of the frontage on the eastern side of the square, covering the area formerly occupied by the Peacock Hotel. This façade is comprised of a red brick frontage set across three storeys with openings at ground floor level providing access to those commercial units and a mixture of modest window openings of a domestic scale alongside rather grand window openings straddling the first and second floors which are of a likeness to the large glass structure which lies atop the canopied entrance to the centre and emerges above the eaves of the building. The facade itself is symmetrically laid out with the entrance lying in a central position. Modest access points used for servicing are sited at the far end of each side of this principal façade.
- 1.3 The other entrance to the Market Walk Shopping Centre lies on Abington Street. This entrance is far less prominent and sits more quietly in the street scene than the principal Market Square entrance. This entrance comprises a protruding entrance canopy at ground level and associated glass structure above which sits within the context of the adjacent traditionally designed four storey Victorian buildings and the varied shopping frontages along the remainder of the street.
- 1.4 The shopping centre itself is spread across two storeys internally, with the lower ground floor accessed from Market Walk and, due to levels differences internally, the upper ground floor accessed via Abington Street; access between the levels is provided in a large central circular foyer. The first floor of the building does not host any of the publicly accessible commercial units but rather provides private storage space for the units in the shopping centre. The roof of the shopping centre forms the delivery floor with access through the neighbouring shopping centre, the Grosvenor Centre. Although specific details have not been provided as part of the application, officers' understand that the shopping centre has been closed since January 2021 with the associated units being vacant since then.
- 1.5 The All-Saints Conservation Area borders the application site to the west and covers the frontage on Market Square. There are a number of listed buildings bordering the site on Market Square and Abington Street where the application site falls within their setting. Of the most relevance is Beethoven House, a Grade II\* listed building which is immediately adjoining the site to the north-west.

## **2 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 The proposed development is for a change of use of the site from solely Use Class E, which relates to commercial business and service uses, to a mixed use including both Use Class E uses as well as Sui Generis uses relating to drinking establishments and venues for live music performances and events. The change of use would apply across the whole site to enable a flexibility for the proposed operation of the site.

- 2.2 Whilst the application does not seek to tie the proposed use to a particular operator or specific way of operating the site, the Applicant, STACK, who would also manage the site, has set out how they anticipate the site would operate. The overall premise is that the development would be designed to enable maximum flexibility to respond to specific requirements or market conditions which may arise; this would entail a mixture of tenants operating out of the site seeking to provide a wide spectrum of offers to visiting members of the public including bars, food kiosks and other retail uses.
- 2.3 The lower ground floor would largely be given to the entertainment offer associated with the development such as children's entertainment, fitness events and live music. The upper ground floor and first floor would then provide the complimentary Class E uses, alongside drinking establishments.
- 2.4 The proposed change of use would entail a number of internal changes to the shopping centre, such as enlargement of the central foyer area at the expense of some of the commercial units, however it should be noted that these changes do not require planning permission and do not form part of this application.
- 2.5 Externally, changes are proposed to both facades of the building, fronting Market Square and Abington Street. On the Market Square elevation, it is proposed to remove the existing canopy above the entrance to the site and erect a three-storey front extension. The proposed extension would host balconies at first and second floor level while providing a canopy at ground floor level to provide an outdoor seating area. The extension would extend for a width of 34m across the front elevation but would be set 3.5m back from either side boundary so as to not interfere with the existing service accesses at either side of the building. The extension would extend to a depth of 3.5m; the total height of the extension would be 12m and extend no further than the existing ridge height of the building. The design of the extension would clearly be contemporary in nature, making use of dark metal finishes with strong vertical and horizontal lines. The design would likewise make use of shipping container doors as access behind the balconies into the existing building as well as to provide access to the service areas of the building. The ground floor would be given over to shopfronts serving the commercial units there. The Abington Street elevation would be altered to match the contemporary design of the proposed Market Square but would not extend beyond the existing building.

### **3 RELEVANT PLANNING HISTORY**

- 3.1 The following planning history is considered relevant to the current proposal:
- 3.2 N/2016/1693 - Market Walk Shopping Centre, Market Square, Northampton - Change of use of units within Market Walk Shopping Centre from retail (Use Class A1) to a flexible use within Classes A1 (retail), A2 (financial and professional services), A3 (restaurant/cafe) and A4 (drinking establishment). - Approval
- 3.3 N/2019/1356 - Market Walk Shopping Centre, Market Square, Northampton - Removal of existing internal unit division to create open floors at ground and first floor. Change of use of open ground and first floors to flexible multi-class

uses of retail (Use Class A1), financial and professional services (Use Class A2), restaurant/cafe (Use Class A3), drinking establishment (Use Class A4) and hot food takeaway (Use Class A5) inclusive and Leisure (Use Class D2). Change of use of second floor from Retail (Use Class A1) to Hotel (Use Class C1). Alteration to shop front on Abington Street and part removal of atrium roof at roof level. - Approval

- 3.4 N/2020/0198 - Market Walk Shopping Centre, Market Square, Northampton - The conversion of the upper ground floor and first floor level and the construction of a 3 storey extension above to provide student accommodation comprising 355no student bedrooms and bedspaces (mix of cluster and studio types). The removal of four existing units at lower ground floor level and the insertion of two new units within a flexible use of A1 and A3 (shops and restaurants). The change of use of all existing units at ground floor to a flexible use of A1 (shop) and A3 (restaurant). The provision of one retail (use class A1) unit fronting Abington Street at upper ground floor level. Alterations to Market Square and Abington Street façades. - Refusal
- 3.5 N/2021/0414 - Market Walk Shopping Centre, Market Square, Northampton - Partial demolition and conversion of shopping centre and construction of three storey extension to provide student accommodation comprising of 352no bedrooms and bed spaces (mix of studio and cluster types), retention of 2no retail units at lower ground floor level (Use Class E) and 1no retail unit at upper ground floor level (Use Class E) with alterations to Market Square and Abington Street Facades - Refusal

*Officer comment: The most recent two applications (N/2020/0198 and N/2021/0414) were refused on the basis of extensions to the building being of unacceptable design by reason of their scale, massing, proportions and overall design. The applications both included substantial upward extensions amongst various other alterations. This application seeks to address these reasons for refusal by limiting extensions to the addition to the balconies on the Market Square façade and not including any upward extensions which was the principle point of objection from the Council in these previous applications. A second reason for refusal was included in each application which related to occupier amenity which is not relevant to this application.*

- 3.6 WNN/2022/0410 - Change of Uses previously granted under planning to incorporate Flexible Retail Use on Level One, a Pod Hotel on Level 2 and new Residential Uses on Levels 2 and 3 with additional new built Levels 4 and 5 to provide solely Residential Accommodation. Approved in Principle subject to completion of S106. Northampton Planning Committee 14<sup>th</sup> March 2023. S106 not completed.

## 4 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 4.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 4.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

#### Development Plan

- 4.4 West Northamptonshire Joint Core Strategy (Local Plan Part 1)
- SA - Presumption in Favour of Sustainable Development
  - S1 - The Distribution of Development
  - S2 - Hierarchy of Centres
  - S7 - Provision of Jobs
  - S8 - Distribution of Jobs
  - S9 - Distribution of Retail Development
  - S10 - Sustainable Development Principles
  - C2 - New Developments
  - BN2 - Biodiversity
  - BN5 - The Historic Environment and Landscape
  - BN7A – Water Supply, Quality and Wastewater Infrastructure
  - BN7 – Flood Risk
  - BN9 - Planning for Pollution Control
  - N1 - The Regeneration of Northampton
  - N12 - Northampton's Transport Network Improvements

*Officer Note: Please note that Policy N2 (Northampton Central Area) was superseded by Policies RS5 and CRC1 of the recently adopted Northampton Local Plan Part 2 (2011-2029) and no longer forms part of the development plan.*

- 4.5 Northampton Local Plan Part 2 (2011-2029)
- SD1 - Presumption in Favour of Sustainable Development
  - Q1 - Placemaking and Design
  - Q2 - Amenity and Layout
  - Q3 - Carbon Reduction, Community Energy Networks, Sustainable Design and Construction, and Water Use
  - Q4 - Health and Wellbeing
  - RS1 - Supporting Northampton Town Centre's Role
  - RS2 - Regeneration Opportunities in the Central Area
  - RS5 - Development of Main Town Centre Uses
  - CRC1 – New retail developments and retail impact assessment
  - ENV3 – Supporting and Enhancing Biodiversity
  - ENV6 – Protection and Enhancements of Designated and Non-Designated Heritage Assets



- MO1 - Designing Sustainable Transport and Travel
- MO2 - Highway network and safety
- MO4 - Parking standards

*Officer Note: Please note that the Northampton Central Area Action Plan (CAAP) (2013) was superseded by the recently adopted Northampton Local Plan Part 2 (2011-2029) and no longer forms part of the development plan*

#### 4.6 Material Considerations

- National Planning Policy Framework (NPPF) (December 2023)
- National Planning Practice Guidance (NPPG)
- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards
- Building Frontage Appraisal Market Square and Abington Street, Northampton (2008)
- Shopfront Design SPD
- All-Saints Conservation Area Appraisal

### 5 **RESPONSE TO CONSULTATION**

5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

<b>Consultee Name</b>	<b>Position</b>	<b>Comment</b>
Anglian Water	No comment received	
Environment Agency	No comment	No comment to make.
Historic England	No comment	Advise the Council seek views of their specialist conservation and archaeological advisers.
Northampton Town Centre Conservation Areas Advisory Committee	Object	The application site lies within the All Saints Conservation Area and is within the setting of a number of listed buildings. The Northampton Town Centre Conservation Areas Advisory Committee has no objection to the proposed uses and welcomes its contribution to sustainability, by reusing the existing building. It was agreed that its appearance is a significant improvement on the current facade. However, the Committee has concerns about the following aspects of the design of the Market Square frontage. It was noted that the balconies extend beyond the historic building line. The other buildings in the Square are flat fronted. The visual impact of the robust frame was also considered to be intrusive. The 'container' style fascia would be acceptable in an

		'industrial' pop-up, but is not a feature in the conservation area; it would be better rendered to reflect other buildings in the Square. Reference is made in the Rodney Melville Frontage Appraisal 2008 in the supporting documents, but it is not made clear how the design reflects this document. The appraisal stresses the importance of an improved frontage in this location in contributing to the heritage appeal of the Market Square. It was felt that the Abington Street frontage, which contributes to the setting of the conservation area, could be improved to better reflect the character of the buildings in Abington Street.
Northampton Town Council	Support	Welcome and support this planning application to redevelop the former marketplace site into a mixed-use entertainment site. It was commented these plans were the best proposal submitted for this site and it was hoped that the site once complete would contribute to the regeneration and economic growth of Northampton Town Centre”
Northants Police, Fire and Rescue	No objection	“Northants Police has no objections to what is proposed as both the local police Inspector and the police licencing team have been involved in the preliminary discussions leading up to this application. There are stringent licencing conditions agreed between the applicant and the police to address any potential for crime or disorder. To minimise any risk of commercial burglary when the site is closed a comprehensive monitored fit for purpose intruder alarm will be required and any new doors and windows fitted as part of the refurbishment should meet the requirements of a 3rd party accredited security standard such as LPCB LPS1175 SR2 or equivalent.”
WNC Ecology	No comment received	
WNC Economic Development	Support	Officer Summary: The Economic Development Team have indicated support for the proposed development due to the economic benefits the proposed development would be expected to deliver including jobs generation, increased footfall in the town centre and in terms of attracting additional investment to Northampton.
WNC Environmental Protection	No objection, conditions	Officer Summary: Environmental Health have no objections subject to conditions in respect of noise and odour mitigation and hours of use.

Team	required	
WNC Heritage and Conservation Team	Comment	<p>Officer Summary: It is noted that the current building (which was formerly known as Peacock Place) is of no historic and limited design merit.</p> <p>The Conservation Officer has raised concern with regard to the design of the proposed development and the impact on the historic environment although they have not formally objected to the development. The concerns largely lie with the proposed Market Square frontage in terms of its appearance as well as its protrusion into the square which give rise to harm to heritage assets. Concerns have also been expressed with regards to the Abington Street elevation and the comments received indicate that a more sympathetic design to this elevation would be welcomed.</p>
WNC Local Authority	Lead Flood	No comment
WNC Local Highways Authority	No objection	<p>Recommend the following conditions:</p> <p>“Travel Plan Prior to the first occupation of any unit of the proposed development the applicant shall provide a full Travel Plan for written agreement by the local planning authority. The measures identified shall thereafter be carried out in accordance with a timetable to be included in the full Travel Plan.</p> <p>CEMP Prior to commencement of development a Construction traffic management plan shall be submitted to the Local Planning Authority for agreement in writing, after which any demolition, site clearance and construction shall be carried out in accordance with the agreed Construction Management Plan.</p> <p>Cycle Parking It is accepted that there is suitable cycle parking in the vicinity on market square and Abington Street in the form of Sheffield Stands for customers. However, staff cycle parking has not been taken into consideration, as they cannot be expected to leave their bikes in these locations during the whole workday.</p>

		<p>Therefore, cycle parking for staff needs to be accommodated within the development. The details of which can be conditioned, but a suitable area to accommodate enough cycle parking, in line with parking standards and LT/120 needs to be identified.</p> <p>Based upon the floor area given (10759), this would require a minimum for 107 cycles to be securely stored for staff.</p> <p>Servicing Management Plan The LHA requests a suitably worded planning condition for the provision of a Service Management Plan. There are many different units and delivery, servicing and management will need to be coordinated.”</p>
WNC Planning Policy	No comment received	
WNC Regeneration	Support	<p>Support the proposal that will see the transformation of the Market Walk Shopping Centre into a vibrant destination in Northampton Town Centre.</p> <p>The site occupies a strategically important position within the town centre, with Abington Street being a key arterial route through the retail core with a major investment in the public realm taking place this year. The Market Walk Shopping Centre also fronts onto Market Square, a key regeneration site identified in the Town Centre Masterplan, published in October 2019. Introducing a new leisure offering to this area will increase and diversify the existing offer and will support both the regeneration of Market Square and the works taking place along Abington Street.</p> <p>The creation of a space for multiple independent street food operators is proposed, that will serve a wide variety of good quality, modern street food cuisine from local independent traders. A number of retail units would be transformed into bars, each with their own unique look and offer, and there will also be provision for competitive socialising including various leisure activities. The bars and street food units would be located around a communal open seating area focused on a main stage, which would provide a space for</p>

		<p>live music performances and entertainment. The centre would retain active frontages to Market Square and Abington Street. A key element will be to create an external space that offers outdoor drinking and dining.</p> <p>The repurposed Shopping Centre will create a prime destination in Northampton for food, drink and entertainment which will attract local residents and workers, and visitors from neighbouring areas. It will also act as an anchor to support the Council's focus on transforming and enhancing Market Square as a prime events space.</p> <p>It is recognised that the unprecedented levels of change experienced by Northampton's Town Centre in recent times have created a series of challenges it must tackle and overcome, including:</p> <ul style="list-style-type: none"> <li>• Creating a Vibrant and Welcoming Town Centre</li> <li>• Providing the Conditions for Business to Flourish</li> <li>• Creating a Town Centre that Benefits all of our Communities</li> </ul> <p>The redevelopment of the Market Walk Shopping Centre offers an opportunity to meet an identified need for key town centre development, which in turn will encourage footfall and diversify the town centre offering. Without intervention, it is likely that the Market Walk Shopping Centre will remain in a redundant and vacant state following the decline in the retail market and the impact of Covid-19 in the town centre. This is likely to cause a decline in footfall to this part of the town centre, having an adverse effect on the immediate surrounding area and in particular the proposals for Market Square.</p> <p>As confirmed in the Heritage Impact Assessment, the proposed development will provide a clear improvement over the existing condition of the site in relation to surrounding heritage assets, as well as associated public benefits summarised above and in detail within the application.</p> <p>In conjunction with the contemporary improvements to the Market Square, which is also influenced by geometric patterns, visibility</p>
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		<p>and permeability, the proposed improvements to the building façade created by the projecting balconies and recessed seating areas will be complimentary. Both the Market Square and Market Walk proposals will work in close symmetry.</p> <p>Online consultations were held by West Northants Council in September 2020 to determine the community's priorities for investment, gain feedback and opinions on a range of proposed investment areas and determine the challenges / opportunities for the town. The consultation identified that Town Centre Public Realm and Market Walk were seen to be the most beneficial to improving the town centre with regards to regeneration. 51% of all participants identified that the transformation of Market Walk would be extremely beneficial to the town centre. The redevelopment of the former Market Walk Shopping centre by STACK will achieve this goal.</p>
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## 6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

6.1 There has been one letter received by the Council raising the following comments:

- Concerns around investment of public money in the proposed development

Officer comment: This is not a material planning consideration, nor is it directly relevant to this proposal.

## 7 APPRAISAL

### Principle of Development

#### *Policy Context*

7.1 Policy SA of the West Northamptonshire Joint Core Strategy and Policy SD1 of the Northampton Local Plan Part 2 set out that when considering development proposals the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the national planning policy framework. Policies S1 and S2 deal with the distribution of development and the settlement hierarchy within the area.

