



Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held at the The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Monday 7 March 2022 at 5.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest 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.	Minutes (Pages 5 - 12) To confirm the Minutes of the Meeting of the Committee held on 8 th February 2022.
4.	Chair's Announcements To receive communications from the Chair.
5.	Deputations/Public Addresses
6.	List of Current Appeals/Inquiries (Pages 13 - 14)
7.	Applications for Determination
a)	N/2021/0035 - Development of 19no apartments Former Top of the Town Nightclub 73 - 91 Great Russell Street (Pages 15 - 32)

b)	WNN 2021/1011 - Erection of part first and second floor extensions to provide 13no apartments, comprising 7no studios, 4no one-bedroom and 2no two-bedroom self-contained apartments with associated cycle store and refuse store, including formation of entrance lobby to apartments off St Giles Terrace and new doors off Abington Street (Resubmission of Application N/2018/0795) 98 - 102 Abington Street (Pages 33 - 44)
c)	WNN/2021/1145 & WNN/2021/1146 - Planning permission & listed building consent for Conversion to 4no Apartments (Use Class C3) and 7no bedroom House in Multiple Occupation (Sui Generis), including demolition to rear to create associated amenity area and wider associated alterations. 13-17 Bridge Street (Pages 45 - 58)
d)	WNN/2021/1155 - Change of Use from Flexible Use Dwellinghouse (Use Class C3) / House in Multiple occupation (Use Class C4) to 7-bed House in Multiple Occupation (Sui Generis) 105 Abington Avenue (Pages 59 - 70)
8.	Urgent Business The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
9.	Exclusion of Press and Public Should Members decide not to make a decision in public, they are recommended to resolve as follows: “That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph(s) XXXXX would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

Catherine Whitehead
Proper Officer
25 February 2022

Northampton Local Area Planning Committee Members:

Councillor Jamie Lane (Chair)

Councillor Anna King (Vice-Chair)

Councillor Muna Cali

Councillor Nazim Choudary

Councillor Imran Ahmed Chowdhury BEM

Councillor Paul Clark

Councillor Raymond Connolly

Councillor Paul Dyball

Councillor Dennis Meredith

Councillor Cathrine Russell

Councillor Zoe Smith

Information about this Agenda

Apologies for Absence

Apologies for absence and the appointment of substitute Members should be notified to 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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Queries Regarding this Agenda

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

Tel: 07775936776 | 07972237042

Email: publicspeaking@westnorthants.gov.uk | ed.bostock@westnorthants.gov.uk

Or by writing to:

West Northamptonshire Council
One Angel Square
Angel Street
Northampton
NN1 1ED

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Northampton Local Area Planning Committee

Minutes of a meeting of the Northampton Local Area Planning Committee held at on Tuesday 8 February 2022 at 5.00 pm.

Present Councillor Jamie Lane (Chair)

 Councillor Imran Ahmed Chowdhury BEM
 Councillor Paul Clark
 Councillor Raymond Connolly
 Councillor Paul Dyball
 Councillor Zoe Smith

Apologies Councillor Anna King
for Councillor Nazim Choudary
Absence: Councillor Cathrine Russell

Officers: Nicky Scaife (Interim Development Manager)
 Adam Smith (Interim Development Management Team Leader)
 Hannah Weston (Principal Planning Officer)
 Adam Walker (Interim Principal Planning Officer)
 Theresa Boyd (Planning Solicitor)
 Ed Bostock (Democratic Services Officer)

89. Declarations of Interest

None.

90. Minutes

The minutes of the meeting held on 11th January 2021 were agreed and signed by the Chair.

91. Chair's Announcements

There were no announcements on this occasion.

92. Deputations/Public Addresses

RESOLVED:

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

N/2020/1097

Mark Stuart
Krishnapriya Jayadevan

N/2021/0342 & N/2021/0343

Andy Lord

WNN/2021/0029

Harry Plotnek

WNN/2021/0687

Daniel Soan
Roger Bullimore-Smith

93. **List of Current Appeals/Inquiries**

94. **Other Reports**

95. **WNN/2021/0664**

**Application to stop up part of existing footpath HW5.
Land for Car Parking, Duston Mill Lane**

The Principal Planning Officer submitted a report which sought approval for the stopping up of part of an existing footpath. The application was associated with planning application WNN/2021/0699, for the erection of an industrial unit and would only be allowed if that application was successful. It was advised that a replacement footpath already existed around the site and that the footpath the subject of the stopping up application no longer exists and had not been legally stopped up.

Members discussed the report.

RESOLVED:

That:

- i) an order be made pursuant to S257 to stop up part of the Public Right of Way Footpath HW5, and;
- ii) Subject to no objections being received to the Stopping Up Order, the Order be confirmed.

96. **Council Applications**

97. **WNN/2021/0528**

**Change of Use of Open Space to form Lawn Cemetery (Sui Generis) as an extension to existing, including landscaping, new access road, paths and other infrastructure and creation of new surfaced car parking areas, erection of new composting toilet and bin storage area
Dallington Cemetery, Harlestone Road - Major Application**

The Principal Planning Officer submitted a report which sought approval for a change of use from open space to lawn cemetery, including landscaping, new access road,

paths and other infrastructure. Members' attention was drawn to the matters set out in the Addendum. Existing hedgerows would be reinforced, and a wildlife corridor created. There were no statutory objections to the application.

Members discussed the report.

RESOLVED:

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

98. **Applications for Determination**

99. **N/2020/1097**

**Construction of 7no new dwellings and 6no flats with associated access/parking
Development Land, Blackthorn Road - Major Application**

The Principal Planning Officer submitted a report to the Committee which sought approval for the construction of 13 residential units comprised of 7 dwellings and 6 flats with associated parking. New access would be created on Blackthorn Road and to the south of the site. The properties all met national space standards and the minimum distance between the proposed development and the closest neighbouring property was 21m, ensuring an adequate separation. The site had a history of residential approvals on it and the principle of residential development was therefore accepted. The design of the scheme was considered acceptable and there was not considered to be any unacceptable impact upon neighbouring amenity or highway safety. Conditions relating to flood mitigation were included in the report.

Mr Mark Stuart, a local resident, spoke against the application and commented that rooms on the upper floors would have views into his property and overshadow his house. He also had concern around the noise and pollution that the construction would generate, the difference in levels, the removal of trees, that housing was not needed and the pressure on GP's surgeries and schools.

Ms Krishnapriya Jayadevan, a local resident, spoke against the application and voiced concern around the loss of privacy to her property and density in the area, with the adjacent housing estate having just been built. Concern was further raised with parking and highway concerns, potential criminal activity from the site, flood issues and a lack of nursery places in the area.

In response to questions the Principal Planning Officer confirmed that the site was less than 15 units and as such no affordable housing was required, and that the distance between existing properties and the development met the required standard to ensure there would not be an unacceptable impact upon neighbouring amenity.

Members discussed the report.

RESOLVED:

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

Councillor Clark joined the meeting.

100. **N/2021/0342 & N/2021/0343**
Planning application & Listed Building Consent for Conversion and alterations of factory premises to form 43 no apartments
The Hawkins Building, Overstone Road - Major Application

The Interim Development Management Team Leader submitted a report to the Committee which sought approval for the conversion and alterations of a former factory premises to form 43 flats. Highway works for St Michaels Road were planned in association with the development to provide on-street parking. A condition relating to the submission and approval of details of replacement windows to be used was proposed. Whilst some of the proposed flats fell below the national space standards, the site did have extant planning permission and the negatives had to be weighed against the positive factor of bringing the listed building back into use. Undercroft parking would be provided as well as spaces along St Michaels Road. An independent viability assessment had concluded that the development would be unviable were it to provide any affordable housing or developer contributions.

Andy Lord, the agent on behalf of the applicant, spoke in favour of the application and commented that one of the Ward Councillors for Castle had spoken highly of the development at the previous Planning Committee; this was the final phase, and the applicant was well placed to bring the development forward.

In response to a question, Mr Lord stated that the impasse regarding the windows had been resolved; it was hoped, should the applications be approved, that development would commence later in the year.

Members discussed the report.

RESOLVED:

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

101. **WNN/2021/0029**
Outline Planning Application (All Matters Reserved except Access) for the development of up to 60no dwellings (Use Class C3), including affordable housing with new vehicular access, open space, children's play area and associated infrastructure
Land East of Towcester Road - Major Application

The Principal Planning Officer submitted a report to the Committee which sought outline approval for the development of up to 60 dwellings, including affordable housing with new vehicular access from Towcester Road, open space, children's play area and associated infrastructure. Trees lining Towcester Road would be retained and a footpath around and through the site would be created. A condition was

included which related to the provision of a pedestrian and cycle access from the east to the west of the site. Member's attention was drawn to the matters set out in the Addendum.