- 7.2 Policy S7 of the Joint Core Strategy advises on the provision to be made for employment within the plan area including the renewal and regeneration of existing employment sites as set out in Policy E1. Policy S8 deals with the distribution of jobs with new job growth being concentrated within Northampton.
- 7.3 Policy CRC1 of the Northampton Local Plan Part 2 states that the Council will support proposals which meet the criteria set out in the policy. This includes development which delivers retail firstly in the Primary Shopping Area, followed by the wider Town Centre as shown on the Policies Map although priority will be given to additional comparison retail in the town centre. Any retail proposals on sites outside centres in the retail hierarchy will be required to demonstrate compliance with the sequential approach to site selection. Within the defined Primary Shopping Area, development proposals should provide an active frontage and be open for business during the day. Finally, the policy states that the change of use of vacant units into alternative main town centre uses or residential use will be supported if evidence shows that there is a continuous period of vacancy and marketing for 12 months and that there are no realistic prospects of the unit being occupied for its previous use.
- 7.4 Policy RS1 of the Northampton Local Plan Part 2 states that within the town centre, as defined on the policies map, the Council will continue to support proposals and schemes which contribute positively towards the range of retail, leisure and service-based offers and the town's regeneration. In particular, schemes which provide a balanced mix towards meeting the requirements for town centre uses and housing delivery whilst respecting and enhancing the heritage assets will be welcomed. The achievement of a highly digitally connected centre, to accommodate the changing role of Northampton's town centre and to improve visitor experience, will also be supported.
- 7.5 Policy RS2 of the Northampton Local Plan Part 2 supports the regeneration of sites within the town centre and the wider Central Area, which will deliver opportunities for housing and economic development for the benefit of Northampton's residents and the local economy. In particular, regeneration schemes on the sites will be welcomed. Policy N1 of the Joint Core Strategy also supports the regeneration of Northampton through various methods defined in the policy including a focus on Northampton's town centre and central area for office, retail, leisure and service development providing high quality urban design and public realm and protecting its heritage assets and historic character through managed change.
- 7.6 Policy RS5 of the Northampton Local Plan Part 2 states that the Council supports the development of an appropriate mix of main town centre and residential uses in the town centre.
- 7.7 Paragraph 90 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. It states that planning policies should take a number of measures to ensure this; most relevant to this application, decisions should define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes

in the retail and leisure industries, allowing a suitable mix of uses and reflecting their distinctive characters.

7.8 Paragraph 96 of the NPPF states-

Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:

- a) Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

7.9 Paragraph 97 of the NPPF states-

To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- a) Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

*Assessment*

- 7.10 The application site comprises a disused shopping centre in the centre of Northampton town centre, the primary focus in the Council's development plans for the distribution of town centre uses, development generating new jobs and development more generally. Therefore, the principle of bringing the site back into use is supported by planning officers on this basis and represents sustainable development.
- 7.11 The proposed development would bring a number of retail units back into use in a Class E capacity. While the application does not specify the mix of use of the proposed commercial units, it is not required to given the aim of Class E is to maximise flexibility in town centre uses, a number of these units would be brought back into use in a retail capacity (Use Class E(a)) both internally to the shopping centre as well as at ground floor level on both the Market Square and Abington Road frontages. This would take place within the Primary Shopping Area, defined in Policy CRC1, where the provision of retail is supported in principle.
- 7.12 The proposed development also proposes to bring forwards other town centre uses besides retail, namely other uses within a Use Class E use, such as eateries and recreation uses (Use Classes E(b) and Use Class E(d)), as well as complimentary uses which fall under a Sui Generis use, such as drinking establishments and a live music venue. The proposed uses which fall under Class E would be acceptable in this location since they would merely be bringing



vacant commercial units back into use for which their current lawful use is in a Class E capacity, following the abolition of Use Class A (retail) and introduction of Class E in 2020.

- 7.13 In terms of the Sui Generis uses, it is noted that there is a technical requirement in Policy CRC1(c) for vacant retail units being brought back into use in a main town centre use (as defined in Appendix 2 of the NPPF) which are not retail to demonstrate a continuous period of vacancy and that the units have been marketed for 12 months. While there has clearly been a continuous period of vacancy since the shopping centre has been closed for a number of years, no details of the marketing exercise which has subsequently taken place has been submitted as part of the application. Notwithstanding this, officers consider that it is a material consideration that the existing lawful use of the site is not specifically within a retail use but in a Class E use. Therefore, the lawful use of the site is not specifically retail and any Class E can be brought forward on the site without the need for planning permission from the Council. Furthermore, the aims of paragraphs 90, 96 and 97 of the NPPF are noted as is the definition of main town centre uses within the NPPF, which all of the uses proposed as part of this application fall into; it is clear that the NPPF supports main town centre uses within town centres to provide a diverse, robust and vibrant heart to communities. It is also noted by officers that the Development Plan must be in accordance with NPPF and given the aims of the NPPF are clear in terms of supporting town centre uses. Officers have also had regard to the general thread of the Development Plan and other policies supporting town centre uses which weighs in favour of the application. Considering all of the above, officers have therefore not required evidence of a formal marketing exercise seeking to retain the shopping centre in a retail use to have taken place.
- 7.14 Officers have had regard to the requirements of Policy CRC1(2ii) which requires development within the primary shopping area to provide an active frontage and to be open to visiting members of the public during the day. This would be the case here; indeed, the intention of the Applicant is to maintain an active frontage into the evenings and thereby also support the night-time economy of Northampton.
- 7.15 Turning to Policy RS1, it is considered that the proposed development clearly supports the aims of this policy by providing a mixed-use development which provides a range of retail and leisure-based uses. This better responds to the modern demands on town centres by moving away from solely a retail-based offer, as existing, to a varied and robust offer which is able to respond more agilely to changing market conditions. Furthermore, it is considered that the bringing back into use of vacant commercial units supports the overall regeneration aims of the Council in Northampton. This supports the town centre role of central Northampton in accordance with RS1.
- 7.16 The proposal accords with Policy RS2 in that the development would support the regeneration of the town centre and the wider Central Area, which delivers economic improvement and opportunities for the benefit of Northampton's residents and the local economy.

- 7.17 The proposed development also accords with Policy RS5 which seeks to support the provision of town centre uses in the town centre, as is being proposed here.
- 7.18 The proposed development complies with the general aims of the NPPF in that it would provide a new use which would support the local economy and functionality of the town centre as well as opportunities for economic growth and investment. The proposed development would thereby also provide community benefits, such as by encouraging social interaction and cultural facilities.

### *Conclusion*

- 7.19 Overall, it is considered that the proposed development is acceptable in principle and accords with Policies SA, S1, S2, S7, S8, E1, N1, SD1, CRC1, RS1, RS2 and RS5 of the development plan as well as with the aims of the NPPF.

### Impact on Character of Area and Heritage

#### *Policy Context*

- 7.20 Policy Q1 of the Northampton Local Plan Part 2 states that development should be designed to promote and contribute to good placemaking through high quality, beautiful and sustainable design which encourages the creation of a strong, locally distinctive sense of place; a number of criteria are included in the policy to ensure quality design. It also states that to assist in the achievement of good placemaking, new developments should be designed to meet the criteria set out in the policy which deal with placemaking. For major development, a Building for a Healthy Life assessment, or an assessment against equivalent criteria, should be included in the Design and Access Statement.
- 7.21 Policy Q3 of the Northampton Local Plan Part 2 states that applications for major development, including redevelopment of existing floorspace, must include a Sustainability Statement submitted with their planning application, setting out their approach to the issues set out in the policy. All development should take measures to include sustainability measures set out in the policy.
- 7.22 Policy Q4 of the Northampton Local Plan Part 2 states the health and wellbeing of communities will be maintained and improved by requiring major development to demonstrate, through an appropriate health impact assessment, that it will contribute to creating an age friendly, healthy and equitable living environment through meeting the criteria set out in the policy.
- 7.23 Policy ENV6 of the Northampton Local Plan Part 2 states that the Council will require development proposals to conserve and enhance the historic environment and designated and non-designated heritage assets, including historic landscapes. This will be required by following the requirements set out in the policy.

- 7.24 Policy BN5 of the Joint Core Strategy states that designated and non-designated heritage assets and their settings and landscapes will be conserved and enhanced. The policy sets out requirements for development in areas of landscape sensitivity and/ or known historic or heritage significance in order to ensure they secure and enhance their significance. The retention and re-use of disused or underused heritage assets will be supported as will proposals to sustain or enhance the area's understanding of heritage assets.

#### *Statutory Duties*

- 7.25 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.26 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

#### *Site Context*

- 7.27 The site is located to the east of Market Square and to the north of Abington Street; the existing building has frontages onto both of these streets although it is clear the principal façade is that which opens out onto Market Square. This façade is far larger with more commercial units opening directly out from this side of the building compared to the Abington Street façade. The Market Square elevation is also far more sensitive to change both by reason of its exposed nature as well as its historic significance highlighted by it being both within a conservation area and within the setting of numerous listed buildings.
- 7.28 The Market in Northampton was chartered in 1139 and the Market Square constructed in 1235. The Market Square is one of the largest in the country and has been trading for over 700 years; the square informs much of the character of this part of the town centre.
- 7.29 Northampton was subject to a devastating fire in 1675 which has led to much of the built form fronting Market Square being the result of extensive rebuilding; this includes several buildings which date from the 18<sup>th</sup> Century. Many of the earlier buildings in Market Square are listed, including Nos. 5, 8, 12 and 13 Market Square all of which are designated separately as Grade II listed buildings and Nos. 22 and 23 at the junction with Abington Street were built two years after the fire, and are designated as one Grade II listed building. Of more relevance to this application is Beethoven house which immediately adjoins the site and was built in the late 17<sup>th</sup> Century and is a Grade II\* listed building'. Whilst modern development has since been incorporated into the frontages around Market Square, with varying degrees of success, the overall character of the square has remained consistent. This character is somewhat informed by the very defined building line around the square, regularity of fenestration and relatively consistent scale and massing of built form with strong verticality.

- 7.30 Turning to the site itself, the site was originally occupied by the Peacock Hotel which was an impressive coaching inn which provided stabling for horses and opened out into the square. The scale, massing and articulation of the hotel clearly respected its context; although it respected the building line of the square, a modest balcony featured above the entrance which protruded a small way into the square. This was then replaced by the 1960s building by Lesley Cooke, a brutal structure clearly of its time, which was subsequently replaced by the building in situ today (reference: N/1985/LB34).
- 7.31 As is made clear in the Council's 2008 'Building Frontage Appraisal Market Square and Abingdon Street', the current building is of limited design merit. This is due to the form, style and silhouette of the building in conjunction with its bold, unsympathetic and sizeable frontage dominating the eastern frontage of Market Square. The existing building draws the eye away from more characterful and historic buildings which contribute far more positively to the special charm of Market Square.
- 7.32 The Abingdon Street elevation has more of a neutral impact on the character of the street. This façade is unsympathetic, if somewhat pedestrian, in terms of its design and appearance while also drawing the eye due to its protrusion into the street and the large glass gable atop the entrance. While the glass gable does provide some reference to the older parts of the building surrounding it, this gable is still something of an alien feature on this frontage which does little to reference the horizontality of the buildings forming this part of the street.

#### *Heritage Significance*

- 7.33 The frontage of the shopping centre, the subject of this application, occupies a prominent position on the east side of Market Square which lies within the All Saints Conservation Area while also lying adjacent to historically important listed buildings, namely Beethoven House (Grade II\* listed) and Welsh House beyond (Grade II listed). The proposed development would therefore impact upon these designated heritage assets.
- 7.34 Market Square lies within All Saints Conservation and is noted within the conservation area appraisal as one of the key public spaces within the conservation area. The All Saints Conservation Area Appraisal states: 'The Market Square is believed to be one of the largest in England, and although it is still an active market place, the number of stalls has decreased over the years. There are commercial units along all four sides of the square, which maintains the area's commercial activity, enabling the market square to be an active thoroughfare'. Likewise, the Urban Panel, who visited Northampton in 2010 also commented on the Market Square 'The Market Square remains a remarkable asset which has underpinned the identity of the town in the past and must continue to do so. It's location to the side of the crossroads not only produced a major civic space at the heart of the town, but also underlines the importance of Northampton as a meeting of the ways.'
- 7.35 It is clear that the significance of this part of the conservation area is derived by the market square which dominates this part of central Northampton. The

cohesiveness of the building line around the square, the rhythm of the buildings surrounding the square, views across the square and the regularity of fenestration and other architectural details all feed into the overall historic significance of this heritage asset which this development would affect. To this effect, the conservation area appraisal is clear that development in this area must place emphasis on sympathetic high-quality design and materials. The appraisal is also clear that the square has seen a decline in recent years, which various regeneration initiatives from the Council seek to address, and it therefore supports better utilisation of Market Square to add to the vibrancy of the area and draw more people into this historic space.

- 7.36 The development proposed has been assessed against the approved layout proposals for the Market Square and would not infringe on this development. The comments from the Council's Regeneration Team detailed in Section 5.1 of this report set out how the proposal is viewed in the context of the regeneration of the Market Square and the considered benefits of the redevelopment of Market Walk alongside this the Market Square regeneration and wider regeneration of Northampton as a whole.
- 7.37 Turning to listed buildings, the site falls within the setting of numerous listed buildings; officers consider that, in brief, the significance of these buildings derive from a mixture of their age, architectural merit, community value, evidential value and finally their group value. By falling within the setting of these listed buildings, the development would impact their significance by altering important views of these buildings and by changing the nature of Market Square which in turn alters key characteristic of these buildings.
- 7.38 It should be noted that the alterations proposed to the Abington Street façade would not impact the setting of heritage assets since the conservation area lies a good distance from this part of the building and there are no listed buildings within the immediate vicinity of the site.
- 7.39 In summary, the current building on the site is not of any historic or design merit but it lies in an important location within the All Saints Conservation Area and within the setting of numerous listed buildings.

### *Design*

- 7.40 The loss of the existing facades of the shopping centre is welcomed since these are of no architectural merit and relate poorly to their surroundings.
- 7.41 The overall design of the proposed new facades of the building have been evolved to align with the corporate image of STACK which bases its image on an industrial shipping container design which can be readily perceived in elements of the design. The design is distinctly contemporary with a geometric articulation with the Market Square elevation comprising a façade of decorative container shutters offering glimpses of activity within the building throughout the day and evening. The proposal is to create a new building for the town within a conservation area which is distinct and contemporary. The design is therefore clearly intended to contrast, rather than mimic, the existing architecture in the vicinity and within the Conservation Area.

- 7.42 While contemporary design which compliments the character of the area is welcomed, there are elements of the proposed Market Square frontage which are at odds with the prevailing pattern of development in the square. The symmetry of the development, the large openings behind the extensive balconies alongside the materiality and other characteristics of the development cumulatively mean that the new frontage would not sit as comfortably as might a more sensitively designed development which aligns more closely to the guidance contained within the Council's Building Frontages Appraisal, 2008. Notwithstanding this, the overall innovative vernacular of the development alongside the sensitive treatment of the roof and overall height of the development represents a positive and responsive design solution for the site. These positive aspects of the design must be considered alongside the other overall improvements to the site such as bringing a long-term vacant and boarded-up building back into use, the delivery of the Council's regeneration goals as well as the substantial improvements to the vitality of the site that the development would deliver by creating a bustling mixed use development with a very active frontage and strong permeability between the internal offers of the building and the Market Square which is currently lacking.

Turning specifically to the visual impact of extending the building into Market Square, it is noted that this is not typical to the square with building frontages being very designed and regimented. Any erosion of the building line is typically resisted due to it being contrary to the character of the square. It is also noted that no other buildings surrounding the square include balconies or other protrusions beyond the established building line, notwithstanding the existing central entrance canopy to Market Walk which currently protrudes into the Market Square by 3.5m. While it is clear that the extension into the square would give rise to visual impact due to the prominent location of the site, the extension itself would be of a modest depth, marginally larger than the existing canopy, which would not unacceptably dominate Market Square while offering benefits such as an increase in usable floor space, a vibrant and visible frontage as well as supporting and complementing the regeneration of the Market Place itself, the works for which are currently in an advanced state. Although officers consider that a design excluding balconies, or with balconies which protrude no further than the existing building line, would be more sympathetic and sit more comfortably on the site, the benefits of including the extension and associated balconies within the scheme are acknowledged providing an active and integrated frontage that engages with the Market Square.

- 7.43 The proposed new central element on the Abington Street façade utilises the same vernacular as the Market Square façade and would be visually quite similar. The alterations essentially propose to remove the canopy covering the entrance and replace the glass gable with a glass metal framed box. There are elements of the design which officers consider could better reflect the historic building flanking both sides of the glass element, namely responding to the horizontal lines and the overall height. Such alterations to the design would help create a more cohesive appearance. Notwithstanding this, the replacement of the existing canopy and glass gable, which has a neutral impact on the street scene, with a new façade with greater permeability and visual interest

represents a modest improvement over the existing situation and is therefore supported by officers in terms of design.

- 7.44 Officers have also carefully considered the practicalities of the operation of the site, such as the storage and disposal of waste, and consider that these can be accommodated on the site with details left to be agreed via condition.

#### *Health and Sustainability*

- 7.45 The application includes a health impact assessment, as required by Policy Q4 which satisfactorily demonstrates that the development would contribute to creating an age friendly, healthy and equitable living environment.
- 7.46 No sustainability statement has been submitted by the Applicant, which is a requirement for major developments as per Policy Q3. However, it is acknowledged that the site is in a highly sustainable location and there are limited opportunities to retrofit the existing building to materially improve its performance in terms of sustainability. It is also noted that the proposed development seeks to re-use an existing building, rather than demolish and redevelop the existing, which is beneficial in terms of the carbon footprint of the development. For these reasons, officers consider that in this specific case, the details submitted on page 47 of the design and access statement would be sufficient to satisfy Policy Q3.

#### *Harm to Heritage Assets*

- 7.47 The submitted heritage statement surmises that the proposed development would result in no harm to heritage assets. While officers have considered the views put across in the statement, officers are of the view that an element of harm would arise. This is considered to be moderate less-than-substantial harm. In accordance the policy requirements, the level of harm must be assessed and weighed against any public benefits.
- 7.48 Since the significance of the setting of the listed buildings in Market Square is closely tied to that of the conservation area, officers have considered the harm to these heritage assets in tandem.
- 7.49 Officers disagree with aspects of the conclusions in the heritage statement such as reference to the development as being subservient and reminiscent of the Peacock hotel (paragraph 5.4.11). There is agreement on a number of other matters, such as the loss of the existing Market Square façade of the building represents an opportunity to deliver improvements to the site which would enable the site to respond more positively to the special character of the surrounding heritage assets. The development is also considered to include several improvements which would deliver such betterments over the existing building such as a more active frontage and visual engagement with the Market Square. It is also clear to officers that there are substantial public benefits in terms of economic, social, community and regeneration considerations.
- 7.50 Officers consider that there is clearly a level of harm to the Conservation area and setting of nearby listed buildings. The overall design of the building has

responded in some ways to its context but is overall principally concerned with according with the corporate image of STACK which would lead to the development appearance somewhat discordant with its context. This is evident in the provision of extensive openings which provide an unusually high (for the square) void-to-solid ratio, the materiality which does not reference local vernacular as well as an overly symmetrical overall articulation of the façade.

- 7.51 The proposed extension in particular would give rise to some harm. The erosion of the building line on the eastern side of the Market Square would diminish a very important feature of the area from which the surrounding heritage assets derive part of their significance. Likewise, the provision of balconies on the extension would introduce a type of use which is not typical of the Market Square which limits activity to ground floor level and across the square.
- 7.52 Officers consider that the level of harm that would be caused to both the setting of listed buildings and the conservation area would be a moderate degree of less-than-substantial harm.

#### *Justification for Harm and Mitigation*

- 7.53 Historic England's Good Practice Advice Note 2 – managing significance in decision taking in the historic environment advises at paragraph 26 of that document that “if there is any apparent conflict between the proposed development and the conservation of a heritage asset (the All Saints Conservation Area and surrounding listed buildings) then the decision-maker might need to consider whether alternative means of delivering the development benefits could achieve a more sustainable (social, economic or environmental) result.
- 7.54 Historic England advises that such alternative means of providing the benefits should be explored before any balancing exercise of harm to significance versus public benefits, as set out in paragraph 208 of the NPPF, is carried out.
- 7.55 The justification for the overall design development has been provided by the Applicant. This is on the basis of the proposed development being able to deliver a striking and innovative design which would rejuvenate interest in the Northampton town centre and thereby deliver the associated economic, community and regeneration benefits associated with the developments. Officers accept this as forming justification for the overall design approach that has been adopted by the applicant.
- 7.56 In considering the issue of the extension and associated balconies, a robust exercise in viability has not been demonstrated in support of the balconies to demonstrate that they are fundamental to the development and that the development would not be deliverable without them. However, the Applicant has provided an addendum statement in support of the balconies. The statement sets out the changing nature of town centres and specifically the fact that modern eateries and drinking establishments are increasingly important with outdoor space being an integral part of the offer which draws footfall. The statement also makes clear that there is empirical evidence that destinations with balconies or rooftop terraces attract an additional 20% in footfall compared



to venues without; this benefit then extends to more general economic and social benefits. The implication is that without the balconies, the proposed development would be less likely to deliver the public benefits associated with the development which may be less likely to be viable going forwards. Officers accept this as justification in favour of the balconies and consider that an alternative means of delivering the development in a less harmful way, namely without the extensions and associated balconies, has been considered and rejected as not delivering the same level of benefit. Officers do not consider the comparison of the proposed balconies to the modest balcony which served the historic Peacock Hotel is useful since the proposed balconies are extensive and inform much of the character of the building while the historic hotel balcony was a modest and subservient feature which provided some interest without informing its overall character.

- 7.57 Overall, considering the above, officers are of the view that standing advice from Historic England has been followed with regards to the justification and mitigation of harm to heritage assets.

#### *Public Benefit*

- 7.58 Paragraph 208 of the NPPF requires any harm to heritage assets to be weighed against the public benefits associated with a proposed development.
- 7.59 The public benefits in this case are clear to officers. Bringing a long-term vacant significant building in the heart of the town centre back into a viable use which itself would create a new destination to attract footfall and thereby support the vitality of Northampton is a significant public benefit. Other economic benefits also include the generation of new jobs in the town centre, the application details advise that the applicant will employ approximately 160 people (approximately 64 full-time employees and 96 part-time; in addition it is anticipated the tenants that will operate from the site will employ approximately 97 employees split as approximately 60 full-time and 27 part-time, totalling 247 jobs. In addition the proposal would have the potential to increase visitors to the town centre, improve interaction with the marketplace regeneration scheme as well as contributing to the overall regeneration of the town, which is a key objective of the Development Plan and the Council's corporate priorities more generally. The nature of the development would also provide community benefits in that many of the proposed uses of the site entail activities geared towards serving the needs of the community and encouraging social interaction and healthy living. The site is in a highly sustainable location which is readily accessible via sustainable modes of travel and is therefore a site where the Development Plan seeks to direct development which would generate footfall and thereby promote sustainable transport.
- 7.60 Overall, there are clearly significant public benefits associated with the proposed development.

#### *Planning Balance and Conclusion*

- 7.61 The proposed development would provide numerous visual improvements to the character of the area as well as other benefits which would enhance the vitality of the town centre as a whole. However, it is noted that there are also elements of the development which would deliver incongruent elements which would not sit comfortably on the site and would give rise to moderate less-than-substantial harm to heritage assets. Officers also note the multitude of varying public benefits the development would provide. Paragraph 208 of the NPPF requires that where harm to a heritage asset would be less than substantial harm, then that harm should be weighed against the public benefits of the proposal, including where appropriate securing the heritage assets optimum viable use. It is officers' view that the proposed development is of acceptable design and that the public benefits the proposal would deliver would outweigh the identified harm to heritage assets. Officers therefore consider the proposal acceptable in terms of its impact on heritage assets and its impact on the character of the area. The proposal therefore accords with Policies Q1, Q3, Q4, ENV6 and BN5.
- 7.62 Special attention has been paid to the statutory test of preserving or enhancing the character or appearance of the listed buildings and conservation area as set out in Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which it is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the heritage assets, and so the proposal accords with Sections 66 and 72 of the Act.

### Neighbouring Amenity

#### *Policy Context*

- 7.63 Policy BN9 of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that proposals for new development which are likely to cause pollution or likely to result in exposure to sources of pollution or risks to safety will need to demonstrate that they provide opportunities to minimise and where possible reduce pollution issues that are a barrier to achieving sustainable development and healthy communities. This includes reducing the adverse impacts of noise
- 7.64 Policy Q1 of the Northampton Local Plan Part 2 states that development must ensure residents' privacy and adequate levels of sunlight and daylight.

#### *Privacy, Overbearing and Daylight*

- 7.65 There are some residential uses within the upper floors of buildings surrounding the Market Square, albeit the predominant uses remain commercial. It is also noted the adjoining building, Beethoven House, has a recent planning consent for conversion to a House in Multiple Occupation and, therefore, impact on residential amenity is a consideration.
- 7.66 The change of use of the site would not result in physical alterations to the building that would have implications on the outlook of neighbours. Likewise, the alterations to the shopfront on Abington Street would not have additional impacts on neighbours. While it is noted that alterations to the existing glazing

would occur as part of the proposed changes to the Abington Street façade, no views out of the building would be created that could not already be attained from the existing windows either side of the protruding element above the main entrance that is proposed to be changed.

- 7.67 The Market Square façade of the building would be subject to more meaningful extension and alteration. While the extension to the front of this façade would be brought forward by 3.5m to a width of 34m, it is noted that the extension would be set back from the side boundaries of this elevation by 3.5m. The nature of the site fronting the Market Square means that there is a generosity of space around the main entrance of the site, meaning that any impacts would be limited to the immediately adjoining neighbours. While it is noted that the proposed balconies would provide more views from the site towards the square and neighbouring uses and that these views would be more robust views for protracted periods of time throughout the day and evening rather than glimpsed views as existing, these views would not result in an unacceptable loss of privacy to any surrounding uses which are principally formed of commercial uses not sensitive to overlooking.
- 7.68 The unit to the south of this façade is currently in a commercial use and is therefore less sensitive to a loss of amenity; however, by setting the extension 3.5m back from the boundary and due to the modest 3.5 protrusion of the extension, the proposed development would not give rise to unacceptable harm to the amenity of this neighbouring occupier.
- 7.69 The neighbouring unit to the north of the site, Beethoven House, is likewise currently in a commercial use and is therefore less sensitive to a loss of amenity. However, there is an extant permission on that site (reference: WNN/2023/0246) for the conversion of the upper floors of the building from office space (Use Class E) to a large house in multiple occupation (Use Class Sui Generis). The change of use has not yet taken place, but officers have afforded weight to the fact that this could be forthcoming, which would introduce a more sensitive residential use to the boundary of the application site. Notwithstanding this, by reason of the modest protrusion of the extension combined with its being set back from the northern boundary of the site, officers consider that the proposed extension would not give rise to an unacceptable loss of daylight or cause unacceptable overlooking to this neighbour. Likewise, the views that would be possible from the proposed balconies would be too acute to provide invasive views into the windows of this neighbour.

#### *Noise*

- 7.70 Officers note that the proposed use entails supporting the vibrant nightlife in Northampton which requires the playing of live music on the site as well as the late opening hours of drinking establishments. Clearly, this has the potential to create additional noise impacts compared to the existing use of the site as retail units typically open during business hours, and also compared to the uses within Use Class E which the site could reasonably be used as without the need for planning permission.

- 7.71 Planning Officers have been working closely with Environmental Health Officers who have provided advice in relation to noise. A noise impact assessment was submitted during the application process. The report and its conclusions have broadly been accepted by Environmental Health Officers in that the resultant noise impact from all noise sources to be emitted by the proposed development would not have an adverse impact on residential noise sensitive receptors, subject to proposed noise mitigation conditions being attached to any planning permission.
- 7.72 Officers are satisfied with the overall methodology of the noise impact assessment which therefore provides an accurate view of potential noise impacts the development may give rise to. Where there are unknown variables, such as with regard to the uses of the upper floors of the buildings on the west side of Market Square, the worst-case scenario has been considered and assessed as part of this document.
- 7.73 The report has identified that 2 of the 6 residential noise sensitive receptors identified, the upper floors of Market Square and Beethoven House, would be subject to potential adverse noise annoyance from breakout noise from certain elements of the proposed development, if no mitigation measures were taken.
- 7.74 It is considered that restricting the use of the balconies to reasonable hours would address the noise impacts in relation to neighbours within Market Square; officers have included a condition to this effect to control the hours of use in consultation with Environmental Health.
- 7.75 In terms of Beethoven House, planning permission WNN/2023/0245 included a pre-occupation condition which required the installation of a suitable glazing/ventilation scheme that is capable of ensuring internal ambient noise levels of habitable rooms from break-in noise and for a noise assessment to assess noise transmission through adjoining non-residential uses and, if required, to design and install a suitable noise insulation scheme. Therefore, officers consider that it is reasonable to expect suitable noise attenuation to come forward on this neighbouring property as part of the implementing of that planning permission and discharging outstanding conditions. Notwithstanding this, proposed mitigation measures have been proposed in paragraphs 5.5.23 to 5.5.26 of the noise impact assessment. While these measures are appropriate, officers consider that there is a high probability that an enhanced mitigation scheme may be required to be installed to the separating walls of the two developments, to ensure acceptable internal ambient noise levels with proposed bedrooms in Beethoven House can be achieved. Officers are satisfied that this is readily achievable and are therefore content to deal with this matter by way of a planning condition.
- 7.76 In considering the implications of the development in terms of noise, it is noted that the site is in a prominent town centre location where it can reasonably be expected that there would be a higher degree of ambient noise than elsewhere in Northampton.
- 7.77 Planning Officers, in conjunction with the Environmental Protection Team consider that noise can be adequately addressed through the imposition of

various planning conditions pertaining to noise meaning that this does not represent a constraint on granting planning permission and, subject to these conditions, the development would not have an unacceptable impact on the amenity of neighbouring uses by reason of noise.

#### *Artificial Light*

- 7.78 No formal specification of the internal and external lighting arrangement has been submitted as part of the application. Officers are acutely aware of the potential impacts on light spillage into Market Square and Abington Street from inside the development, given that the shopfronts are to be heavily glazed. Likewise, officers are aware that external lighting serving the balcony would also have impacts on the character of Market Square as well as the amenity of neighbours.
- 7.79 Officers are content that it is possible for any impacts from artificial lighting to be mitigated to an acceptable level through the hours of operation of the proposed balconies as well as thoughtful design with regard to lighting more generally. Officers therefore propose this matter is managed via a suitable condition in addition to the hours of use condition referred to above and which has been included in this recommendation.

#### *Conclusion*

- 7.80 Overall, officers consider that, subject to conditions, the proposed development would not give rise to unacceptable harm to neighbours' amenity and would accord with Policies BN9, Q1 and Q2.

#### Highways

- 7.81 Policy C2 of the Joint Core Strategy requires development to mitigate its impacts on the highway.
- 7.82 Policy N12 of the Joint Core Strategy states that the various improvements to the transport network in Northampton will be delivered. This includes by ensuring improved connectivity between existing areas of Northampton for sustainable transport modes to link essential services, facilities and destinations such as retail, education and healthcare; as well as providing improved connectivity to and throughout the town centre from all parts of the town by public transport, walking and cycling.
- 7.83 Policy MO1 of the Northampton Local Plan Part 2 states that in order to deliver a high quality, accessible and sustainable transport network proposals will be required to deliver or contribute to the infrastructure projects which are necessary to make them acceptable. Furthermore, developments should be designed to incorporate, demonstrate and achieve the sustainable travel principles set out in the policy. Applications for major new developments must be accompanied by a Travel Plan. Furthermore, development in the town centre will be expected to contribute towards the creation of new public routes and the facilitation of access, circulation and ease of use.

- 7.84 Policy MO2 of the Northampton Local Plan Part 2 states that subject to consideration of all other relevant plan policies and material considerations, development proposals will be permitted provided there would be no unacceptable impacts on highway safety and that the residual cumulative impacts on the road network are not severe. Furthermore, all development proposals that generate a significant number of traffic movements must be accompanied by a Transport Assessment or Transport Statement. Developments must be designed to allow safe and suitable means of access and site operation.
- 7.85 Policy MO4 of the Northampton Local Plan Part 2 states that new development must meet adopted parking standards and have regard to the principles set out in the Parking Standards SPD. Proposals for transport schemes and major new developments should also provide a car parking management strategy.
- 7.86 Paragraph 115 of the NPPF makes clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.87 Paragraph 116 of the NPPF states that planning decisions should ensure that appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location, safe and suitable access to the site can be achieved for all users, the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code and that d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 7.88 Officers note that the site is in one of the most sustainable locations in West Northamptonshire partly due to the strong public transport links surrounding the application site. The site is within walking distance of much of Northampton and is readily accessible via cycles, buses and trains, with both the main bus station and train station being within a short walking distance. It is also noted that access by private car is accommodated through the various public car parks around the town centre. The site is therefore in a sustainable location and it is considered that the development would support the aims of the Development Plan with regard to sustainable transport.
- 7.89 However, to ensure that the proposed development does not give rise to unacceptable impacts during its construction and operation, various conditions have been required by the Local Highways Authority and have been included by officers relating to servicing and deliveries, a travel plan and construction traffic.
- 7.90 The issue of cycle parking has also been raised in the Local Highways Authority's response. They accept that there is sufficient public cycle parking around the site to accommodate the cycles of visiting members of the public and therefore have requested no addition public cycle parking spaces.

However, they have requested 107 cycle parking spaces to be provided as part of the development to ensure compliance with the Council's parking standards.

- 7.91 Whilst officer opinion is that in view of the sustainable location of the site the extent of cycle parking required in this instance by Highways would be unreasonable, further clarification has been sought from the applicant regarding the extent of cycle parking provision feasible within the site. Notwithstanding this, a condition is proposed requesting further details for secure on-site cycle parking provision.
- 7.92 The proposal is acceptable in terms of transport and accords with Policies C2, N12, MO1, MO2 and MO4.

### Ecology

- 7.93 Policy BN2 of the Joint Core Strategy Local Plan (Part 1) states that development that will maintain and enhance existing designations and assets or deliver a net gain in biodiversity will be supported. In cases where it can be shown that there is no reasonable alternative to development that is likely to prejudice the integrity of an existing wildlife site or protected habitat appropriate mitigation measures including compensation will be expected in proportion to the asset that will be lost. Where mitigation or compensation cannot be agreed with the relevant authority development will not be permitted.
- 7.94 Policy ENV3 of the Northampton Local Plan Part 2 states that the Council will require all development proposals to provide a net gain in biodiversity through the creation or enhancement of habitats. Proposals should enhance natural capital and be designed around the existing components of the ecological network including sites of national or international importance, sites of local importance and other biodiversity assets. The policy also states that applicants are expected to assess the impacts of their proposals on biodiversity, including indirect impacts such as recreational activities. Development that does not achieve biodiversity net gain, and fragments habitats and links will be refused.
- 7.95 It should be noted that this application was validated prior to the introduction of the statutory biodiversity net gain requirements for major developments brought in as part of the insertion of Schedule 7A into the Town and Country Planning Act 1990 as per Schedule 14 of the Environment Act 2021. There is therefore no statutory requirement for the proposal to provide a 10% net gain in biodiversity on the site.
- 7.96 Notwithstanding the lack of statutory instruments requiring a biodiversity net gain, the development triggers the requirement in Policy ENV3 in terms of ensuring an enhancement to the ecology on the site, since this requires all development to deliver this. However, officers recognise that the development is limited in nature being largely confined to a change of use and internal alterations with only alterations to the shop front on Abington Road and the extended shop front on Market Square being the only external alterations being proposed. This, in conjunction with the existing layout of the site, being heavily developed with a car park at roof level, as well as the proposed development meaning the site would be illuminated for much of the evenings, means that

there are very limited opportunities to provide on-site improvements which can realistically provide ecological enhancement. Officers therefore are of the view that the proposed development cannot reasonably accommodate ecological enhancement measures to fully comply with ENV3.