Harry Plotnek, the agent on behalf of the applicant, spoke in favour of the application and commented that the proposal complied with the Council's Local Plan and that Highways were happy with the proposed Towcester Road access. He confirmed that the site would provide 35% affordable housing and S106 contributions. Should the application be approved, a reserved matters application would follow.

In response to questions, the Committee heard that a management plan for the site would provide for the maintenance of open space within the site. It was confirmed that the existing trees to Towcester Road were within highway land and are therefore maintained by the Council.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a S106 agreement to secure the planning obligations set out in the report, amendments as referred to in the Addendum and conditions and reasons as set out in the report.

102.

WNN/2021/0400

**Redevelopment of existing trade dealership site to comprise of demolition of existing showroom and erection of replacement, erection of car deck, retention and refurbishment of existing showroom and erection of building comprising of 5no wash bays, with associated works to include installation of security loops, fencing, gates and resurfacing of car park and display areas
Wollaston Motors, Bedford Road - Major Application**

The Interim Development Management Team Leader submitted a report which sought approval for the redevelopment of an existing trade dealership site, including the demolition of the existing showroom and erection of a replacement, erection of a car deck, retention and refurbishment of existing showroom and erection of 5 wash bays with associated works.

Members discussed the report.

RESOLVED:

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

103.

WNN/2021/0687

**Remove existing 12.5m pole and install replacement 20m pole to support 3no. antennas and ancillary equipment thereto including 6no. RRH units and 2no. dishes
Clarke Telecom, Wisteria Way -
Referred by Assistant Director Place & Economy**

The Interim Development Manager submitted a report to the Committee which sought approval for the removal of a 12.5m pole and replacement with a 20m pole and ancillary equipment. Without the installation, there would be a gap in 3G, 4G and 5G mobile coverage and higher poles were required to avoid interference. Members' attention was drawn to the Addendum. There were no statutory objections to the application.

Daniel Soan, Northampton Town Councillor, spoke against the application and commented that he acknowledged the need for infrastructure, however this pole would be located very near to residential properties. Councillor Soan stated that he was not convinced that other options had been explored.

Roger Bullimore-Smith, a local resident, spoke against the application and commented that he believed the application process was biased towards applicants. He advised that letters from the Planning Department did not reach his neighbours in time for them to submit objections. He further advised that he believed bat surveys had been undertaken outside of the season.

The Interim Development Manager confirmed that the Ecology Officer had raised no concerns to the application. She also noted that a site notice was posted, and letters posted to neighbours in accordance with statutory requirements.

Members discussed the report.

RESOLVED:

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

104.

WNN/2021/0974

**Construction of indoor training building with artificial sports pitch, entrance lobby and boot changing areas together with associated external works
Northampton Saints R F C Franklins Gardens
Weedon Road - Major Application**

The Interim Development Manager submitted a report to the Committee which sought approval for the construction of an indoor training building with artificial sports pitch, entrance lobby and boot changing areas with associated external works. A belt of trees near the site would be retained, this was secured by condition. Another condition relating to noise mitigation was included. A SUDS attenuation pond would be provided to the east of the site. The development was considered an improvement to the existing sports facility and a condition to agree a level of community use was proposed. Members' attention was drawn to the Addendum.

Members discussed the report.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to the completion of a Section 106 Agreement to secure the planning obligations set out in the Addendum and with delegated powers to the Assistant Director of Place and Economy to resolve and condition as necessary outstanding surface water drainage matters and subject to the conditions and reasons as set out in the report.

105. **WNN/2021/0993**
Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including single storey rear extension
113 Lutterworth Road - Called in by Councillor Z Smith

In accordance with paragraph 14.7 of the Council's Planning Protocol this item was withdrawn from the agenda and would be determined by officers in accordance with the Council's scheme of delegations.

106. **Urgent Business**

There was no urgent business on this occasion.

The meeting closed at 6.50 pm

Chair: _____

Date: _____

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Planning Service – Northampton Area

Assistant Director Economic Growth & Regeneration: Jim Newton



**West
Northamptonshire
Council**

List of Appeals and Determinations – 7th March 2022

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2021/0348 APP/W2845/W/21/3288343	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for three occupants at 31 Connaught Street	AWAITED
N/2021/0380 APP/V2825/W/21/3280603	DEL	Change of Use from Domestic Garage (Use Class C3) to Hairdressing and Nail Salon (Sui Generis) at 9 Whiteheart Close	AWAITED
N/2021/0471 APP/W2845/H/21/3280283	DEL	Installation of 48 Sheet Digital Advertisement on North Elevation at Waterloo House, 21 Market Square	AWAITED
WNN/2021/0043 APP/V2825/W/21/3286469	DEL	Alterations to shop front, new entrance doors and installation of ATM at 78 Earl Street	AWAITED
WNN/2021/0185 APP/W2845/W/21/3283132	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Sui Generis) for 13no occupants, to include modifications to front lightwells at 3 Langham Place	AWAITED
WNN/2021/0477 APP/W2845/D/21/3284998	DEL	Prior Notification of Larger Home Extension. Dimensions a) 5.20m b) 3.90m c) 2.99m at 138 Kingsley Road	AWAITED
WNN/2021/0830 APP/W2845/Z/22/3291238	DEL	Installation of electric shutters and change of shop front glass (Retrospective) at 34 Abington Street	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

None

The Address for Planning Appeals is:

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

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

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Nicky Scaife, Development Manager (Interim)

Telephone 01604 837692

Planning Service

The Guildhall, St Giles Square,

Northampton, NN1 1DE

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Planning Committee Report

Committee Date: 7th March 2022

Application Number: WNN/2021/0035

Location: Former Top of the Town Nightclub, 73 - 91 Great Russell Street, Northampton

Development: Development of 19no apartments

Applicant: Headcorn Constructions Ltd

Agent: CC Town Planning

Case Officer: Hannah Weston

Ward: Castle Unitary Ward

Referred By: Assistant Director of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO THE COMPLETION OF A S106 LEGAL AGREEMENT TO SECURE THE FOLLOWING:

- Early Years Education
- Construction Training
- Councils s106 Monitoring Fee

Proposal

Permission is sought for the construction of a four storey building (including basement) to provide 19no flats and basement parking.

Consultations

The following consultees have raised **no objections** or **comments** on the application:

- Environmental Health
- Local Lead Flood Authority
- Anglian Water
- Environment Agency
- Strategic Planning
- Construction Futures
- NHS

- Northamptonshire Police
- Ecology
- Archaeology
- Conservation Officer

The following consultees have raised **objections** or **concerns with** the application:

- Highways (*Officer Comment: This is based on a previous reiteration of the scheme. No comments on latest version received*)
- Northampton Town Council
- Town Centre Conservation Area Advisory Committee

No letters from neighbouring properties or third parties 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 report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and the completion of a S106 agreement.

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 is located on the north-western side of Great Russell Street, and the southern side of Charles Street and comprises a currently vacant plot of land. The site was the former Top of Town Nightclub, however the building has been demolished and the site left derelict. To the south of the site is a new housing development. To the east, north and west of the site are commercial properties. A new terrace row of dwellings is positioned further along Great Russell Street and the surrounding area is largely residential in character.

2. CONSTRAINTS

- 2.1. The application site is located within the Boot and Shoe Quarter Conservation Area.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Permission is sought for the construction of a four storey building (including basement) to provide 19no flats and basement parking.
- 3.2. During the course of the application the design and internal arrangements have been amended.

4. RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2019/0426	Construction of four storey building (including basement) to provide 14no flats and basement parking.	Approved 31/07/2020
N/2014/1279	Construction of three storey building to provide offices, 12 flats and basement parking.	Approved 3 rd February 2015. Not implemented – expired.
N/2013/1270	Construction of three storey building to provide offices, 12no. Flats and basement parking.	Approved 1st May 2014. Not implemented – expired.
N/2012/0640	Outline Application including details of layout, scale & access, with all other matters reserved to erect a four storey building providing 3 general office units (Use Class B1) or 3 financial & professional offices (Use Class A2) on the ground floor with 14 residential units above and car parking within basement and associated works.	Refused, appeal dismissed.
N/2008/0948 and WN/2007/0425	Erection of four storey building providing offices (use classes A2 and B1) on ground floor and residential above (14 units) with basement parking. (WNDC Application).	Approved. Not implemented – expired.

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 5.3. 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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) 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)

5.4. The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:

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

Northampton Central Area Action Plan 2013

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

- 1 – Promoting Design Excellence
- 16 – Central Area Living

Material Considerations

5.6. Below is a list of the relevant Material Planning Considerations

- **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:
 - Paragraphs 7-12 - Presumption in favour of sustainable development.
 - Section 6 – Building a strong and competitive economy
 - Section 8 - Promoting healthy and safe communities.
 - Section 9 - Promoting sustainable transport
 - Section 11 – Making effective use of land
 - Section 12 – Design
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Planning out Crime in Northamptonshire SPG 2004
- Northampton Local Plan Part 2 (2011-2029) (Emerging)
Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are

therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- 1 – Presumption for sustainable development – Significant weight.
- 3 – Design – Moderate weight
- 4 – Amenity and layout – Moderate weight
- 17 – Safeguarding existing employment sites – Significant weight
- 31 – Protection and enhancement of designated and non-designated heritage assets – Significant weight.

6. RESPONSE TO CONSULTATION

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	Comment
Environmental Health	Request conditions on ventilation system, glazing and construction specifications, EV charging, contamination, and require a CEMP.
Lead Local Flood Authority	No objection subject to conditions.
Anglian Water	Request condition on surface water management and informatives on used water network.
Environment Agency	No comment
Strategic Planning	Request financial contributions towards education and libraries.
Construction Futures	Request a financial contribution towards apprentice training and a training scheme.
NHS	Request contribution towards primary health care.
Northamptonshire Police	No objection.
Ecology	Request condition for nest bricks for bats and birds.
Highways	Object - Note that development encroaches on the highway and that 1 metre should be retained between the building and the highway boundary. Raises that the parking does not meet the minimum parking standards. <i>(Officer Comment: Following these comments the scheme was amended. No updated comments have been received from Highways).</i>
Archaeology	No comment
Northampton Town Council	Support principle but concerns with scale of building and the parking and access.
Conservation Officer	If the scale matches that previously approved it is an improvement on the previous scheme and will have an acceptable impact on the Conservation Area. Materials should be agreed by condition but brick is more appropriate than render.
Town Centre Conservation Area Advisory Committee	Concerned building is too large a scale and should draw on the local vernacular (remove render and use red brick).

7. RESPONSE TO PUBLICITY

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

7.1. None received.

8. APPRAISAL

Principle

8.1 The application site is in a largely residential area within the urban area of Northampton, on the edge of the town centre, and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.

8.2 Furthermore, there is a live consent for residential development on this site, reference N/2019/0426. As such the principle of residential development on this site is established.

8.3 In line with this it is considered that the principle of providing residential units is acceptable.

Design and impact upon the street scene and conservation area.

8.4 Planning permission was refused and an appeal dismissed for a four storey building on this site (N/2012/0640). The Inspector for this appeal outlined that a building of in excess of 12 metres would appear out of keeping with the wider conservation area. This proposal was for a curved building with flat roof.

8.5 Previous application N/2014/1279 granted consent for a building with a height up to 12.7 metres, this height was only at the ridge heights of the 7 ridge points. The main bulk of the building was set lower at around 10.4 metres. The Officer Report outlined that the 'design of the building is considered to be acceptable, albeit it would be one of the larger buildings in the area'.

8.6 Application N/2019/0426 is a live consent on the site and granted a three storey building plus a partially submerged basement, which tallied with that approved under application N/2014/1279. The design was of six gable end projections fronting Great Russell Street, a simplified version of that approved under application N/2014/1279. The building had a ridge height of approximately 11.8 metres and an eaves height of approximately 10 metres. The ridge height fell under the 12 metre limit as advised by the Inspector for application N/2012/0640).

8.7 The currently proposed scheme is of a similar built form to that approved under N/2019/0426, being approximately 11.8 metres to ridge height, and 10 metres to eaves height. The current scheme similarly presents 6 gable end projections to Great Russell Street, but also includes a small increase in width to the south with a double gable fronting the south.

8.8 The former Top of the Town nightclub which was on this site was a large plastic clad building of dominance within the street scene. This has however been demolished and the site left vacant and in poor maintenance, providing a harmful appearance to the street scene. To the west of the site are single storey and two storey commercial and residential properties fronting Earl Street. To the north of the site across Charles Street is a car repair garage. To the east of the site across Great Russell Street is a single

storey restaurant. To the south of the site is a new housing development of two storey dwellinghouses of a traditional appearance.

- 8.9 It is the case that the proposed building would be of a similar size as that approved under N/2019/0426. This previous consent is still live and as such holds significant weight in the assessment of this scheme.
- 8.10 As with the previous approval on this site, the proposed building would be significantly larger than any existing development within the immediate surrounding area. Whilst this is the case, consideration must also be given to the planning history on this site, and under application N/2012/0640 the Planning Inspector raised that a height over 12 metres was unacceptable, indicating that a height at 12 metres or under would be appropriate for this location.
- 8.11 With the planning history on this site, it is considered that the height of the proposal is acceptable in design terms. The proposal utilises a 6 ridge roof style and varying fenestration detailing to provide some interest to the building and reduce the bulk and dominance.
- 8.12 The application site is located within the Boot and Shoe Quarter Conservation Area. The NPPF advises on the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; consideration should be given to the wider social benefits that the conservation of the historic environment can bring and the positive contribution that conservation of the heritage asset can make to sustainable communities. Great weight should be given to the asset's conservation with any harm or loss through alteration requiring clear and convincing justification.
- 8.13 The NPPF further advises that where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development would lead to less than substantial harm, this harm should be weighed against the public benefits, including securing its optimum viable use.
- 8.14 Policy BN5 of the JCS seek to ensure the conservation and enhancement of heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets in order to retain and reflect the distinctiveness of the environment, contribute to the sense of place and promote sustainable and prudent use of natural resources.
- 8.15 The Town Centre Conservation Area Advisory Committee raise concern that the building is too large and the render should be removed. The Council's Conservation Officer has been consulted on the scheme and advises that the design is an improvement to that approved under N/2019/0426, which can still be built on site. The Conservation Officer advises that the proposal would have an acceptable impact upon the Conservation Area. It is advised that render would not be appropriate for the building and that materials should be controlled through condition.
- 8.16 The impact on the character and appearance of the conservation area is considered less than substantial and the proposal would develop an existing vacant site and contribute towards housing provision in the area. It is, therefore, considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding street scenes and Conservation Area and would be acceptable in design terms.

Residential amenity

- 8.17 The application proposes 19 residential units, comprised of 16x 1 bedroom flats and 3x 2 bedroom flats. All of the proposed flats meet the minimum space standards as identified within the Nationally Described Space Standards (2015), providing a good standard of accommodation for future occupiers.
- 8.18 Careful consideration has been undertaken to design the scheme such that sufficient light and outlook is provided to each flat despite the constrained location. A central void is provided to the west to allow windows to be provided within this void as opposed to looking at the neighbouring commercial units which back immediately up to the site boundary. Windows have been positioned within this void such that habitable rooms face non-habitable or secondary windows which can be obscure glazed. A condition requiring this is proposed.
- 8.19 No meaningful amenity space is provided on site. The application site is located within the Town Centre and within walking distance of local parks and sports facilities. As such it is not considered that the lack of amenity space would be unacceptable for this development.
- 8.20 Environmental Health have been consulted on the application and advise no objection subject to conditions on ventilation, glazing and construction specifications. These are considered reasonable to require.

Neighbouring amenity

- 8.21 Properties to the west of the site are screened from this proposal by existing commercial buildings and extensions which project immediately up to the boundary edge with no windows. Properties to the north and east of the site are separated by Charles Street and Great Russell Street.
- 8.22 To the south of the site two storey residential properties have recently been constructed, and the position of those nearest the site have been shown on the submitted plans. It is considered that the proposed building is a sufficient distance from the proposed dwellings to provide an acceptable relationship between any future occupiers. The bin and bike store for the development is provided almost up to the boundary with the approved two storey dwelling to the south of the site. This store is of a flat roof design to minimise the impact upon this dwelling.
- 8.23 It is not considered that there would be an unacceptable impact upon neighbouring amenity as a result of this proposal.

Highways

- 8.24 The Council's Highways department have been consulted on this proposal. An objection was received due to the development encroaching on the highway and that 1 metre should be retained between the building and the highway boundary. Following this the development was amended to be moved off the highway land. No updated comments have been received from Highways, however it is considered that this concern has been addressed.
- 8.25 Highways further raised that the parking provided does not meet the minimum parking standards. The application proposes a basement parking area with 15 parking spaces for 19 units. With the site being located within the town centre of Northampton, within a

highly sustainable location within walking distance of local shop, facilities, parks, and transport routes, the parking level proposed is considered acceptable.