- 7.97 Officers have carefully considered the possibility of a contribution towards off-site ecological enhancements but consider that, on balance, this would be disproportionate to the development being proposed, given its context.
- 7.98 Overall, while the development cannot technically comply with Policy ENV3, officers consider that the proposed development would have an acceptable impact in terms of ecology.

### Flooding and Drainage

- 7.99 Policy BN7 of the west Northamptonshire Joint Core Strategy Local Plan (Part 1) states development proposals must comply with relevant flood risk assessment and management requirements. A sequential approach will be applied to all proposals for development in order to direct development to areas at the lowest probability of flooding unless it has met the requirements of the sequential test and the exception test. All new development, including regeneration proposals, must demonstrate that there is no increased risk of flooding to existing properties, and proposed development is (or can be) safe and shall seek to improve existing flood risk management. The policy also states that all proposals for development of 1 hectare or above in Flood Zone 1 and for development in 2, 3a or 3b must be accompanied by a flood risk assessment that sets out the mitigation measures for the site and agreed with the relevant authority.
- 7.100 Policy BN7A of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) states that development should use sustainable drainage systems, wherever practicable, to improve water quality, reduce flood risk and provide environmental and adaptation benefits.
- 7.101 Policy Q5 of the Northampton Local Plan Part 2 2011 – 2029 states that proposals must demonstrate that they will assist in the management of flood risk, ensure flood risk is not increased elsewhere and provide flood risk reduction / betterment. Proposals must also have regard to relevant guidance for flood risk management. Furthermore, suitable access must be provided and maintained for water supply and drainage infrastructure, sustainable drainage systems must be incorporated into the design of developments. Lastly, surface water attenuation should be provided to the design standard for the Upper Nene Catchment.
- 7.102 Officers note that no flood risk assessment has been provided as part of the application. However, this is not a technical requirement since the application site is under one hectare in size and lies exclusively in Flood Zone 1, which is the designation least likely to flood. In any case, the proposed development includes a change of use, internal changes and extensions which would not significantly increase the footprint of the development at ground floor level.



Officers therefore consider that the proposed development is not at significant risk of flooding and would not increase flood risk on or off the site.

7.103 It is noted that the Lead Local Flood Authority have informally requested various improvements be made to the existing building in order to provide a betterment in terms of drainage, having regard to the sewer system having a limited capacity. While a programme of SuDS and other solutions limiting water run-off would doubtless be an improvement over the existing situation, the Council is limited to assessing the impact of the development forming the planning application. The change of use would have no impact in terms of drainage as would the internal changes which do not require planning permission in any case. The proposed extensions would likewise not give rise to an increase in water-run off from the site given that they will not significantly increase the footprint of the development nor create additional hardstanding around the site. Given the proposed development would have a neutral impact in terms of drainage, officers are not able to require the developer to provide a betterment over the existing arrangement in terms of drainage.

7.104 The proposed development is therefore acceptable in terms of flooding and drainage and therefore Policies BN7, BN7a and Q5.

## **8 FINANCIAL CONSIDERATIONS**

8.1 CIL is not applicable for retail development within the Town Centre.

## **9 PLANNING BALANCE AND CONCLUSION**

9.1 The proposed development would provide numerous visual improvements to the character of the area as well as acknowledged economic and social benefits and would enhance the vitality of the town centre as a whole and would make a positive and complementary contribution to the ongoing regeneration schemes within the Town Centre.

9.2 As referred to in the above report, whilst it is noted that there are also elements of the development which would deliver incongruent elements which would not sit comfortably on the site, particularly in respect of heritage impacts, it is considered that these impacts would give rise to moderate less-than-substantial harm to heritage assets. It is officers' view that the proposed development is of acceptable design and that the public benefits the proposal would deliver would outweigh the identified harm to heritage assets. Officers therefore consider the proposal acceptable in terms of its impact on heritage assets and its impact on the character of the area.

9.3 Officers have carefully considered the planning merits of the application and have tested them against planning law, policy and guidance and are satisfied that, on balance, the scheme accords with the relevant national and local policies and guidance and should be approved.

## **10 RECOMMENDATION AND CONDITIONS**

- 10.1 To grant permission subject to conditions as set out below with delegated authority to the Assistant Director for Planning to approve any amendments to those conditions as deemed necessary.
- 10.2 A full list of conditions is provided below

### **TIME LIMITS AND GENERAL IMPLEMENTATION 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:

2628 Urb Mw 00 Dr A 208100 P00 Site Location Plan  
2628 Urb Mw 00 Dr A 208101 P00 Proposed Block Plan  
2628 Urb Mw Lg Dr A 208150 P00 Proposed Lower Floor Plan  
2628 Urb Mw Ff Dr A 208150 P00 Proposed First Floor Plan  
2628 Urb Mw Ug Dr A 208150 P00 Proposed Upper Floor Plan  
2628 Urb Mw Rf Dr A 208150 P00 Proposed Roof Plan  
2628 Urb Mw Zz Dr A 208250 P00 Proposed Elevations  
2628 Urb Mw Zz Dr A 208251 P00 Proposed Elevations  
2628 Urb Mw Zz Dr A 208350 P00 Proposed Sections  
2628 Urb Mw Zz Dr A 299150 P00 Proposed Site Access Maintenance Servicing

All received 05/12/23

Reason : To clarify the permission and for the avoidance of doubt.

### **CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BEFORE ANY DEVELOPMENT COMMENCES**

3. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors;
  - b) The routing of HGVs to and from the site;
  - c) Loading and unloading of plant and materials;
  - d) Storage of plant and materials used in constructing the development;
  - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours;

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Policies Q1 and MO2 of the Northampton Local Plan and Government guidance contained within the National Planning Policy Framework.

4. No development shall commence until a scheme of noise insulation of party construction between the hereby permitted development and adjacent residential HMO located at Beethoven House, 32 Market Place, Northampton has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall ensure a Noise Insulating Rating Curve of NR20 in all habitable rooms and be fully implemented before the first occupation of the development hereby permitted and remain in perpetuity.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

5. A schedule of materials and finishes to be used in the external finishes of the proposed shopfronts, extensions and balconies shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall thereafter be completed in accordance with the approved details.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies Q1 and ENV6 of the Northampton Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Samples of the exterior materials (including cladding, windows, doors, roofing materials and railings) to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The development shall be carried out in accordance with the samples so approved.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies Q1 and ENV6 of the Northampton Local Plan Policy and Government guidance contained within the National Planning Policy Framework

**CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION**

7. Notwithstanding the submitted details, prior to the first use or occupation of the development hereby permitted, details for the provision of covered and secure cycle parking facilities to be provided on site shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle parking facilities shall be provided prior to the first use of the development hereby permitted and shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason : In the interests of promoting sustainable transport modes in accordance with Policy MO4 of the Northampton Local Plan and Government advice in the National Planning Policy Framework.

8. A full travel plan based substantially upon the submitted Market Walk Shopping Centre, Northampton: Framework Travel Plan (reference: 31446-HYD-XX-XX-RP-TP-6001-P02, dated 22 December 2023, prepared by Hydrock) must be submitted to and approved in writing by the Council prior to first occupation of any part of the development. The development shall be implemented and operate in accordance with the approved Travel Plan thereafter.

Reason: To ensure the development would not give rise to unacceptable highways impacts, in accordance with Policy MO1 of the Northampton Local Plan and with Government advice in the National Planning Policy Framework.

9. A full service and delivery plan shall be submitted to and approved in writing by the Council prior to first occupation of any part of the development. The development shall thereafter operate in accordance with the approved details.

Reason: To ensure the development would not give rise to unacceptable highways impacts, in accordance with Policy MO1 of the Northampton Local Plan and with Government advice in the National Planning Policy Framework.

10. Prior to the commencement of the opening of any retail unit falling into use classification E(b) or Sui Generis involving the preparation, cooking and sale of hot food for consumption on or off the premises, the cooking equipment installed shall have an associated odour control system; details of which shall be submitted to and approved in writing by the Local Planning Authority. The scheme and any required works shall thereafter be implemented and maintained in accordance with the approved details.

Upon completion of all works to implement the approved scheme, testing shall be carried out and a report submitted to the Local Planning Authority to verify the scheme's effectiveness. The scheme approved by Local Planning Authority shall be fully implemented in accordance with the approved details before the use, the subject of this consent, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

Reason: In the interest of surrounding amenity with regard to odour, fume and noise in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.

11. Prior to the commencement of the opening of any retail unit falling into use classification E(b) or Sui Generis involving the preparation, cooking and sale of hot food for consumption on or off the premises, a scheme for the acoustic treatment of the odour control system to prevent the emissions of noise affecting noise sensitive premises shall be submitted to the Local Planning Authority for approval in writing.

Upon completion of all works to implement the approved scheme, testing shall be carried out and a report submitted to the Local Planning Authority to verify the scheme's effectiveness. The approved scheme shall be fully implemented before the use, the subject of this consent, commences. The scheme and any required works shall thereafter be maintained in accordance with the approved details.

Reason: In the interest of residential amenity with regard to odour, fume and noise in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.

12. Prior to the commencement of the use(s) hereby approved a scheme for the storage and collection of waste and recycling shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented and operate in accordance with the approved details at all times thereafter.

Reason: In the interest of public health and safeguarding residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.

### **CONDITIONS TO BE COMPLIED WITH AT ALL TIMES**

13. The use hereby permitted shall be open to customers only during the following times:-

Sunday to Thursday : 10.00 am to 00.00 am

Friday, Saturday and Bank Holidays/Public Holidays: 10.00 am to 01.00 am

Live and pre-recorded music shall only be played internally to the building during the following times

Monday to Thursday: 17.00 pm. to 00.00 am.

Fridays, Saturdays and Bank Holidays/ Public Holidays: 8.00 a.m. to 12.30 p.m.

Sundays : 16.00pm to 01.00 am.

The balconies on the west elevation of the building may not be used by visiting members of the public between the hours of midnight and 8 a.m.

Reason : To protect the amenities of nearby residents and to comply with Policy Q2 of the Northampton Local Plan.

14. The development hereby approved shall only be operated in accordance with the noise mitigation measures recommended in Section 5.6 of the submitted Acoustic Assessment Report, (prepared by RPS Group, reference: 794-ENV-ACO-20326-STACK-Northampton 0.1, dated 13 February 2023).

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

15. No sound-amplifying equipment shall be installed or operated on the balconies or other areas external to the building without the prior written consent of the Local Planning Authority.

Reason : To ensure the creation of a satisfactory environment free from intrusive levels of noise in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

16. Construction work (including deliveries to or from the site and sub-contractors) shall take place on the site outside the hours of 0730 and 1800 Mondays to Fridays and 0800 and 1300 on Saturdays, and at no times on Sundays, Bank Holidays or Public Holidays unless otherwise agreed with the Local Planning Authority.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy 2014.

17. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the level of illumination, angling and cowling of the light sources, an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures necessary to reduce the impact in accordance with The Institution of Lighting Professionals Guidance Note GN01/21 The Reduction of Obtrusive Light. Any lighting shall thereafter be operated and maintained in accordance with the approved details at all times.

Reason: In the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy 2014.

18. The premises shall be used only for purposes falling within Class E or Sui Generis (specifically Drinking Establishments and Venues for Live Music Performances and Events) specified in the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that class in any statutory instrument revoking, amending or re-enacting that order and for no other purpose(s) whatsoever.

Reason: To safeguard the visual amenities of the area and protect the amenities of nearby residents in accordance with Policies Q1 and Q2 of the Northampton Local Plan.

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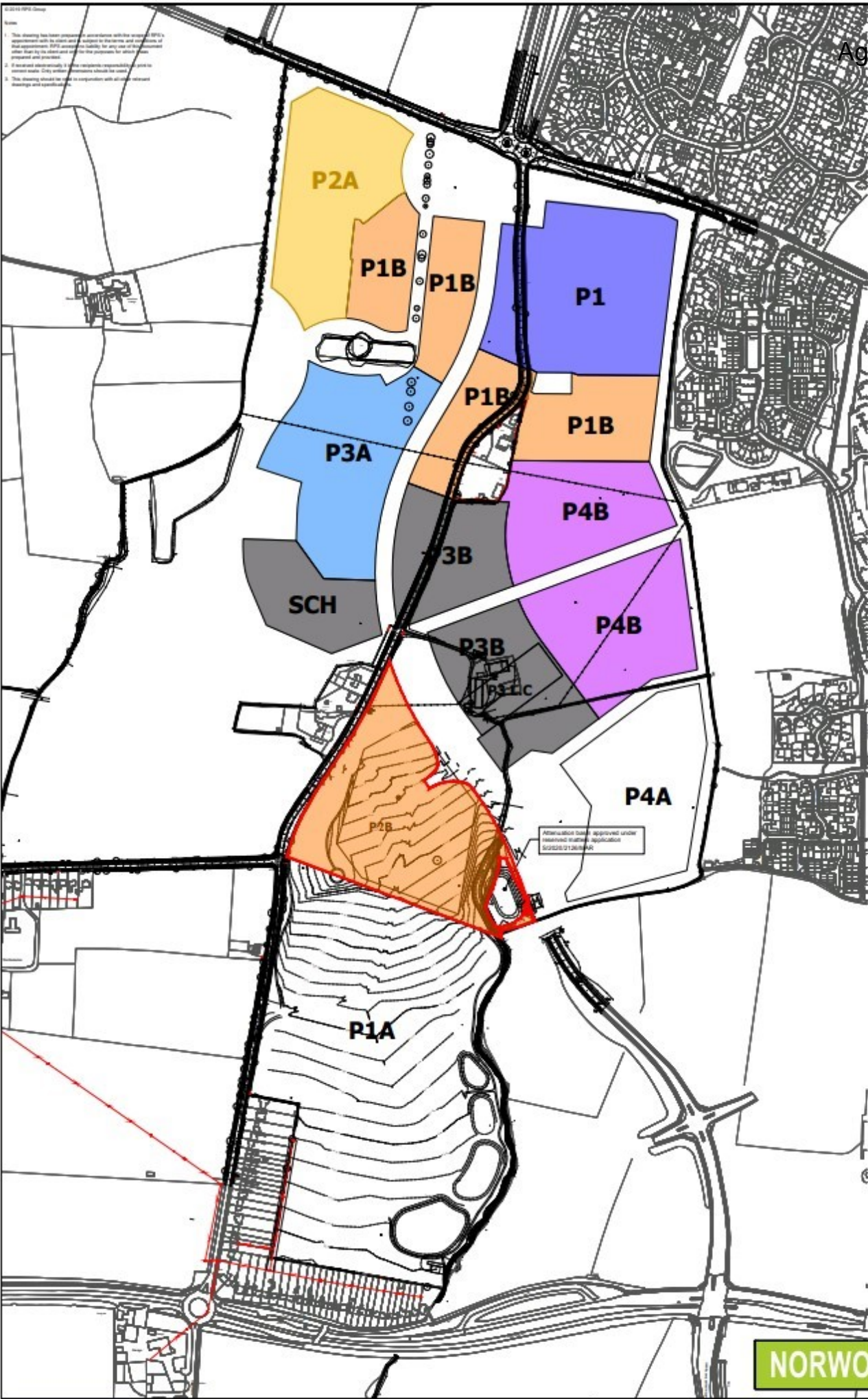
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Notes:

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Site Boundary



NORWOOD FARM Page 57

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# Planning Committee Report

**Application Number:** 2023/6293/RM

**Location:** Land at Norwood Farm Sandy Lane Harpole

**Development:** Application for Approval of Reserved Matters (RM), appearance means of access, landscaping, layout and scale for Phase 2b pursuant to hybrid planning permission S/2016/1324/EIA, at Norwood Farm Strategic Urban Extension (SUE).

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**Applicant:** Vistry Homes Ltd

**Agent:** RPS

**Case Officer:** Chris Burton

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**Ward:** Bugbrooke

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**Reason for Referral:** Reserved Matters Application associated with a Major Application for a Sustainable Urban Extension

**Committee Date:** 19 March 2024

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION:** GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Acting Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

### **Proposal**

Application for Approval of Reserved Matters (RM), appearance, means of access, landscaping, layout and scale for Phase 2b (120 dwellings) pursuant to hybrid planning permission S/2016/1324/EIA, at Norwood Farm Strategic Urban Extension (SUE).

### **Consultations**

The following consultees have raised **objections** to the application:

- British Horse Association , LLFA

The following consultees have raised **no objections** to the application:

- Planning Policy, Environment Agency, Highways, National Highways, Anglian Water

The following consultees are **in support** of the application:

- Strategic Housing

0 letters of objection have been received and 0 letters of support have been received.

## **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Design and Layout
- Density and Mix of House Types
- Affordable Housing
- Highways and Parking
- Open Space and LEAP
- Surface Water and Foul Drainage
- Residential Amenity

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1 APPLICATION SITE AND LOCALITY**

- 1.1 The site extends to an area of 6.59ha. The built development envelope extends to an area of 3.63 ha. Phase 2b is located to the north of Phase 1a, to the south of the Sandy Lane Relief Road (SLRR), to the east of an agricultural buffer between the site and Harpole, and to the west of Norwood Green.
- 1.2 The boundary between Northampton and South Northamptonshire runs broadly north south through the overall site allocation, defined by Policy N9A of the West Northamptonshire Joint Core Strategy Local Plan Part 1. This site lies wholly within the former administrative boundary of South Northamptonshire (known as Norwood Farm); the remaining portion of the N9A allocation (known as Upton Lodge) lies within the former administrative boundary of Northampton Borough. A portion of the overall site to the north lies within the site allocation for Northampton West (defined by Policy N4 in the Joint Core Strategy) and a small

portion of the site to the west falls outside any allocation and lies within open countryside.

## 2 DESCRIPTION OF PROPOSED DEVELOPMENT

2.1 The reserved matters (RM) application relates to Phase 2b within the Norwood Farm SUE. The reserved matters application follows a hybrid consent under reference S/2016/1324/EIA which was granted approval on the 30<sup>th</sup> of June 2020 and is subject to a Section 106 Agreement.