- 8.26 Under the Northampton Parking Standards SPD, electric vehicle charging points will be required at a ratio of 1 per unit. The applicant has advised that the car parking spaces will be allocated and as such a condition would be attached requiring the provision of EV charging points for all parking spaces.

Flood risk

- 8.27 The Lead Local Flood Authority and Anglian Water raise no objection subject to conditions, which are considered reasonable to attach. The Environment Agency raise no comment on the scheme.

Ecology

- 8.28 The Council's Ecology officer requests a condition requiring bat and bird bricks. This is considered reasonable to attach.

Obligations and viability

- 8.29 As part of this application NHS England have requested a contribution towards primary care, Strategic Planning have requested a contribution towards education, and Construction Futures have requested a contribution towards construction training. Furthermore, a contribution towards off-site open space would usually be required for a development of this size. It is also the case that with the development falling over 15 units, affordable housing at 35% should also be provided on site.
- 8.30 As part of this application a viability assessment has been submitted concluding that the development would be unviable if S106 developer contributions and affordable housing were required and as such the application proposes that no contributions and no affordable housing can be provided as part of this development.
- 8.31 The National Planning Policy Framework (NPPF) identifies at paragraph 57 that if full contributions cannot be made, it is for the applicant to demonstrate whether particular circumstances justify the need for a viability assessment. The weight to be given to the viability assessment is for the Council to decide having regards to all the circumstances in the case including whether the plan and the viability evidence underpinning it is up to date and any changes in circumstances.
- 8.32 The viability assessment submitted with the planning application has been independently assessed on behalf of the Council. It has been concluded that the scheme is unviable in relation to the affordable housing and full S106 requirements. It is advised, however, that a smaller contribution can be made. On the basis of this the contribution towards early years education and Construction Training is considered reasonable to request. This would be secured through a S106 agreement.
- 8.33 With the independent assessor confirming that the scheme cannot provide affordable housing or full contributions, it is considered that it has been justified for a lower provision for this development and the non-provision of affordable housing.
- 8.34 The lack of affordable housing provision and S106 contributions must therefore be weighed against bringing this redundant site in the conservation area back into use and the provision of housing.

9 FINANCIAL CONSIDERATIONS

9.1 The development is CIL liable.

10 PLANNING BALANCE AND CONCLUSION

10.1 To conclude the proposed development is considered acceptable without having an undue adverse impact on the street scene, Conservation Area, highway safety and residential amenity. The proposal is considered to comply with the National Planning Policy Framework, Policies S1, S2, S3, S10, C2, H1, BN5, BN9, N1 of the West Northamptonshire Joint Core Strategy, and Policies 1 and 16 of the Northampton Central Area Action Plan 2013. It is recommended that planning permission is granted subject to conditions and subject to the completion of a S106 agreement.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 The proposed development is recommended for approval subject to the following conditions:

Time

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

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

Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 21002/2C, 21002/3C, 21002/4D, 21002/5D.

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

CEMP

3. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:

- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
 - ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
 - iii) Details of the siting of all vehicles of site operatives and visitors.
 - iv) The unloading and loading arrangements for heavy plant and machinery.
 - v) The location, extent and duration of any temporary stockpiling areas.
 - vi) Measures to prevent mud being deposited on the surrounding highway.
 - vii) Hours in which development will take place.
 - viii) Non-road mobile machinery (NRMM) controls.
 - ix) Details of temporary site storage, welfare facilities and contractor parking.
- The approved CEMP and measures contained therein shall be adhered to throughout the construction process.

Reason: To minimise the impact of the development during the construction phase in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework. This condition is required pre-commencement to ensure the agreement of such details in a timely manner.

Levels

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

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

Ecology

5. Prior to the commencement of development above slab level details of bird and bat bricks to be used in the development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of securing a satisfactory standard of development in accordance with the requirements of the National Planning Policy Framework.

Contamination

6. Prior to the commencement of the development hereby permitted, an investigation and risk assessment, in addition to any assessment provided with the planning application, shall be completed in accordance with a scheme to assess the nature and extent of any contamination of the site, whether or not it originates on the site. The contents of the scheme are subject to approval in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be subject to approval in writing by the Local Planning Authority. The report of the findings must include:
 - (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and

the quality of the environment in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

7. Prior to the commencement of the development hereby permitted, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings, and other property and the natural and historical environment must be prepared, and shall be subject to approval in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation

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

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

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced and be submitted for approval in writing by the Local Planning Authority.

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

9. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 6 above, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 7 above, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 8.

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

Noise

10. Prior to the commencement of development full details of an active ventilation system for all flats shall be submitted to and approved in writing by the Local Planning Authority. The approved ventilation system shall be provided prior to first occupation of the development and retained at all times thereafter in a fully working condition.

Reason: In the interests of residential amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

11. The development shall be undertaken in full accordance with the construction and glazing specifications set out within NoiseAir Report Reference P5254-R1-V1 produced for Headcorn Constructions Ltd dated 7th February 2022.

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

Surface water

12. No above ground development shall take place until full details of the surface water drainage scheme for the site, based on Drawing 14292 / 01B entitled Proposed Basement: Drainage Layout, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. These shall include:
 - a) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation basins. Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - b) Cross sections of all control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves for all hydrobrakes and any other flow control devices.

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

13. No development shall take place until a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. This scheme shall include details of any drainage elements that will require replacement within the lifetime of the proposed development.

Reason: In order to ensure that the drainage systems associated with the development will be maintained appropriately and in perpetuity, to reduce the risk of flooding due to failure of the drainage system.

14. No Occupation shall take place until a Verification Report for the installed surface water drainage system for the site, based on the approved details, has been submitted in writing by a suitably qualified independent drainage engineer and approved in writing by the Local Planning Authority. The details shall include:
 - a) Any departure from the agreed design is keeping with the approved principles
 - b) Any As-Built Drawings and accompanying photos
 - c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
 - d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - e) CCTV confirmation that the system is free from defects, damage and foreign objects.

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

Materials

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

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan 1997.

Landscaping

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

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

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

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

Crime security

17. Prior to the construction of the development hereby approved above ground floor slab level, a crime security measures strategy for crime prevention for the residential units shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme for crime security shall be implemented in full accordance with the approved details prior to first occupation of the residential units hereby approved and retained thereafter.

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

EV Charging

18. Full details of a minimum of 15 electric vehicle charging points for the car parking hereby approved shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document (2019) and to provide a sustainable development in accordance with the aims and objectives of the National Planning Policy Framework.

Bin and bike stores

19. Prior to first occupation of the development hereby approved, the bin and bike store as shown within plan 21002/3C shall be provided on site and shall be retained for the secure storage of bins and bikes at all times thereafter.

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

Parking

20. The parking spaces shown on approved plan 21002/3C shall be constructed prior to the first occupation of the development hereby approved and retained thereafter solely for the parking of vehicles associated with these properties.

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

Obscure glazing

21. The following windows as shown within approved plans 21002/3C and 21002/4D shall be glazed with obscure glass to Level 3 or higher of the Pilkington scale of privacy or equivalent and fixed shut up to 1.7 metres from internal finished floor level prior to first occupation and retained in that form at all times thereafter;
- Bathroom window to flat G1;
 - Bathroom and hall windows to flat F6;
 - Bathroom and hall windows to flat S13;
 - All communal corridor windows facing westwards and southwards over the flat roof central void.

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

HiMO

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent order revoking and re-enacting the provisions of the order, the dwellings hereby permitted shall be used only for purposes within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and shall not be used as a House in Multiple Occupation.

Reason: In the interests of amenity and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.

INFORMATIVES

1. Anglian Water advise:

(1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, Under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(2) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.

(3) INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

(4) INFORMATIVE – Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.

(5) INFORMATIVE - The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.



West Northamptonshire Council

Title: **73 - 91 Great Russell Street**

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Planning Committee Report

Committee Date: 7th March 2022
Application Number: WNN/2021/1011
Location: 98 - 102 Abington Street, Northampton
Development: Erection of part first and second floor extensions to provide 13no apartments, comprising 7no studios, 4no one-bedroom and 2no two-bedroom self-contained apartments with associated cycle store and refuse store, including formation of entrance lobby to apartments off St Giles Terrace and new doors off Abington Street (Resubmission of Application N/2018/0795)

Applicant: Sipp Real Estate Ltd
Agent: Valerie Scott Planning
Case Officer: Christopher Wentworth

Ward: Castle Unitary Ward

Referred By: Assistant Director of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS.

Proposal

The development proposal seeks planning consent for the erection of part first and second floor extensions to provide 13 no. apartments comprising of 7 no. studios, 4 no. 1-bedroom and 2 no. 2-bedroom self-contained apartments with associated cycle store and refuse storage, including the formation of an entrance lobby to the apartments off St Giles Terrace along with new access doors off Abington Street in Northampton town centre. This proposal is a resubmission of approved scheme reference N/2018/0795 which is time expired.

Consultations

The following consultees have raised **objections or concerns** regarding the application:

- Conservation.
- Environmental Health.
- Town Centre Conservation Advisory Group

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

- Environment Agency.

- Fire and Rescue.
- Archaeology.
- Anglian Water.

No letters of objection have 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:

- Previous approval on site.
- Principle of Development.
- Design and Appearance.
- Heritage Impacts.
- Residential Amenity.
- 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 consists an existing food outlet at ground floor level located in the town centre. As a consequence, the surrounding land uses are predominantly commercial in nature, with a particular predominance of retailing. A mix of commercial and residential uses are located along St Giles Terrace. In addition, the site is located in close proximity to the St Giles Conservation Area (which contains the Grade II listed St Giles church) and adjoins the listed St Giles Terrace to the south of the site.

2 CONSTRAINTS

- 2.1 The application site is located within Northampton Town Centre (CAAP).
- 2.2 St Giles Conservation Area boundary along southern edge of site.
- 2.3 Setting of Grade II listed buildings on St Giles Terrace and St Giles Church.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development proposal seeks planning consent for the erection of part first and second floor extensions to provide 13 no. apartments comprising of 7 no. studios, 4 no. 1-bedroom and 2 no. 2-bedroom self-contained apartments with associated cycle store and refuse storage, including the formation of an entrance lobby to the

apartments off St Giles Terrace along with new access doors off Abington Street in Northampton town centre, both of which would serve apartments at first and second floor levels. The existing ground floor commercial units would be retained.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2017/0049	Erection of part first and second floor extension to provide 7 x Studio and 7 x 1 Bed self-contained apartments with associated cycle store and designated refuse storage including formation of an entrance lobby to apartments off St. Giles Terrace and new doors off Abington Street.	Refused. 20/06/17 Appeal Dismissed 12/12/17.
N/2018/0795	Erection of part first and second floor extensions to provide 13 apartments comprising 7 x studios, 4 x 1-bedroom and 2 x 2-bedroom self-contained apartments with associated cycle store and refuse storage, including formation of an entrance lobby to apartments off St Giles Terrace and new doors off Abington Street.	Approved. 9/08/18

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

5.2 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.

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

5.4 Development Plan

- West Northamptonshire Joint Core Strategy (Local Plan Part 1).
 - Policy BN5 – Historic Environment
 - Policy H1 – Housing
 - Policy S10 – Sustainable Development Principles
- Northampton Central Area Action Plan (CAAP) (2013).

- Policy 1 – Promoting Design Excellence
- Policy 16 – Town Centre living

5.5 Material Considerations

- National Planning Policy Framework (NPPF)
- Northampton Local Plan Part 2 (2011-2029) (Emerging)

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- Policy 1 - Presumption in favour of sustainable development – Significant Weight.
- Policy 2 – Placemaking – Moderate Weight.
- Policy 3 – Design – Moderate Weight.
- Policy 4 – Amenity and Layout – Moderate Weight.
- Policy 8 – Supporting Northampton Town Centre's role – Significant Weight.
- Policy 14 – Type and mix of housing – Moderate Weight.
- Policy 21 – Residential development on upper floors – Significant Weight.
- Policy 31 – Protection and enhancement of designated and non-designated heritage assets – Significant Weight.
- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

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	Comment
Anglian Water	No objection. Condition - Foul water drainage works. Condition –Surface water management strategy.
Archaeology	No comments to make.
Environment Agency	No comments to make.
Fire and Rescue	No objection. Refers applicant to standing advice.
Conservation	Objection. The application is a re-submission of N/2018/0795. I have nothing to add to the comments I made at the time of that application, in which I objected to the impact on the character and appearance of St Giles' Conservation Area and on the

	setting of the grade II listed Nos.1-8 St Giles' Terrace and on views of St Giles' Church.
Environmental Health	Objection. Maintain our existing concerns on the application as raised for N/2018/0795. No further information is presented to alleviate our existing and maintained concerns on noise and odour.
Town Centre Conservation Advisory Committee (TCCAAC)	Objection. The TCCAAC has concerns about the proposal. Whilst members felt that the St Giles Terrace elevation was an improvement on the existing building and previous proposals, the committee was concerned about the impact upon the setting of the listed terrace of St Giles Terrace and on the Grade A listed St Giles Church. The impact on the setting and on the wider conservation area should be assessed., to ensure that there is not a substantial degree of harm and that the assessment would be aided by additional drawings of the massing from other viewpoints. Potential impact of a further high density residential development, particularly so close to other high-density developments already approved.
Highway Authority	No objection. Condition – Construction Traffic Management Plan.
Development Management	No objection. Request obligations for fire hydrants and library provision.

7 RESPONSE TO PUBLICITY

- 7.1 No third party or neighbour responses received at the time of writing this report.

8 APPRAISAL

Principle of Development

- 8.1 It is noted that this is the third application, for a comparable development, that has been submitted on this site. The first was dismissed on appeal on account of the development having an adverse impact upon the character and appearance of the heritage assets to the south of the application, including St Giles Terrace and St Giles Church.
- 8.2 A second application was submitted in 2018, reference N/2018/0795, and was subsequently approved as officer opinion was that the scheme had been amended to address the deficiencies outlined within the previous refusal and appeal dismissal. The 2018 consent that was approved is the same scheme which is subject to the current planning application. The 2018 consent expired in August 2021 and was not pursued due, in part, to the Covid 19 pandemic. The current planning application seeks approval for this previously approved consent without any changes proposed. It is considered that the principle of residential development in this location has already been established through the provision of the most recent planning consent.
- 8.3 The proposed development would create an additional 13 no. units of accommodation within a sustainable location. Whilst the authority can now demonstrate a five-year housing land supply, the development proposal would make a contribution to addressing this continuing need, which is considered to be of some benefit. It is noted that a strategic objective of the Central Area Action Plan (CAAP) is to re-populate the

town centre through mixed use development proposals such as that proposed. For these reasons, it is considered that the principle of residential development of the site remains acceptable.

Design and Appearance

- 8.4 The 2018 approved scheme provided a number of design changes to address the concerns of the previous refusal and dismissed appeal. This has resulted in a scheme that better harmonises within the existing building, which occupies a notable position on Abington Street. The proposed extensions have been designed in manner so that they step down from the highest point of the building fronting Abington Street, to the rear of the building where it meets the listed buildings of St Giles Terrace. This stepped down approach is considered to be a positive addition as it mirrors the downward gradient of St Giles Terrace in this location and better harmonises with the listed terrace buildings.
- 8.5 Furthermore, the extensions provide a number of windows to the St Giles Terrace elevation which have sought to provide a continuation of the elevation when viewed from the Abington Street elevation, including the provision of matching facing brickwork, the provision of projecting facing brick piers alongside the window reveals, matching rainscreen panels and window frames to match the existing building. These design features are considered to ensure that the proposal would have a much lower visual impact, and in this case, impact positively upon the existing building as it would result in the removal of a currently unremarkable single storey extension to the rear of the site.
- 8.6 In order to secure a good standard of development, a condition is recommended that would ensure that the Council approves details of building materials and windows frame details. The latter point is of particular importance as the scheme has been revised in order to ensure that these are recessed. This creates some relief in what would otherwise be a vertical, flat roof façade and also improves the relationship between the proposed development and the three storey section of the site that fronts onto Abington Street.

Heritage Impacts

- 8.7 The NPPF advises on the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social benefits that the conservation of the historic environment can bring and the positive contribution that conservation of the heritage asset can make to sustainable communities. Great weight should be given to the asset's conservation with any harm or loss through alteration requiring clear and convincing justification.
- 8.8 The NPPF further advises that where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development would lead to less than substantial harm, this harm should be weighed against the public benefits, including securing its optimum viable use.
- 8.9 Policy BN5 of the JCS seek to ensure the conservation and enhancement of heritage assets and encourages the retention and sensitive re-use of disused or underused heritage assets in order to retain and reflect the distinctiveness of the environment, contribute to the sense of place and promote sustainable and prudent use of natural resources.