2.2 The description of the hybrid planning application is:

*‘Hybrid planning application seeking both full and outline planning permission for: Part A: Outline planning permission for a sustainable urban extension comprising: Up to 1,900 dwellings (use class C3); Public open space and children’s play areas; Landscape areas, new landscape planting and hydrological attenuation features and sustainable drainage systems; Primary school (use class D1); and Mixed use local centre which may include residential (use class C3), retail (use classes A1, A2, A3, A4 and A5), and health and community facilities (use class D1). Part B: Full planning permission for: Demolition of any on site buildings or structures; and Routing of Sandy Lane Relief Road and associated vehicular access points. Application is accompanied by an Environmental Impact Assessment at Land at Norwood Farm, Sandy Lane Harpole.’*

2.3 This RM application sets out the full details of the access, layout, scale, appearance and landscaping for Phase 2b. This includes for up to 120 homes, 15% affordable housing, amenity open space, a Local Equipped Area of Play (LEAP), neighbourhood park and drainage attenuation area.

## 3 RELEVANT PLANNING HISTORY

3.1 The following planning history is considered relevant to the current proposal:

Application Ref.	Proposal	Decision
S/2016/1324/EIA	Hybrid planning application seeking both full and outline planning permission for: Part A: Outline planning permission for a sustainable urban extension comprising: Up to 1,900 dwellings (use class C3); Public open space and children’s play areas; Landscape areas, new landscape planting and hydrological attenuation features and sustainable drainage systems; Primary school (use class	Approved 30/06/2020

	D1); and Mixed use local centre which may include residential (use class C3), retail (use classes A1, A2, A3, A4 and A5), and health and community facilities (use class D1). Part B: Full planning permission for: Demolition of any on site buildings or structures; and Routing of Sandy Lane Relief Road and associated vehicular access points. Application is accompanied by an Environmental Impact Assessment at Land at Norwood Farm, Sandy Lane Harpole.	
S/2020/1809/NMA	Non-material amendment (NMA) Minor amendments to take into account slight realignment of Sandy Lane Relief Road (SLRR) and minor changes to residential parcels and Public Open Space (POS).	Approved 11/11/2020
WNS/2022/0890/NMA	NMA to provide turning head to reroute traffic via SLRR	Approved 14/07/2022
S/2020/2126/MAR	RM for provision of sitewide road, surface water and foul water drainage infrastructure and associated landscaped open space	Approved 03/11/2021
WNS/2021/1198/MAR	RM for provision of sports pitches, pavilion, country park, play areas and POS	Approved 10/03/2022
S/2020/1958/COND	Condition 5 pursuant to OPP – Phasing Plan	Approved 10/03/2021
S/2020/2107/COND	Condition 6 pursuant to OPP – Design Code	Approved 11/02/2021
WNS/2021/0894/MAR	RM for Phase 1a comprising 439 new homes with associated infrastructure, open space and children's Local Equipped Area of Play, with 15% affordable housing	Approved 09/03/2021
WNS/2022/0292/MAR	RM for Phase 1 and part Phase 1B (as shown on Indicative Phasing Plan 24556 RG-M80 Rev G	Approved 21/07/2022

	dated 20.10.20) for the provision of 349 dwellings	
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## 4 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

### Development Plan

- 4.2 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

### West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LPP1)

- 4.3 The relevant policies of the LPP1 are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S3 – Scale and Distribution of development
- S4 – Northampton Related Development Area
- S5 – Sustainable Urban Extensions
- S6 – Monitoring and Review
- S10 – Sustainable Development Principles
- S11 – Low Carbon and Renewable Energy
- C1 – Changing Behaviour and Modal Shift
- C2 – New Developments
- C3 – Strategic Connections
- C5 – Enhancing Local and Neighbourhood connections
- R1 – Spatial Strategy for Rural Areas
- RC2 – Community Needs
- H1 – Housing Density and Mix and Type of Dwellings
- H2 – Affordable Housing
- H4 – Sustainable Housing
- BN1 – Green Infrastructure Connections
- BN2 – Biodiversity

- BN5 – The Historic Environment and Landscape
- BN7a – Water Supply, Quality and Waste Water
- BN7 – Flood Risk
- BN8 – The River Nene Strategic River Corridor
- BN9 – Planning for Pollution Control
- BN10 – Ground Stability
- INF1 – Approach to Infrastructure Delivery
- INF2 – Contributions to Infrastructure requirements
- N9A – Northampton Norwood Farm/Upton Lodge Sustainable Urban Extension

#### South Northamptonshire Local Plan (Part 2) (LPP2)

- 4.4 The relevant policies of the LPP2 are:
- SS1 – The Settlement Hierarchy
  - SS2 – General development and design principles
  - LH1 – Residential development inside and outside settlement confines
  - LH8 – Affordable Housing
  - LH10 – Housing Mix and Type
  - SDP2 – Health facilities and wellbeing
  - INF1 – Infrastructure delivery and funding
  - INF2 – Community facilities
  - INF4 – Electric vehicle charging points
  - GS1 – Open space, sport and recreation
  - GS2 – Local green spaces
  - HE1 – Significance of heritage assets
  - HE2 – Scheduled ancient monuments and archaeology
  - HE5 – Listed Buildings
  - HE6 – Conservation Areas
  - HE7 – Non designated heritage assets
  - NE2 – Special Landscape Areas
  - NE3 – Green infrastructure corridors
  - NE4 – Trees, woodlands and hedgerows
  - NE5 – Biodiversity and geodiversity
  - NE6 – SSSI and protected species

#### Harpole Neighbourhood Plan (NHP)

- 4.5 The relevant policies of the (NHP) are:
- Policy H2 – Integrated tenures;
  - Policy H3 – Design Principles;
  - H6 – Green Wedges;
  - H9 – Green Infrastructure and Biodiversity;



- H10 – Protecting and Enhancing Local Landscape Character in Harpole Parish;
- Policy H11 – Traffic Management and Transport Improvements;
- H12 – Footpaths/cycleways/connectivity.

## Material Considerations

4.6 Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance
- Nortoft Study: Planning for the Future of Open Space, Sport and Recreation in West Northamptonshire
- Strategic Development Framework (SDF) – Strategic Development Framework – a document produced as a technical guide/evidence base to inform the master planning process and as a tool to guide and co-ordinate future development in West Northamptonshire. It does not constitute planning policy, but it is consistent with and amplifies the LPP1 strategic policy framework of providing a ‘plan-led’ approach to guide development of the SUE’s.
- Northamptonshire Parking Standards
- Outline application S/2016/1324/EIA and Condition Discharges S/2020/1958/COND and S/2020/2107/COND

## 5 RESPONSE TO CONSULTATION

5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council’s website.

Consultee Name	Position	Comment
Sport England	No Comment	No comment to make.
Natural England	No Comment	<p>Natural England has no comments to make on this reserved matters application.</p> <p>Refer to Natural England Standing Advice</p> <p>The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether</p>

		<p>or not this application is consistent with national and local policies on the natural environment.</p> <p>We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.</p>
National Highways	No Objection	National Highways has no objection to the above application.
WNC Highways	No Objection	<p>Following extensive discussions with the applicant's highways consultant and submission of the latest amended documents, the LHA can confirm that it is in a position to remove its previously held objection to this application. The applicant has adequately addressed matters previously raised both within our initial formal response and directly with the Local Planning Authority. This includes a number of minor layout matters, confirmation that the future dualling of the SLRR is not prejudiced by the site layout, an acceptable crossing for the bridleway on the estate road and arrangements for the improvement of PROW (Public Right of Way) KP16 as required by the outline approval.</p>
Archaeology	Recommendation	<p>The area of Phase 2b includes part of an agreed archaeological investigation area, the southern part of which was excavated in Spring 2022 as Phase 1a and included the discovery of a nationally-significant high status early medieval burial. A written scheme of investigation for this area has been in place since 2021.</p> <p>It is disappointing to see no reference to the archaeological works in the submitted documents. The significance of the site has been widely acknowledged and I therefore recommend that the outstanding archaeological area is addressed at the</p>

		earliest opportunity, in order to avoid delays to the construction programme.
British Horse Society	Object	<p>Objection – Having reviewed the plans, relating to ‘appearance means of access’, no detailed information regarding bridleways KP16 and LB1 running through the southern border of the Phase 2b site, has been included. Drawing EDP2561-d0821 Sheet 9 of 13, relevant to ‘Planning Statement’ illustrates these bridleways in outline only. Some small text on this drawing states ‘crossing for pedestrian and equestrian access to be approved as part of Highway Design’. Sheet 9 also sets out an alternative layout for bridleway KP16. Any changes to existing course of public right of way will require permission via the local highways’ authority as per section 257 of Highways Act 1980.</p> <p>With reference to planning application S/2020/2017/COND (associated with 2023/6293/RM) – Design Code Part 1 section 7, (February 2021) sets out the details for non-vehicular access movement relating to the whole Norwood development. Section 7.2 states:</p> <p>“The existing bridleways KP16 and LB1 (where KP16 runs within the Site) will be upgraded to combined footway/cycleways, providing pedestrian and cycle connections from the western part of the Site to St Crispin Drive, south of St Luke’s Primary School. This route is shown on Figure 7.1 and will be a combined footway / cycleway link 3m in width which is surfaced and lit.”</p> <p>These bridleways are used regularly by local horse riders and are already accessible to walkers, cyclists and horse riders. I assume the intention to ‘upgrade’ means there are plans to change the current surface? BHS would appreciate being consulted in order to ensure that any new surface remains suitable for equestrians to use as well as other users.</p>

		<p>BHS would also appreciate input into any crossings being proposed for equestrians to use. There is to be an equestrian crossing over the relief road. Another crossing, over a general road within the development, is described as 'Uncontrolled tactile crossing'.</p> <p>However, no details are included. Ref. S/2020/2126/MAR – docs ADC 2197 DR 100 P2 and ADC 2197 DR 150 P3. Please also refer to BHS response in relation to Norwood development, dated 23.8.21</p> <p>WNS/2021/1198/MAR which also states: "New development plans provide opportunities to improve and extend the bridleway network for the shared enjoyment of equestrians, cyclists and pedestrians." NPPF paragraph 100 also applies." The pandemic has demonstrated how vital it is to provide shared routes. Please refer to further BHS advice via this link <a href="https://www.bhs.org.uk/goriding/access-and-bridleways-advice/">https://www.bhs.org.uk/goriding/access-and-bridleways-advice/</a></p> <p>It is disappointing the green infrastructure plans only include cyclists and pedestrians. Equestrians could have been included to allow a connection between Upton Park and the Duston Road near Upper Harlestone/Harlestone Firs for 'inclusivity' reasons. Equality Act 2010 also relevant.</p> <p>Northamptonshire's Public Rights of Way Improvement Plan has also highlighted the need for increased off-road access for equestrians and more circular routes due to busy roads reducing safe access to already fragmented bridleways. Harlestone, Harpole, Church and Chapel Brampton are large equestrian areas.</p> <p>The governments LCWIP plans are also aimed at all vulnerable road users including equestrians.</p>
Anglian Water	Comment	<p>Foul Water</p> <p>We have reviewed the applicant's submitted document, Levels and</p>

		<p>Drainage Concept AAC5791_RPS_xx_xx_DR_C_2001, and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage. We request that we are consulted on any forthcoming application to discharge Condition 12 of the outline planning application S/2016/1324/EIA, to which this Reserved Matters application relates.</p> <p>Surface Water We have reviewed the applicant's submitted surface water drainage information, Levels and Drainage Concept AAC5791_RPS_xx_xx_DR_C_2001, and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.</p>
Environment Agency	Comment	<p>Environment Agency position Whilst there is headroom to accommodate this development, the data available to us shows that the Great Billing Water Recycling Centre is under stress due to the Dry Water Flow being above 80% for the past 5 years. Please can this situation be taken into account when you are considering any submissions in relation to Condition 12 of the Outline Planning Permission (S/2016/1324/EIA) which we note reads as follows: 'No part of the development shall take place on any phase, sub phase or development parcel until a foul water strategy (as applicable) for that phase, subphase, or development parcel, including connection point(s) and discharge rate, has been submitted to</p>

		and approved in writing by the Local Planning Authority. No dwellings in that phase, sub-phase or development parcel shall be occupied until the works have been carried out in accordance with the foul water strategy so approved, unless otherwise approved in writing by the Local Planning Authority'
Lead Local Flood Authority (LLFA)		<p>Advise that insufficient information has been submitted to demonstrate that the proposed surface water drainage scheme for the development will adequately manage flood risk. Request submission of surface water drainage information to cover the deficiencies.</p> <p><i>Officer note: Further information has been submitted by the applicant and is currently being considered by the LLFA the response of whom will be reported to Committee.</i></p>
Strategic Housing	Support	<p>Please find below my response to the above proposal. In summary I support this proposal.</p> <p>My detailed comments are provided below.</p> <p><u>Proposal</u></p> <p>The reserved matters application for Norwood Farm Phase 2b proposes 120 new homes and is within the Northampton Related Development Area (NRDA).</p> <p><u>Strategic Fit</u></p> <p>The location of the site means it falls within the jurisdiction the South Northamptonshire area for planning related matters and is an allocated site for residential development. The principle of residential development has therefore already been established here and this has been further endorsed by the granting of outline planning application D/2016/1324/EIA</p> <p>West Northamptonshire Council's 2021-26 Corporate Plan commits to providing the highest possible number of</p>

		<p>affordable homes through planning applications. This proposal could help to fulfil this commitment.</p> <p><u>Housing Needs</u>  The West Northamptonshire Strategic Housing Market Assessment (SHMA) 2010 highlights the increasing shortfall of affordable housing across West Northamptonshire. An update to the SHMA demonstrates a district wide requirement of 3300 affordable dwellings by 2029.  The SHMA and local housing needs data indicate that a minimum of 183 new affordable homes are required per annum in the South Northamptonshire area and a further 1,082 per annum are required in the Northampton area. The proposed development would help to meet some of this need.  Local evidence of housing need provides a useful basis from which to assess the mix of sizes and types of dwelling that are required. The council's Housing Register in South Northamptonshire area is a "live" list which is constantly updated. This gives a snapshot of current need for rented affordable housing only, from applicants approaching the council for re-housing. On 31<sup>st</sup> March 2023 there were 238 households on the Housing Register for the South Northamptonshire area; there are also currently approximately 3,500 households on the Northampton area Housing Register.  The register held by the Homebuy agent (Help to Buy Midlands and London) shows strong demand for shared ownership housing in the West Northamptonshire area, although this does not record demand for individual localities.</p> <p><u>Affordable Housing Provision</u>  Paragraph 63 of the NPPF states that affordable housing should be sought from developments of 10 or more dwellings. On such developments,</p>
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		<p>West Northamptonshire Joint Core Strategy (policy H2) requires 35% affordable housing provision in this location.</p> <p>This Phase 2b application proposes 120 new homes, in which 18 are affordable housing which equates to 15%. This site was subject to a viability appraisal at outline application stage, the outcome of which was that the development could only support 15% affordable housing.</p> <p><u>Affordable Housing Type and Mix</u> I would expect the affordable housing provision to contain a mix of unit types/sizes (flats, houses and bungalows), appropriate for a range of households and create a balanced community.</p> <p>The mix of unit types proposed by the applicant for Phase 2b is as follows: 1 bed Maisonette - 4 Rent 2 bed Bungalow - 2 Rent 2 bed house – 0 Rent, 5 Intermediate tenure 3 bed house – 2 Rent, 4 Intermediate 4 bed house - 1 Rent Total 18 – Affordable units</p> <p>The viability appraisal concluded that a 50/50 split between rented and low-cost home ownership products was acceptable in this instance, albeit this is a diversion from policy (70/30 split). I am happy with the property types and tenure mix proposed.</p> <p><u>Site Layout</u> On a mixed tenure development the SNP2LP (policy LH8) states that affordable units should be an integral part of a development to promote community cohesion. Affordable housing should be arranged in groups of no more than 10 units and pepper potted throughout the development. In the recently adopted South Northamptonshire area Housing SPD we advise that clusters of over 10</p>
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		<p>affordable housing units will only be considered with clear justification. However, on developments of over 100 units, clusters of up to 20 units will be considered at the council's discretion to assist with site layout.</p> <p>I have reviewed the site layout plan and can see there is only one cluster of affordable housing, comprising the 18 units. It would be preferable if there could be 2 distinct clusters, however, we will accept 1 cluster in this instance if it assists with the site layout.</p> <p>I note that both the affordable housing and market housing has a variety of parking solutions, which include a mixture of on-plot, frontage, and courtyard parking. Therefore, I consider this arrangement to be tenure blind.</p> <p>The materials plan accompanying this application shows a mixture of materials is to be used across all tenures and I am therefore also happy that the external appearance of individual dwellings will make the development tenure blind.</p> <p><u>Design Standards</u></p> <p>The NPPF stresses the importance of design to the built environment with good design being "...a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people".</p> <p>The government has created a new approach for setting technical standards. We would expect that any development has standards that accord or are equivalent to the national technical standards set out in the Housing Standards Review 2015.</p> <p>The new standards include minimum size specifications for individual units which we would expect to be met.</p> <p>Whilst this is not currently a material planning consideration, the applicant might encounter difficulty in contracting with a registered provider if these standards are not met.</p> <p>I have reviewed the affordable housing</p>
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		<p>plot sizes as shown on the site layout plan and compared these with the Nationally Described Space Standards. Most of the properties either match or exceed the minimum guidance The one-bed properties fall marginally below the minimum, but this is not sufficient to cause any concern. I also consider the layouts of all the unit types to be acceptable.</p> <p><u>Accessibility</u> Policy LH10 of the SNP2LP aims to secure high quality accessible homes to meet people's changing circumstances over their lifetime. The policy requires that 50% of developments of 10 or more dwellings (market or affordable) should be constructed to meet the optional accessibility standards set out in Part M of the Building Regulations. Recommend Building Control are consulted to ensure standards are met. (Officer note: the development will be subject to Building Regulations)</p>
Harpole Parish Council	Comment	<p>Harpole Parish Council considered the application at their meeting this week. Overall there is no objection to the application but there are 3 areas the council would like to make comment on:</p> <p>1 LEAP</p> <p>a-There are some concerns over the play equipment suggested. As per our response to options in phase 1a, we are concerned about the framed equipment. This can cause significant health and safety issues with natural cracks which open and close according to the weather and can be a danger trap for smaller children (This is often raised by ROSPA on these items). Would it be possible to have these changed out as on Phase 1a?</p> <p>b- There is mention of Dura-sport surfacing. Can you please advise exactly what this is? Is it similar to wet pour?</p> <p>c- There is a bank for the slide. How will</p>

		<p>this be constructed and covered?</p> <p>d- There are safety concerns over the boulders. In a neighbouring village they have something similar and this has led to quite a nasty accident. Can this be substituted for something else.</p> <p>2 – Roads The main road through the area from the Roundabout looks larger than an estate road. Is this planned as a secondary route to the Sandy Lane Relief Road? There are concerns about how this will impact on the traffic in the village. Is it possible for the site to have 7.5 tonne weigh limit (other than the Relief Road) to push freight traffic along its intended route?</p> <p>3 – LHA response The LHA response online shows their response for application 2023/6117/MAO not 2023/6293/RM. Can the council please have sight of the correct LHA response?</p>
Ramblers Association	No comment received	
WNC Ecology	No comment received	
WNC Building Control	No comment received	
Police, Fire and Rescue	No comment received	
Historic England	No comment received	
WNC Planning Policy	No comment received	
WNC Waste and Recycling	No comment received	
Northamptonshire Wildlife Trust	No comment received	
NHS England	No comment received	

5.2 The comments of Harpole Parish Council have been passed to the applicant for consideration. Ultimately the LEAP and specific details of the play equipment has already been approved under the Reserved Matters application for the open space provision for Phases 1, 2 and 3 (application reference WNS/2021/1198/MAR) so the applicant cannot be compelled to change it, but

the request from the Parish holds some merit and it may be that the applicant wishes to provide a minor, updated plan, to change these details.

- 5.3 The British Horse Society has been re-consulted following the conclusion of the Highways negotiation. Any further comments received will be reported in the Addendum to this agenda or at Committee.

## **6 RESPONSE TO PUBLICITY**

- 6.1 Below is a summary of the third party and neighbour responses received at the time of writing this report.

- 6.2 None received.

## **7 APPRAISAL**

### Principle of Development

#### *Policy Context*

- 7.1 This application is a detailed reserved matters proposal, the principle of the development has already been approved under hybrid planning permission S/2016/1324/EIA in June 2020. The site lies on land allocated for development within the LPP1 under Policy N9A (Norwood Farm/Upton Lodge). The approved Norwood Farm Design Code also sets out agreed parameters for the development.

#### *Assessment*

- 7.2 This application can only examine the detailed matters submitted and the principle cannot be reassessed here.

#### *Conclusion*

- 7.3 Hybrid planning permission has already been granted for this development where it was determined that the development was acceptable in principle. This application only seeks approval of details pertaining to this permission and therefore the principle of the development cannot be reassessed at this time.

### Design and Layout

#### *Policy Context*

- 7.4 Policy SS2 of the LPP2 requires new development to use a design led approach to ensure that developments are compatible with their surroundings. In this case a Design Code has been agreed for Norwood Farm SUE as part of the hybrid/ outline consent which has assessed local character and sets out the general design rules to be applied to detailed schemes for the various Phases within the development. Matters not covered by this Design Code would be considered against the South Northamptonshire Design Guide.

## *Assessment*

- 7.5 The general layout of the streets and blocks are consistent with the approved Land Use Parameter Plan of the hybrid permission and the Regulating Plan within the Design Code. These plans being Parameter Plan 1 - Land Use ref. RG-M-33 rev. K dated 03 August 2020 and Parameter Plan 3 - Advanced Planting ref. RG-M-35 rev. E dated 12 October 2020.
- 7.6 The regulating plan shows the character areas created for the development within Phase 2b as the Urban Core and Rural Edge Character Areas. Key characteristics and design principles established and expected for Phase 2b are summarised below:

### Urban Core Character Area

- 35-40 dph density;
- Predominantly Back-to-Back housing;
- Predominantly terrace and semi-detached housing;
- 2.5 to 3 storey buildings along key frontages. 2 storeys elsewhere;
- Limited palettes of materials;
- Uniform building lines;
- Estate railings and low walls to be boundary treatments;
- Continuous frontages;
- Similar roof lines;
- Clusters of affordable housing;
- Materials of red brick, stone or render. Concrete tiles or red clay tiles;
- Flat roof dormers; and
- Building lines which respond to space.

### Rural Edge Character Area

- Exhibits an open character;
- 20-30 dph density;
- 2 storey units;
- Variable building lines;
- Variation to roof lines;
- Trees to be located within plots, hedgerows and climbing plants on facades;
- Detached and semi-detached dwellings;
- Front gardens;
- Variation between units in form material and detailing;
- Gable end chimneys; and
- Primary material to be red brick, concrete tiles and red clay tiles.

- 7.7 **Sandy Lane Relief Road (SLRR) route** -The north-eastern site boundary fronts onto the SLRR. The proposed layout shows the SLRR highway lined by a verge and footway, followed by a wide treelined avenue to provide separation between residential uses and the SLRR. Shared access lanes lie adjacent to the tree lined avenue and facilitate access to the houses.

- 7.8 Safeguarded land has been kept free from development, to facilitate the potential future dualling of the SLRR.
- 7.9 The proposed layout delivers the key characteristics expected for the SLRR street typology and accords with the SLRR precedent set out in the Design Code. The proposed layout responds to the main strategic route with large tree lined verges and properties that face the road. Access to properties is via private drives and land is safeguarded and remains free from development.
- 7.10 **Primary Street** - The primary street runs on a north south axis centrally through Phase 2b. The carriageway is lined by footways and an alternating tree lined verge which punctuates the building line and provides a degree of enclosure to the street. A cycleway is provided on the eastern side of the carriageway, where the cycle/footway is 3m wide.
- 7.11 Properties are directly accessed from the street and a variety of parking typologies are proposed inclusive of curtilage and on street visitor parking.
- 7.12 Dwarf walls and estate railings are proposed as boundary treatments and alternating verge planting is proposed to soften the street scene.
- 7.13 The proposed layout delivers the key features of the Primary Street in accordance with the Design Code. Phase 2b's Primary Street will facilitate north south movement across the phase for vehicles, cyclists and pedestrians. Buildings are proposed up to a height of 2.5 storeys and access to properties is via the street with a variety of parking solutions proposed. As such compliance with this street typology has been achieved.
- 7.14 **Secondary Street** - The secondary street spurs to the west from the primary street and routes south to connect back into the primary street. The carriageway is 6.5m wide with footpaths proposed to both sides. Key features established by the Design Code include a street typology where buildings front onto a footway and carriageway.
- 7.15 Verge planting is proposed to one side of the street to soften the street scene. In a similar vein to further soften the street scene a mix of low-level planting in front of buildings is proposed. Along the western extent of the secondary street mixed native hedgerows, ornamental planting and small trees Acer Campestre and Tilia Cordata are proposed either side of the carriageway.
- 7.16 The key functions of the secondary street as set out in the Design Code to connect minor routes to the primary street; have a carriageway with planting to one side of verge and boundary treatments to be railings or hedgerows have therefore been incorporated in the proposals for Phase 2b and compliance with this street typology has been achieved.
- 7.17 **Side Streets** - Three side streets are proposed in Phase 2b. These connect the primary street to residential areas forming the development core. Two side streets spur off the primary street to the east and one spurs off to the west. The western side street serves 13 dwellings, the most northern side street to the east serves 14 dwellings and the southern side street to the east serves 13

dwellings. The Design Code states side streets are not permitted to serve more than 20 dwellings.

- 7.18 Block paving is proposed as the surface material for side streets in contrast to the tarmacked primary street. This is intended to provide visual distinction between the two areas indicating the residential nature side streets, where priority is given to pedestrian traffic over vehicles.
- 7.19 The proposed buildings vary in form and style but all remain 2 storeys in height and are set back 1-2m from the street.
- 7.20 Low hedges, hedgerows, shrub planting together with a variety of groundcover mixes form the planting strategy for side streets in Phase 2b.
- 7.21 The proposed layout therefore delivers the key characteristics identified for side streets as set out in the Design Code. In summary, these include providing home zone areas, no more than 20 dwellings per street, carriageways with an intimate character to be shared by vehicles and pedestrians, a varied vernacular of buildings set back from the carriageway edge and low hedges used as boundary treatments.
- 7.22 **Shared Lanes** – Shares Lanes are located between the built-up areas and the SLRR, along the western edge of the Phase 2b fronting amenity open space, along the southern edge of Phase 2b again fronting amenity open space and along the eastern boundary of Phase 2b which faces Norwood Green.
- 7.23 Buildings proposed around key spaces range between 2-2.5 storeys in height and are either detached or semi-detached dwelling types. This is intended to create visual interest and a higher degree of enclosure to amenity open space, POS, green edges, and key spaces.
- 7.24 Planting along shared lanes comprises a hedgerows, shrub planting and proposed open space.
- 7.25 The proposed layout delivers the key characteristics of shared lanes in accordance with the Design Code. Shared lanes are located alongside open spaces and respond to surrounding landscapes and open space. Shared lanes serve a low number of dwellings and provide direct access to individual dwellings. Lanes are shared between vehicles, cyclists and pedestrians with building heights that are predominantly 2 to 2.5 storeys with vegetative boundary treatments. The proposed layout has therefore been demonstrated to comply with the expectations for this street type.
- 7.26 Access to Phase 2b from the SLRR and secondary routes accord with those shown on Parameter Plan 4 - Access ref. RG-M-36 rev F dated 03 August 2020 approved under the hybrid application.
- 7.27 Adequate space for the anticipated future dualling of the SLRR along Phase 2b's northern edge has been left in accordance with plans Additional Area Required to Provide Dual Carriageway Sheet 1 ADC2197-DR-SK05 P3 dated

08 October 2021 and Indicative Dual Carriageway Layout Sheet 1 ADC2197-DR-SK01 P2 dated 02 March 2021 approved under S/2020/2126/MAR RM.

- 7.28 Furthermore, the proposed highway layout accords with approved plan Phase 1a Highway Works Sheet 1 ADC2197-DR-100 P2 dated 12 March 2020, connecting Phase 2b to the SLRR and Sandy Lane.

#### *Conclusion*

- 7.29 The proposed design is in broad accordance with the parameters set out within Outline application S/2016/1324/EIA and Condition Discharges S/2020/1958/COND and S/2020/2107/COND.

#### Density and Mix of House Types

##### *Policy Context*

- 7.30 Policy H1 of LPP1 requires housing developments to provide for a mix of house types, sizes and tenures and to cater for the needs of older people and vulnerable groups. It also states that developments within the SUEs should achieve minimum average densities of 35 dwellings per hectare.

##### *Assessment*

- 7.31 **Density** -The Design Code stipulates housing within the Urban Core and Rural Edge to have a density of 35-40 dph and 20-23 dph respectively. The proposed housing density in the Urban Core is 36dph and that proposed in the Rural Edge is 23 dph. The proposed densities across Phase 2b therefore comply with the required densities within phase.

**Mix** – The applicant has provided the table, below, as part of their Planning Statement, it sets out the proposed housing mix for the site. This is summarised below:

##### Market Housing

2 beds - 10  
3 beds - 22  
4 beds - 65  
5 beds - 5

##### Affordable Housing

###### Affordable Rent

1 bed - 4  
2 bed - 2  
3 bed - 2  
4 bed - 1

###### Social Rent



2 bed -5

3 bed -4

- 7.32 It is considered that Phase 2b will incorporate a good range of different dwelling options in accordance with Development Plan policies.

### *Conclusion*

- 7.33 The proposed mix of house types and density of development are consistent with the Development Plan, the approved hybrid permission and the Design Code parameters. Officers are satisfied that Phase 2b would create an appropriate selection of housing opportunities to meet the needs of the area and make the best use of the land whilst remaining sympathetic to the character and appearance of the area and delivering the necessary infrastructure.

### Affordable Housing

#### *Policy Context*

- 7.34 Paragraph 63 of the NPPF states that affordable housing should be sought from developments of 10 or more dwellings. On such developments, West Northamptonshire Joint Core Strategy (policy H2) requires 35% affordable housing provision in this location.

#### *Assessment*

- 7.35 Being located in the Northampton Related Development Area (NRDA) Policies H2 of the LPP1 and LH8 of the LPP2 require 35% of new dwellings to be affordable. A Viability Appraisal was undertaken during the consideration of the OPP, and it was found that the development would not be viable if 35% of the new dwellings to be provided were affordable. It was agreed the scheme would deliver 15% in the first phases (up to 800 dwellings) and then 17.5% in the later phases (from 800 to 1900 dwellings). This is subject to review after 800 dwellings have been provided and if the viability of the scheme has improved a higher percentage of affordable dwellings can be secured. The hybrid is approved on this basis and these terms are set out in the S106 agreement.
- 7.36 This Phase 2b application proposes 120 new homes, in which 18 are affordable housing which equates to 15%. This site was subject to a viability appraisal at outline application stage, the outcome of which was that the development could only support 15% affordable housing.
- 7.37 15% affordable housing is proposed.
- 7.38 On a mixed tenure development the SNP2LP (policy LH8) states that affordable units should be an integral part of a development to promote community cohesion. Affordable housing should be arranged in groups of no more than 10 units and pepper potted throughout the development.

- 7.39 In the recently adopted South Northamptonshire area Housing SPD Strategic Housing advise that clusters of over 10 affordable housing units will only be considered with clear justification. However, on developments of over 100 units, clusters of up to 20 units will be considered at the council's discretion to assist with site layout.
- 7.40 Strategic Housing have reviewed the site layout plan and their commentary noted that there is only one cluster of affordable housing, comprising the 18 units. Strategic Housing state that it would be preferable if there could be 2 distinct clusters, however, will accept 1 cluster in this instance as it assists with the site layout.
- 7.41 It is expected that affordable housing should be tenure blind, it is noted that both the affordable housing and market housing has a variety of parking solutions, which include a mixture of on-plot, frontage, and courtyard parking.
- 7.42 The materials plan accompanying the application shows a mixture of materials is to be used across all tenures meaning that the external appearance of individual dwellings will be the same for both affordable and market housing,

#### *Conclusion*

- 7.43 The development complies with the planning obligation for the outline planning permission and Strategic Housing do not object to the proposed scheme. The development is therefore considered to be acceptable in terms of the affordable housing provision.
- 7.44 It is also felt that the scheme is 'tenure blind' that being the affordable housing is indistinguishable from the market housing.

#### Highways and Parking

##### *Policy Context*

- 7.45 Policy SS2 of LPP2 requires developments to have a safe and suitable means of access. The adopted Northamptonshire Parking Standards also applies to this development.

##### *Assessment*

- 7.46 Access to Phase 2b from the SLRR and the secondary routes accord with those shown on Parameter Plan 4 - Access ref. RG-M-36 rev F dated 03 August 2020 (S/2020/1958/COND).
- 7.47 Within this RM application WNC Highways remit is primarily concerned with the internal configuration (and safe use of) the highways within the phase, compliance with car parking standards, the protection of the SLRR, crossing points and the use and access of the PROW (Public Right of Way).
- 7.48 WNC Highways initially held an objection to the scheme, aside from some minor internal road and parking layout matters, which were subsequently addressed,

the main thrust of the objection revolved around the PROW KP16, in particular the section to the south of the previously approved SUDS pond and potential conflict for users.

- 7.49 The issue was particularly complex due to the previously approved SUDS scheme on the part of the overall site being developed by Miller Homes and also different land ownership to the immediate south, meaning the PROW came to a pinch point, where pedestrians, cyclists and equestrian use were all forced into a narrow gap, approximately 2 metres wide with a 1:11 gradient.
- 7.50 Engineering works to change the levels and gradient of the PROW at this point would have required considerable works, including possible changes to the already built (and operational) SUDS pond and were not considered feasible.
- 7.51 Following a number of meetings an alternative proposition was advanced with the WNC Highways who have removed their objection and confirmed that the applicant has addressed a number of minor layout matters, provided sufficient details to confirm that the future dualling of the SLRR is not prejudiced by the site layout, and provided an acceptable crossing for the bridleway on the estate road and arrangements for the improvement of PROW KP16 as required by the outline approval.
- 7.52 The solution to the PROW matter has seen the surface of pinch point changed to 'hoggin' a compacted soil that holds up well for pedestrians and cyclists but is also deemed suitable for horses. The PROW continues, as it always has, along the existing legal alignment but west of the pinch point an alternative route is offered to pedestrians and cyclists, with a 3 metre tarmacked track, linking to the SLRR. This track holds a relatively steady camber and links back into the wider cycle and footpath network.
- 7.53 Cyclists and pedestrians who wish to continue on PROW KP16 can do, the track will not be tarmacked, and it may be that only the keenest of cyclists wish to take on the gradient of the track, but the new surface is considered an improvement on the existing PROW which is a bridleway and is currently grassed.
- 7.54 On balance, the options of solving the pinch point and gradient issues at the PROW, through engineering works were considered disproportionate compared to the alternative of providing a re-routed and tarmacked cycle/pedestrian link. The works being undertaken are a considerable upgrade and will help in providing new and existing residents with the option of walking, cycling or riding into Northampton.
- 7.55 Away from the PROW the scheme provides policy compliant car parking spaces and no objection has been raised from Highways with regards to the operation of the roads or crossing points.