- 8.10 It is appreciated that the Council's Conservation Officer has raised concerns regarding the loss of views of the St Giles Terrace and St Giles Church. This was raised during the assessment of the 2018 application. Whilst it is appreciated that the previous appeal was dismissed on this ground, the revised scheme which was approved under the 2018 consent and is the same as that submitted for assessment currently, has allowed for significantly more views southwards towards the church. The scheme was amended to reduce the section of building immediately adjoining St Giles Terrace to 2-storey reducing the impact on St Giles Terrace and affording views through to the church. Whilst some of the northernmost chimney stacks in St Giles Terrace would be obscured from certain vantage points, owing to the views of the remaining chimney stacks and the church being relatively unaffected, it was considered in 2018 that the harm arising from this would be less than substantial and it is still considered to be the case currently that the harm would be less than substantial.
- 8.11 In line with the requirements of the NPPF, such harm should be weighed against the benefits of the scheme. In this case, weight is given to the positive impacts on the visual amenity of the application building, the extension of which would significantly improve the appearance of this prominent corner plot, the positive impact on housing supply provision and the provision of residential accommodation in a highly sustainable location. Therefore, the proposal is considered to provide a number of positive benefits that outweighs the limited harm in this case.

Residential Amenity

- 8.12 The proposed scheme would now be assessed in relation to the nationally described space standards which provides minimum space standards for overall residential unit sizes along with minimum bedrooms sizes. In this case all of the proposed units, apart from unit 1, a studio unit would meet or exceed the minimum space standards for the unit in question. Unit 1 would provide 33.8sqm of internally floor space, 3.2sq.m below the outlined standard. However, the unit is served by 2 no. large windows fronting Abington Street and is a regular, useable space. On this basis it is not considered to be of a sufficiently poor standard to recommend refusal on this basis alone. Furthermore, the proposed bedroom sizes would meet or exceed the minimum space standards for both single and double bedrooms.
- 8.13 The outlook from the proposed units, specifically in relation to habitable rooms, would face onto either St Giles Terrace or Abington Street. These windows would provide an element of animation for future occupiers and would exceed the minimum separation distances to achieve appropriate levels of light and outlook. 5 no. windows to the rear elevation facing towards the Venton Centre are proposed. These windows, at first and second floor levels relate to bedrooms associated with units 5-7 and 12-13. These windows would also have sufficient outlook to the rear of buildings fronting Abington Street and over the Venton Centre with no built development restricting outlook in this case.
- 8.14 The proposal would provide two entrances to the proposed residential accommodation, one from the Abington Street elevation that would serve 10 no. apartments, along with a refuse store and cycle storage area for those residential units, and a separate entrance to the St Giles Terrace elevation that would provide access to 3 no. residential units along with a refuse store and cycle storage associated with those units. Commercial waste for the existing ground floor units would be kept separate from the residential facilities. Refuse storage provision would be required by condition.

- 8.15 It is appreciated that the Council's Environmental Health section have commented upon the potential for noise disturbance arising from the town centre location and cooking odours from the integral takeaway/restaurant below. These were matters that were addressed in the previous appeal. In the case of noise, it is considered that as a town centre location, residents would generally expect a degree of noise and activity, a view supported by the Planning Inspector. Furthermore, the development would contribute towards the delivery of a strategic objective of the CAAP and noise mitigation measures between the commercial element and the proposed residential properties would be addressed through the Building Regulations process as outlined by the Inspector, although it is noted that Environmental Health disagree with such an approach as a preferred method.

Highway Matters

- 8.16 Owing to the sustainable location of the development, it is considered that the proposal would not result in any harm to the traffic system and no objections have been received from the Highway Authority in this regard. Whilst no on-site parking provision is proposed, the site is located within a highly sustainable location, surrounded by main town centre facilities and a variety of public transport options within walking distance. Furthermore, the proposal would offer onsite cycle storage provision for residents use which offers a further, sustainable transport option which is supported. Such provision can be secured by planning condition. On this basis, it is considered that the proposal is acceptable addition in this regard.

Other Matters

- 8.17 In respect of the points raised by NCC Development Management, it is considered that there is insufficient policy basis to insist on the provision of library or fire services.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development proposal would be subject to CIL liable in respect of new floorspace created.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development represents an appropriate land use and would not have a significant adverse impact upon the highway system, neighbour amenity and the character and appearance of the surrounding area. Furthermore, it is considered the impact upon the historic environment would be less than substantial and outweighed by the provision of new dwellings within a sustainable, town centre location. The proposal is therefore in general conformity with the requirements of the National Planning Policy Framework; Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 16 of the Northampton Central Area Action Plan.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposed development is recommended for approval subject to the conditions as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 11-501, 11-502, 11-503, 11-504, 12-505A, 11-506, 11-505, 12-501, 12-503A, 12-502A, 12-504A, 13-501, 13-502, 12-506A, 12-507, 02-501, 02-502, 02-503, 02-504, 02-505, 02-506, 02-507, 02-508, 02-509, 02-510.

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

3. Full details of all proposed external facing materials, including windows and doors, shall be first submitted to and approved in writing by the Local Planning Authority. The details of the proposed windows shall include recessed surrounds of a scale of 1:20 including details of cross-sections. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy 1 of the Northampton Central Area Action Plan.

4. Prior to commencement of development, a Construction Environment Management Plan (CEMP) 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 CEMP. The CEMP should include (but not be limited to):

- Details of the proposed construction access to the site
- Parking for site operatives and visitors.
- Storage areas for plant and materials.
- The erection and maintenance of security fencing/hoardings and lighting.
- Welfare and other site facilities.
- Working hours and delivery times.
- Measures to control noise, vibration, dust and fumes during construction
- Measures to prevent mud and other debris being deposited on the surrounding highway.

Reason: In the interests of securing a satisfactory standard of development, in accordance with the requirements of the National Planning Policy Framework. This a pre-commencement condition in order to ensure the agreement of such details in a timely manner.

5. No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy. Development shall be carried out in accordance with the approved details prior to occupation of the development hereby permitted and retained as approved thereafter.

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

Core Strategy. This a pre-commencement condition in order to ensure the agreement of such details in a timely manner.

6. No development shall commence until a foul water drainage strategy has been submitted to and approved in writing the by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to occupation of the development hereby permitted and retained thereafter.

Reason: To ensure appropriate provision of foul drainage to serve the development in the interests of amenity, drainage and to secure a satisfactory standard of development in accordance with Policies S10 and BN7 of the West This a pre-commencement condition in order to ensure the agreement of such details in a timely manner.

7. The refuse and cycle storage as shown on the drawing 11-502 A shall be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

8. Prior to the commencement of development, a noise assessment and mitigation scheme for achieving the noise levels outlined in BS8233:2014 with regards to the residential units, shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented before first occupation of the residential units and thereafter maintained in the approved state at all times. No alterations shall be made to the approved structure including roof, doors, windows, ventilation strategy, external facades, layout of the units or noise barriers.

Reason Details are required prior to the commencement of development in the interest of safeguarding residential amenity in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy.

9. Prior to commencement of the development, a ventilation strategy which includes an assisted mechanical ventilation proposal to allow residential windows to remain closed, should be submitted to and approved in writing by the Local Planning Authority. This scheme should cover the facades of the residential development where commercial extraction equipment to serve the ground floor use is located. The scheme shall be implemented at the development site prior to occupation of the residential units hereby permitted and maintained thereafter.

Reason: Details are required prior to the commencement of development in the interest of safeguarding residential amenity (Noise and Odour) in accordance with Policy BN9 and S10 of the West Northamptonshire Joint Core Strategy.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent order revoking and re-enacting the provisions of the order, the dwellings hereby permitted shall be used only for purposes within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and shall not be used as a House in Multiple Occupation.

Reason: In the interests of amenity and highway safety in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the guidance in the National Planning Policy Framework.



West Northamptonshire Council

Title: **98 - 102 Abington Street**

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Date: 25-02-2022

Scale: 1:1,000 @A4

Drawn: M Johnson

Planning Committee Report

Committee Date: 7th March 2022

Application Number: WNN/2021/1145 & WNN/2021/1146

Location: 13 - 17 Bridge Street, Northampton

Development: Planning and Listed Building applications for Conversion to 4no Apartments (Use Class C3) and 7no bedroom House in Multiple Occupation (Sui Generis), including demolition to rear to create associated amenity area and wider associated alterations

Applicant: H and F Enterprises UK Ltd

Agent: CC Town Planning

Case Officer: Jonathan Moore

Ward: Castle Unitary Ward

Referred By: Councillor D Stone

Reason for Referral: Overdevelopment

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

Planning Application WNN/2021/1145

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Listed Building Application WNN/2021/1146

RECOMMENDATION: GRANT CONSENT SUBJECT TO CONDITIONS

Proposal

Planning Permission and Listed building consent are sought for the conversion of the existing group of three buildings to 4no Apartments (Use Class C3) and a 7no bedroom House in Multiple Occupation (Sui Generis), including the demolition of existing rear outbuildings to create an amenity area and associated alterations. The existing ground floor and basement area would be retained as retail/commercial use comprising 3 separate units with the residential accommodation located on the upper floors. Each of the HIMO bedrooms would be double occupancy all with en-suites. The proposal includes the installation of bin and cycle stores to the rear accessed from the ground floor.