### *Conclusion*

- 7.56 WNC Highways now hold no objection to the proposal, its internal road network, its connection to the wider road network and its connectivity to the wider PROW network.
- 7.57 Though disappointing that the cycle/pedestrian path must deviate slightly from the current route it is agreed by officers that there is no other, reasonable, alternative to that proposed due to the constraints of the site. The proposal still allows for a significant upgrade to the PROW, allows all users to take advantage of it and maintains the principle of encouraging people to use transport methods outside of the private motor.
- 7.58 With the above in mind officers are content that the proposal is compliant with the hybrid consent and development plan.

### Open Space and LEAP

#### *Policy Context*

- 7.59 Policy SS2 of the LPP2 requires developments to incorporate suitable landscape treatment. The approved Design Code includes a Section on Green Infrastructure containing Landscape and Play Strategies.

#### *Assessment*

- 7.60 Parameter Plan 3 - Advanced Planting ref. RG-M-35 rev. E dated 12 October 2020 approved under S/2020/1809/NMA and Plans approved under RM infrastructure applications S/2020/2126/MAR and WNS/2021/1198/MAR (plus subsequent NMA's) secured the site wide strategy for landscape, open space, drainage, SUDS, and ecological features
- 7.61 Tree lined roads, woodland planting, amenity grassland and open space all accord with the Illustrative Landscape Management Plan – edp2561\_d080b approved under with WNS/2021/1198/MAR.
- 7.62 To the north west of the site (and located in accordance with the Regulating Plan and Play Strategy in the Design Code) a Local Equipped Area of Play (LEAP) is to be constructed. Details of the play equipment are considered to be acceptable and accord with the requirements of the S106 agreement.
- 7.63 The Parish concerns regarding the LEAP are noted and the applicant has agreed to review these and provide an update to the committee, however, the LEAP and specific details of the play equipment has already been approved under the Reserved Matters application for the open space provision for Phases 1, 2 and 3 (application reference WNS/2021/1198/MAR) so the applicant cannot be compelled to change it.

#### *Conclusion*

- 7.64 The proposed open space is considered in accordance with WNS/2021/1198/MAR and the approved open space contained within it.

## Surface Water and Foul Drainage

### *Policy Context*

- 7.65 Joint Core Strategy policy BN7 requires appropriate flood risk assessment to be completed and for development not to result in an increased risk of flooding to existing or proposed properties. Policy BN7A of the Joint Core Strategy requires new developments to have adequate and water supply and wastewater infrastructure. Policy SS2 of the LPP2 requires development to be adequately serviced with infrastructure and to consider flood risk.

### *Assessment*

- 7.66 The Lead Local Flood Authority (LLFA) currently hold an objection to the scheme, based on a lack of submitted information.
- 7.67 The applicant has provided a Drainage Technical Note for the review of the LLFA, with a consultation expected to be returned in advance of the committee site visit.
- 7.68 It should be noted that Officers do not have Surface Water and Foul Drainage concerns. RM application S/2020/2126/MAR approved the arrangements for sitewide infrastructure and landscaped open space in Phases 1, 2 and 3 pursuant to S/2016/1324/EIA. Approved infrastructure includes roads, drainage attenuation ponds, surface water and foul water drainage infrastructure and associated landscaped open space. The approved plans are as follows:
- Phase 1a Drainage Strategy Sheet 1 ADC2197-DR-600a P7 dated 20 April 2021
  - Drainage Strategy Sheet 3 ADC2197DR-602 P5 dated 20 April 2021

### *Conclusion*

- 7.69 Though there is an LLFA objection Officers have requested a re-consultation to have this lifted. Officers are of the view that drainage matters have been dealt with via S/2020/2126/MAR and as such no reason for refusal could be substantiated with regards to the LLFA objection.

## Residential Amenity

### *Policy Context*

- 7.70 Policy SS2 of the LPP2 requires new developments to have good standards of amenity for future occupiers and existing occupiers of neighbouring properties.

### *Assessment*

- 7.71 Phase 2b does not directly adjoin any existing dwellings situated in the neighbouring residential areas. There is a small cluster of residences to the

west of the site, off of Sandy Lane which shares a boundary with the development. To the south, separated by the improved PROW is Phase 1A.

- 7.72 There is a substantial amount of (formal) open space separating the existing dwellings to the that of the first proposed housing within Phase 2b. It is felt that the separation distance means that there will be no amenity impact from the proposed.
- 7.73 With regards to future occupiers, the 'Open Space' heading sets out that there is an abundance of amenity space, including a LEAP. All dwellings within the phase are considered to be within easy walking distance of open space.
- 7.74 The dwellings form 6 distinct clusters, with the predominance being a cluster of rear facing gardens. Though this does mean most gardens are overlooked by a number of properties it does create suitable separation distance between rear windows.

#### *Conclusion*

- 7.75 Phase 2b accords with the approved planning permission reference? and Norwood Farm Design Code.

#### Other Considerations

- 7.76 The Archaeology Comments have been noted. They do not form a reason for refusal, nor objection from the archaeology team. The overall site currently has an approved watching brief and Officers are aware the applicant's architect has been in direct contact with the Council's Archaeologist, with regards to this RM.
- 7.77 The Council's Archaeologist is content with how the applicant intends to move forward and does not wish to raise any objection.
- 7.78 Ecology matters are dealt with via condition 8 of the hybrid consent. The applicant has submitted a Landscape and Ecological Management Plan with this application, but it has not yet been assessed as part of this application. The applicant will still have to formally discharge condition 8.
- 7.79 Electric Charging Points are controlled via condition 13 of the hybrid application, the applicant will have to separately discharge this condition.

## **8 FINANCIAL CONSIDERATIONS**

- 8.1 As the application is for Reserved Matters both the S106 and the Community Infrastructure Levy (CIL) have already been secured under the hybrid permission.

## **9 PLANNING BALANCE AND CONCLUSION**

- 9.1 The principle of this development has already been established by the hybrid permission. Matters regarding sitewide road, surface water and foul water drainage infrastructure, associated landscaped open space, sports pitches, pavilion, country park, play areas and public open space have all been approved in previous applications. This application cannot revisit these matters, only confirm its accordancy.
- 9.2 Officers are of the view that the site provides the correct level of affordable housing and that the design of the dwellings is in broad accordancy with the approved design code.
- 9.3 The one area of compromise is that of the PROW. Officers and the applicant have spent a considerable amount of time discussing how to amend, change or alter the PROW to allow for a safe access that is useable by all and that encourages sustainable travel patterns.
- 9.4 Officers are satisfied that a full analysis of the PROW has been undertaken and that the solution offered is the only viable one. The engineering works required to level the land are prohibitive while the approval of the SUDS pond and landownership issues create significant constraints that are very difficult to overcome.
- 9.5 As such, Officers are content that the proposed solution is suitable and would not create a reason for refusal.
- 9.6 This development will also contribute towards the implementation of the Sandy Lane Relief Road which is a critical piece of road infrastructure that will allow further residential developments (e.g. Northampton West SUE) to be delivered as set out in the Joint Core Strategy.
- 9.7 The details of this residential phase accord with the extant hybrid planning permission and the parameters agreed in the approved Norwood Farm Design Guide and are in compliance with the Development Plan. It is considered that there would be no sustainable reasons for refusing this application and the benefits of the scheme justify granting permission.

## **10 RECOMMENDATION AND CONDITIONS**

- 10.1 GRANT PERMISSION subject to the conditions as set out below:

### **TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS**

#### **Compliance with Approved Plans**

1. The development shall not be carried out otherwise than in complete accordancy with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are:
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Layouts – drawings submitted on 01st March 2024.

- AAH5769-9301 revP0-17 - Planning Layout 1-500
- AAH5769-9304-revP0-17 - Planning Layout 1-1000

Layouts – drawings submitted on 26th January 2024.

- AAH5769\_8107\_RevA - Electric Vehicle Charging Plan
- AAH5769\_8101revP0-05 - Enclosure Plan
- AAH5769\_8102\_P01-05- External Works
- AAH5769\_8103\_P0.05\_Parking Plan
- AAH5769\_8104\_P0.05\_Refuse Plan
- AAH5769\_8105revP0-04 - Affordable Housing Plan
- AAH5769-8002revP1-07 - Phase 2 Materials Plan

House types – drawings submitted on 27th November 2023.

- AAH5679-RPS-LIN-UC-1149-T461
- AAH5769-RPS-AFF-UC-0764-T241
- AAH5769-RPS-AFF-UC-905-T351
- AAH5769-RPS-BOV-UC-0822-FI
- AAH5769-RPS-LIN-RE-0769-Em
- AAH5769-RPS-LIN-RE-0970-Mo\_03
- AAH5769-RPS-LIN-RE-1112-Gd
- AAH5769-RPS-LIN-RE-1328-Gr
- AAH5769-RPS-LIN-RE-1355-Ly-02
- AAH5769-RPS-LIN-RE-1355-Ly-03
- AAH5769-RPS-LIN-RE-1429-Kn\_03
- AAH5769-RPS-LIN-RE-1800-Cn-01
- AAH5769-RPS-LIN-RE-1800-Cn-02
- AAH5769-RPS-LIN-UC-0769-Em
- AAH5769-RPS-LIN-UC-538-623-1B
- AAH5769-RPS-LIN-UC-0649-Hr
- AAH5769-RPS-LIN-UC-0764-Ab
- AAH5769-RPS-LIN-UC-0822- FI Cr
- AAH5769-RPS-LIN-UC-0970-Mo 02
- AAH5769-RPS-LIN-UC-0970-Mo
- AAH5769-RPS-LIN-UC-1112-An
- AAH5769-RPS-LIN-UC-1112Gd
- AAH5769-RPS-LIN-UC-1136-Bi
- AAH5769-RPS-LIN-UC-1319-Pr-01
- AAH5769-RPS-LIN-UC-1319-Pr-02
- AAH5769-RPS-LIN-UC-1328-Gr
- AAH5769-RPS-LIN-UC-1429-Kn
- AAH5769-RPS-LIN-UC-1429-Kn\_02
- AAH5769-RPS-LIN-UC-1470-Rp
- AAH5769-RPS-LIN-UC-1832\_Y\_01
- AAH5769-RPS-LIN-UC-1832\_Y\_03
- AAH5769-RPS-LIN-UC-1832-Y\_02

Location plan, street scene and garages submitted on 16th June 2023



- 
- AAH5769\_7801\_P01.01\_Street Scenes
  - AAH5769\_9203\_B\_Location plan
  - AAH5769-RPS-GAR-DDG - Garages
  - AAH5769-RPS-GAR-DG- Garages
  - AAH5769-RPS-GAR-SG- Garages

Drainage – documents and drawings submitted on 09th February 2024.

- AAC5791\_RPS\_xx\_xx\_DR\_C\_2801-01 - S38 General Arrangement Phase 3 P01
- AAC5791 Drainage Technical Note v1.0
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2100 - Engineering Layout P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2101-01 - Longitudinal Sections Sheet 1 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2101-02 - Longitudinal Sections Sheet 2 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2102 - Manhole Schedule P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2103 - Adoptable Kerbing and Surfacing P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2104-01 - Road Construction Details Sheet 1 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2104-02 - Road Construction Details Sheet 2 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2104-03 - Road Construction Details Sheet 3 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2105 - Adoptable Drainage Details P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2110 - Refuse Vehicle Tracking\_P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2111 - Flood Exceedance Plan P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2200-01 Private Drainage Sheet 1 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2200-02 Private Drainage Sheet 2 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2300-01 - External Works Sheet 1 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2300-02 - External Works Sheet 2 P01
- AAC5791\_RPS\_xx\_xx\_DR\_C\_2800 - S104 Drainage Layout P01

Landscape – documents and drawings submitted on 08th February 2024.

- JSL4793-RPS-XX-EX-DR-L-9002\_P07 Detailed Soft Sheet 1
- JSL4793-RPS-XX-EX-DR-L-9003\_P07 Detailed Soft Sheet 2
- JSL4793-RPS-XX-EX-DR-L-9010\_P06\_LEAP

Landscape – drawing submitted on 01st March 2024.

- JSL4793-RPS-XX-EX-DR-L-9001\_P07\_GA Plan
- JSL4793-RPS-XX-EX-DR-L-9004\_P08 Detailed Soft Sheet 3
- JSL4793-RPS-XX-EX-DR-L-9005\_P09 Detailed Soft Sheet 4
- JSL4793-RPS-XX-EX-DR-L-9006\_P09 Detailed Soft Sheet 5
- JSL4793-RPS-XX-EX-DR-L-9007\_P09 Detailed Soft Sheet 6
- JSL4793-RPS-XX-EX-DR-L-9008\_P09 Spec & Sched
- JSL4793-RPS-XX-EX-DR-L-9011\_P07 Public Footpath/Cycleway & Bridleway Landscape Proposals

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Arboriculture as with original submission on 16th June 2023.

- Arboricultural Impact Assessment 1549 – AIA-V1-D

### **Materials Samples**

2. Samples of the materials and finishes (including the timber cladding) to be used in the external walls and roofs of the dwellings and buildings shall be made available on site for inspection by the Local Planning Authority prior to the first use of those facing materials. The development shall thereafter be completed in accordance with the materials which have been approved in writing by the Local Planning Authority.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policies SS2 of the South Northamptonshire Local Plan Policy and Government guidance contained within the National Planning Policy Framework.

### **Colour Scheme for Doors**

3. Notwithstanding the approved AAH5769-8002revP1-07 - Phase 2 Materials Plan all front doors and garage doors shall be finished in accordance with a colour scheme which shall have been previously submitted to and approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan Part 2.

### **CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION**

#### **Access and Parking**

4. The proposed access, parking and turning facilities shall be provided in accordance with the approved plans before first occupation of the dwellings hereby permitted. The access, parking and turning facilities shall thereafter be retained for use in connection with the development for those purposes only.

Reason: In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning to comply with Policy SS2 of the South Northamptonshire Local Plan and Government guidance in Section 12 of the National Planning Policy Framework.

#### **Boundary Enclosures**

5. The approved boundary enclosures), in respect of those dwellings which are intended to be enclosed/screened, shall be erected prior to the first occupation of those dwellings.

Reason: To ensure the satisfactory appearance of the completed development and to safeguard the privacy and amenities of the occupants of the existing and proposed dwellings in accordance with Policy SS2 of the South Northamptonshire Local Plan and Government guidance contained within the National Planning Policy Framework.

#### CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

##### **Meter Boxes**

6. Any electricity or gas supply meter housings to be located on the external elevations of the buildings hereby approved shall be sited on the side or rear elevations of the buildings and shall be coloured to match the facing material against which it will be sited unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to safeguard the visual amenities of the area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

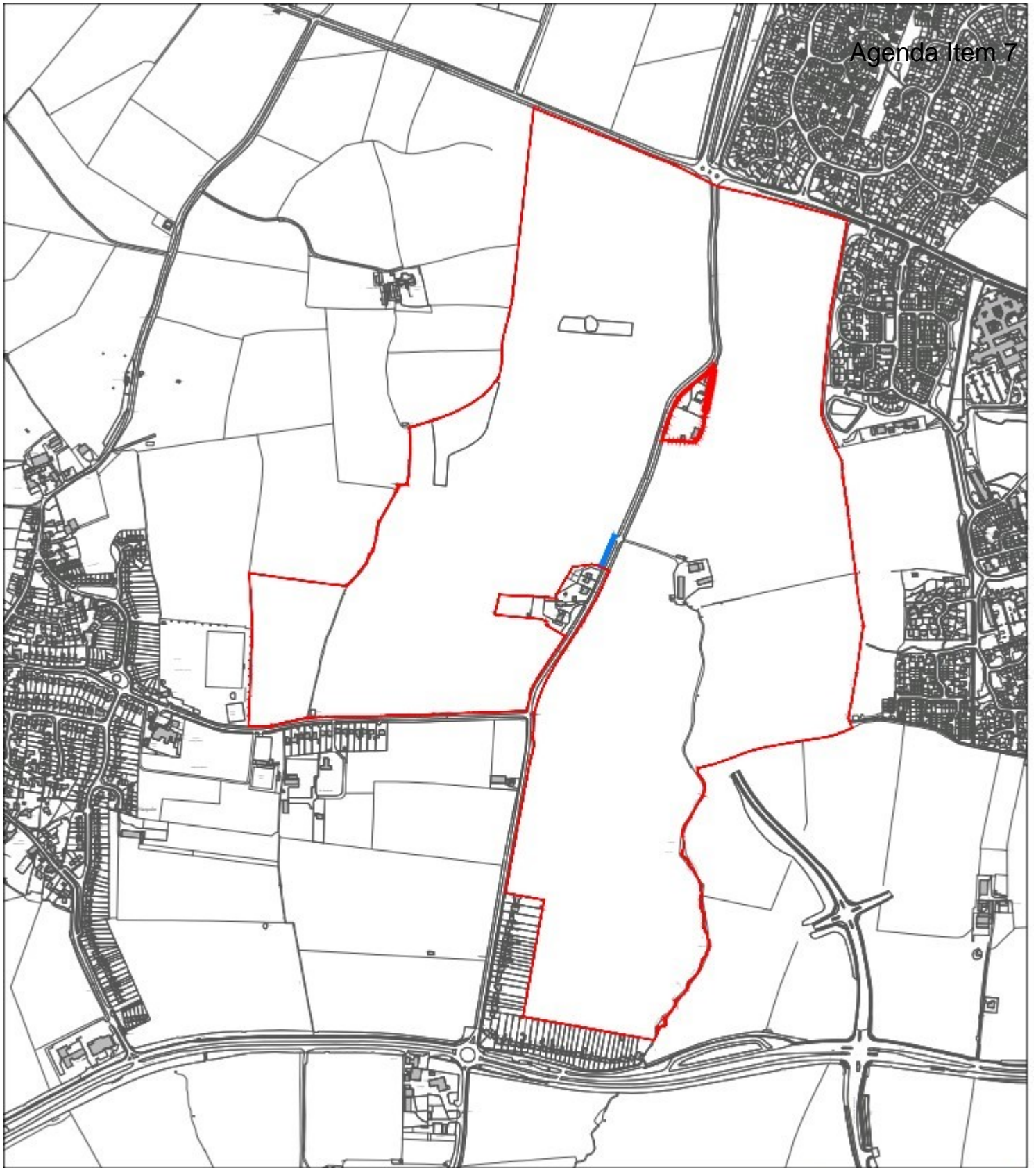
##### **PD Rights Removed for Means of Enclosure to Fronts**

7. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting or amending that order) no gate, fence, wall or other means of enclosure shall be erected, constructed or placed in front of the front wall of any dwelling and the highway or the flank wall of a dwelling at the junction of two roads, at any time, without the prior express planning permission of the Local Planning Authority.