In terms of the listed building application, there would be no changes to the frontage onto Bridge Street. External alterations to the rear would comprise the demolition of the outbuildings and making good, and internal alterations would involve the creation of new internal partitions required to create new residential accommodation.

Consultations

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

- Environmental Health
- Conservation
- Town Centre Conservation Area Committee (TCCAAC)
- Private Sector Housing
- Highways
- Anglian Water
- Northants Police
- Historic England

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

- Northampton Town Council.

No letters of objection have been received from any neighbouring occupier.

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
- Concentration
- Residential amenity
- Impact on heritage assets
- Flood risk
- Highways and parking
- Security and crime prevention

The report looks into the key planning issues in detail, and Officers conclude that the proposals are 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 comprises a group of 19th century buildings, Nos. 13-17 Bridge Street, with 3 vacant retail units on the ground floor and associated storage use over the floors above and at basement level.
- 1.2 The group of buildings are located in the Town Centre and within All Saints Conservation Area and is located within a Secondary Retail Frontage as defined by the Northampton Central Area Action Plan. No. 17 Bridge Street is Grade II listed.
- 1.3 The buildings stagger in height along Bridge Street, No. 13 being 3-storeys in height, No. 15, 4-storeys, and No. 17, 5 storeys, all with basement level rooms in addition.
- 1.4 The main entrance to the buildings is taken from Bridge Street with on-street parking along Bridge Street.
- 1.5 The surrounding area comprises a mix of commercial and town centre uses interspersed with residential above.

2 CONSTRAINTS

- 2.1 The application site is within the All Saints Conservation Area. No. 17 Bridge Street is Grade II listed.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for the conversion of the existing group of buildings to 4no Apartments (Use Class C3) and a 7no bedroom House in Multiple Occupation (Sui Generis) on the upper floors retaining commercial use at ground floor and basement level and retaining the existing shop fronts and an active frontage to Bridge Street. The proposal includes the demolition of outbuildings to rear to create an associated amenity area with refuse storage for both commercial and residential uses and a cycle storage area.

4 RELEVANT PLANNING HISTORY

- 4.1 The following planning history is considered directly relevant to the current proposal:

Application Ref	Proposal	Decision
N/2017/0747	Partial demolition at rear of existing buildings, repairs and alterations to No. 17 Bridge Street, and erection of five storey rear extension to create a 41-bed student accommodation with associated works, repairs and alterations to shopfronts, retail/cafe, cycle parking and hard surfacing.	APPROVED
N/2017/0751	Listed Building Application for the partial demolition at rear of existing buildings, repairs and alterations to No. 17 Bridge Street, and erection of five storey rear extension to create a 41-bed (arranged into 18 clusters) building of student accommodation with associated works,	CONSENT GRANTED

	repairs and alterations to shopfronts, retail/cafe, cycle parking and hard surfacing.	
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- 4.2 The above permissions have now lapsed but accepted the principle of residential development at the site and were for a much more intensive form of development.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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.

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.

5.3 Development Plan

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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Central Area Action Plan and Emerging Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

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

The relevant policies of the JCS are:

- H1 - Housing Density & Mix & Type of Dwellings
- H5 - Managing the Existing Housing Stock
- SA - Presumption in Favour of Sustainable development
- S1 - Distribution of Development
- S3 - Scale and distribution of housing development
- S10 - Sustainable Development Principles
- BN5 - Heritage Assets.
- BN7 - Development and Flood Risk
- BN9 - Pollution Control

Northampton Central Area Action Plan (CAAP)

- Policy 1 Promoting Design Excellence
- Policy 16 Central Area Living

5.4 **Material Considerations**

Below is a list of the relevant Material Planning Considerations

National Planning Policy Framework (NPPF)

- Paragraph 104 Transport issues
- Paragraph 130 Design and amenity
- Paragraph 197- Heritage and conservation

Northampton Local Plan Part 2 (2011-2029) (Emerging)

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

The policies contained with the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to be afforded to the policies relevant to this application are set out below:

- Policy 3 Design- (Moderate weight)
- Policy 4 Amenity and Layout (Moderate weight)
- Policy 15 Houses in Multiple Occupation (Moderate weight)
- Policy 31 Heritage (moderate weight)

- Planning Practice Guidance (PPG)
- Supplementary Planning Guidance HMO Planning Policy
- SPG Planning out Crime
- Northampton Parking Standards 2016 and 2019

6 **RESPONSE TO CONSULTATION**

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	Comment
Environmental Health	<p>The plans show a large communal area for refuse at the rear of the ground floor. Separate arrangements should be created to serve the commercial units and the residential occupiers. The route for conveying waste to kerbside should also be identified in a waste management strategy. Recommend condition for refuse and contamination</p> <p>Submitted noise report is comprehensive and it is noted that the</p>

	<p>night time economy will have clear impact on noise to front and rear of site. Noise mitigation measures shall be put in place as detailed in report including window specifications and ventilation.</p>
Conservation	<p>No objection on heritage grounds to the proposal, which will secure a viable re-use for the upper floors of an important group of buildings. Any harm to the internal layout of the buildings would be “less than substantial;” but would be outweighed by the wider benefit of securing their occupation.</p> <p>The applications relate to the upper floors of a group of 19th century buildings that make a positive contribution to the character and appearance of All Saints Conservation Area. No. 17 Bridge Street is listed but not 13 & 15, although all three properties contribute to the streetscene within the conservation area.</p> <p>Residential use of the upper floors is in keeping with the historic character of the buildings and is acceptable in principle. No alterations to the Bridge Street elevations are proposed. The internal layout of the buildings, including the listed building at No. 17, have been previously altered and the proposed work required to convert them to residential use will not result in further loss of historic fabric. The proposed alterations to the plan layout and installation of services will have an acceptable impact.</p> <p>The detailed heritage impact assessment accurately identifies the significance of the buildings. The existing timber sash windows contribute to the character and appearance of the buildings and should be retained; secondary glazing to meet acoustic or thermal considerations would be appropriate rather than double glazing. Consider the proposal to be less intensive and more sympathetic than the one approved in 2017 and is acceptable.</p>
Historic England	No comments to make. Advise to seek advice of Council’s Conservation Officer
Town Centre Conservation Committee (TCCAAC)	Welcomes building being brought back into use and recommends that Conservation Officer needs consulted
Private Sector Housing	The property is suitable for the 7 households and may accommodate about 14 persons depending on facilities and amenity provided in the property for occupants use.
Highways	Comment that the proposed cycle storage needs secure access
Anglian Water	The applicant should check for any Anglian Water assets which cross or are within close proximity to the site.
Northants Police	Recommend robust level of access control , robust security measures and each apartment door to meet security standards, cycles to be covered and bins access needs consideration Request security condition

Northampton Town Council	Object on grounds of over-development and not in keeping with the area, out of scale with other buildings in the conservation area
Councillor Danielle Stone	Object on over-development and inappropriate form of development, fails to enhance vision of town centre. Calls application to committee.

7 RESPONSE TO PUBLICITY

- 7.1 Advertised by site notice, newspaper advertisement and neighbouring properties consulted. No comments received.

8 APPRAISAL

Principle of Development

- 8.1 The application proposes the conversion of the existing group of three buildings to form 4 flats and a 7 bedroom (14 person) HIMO retaining commercial use on the ground floor. The application site is located within the town centre where the NPPF emphasises that town centres should be able to grow and diversify and identifies that housing is a suitable use. Policy 16 of the Central Area Action Plan identifies that residential accommodation within the town centre is to be supported. The mixed use development of the site to incorporate residential use would contribute towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal. The principle of providing residential development is, therefore, accepted on this site.
- 8.2 The conversion is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas. The submitted detail advise that the building has been vacant for over 5 years and marketed for most of this time. The property is a Grade II listed building within the Conservation Area and a viable use of the building is therefore considered to weigh in its favour. The retention of ground floor as retail would support the vitality of the central area as a retail function in accordance with the NPPF.