Reason: In order to retain the open character of the development and area in accordance with Policy SS2 of the South Northamptonshire Local Plan.

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- Site Boundary  
(104.78Ha / 258.91Ac)
- Norwood Cottage Redline Boundary  
Overlap (0.03Ha / 0.07Ac)

Project  
**NORWOOD FARM,  
NORTHAMPTON**

Drawing Title  
**APPLICATION BOUNDARY PLAN**



Date 13.10.15	Scale 1:5000@A2	Drawn by M.D.	Check by M.A.
Project No 24556	Drawing No RG-M-31	Revision	C



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# Planning Committee Report

**Application Number:** 2023/6485/MAR

**Location:** Land at Norwood Farm Sandy Lane Northampton Harpole

**Development:** Reserved matters (scale, layout, appearance and landscaping) for provision of side roads within Phases 1B, 2A, 3 and 3A, in accordance with planning permission ref S/2016/1324/EIA (supported by an Environmental Statement)

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**Applicant:** Barwood Development Securities Ltd

**Agent:** Stantec

**Case Officer:** Chris Burton

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**Ward:** Bugbrooke

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**Reason for Referral:** Reserved Matters Application associated with a Major Application for a Sustainable Urban Extension

**Committee Date:** 19 March 2024

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## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

### **RECOMMENDATION:**

GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Acting Assistant Director – Planning and Development to approve any amendments to conditions as deemed necessary.

### **Proposal**

Reserved matters (scale, layout, appearance and landscaping) for provision of side roads within Phases 1B, 2A, 3 and 3A, in accordance with planning permission ref S/2016/1324/EIA.

### **Consultations**

The following consultees have raised **objections** to the application:

- Lead Local Flood Authority (LLFA)

The following consultees have raised **no objections** to the application:

- Highways

No letters of objection or support have been received.

### **Conclusion**

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Highway Safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.**

## **MAIN REPORT**

### **1 APPLICATION SITE AND LOCALITY**

1.1 The application site relates to phases 1B, 2A, 3 and 3A of the wider hybrid application S/2016/1324/EIA for the Norwood Farm Sustainable Urban Extension. The site covers approximately 104.77 hectares of predominantly agricultural land, located on the western edge of Northampton's urban area. The site is bisected by Sandy Lane running north/south. The western parcel of the site is bound by Roman Road to the north and Larkhall Lane to the south. The eastern parcel is bound by Berrywood Road to the north and extends to the rear of the residential properties located on Weedon Road (A4500) to the south. The site is characterised by varying topography, but it predominantly slopes from north to south.

### **2 DESCRIPTION OF PROPOSED DEVELOPMENT**

2.1 The development is for Reserved matters (scale, layout, appearance and landscaping) for provision of side roads within Phases 1B, 2A, 3 and 3A, in accordance with planning permission ref S/2016/1324/EIA.

2.2 The application is for the side roads only.

### **3 RELEVANT PLANNING HISTORY**

3.1 The following planning history is considered relevant to the current proposal:

<b>Application Ref.</b>	<b>Proposal</b>	<b>Decision</b>
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S/2016/1324/EIA	Hybrid planning application seeking both full and outline planning permission for: Part A: Outline planning permission for a sustainable urban extension comprising: Up to 1,900 dwellings (use class C3);Public open space and children's play areas; Landscape areas, new landscape planting and hydrological attenuation features and sustainable drainage systems; Primary school (use class D1); and Mixed use local centre which may include residential (use class C3), retail (use classes A1, A2, A3, A4 and A5), and health and community facilities (use class D1). Part B: Full planning permission for: Demolition of any on site buildings or structures; and Routing of Sandy Lane Relief Road and associated vehicular access points. Application is accompanied by an Environmental Impact Assessment at Land at Norwood Farm, Sandy Lane Harpole.	Approved 30/06/2020
S/2020/1809/NMA	Non-material amendment (NMA) Minor amendments to take into account slight realignment of Sandy Lane Relief Road (SLRR) and minor changes to residential parcels and Public Open Space (POS).	Approved 11/11/2020
WNS/2022/0890/NMA	NMA to provide turning head to reroute traffic via SLRR	Approved 14/07/2022
S/2020/2126/MAR	RM for provision of sitewide road, surface water and foul water drainage infrastructure and associated landscaped open space	Approved 03/11/2021
WNS/2021/1198/MAR	RM for provision of sports pitches, pavilion, country park, play areas and POS	Approved 10/03/2022
S/2020/1958/COND	Condition 5 pursuant to OPP – Phasing Plan	Approved 10/03/2021
S/2020/2107/COND	Condition 6 pursuant to OPP – Design Code	Approved 11/02/2021

WNS/2021/0894/M AR	RM for Phase 1a comprising 439 new homes with associated infrastructure, open space and children's Local Equipped Area of Play, with 15% affordable housing	Approved 09/03/2021
WNS/2022/0292/M AR	RM for Phase 1 and part Phase 1B (as shown on Indicative Phasing Plan 24556 RG-M80 Rev G dated 20.10.20) for the provision of 349 dwellings	Approved 21/07/2022

## 4 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

- 4.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

#### Development Plan

- 4.2 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted South Northamptonshire Local Plan (Part 2) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

#### West Northamptonshire Joint Core Strategy Local Plan (Part 1)

- 4.3 The relevant policies of the Joint Core Strategy (LPP1) are:

- SA – Presumption in Favour of Sustainable Development
- S1 – Distribution of Development
- S3 – Scale and Distribution of development
- S4 – Northampton Related Development Area
- S5 – Sustainable Urban Extensions
- S10 – Sustainable Development Principles
- C1 – Changing Behaviour and Modal Shift
- C2 – New Developments
- C3 – Strategic Connections
- C5 – Enhancing Local and Neighbourhood connections
- BN7 – Flood Risk
- BN8 – The River Nene Strategic River Corridor

- INF1 – Approach to Infrastructure Delivery
- INF2 – Contributions to Infrastructure requirements
- N9A – Northampton Norwood Farm/Upton Lodge Sustainable Urban Extension

#### South Northamptonshire Local Plan (Part 2) (LPP2)

- 4.4 The relevant policies of the LPP2 are:
- SS1 – The Settlement Hierarchy
  - SS2 – General development and design principles
  - LH1 – Residential development inside and outside settlement confines
  - INF1 – Infrastructure delivery and funding

#### Harpole Neighbourhood Plan (NHP)

- 4.5 The relevant policies of the (NHP) are:
- Policy H2 – Integrated tenures;
  - Policy H3 – Design Principles;
  - H6 – Green Wedges;
  - H9 – Green Infrastructure and Biodiversity;
  - H10 – Protecting and Enhancing Local Landscape Character in Harpole Parish;
  - Policy H11 – Traffic Management and Transport Improvements;
  - H12 – Footpaths/cycleways/connectivity.

### **Material Considerations**

- 4.6 Below is a list of the relevant Material Planning Considerations
- National Planning Policy Framework (NPPF)
  - Planning Practice Guidance (PPG)
  - Supplementary Planning Guidance
  - Nortoft Study: Planning for the Future of Open Space, Sport and Recreation in West Northamptonshire
  - Strategic Development Framework (SDF) – Strategic Development Framework – a document produced as a technical guide/evidence base to inform the master planning process and as a tool to guide and co-ordinate future development in West Northamptonshire. It does not constitute planning policy, but it is consistent with and amplifies the JOINT CORE STRATEGY strategic policy framework of providing a ‘plan-led’ approach to guide development of the SUE’s.
  - Northamptonshire Parking Standards
  - Outline application S/2016/1324/EIA and Condition Discharges S/2020/1958/COND and S/2020/2107/COND

## **5 RESPONSE TO CONSULTATION**

5.1 Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
WNC Highways	No Objection	<p><b>Principle of approving road layouts before knowing what the adjacent development design will be:</b>  Our comments remain as per our initial formal response on this. There is no objection but we highlight some potential issues that may arise as we did with the similar scenario at Malabar Farm, Daventry.</p> <p><b>Cycle path extending to the school entrance:</b>  Revised and now resolved.</p> <p><b>Junction spacing:</b>  Revised to meet policy requirement and now resolved.</p> <p><b>Local Centre access junction:</b>  Revised to include footway on both sides and now resolved.</p> <p><b>Bus stops:</b>  S106 routes and bus stop locations noted. Matter resolved.</p> <p>Original LHA Comments:  It is not entirely clear why an application has been made for the layout of side roads within Phases 1B, 2A and 3A and this marks a different approach to previous Reserved Matters applications for Norwood Farm where the layout of the phase, including roads and footways, is approved. Without an agreed layout for the adjacent parcels of land, the suitability of the design for these roads and footways cannot easily be established. This is likely to result in a requirement to amend these details, potentially significantly, as the relevant phases come forward.</p>

		<p>For example, it is likely that a zebra crossing would be required in the vicinity of the school entrance and a similar formal crossing provided near to the local centre. Parking bays on the side road (school site frontage) may be required, and the road may require school keep clear zigzags. Junction dimensions are set on the submitted plans, but it is not known if the dimensions of the adjoining roads will be suitable to serve the development layout yet to be approved. Forward visibility has not been proven around bends and at junctions, but future development proposals will need to allow for this in the design.</p> <p>The LHA has no strong objection to the principle of approving the layout of the side roads and there are precedents of this set in other recent developments. The LHA must, however, emphasise to the Planning Authority that by agreeing to the design of these side roads at this stage, it introduces a risk in that when the wider site phases come forward with a detailed design, changes to the agreed road layout and infrastructure may be required. The financial burden and potential delay if variations to the planning permission or Section 38 Agreement are required, will fall on the developer of that site. It is not known if WNC will be delivering the school site, but if so, WNC Education should be made aware that they could be required to install highway infrastructure outside of the site that is omitted from this application.</p> <p>Layout Observations: Aside from the comments above, the LHA has the following comments on the submitted side roads design.</p>
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		<ul style="list-style-type: none"> <li>• The 3m shared cycle/ footpath ends soon after exiting the roundabout. The access shown on the southern side of the side road is assumed to be into the school site. It is required that the 3m shared cycle/ footpath continues along the southern side of the road to this access, or further to cover the school frontage if this is not to be a pedestrian entrance (there are no footways shown at this access). This will provide a continuous off-carriageway cycle connectivity to the school site. As mentioned above, it is very difficult to establish the required extent of the 3m facility without knowing where the pedestrian/ cycle entrance will be.</li> </ul> <p>Whilst the LHA does not object to the principle of agreeing to the layout of roads within a development in isolation, it is recommended that the applicant provide full justification so that the LPA can give due weight to the potential future issues as surrounding development is brought forward which may not be entirely compatible with the side road design currently under consideration.</p> <p>The LHA do however object to the design and inclusion of crossroads within the development, and there is a clear and long-established adopted highway policy which should be taken into account.</p>
WNC Arboriculture Officer	No Comment	
LLFA	Objection	Advise that the information provided is NOT satisfactory to demonstrate that the proposed surface water drainage scheme for the development will adequately manage flood risk in accordance with Policy BN7 of West Northamptonshire Joint Core Strategy <sup>1</sup>

Duston Parish Council	No Comment received	
Harpole Parish Council	No Comment received	
Upton Parish Council	No Comment received	

## 6 RESPONSE TO PUBLICITY

Below is a summary of the third party and neighbour responses received at the time of writing this report.

- 6.1 There have no objections/letters of support. One letter was received requesting a clarification to a plan.

### Principle of Development

#### *Policy Context*

- 6.2 This application is a detailed reserved matters proposal, the principle of the development has already been approved under hybrid planning permission S/2016/1324/EIA in June 2020. The site lies on land allocated for development within the Joint Core Strategy under Policy N9A (Norwood Farm/Upton Lodge). The approved Norwood Farm Design Code also sets out agreed parameters for the development.

#### *Assessment*

- 6.3 This application can only examine the detailed matters submitted and the principle cannot be reassessed here.

#### *Conclusion*

- 6.4 Hybrid planning permission has already been granted for this development where it was determined that the development was acceptable in principle. This application only seeks approval of details pertaining to this permission and therefore the principle of the development cannot be reassessed at this time.

### Surface Water and Drainage

#### *Policy Context*

- 6.5 Joint Core Strategy policy BN7 requires appropriate flood risk assessment to be completed and for development not to result in an increased risk of flooding to existing or proposed properties. Policy BN7A of the Joint Core Strategy requires new developments to have adequate and water supply and wastewater infrastructure. Policy SS2 of the LPP2 requires development to be adequately serviced with infrastructure and to consider flood risk.

#### *Assessment*

- 6.6 The Lead Local Flood Authority (LLFA) currently hold an objection to the scheme, based on a lack of submitted information.
- 6.7 The applicant has provided a further Drainage Technical Note for the review of the LLFA, with a consultation expected to be returned in advance of committee and reported via the Addendum to the agenda.
- 6.8 It should be noted that Planning Officers do not have concerns in respect of surface water and foul drainage. RM application S/2020/2126/MAR approved the arrangements for sitewide infrastructure and landscaped open space in Phases 1, 2 and 3 pursuant to S/2016/1324/EIA. Approved infrastructure includes roads, drainage attenuation ponds, surface water and foul water drainage infrastructure and associated landscaped open space. The approved plans are as follows:
- Phase 1a Drainage Strategy Sheet 1 ADC2197-DR-600a P7 dated 20 April 2021
  - Drainage Strategy Sheet 3 ADC2197DR-602 P5 dated 20 April 2021

#### *Conclusion*

- 6.9 Though there is an LLFA objection Planning Officers have requested a re-consultation to have this lifted. Officers are of the view that drainage matters have been dealt with via S/2020/2126/MAR and as such no reason for refusal could be substantiated with regards to the LLFA objection.

#### Highways

##### *Policy Context*

- 6.10 Policy SS2 of LPP2 requires developments to have a safe and suitable means of access. The adopted Northamptonshire Parking Standards also applies to this development.

##### *Assessment*

- 6.11 Highways have advised that they have no objection, following revisions provided by the applicant.
- 6.12 The issue Highways have is that the scheme is being brought forward in isolation of the major roads and any detailed layouts for the remainder of the overall development. Their advice is that there may be a requirement to alter the side roads at a later date, as they may not be compatible with the final layout.
- 6.13 Ultimately, this is an issue for the applicant, if the side roads do not work then they will have to submit a further application/s to alter them. Though it may appear a slightly roundabout way of taking forward the application it is their prerogative and Officers have no grounds to recommend refusal.



- 6.14 The applicant, Barwood, has submitted this application as they believe it helps provide a skeleton layout for future developers to assess this phase under. An approved road layout means that future developers can work out parameters and densities, allegedly this increases the appeal of the phase and is therefore considered a useful marketing tool.

### *Conclusion*

- 6.15 The Council wish to promote a swift build out of the phases, and if this is the approach that must be taken then the Officer's see no issue in facilitating this.

## **7 FINANCIAL CONSIDERATIONS**

- 7.1 The application is for Reserved Matters. Both the S106 and the Community Infrastructure Levy (CIL) have already been secured under the hybrid application S/2016/1324/EIA.

## **8 PLANNING BALANCE AND CONCLUSION**

- 8.1 The principle of this development has already been established by the hybrid permission. Matters regarding sitewide road, surface water and foul water drainage infrastructure, associated landscaped open space, sports pitches, pavilion, country park, play areas and public open space have all been approved in previous applications. This application cannot revisit these matters, only confirm it is in accordance.
- 8.2 Officers are of the view that the site provides a technically sound Highways application. Though Highways have raised some concerns over the approach this cannot form a reason for refusal. If the road configuration proves to be ineffective then the applicant will have to amend this scheme and submit a new application.

## **9 RECOMMENDATION AND CONDITIONS**

- 9.1 GRANT PERMISSION subject to the conditions as set out below:

### **GENERAL IMPLEMENTATION CONDITIONS**

#### **Compliance with Approved Plans**

- 1 The development shall not be carried out otherwise than in complete accordance with the approved plans and details unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). The approved plans and details are as follows:
- Site Location Plan RG-M-31 rev C
  - Phasing Plan RG-M-80 rev G (with the approved side roads highlighted green)
  - SLRR Side Roads General Arrangement Sheet 1 (ref. ADC2197/DR/150a/P2)
  - SLRR Side Roads General Arrangement Sheet 2 (ref. ADC2197/DR/151a/P2)
  - SLRR Side Roads Highway Contour Levels Sheet 1 (ref. ADC2197/DR/550a/P1)

- SLRR Side Roads Highway Contour Levels Sheet 2 (ref. ADC2197/DR/551a/P1)
- SLRR Side Roads Drainage Layout Sheet 1 (ref. ADC2197/DR/600a/P1)
- SLRR Side Roads Drainage Layout Sheet 2 (ref. ADC2197/DR/601a/P1)
- Development Highways Statement (ref. ADC2197/RP/601/v1)
- Drainage Statement (ref. ADC2197/RP/501/v2)
- Drainage Technical Note ref. ADC2197-RP-502-v2 dated 30.01.24
- Drainage Technical Note Addendum re.ADC2197-RP-503-v1 dated 16.02.24.

Reason: To clarify the permission and for the avoidance of doubt.