Concentration of HIMO uses in the area

- 8.3 Council records evidence that there are no other HIMOs within a 50m radius of the application site. The use of this property as a HIMO would therefore equate to only 6.7 per cent concentration. It is considered therefore that there would still be a reasonable mixture of house types and uses within the area and a balance of community.

Residential Amenity

- 8.4 Policy H1 of the Joint Core Strategy can be afforded more weight in decision making given that it is an up to date development plan policy; criteria (f) relates specifically to the amenity of future occupiers. Policy 4 of the submitted Local Plan Part 2 is a material consideration and seeks to ensure that all new residential development provides at least the minimum internal space standards as set out in the National Described Space Standards (NDSS). The minimum recommended space for a 1-

bedroom dwelling for 1 person with a shower room is 37 square metres and for a 1-bedroom unit with 2 person occupancy the requirement is 50 square metres in the NDSS.

- 8.5 It is acknowledged that the Council has not yet adopted the NDSS however, the emerging policy is a material consideration that can be given moderate weight. In addition, adopted Policy H1 of the JCS and the NPPF require a good standard of amenity for proposed occupiers and the NDSS is considered an appropriate standard by which to assess what is an appropriate level of amenity. The proposed flat sizes are all over 37 square metres with two of the units being over 50 square metres and therefore considered to provide an acceptable level of amenity in respect of size of units. In addition, all rooms are served by sufficient windows to provide adequate light and outlook
- 8.6 In terms of the HMO, the property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities with all bedrooms being en-suite. The proposed 7-bedrooms meet the required standards for double occupancy and a condition restricting the use of the HIMO property to a maximum of 14 people would ensure over-development does not occur. Private Sector Housing has confirmed that the room sizes, amenities and facilities indicated on the submitted plans are acceptable and accord with requirements. All bedrooms would be served by adequate outlook and light from window openings.
- 8.7 The site is located in the central of the town close to a number of bars and clubs which generate noise late into the evenings particularly at weekends. The application is supported by a Noise Survey which has been assessed by Environmental Health and is considered to be robust. Mitigation measures proposed to protect the residential amenity of future occupiers would include secondary glazing and mechanical ventilation. A condition is proposed to ensure appropriate mitigation in this regard.
- 8.8 Surrounding uses are a mix of commercial and residential. Subject to appropriate mitigation measures in respect of noise as outlined above, it is not considered the proposal would lead to any unacceptable impact on existing uses or surrounding amenity.
- 8.9 Details have been submitted for a refuse storage area in the rear with separate storage for both commercial and residential which are deemed acceptable and would be secured by condition in conjunction with a management plan. This would accord with Policy H1 of the Joint Core Strategy in respect of appropriate amenity provision.

Impact on Heritage Assets

- 8.10 Policy BN5 of the JCS and Policy 1 of the CAAP seek to ensure that heritage assets are preserved and enhanced. Policy 31 of the emerging Local Plan 2 relates to the protection and enhancement of designated and non-designated heritage.
- 8.11 The NPPF requires that great weight is given to the conservation of a designated heritage asset when considering the impact of a proposed development on its significance. Any harm to the significance of a designated heritage asset requires clear and convincing justification. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

- 8.12 The property is situated in All Saints Conservation Area and No. 17 Bridge Street is Grade II listed. No objection is raised to the demolition of the outbuildings to the rear of the property which are later additions to the original buildings and the level of harm to heritage assets in respect of the proposed development is considered less than substantial.
- 8.13 In this circumstance, the NPPF requires the impact of the proposal to be weighed against wider public benefit, which would include securing a viable use for an important listed building that makes a significant contribution to the character of the conservation area. The buildings have been vacant for some time and the proposed residential use of the upper floors of the property and retention of commercial use at ground floor/basement level would assist in maintaining the building in a viable use and preserving the historic integrity of the listed building and character and appearance of the conservation area. As such, the proposal is considered to accord with the requirements of the NPPF, Policy BN5 of the JCS, Policy 1 of the CAAP and Policy 31 of the submitted Local Plan Part 2.

Flood Risk

- 8.14 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding. In addition, no habitable accommodation would be provided at basement level. Anglian Water raise no objections to the application but advise the applicant to have regard to any nearby assets. The proposal therefore accords with Policy BN7 of the JCS.

Highways/Parking

- 8.15 The application has no off road parking with parking in the vicinity of the street being on-street. It is considered that the application site is in a sustainable location being in the town centre and within walking distance of both the Bus Station and Railway station. In this regard, the proposal is considered to be in accordance with the requirements of the HIMO SPD in respect of parking considerations. It also complies with Principle 5 of the Northampton Parking Standards SPD (2019). The Highway Authority raise no objection to the proposal.
- 8.16 Within such areas, the HIMO SPD recommends that storage space should be provided which is accessible to cycle users. There is sufficient room to the rear of the site for cycle storage and an area is shown on the submitted plans for such provision. Details of secure cycle storage will be required by condition to ensure compliance with this principle of the SPD.

Security and Crime Prevention

- 8.17 Comments have been received from the Northamptonshire Police advising on need to control access to bins and cycle storage and request a security condition to this effect in accordance with Policy S10 of the JCS and the SPG on Planning out Crime.

8.18 Other issues

Environmental Health have commented on contamination and recommend a contamination condition for unsuspected contamination in accordance with Policy BN9 and S10 of the Joint Core Strategy.

9 FINANCIAL CONSIDERATIONS

9.1 The proposal is not CIL Liable

10 PLANNING BALANCE AND CONCLUSION

10.1 The proposed retention of commercial use at ground floor and residential use of the upper floors is considered an appropriate mix of uses with the Town Centre and would assist in retaining this heritage asset in viable use whilst maintaining a use that would contribute to the vitality and viability of the Town Centre. The proposed development would not lead to an unacceptable concentration of HIMO's within the locality and is of sufficient size to accommodate the level of accommodation as proposed and would provide an acceptable level of amenity for future occupiers. It is not considered that there would be any adverse impact on heritage assets, neighbouring uses or amenity or parking provision and that any harm to heritage assets would be less than substantial and outweighed by the benefits of retaining a viable use for the building and the provision of housing.

10.2 In light of the above, the proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, BN5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, Policy 1 and 16 of the CAAP, Policies 3,4 15 and 31 of the submitted Local Plan Part 2 and the Council's Houses in Multiple Occupation SPD.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 Planning Application WNN/2021/0877

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

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

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 021/051/002D and 021/051/003A.

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

3) Notwithstanding the submitted details, prior to the occupation of the development hereby permitted, details of the provision for the management storage and collection of refuse and materials for recycling shall be submitted to the Local Planning Authority for approval. The scheme agreed shall be implemented prior to the development coming into use and shall be retained thereafter.

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

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

Reason: To ensure the provision of adequate facilities in accordance with Policy H1 of the Joint Core Strategy.

- 5) The maximum number of occupiers of the approved HIMO shall not exceed 14 at any one time.

Reason: To prevent over-development to accord with Policy H1 of the Joint Core Strategy.

- 6) Prior to installation of any secondary glazing, large scale plans at 1:20 detailing the proposed secondary glazing to front windows shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation and retained thereafter.

Reason: in the interests of sound heritage practice to accord with Policy BN5 of the West Northamptonshire Joint Core Strategy.

- 7) The noise mitigation proposals set out in Section 6 and Table 8 of the Ion Acoustic Report dated 26th November 2021- Reference A1195 R03 shall be implemented in full at the application site prior to occupation of the residential elements of the development hereby permitted. A Verification/ Validation report confirming that all noise mitigation works have been implemented in accordance with the recommendations of the report, shall be provided post completion in writing to the satisfaction of the Local Planning Authority, prior to the first occupation of the proposal. The approved noise mitigation shall be retained thereafter.

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

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

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

- 9) Prior to first use of the approved development, full details of security measures including access controls, security cameras and other associated measures shall be submitted to and agreed in writing with the Local Planning Authority and shall be implemented in accordance with the agreed details.

Reason: In the interests of crime prevention and to ensure as secure standard of development to accord with Policy S10 of the West Northamptonshire Joint Core Strategy

11.2 **Listed Building Application WNN/2021/1146**

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

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, 021/051/002D and 021/051/003A.

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

- 3) Prior to installation of any secondary glazing, large scale plans at 1:20 detailing the proposed secondary glazing to front windows shall be submitted to and agreed in writing with the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first occupation and retained thereafter.

Reason: In the interests of preserving the integrity of the listed building and conservation area in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.



West Northamptonshire Council

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Planning Committee Report

Committee Date: 7th March 2022

Application Number: WNN/2021/1155

Location: 105 Abington Avenue, Northampton

Development: Change of Use from Flexible Use Dwellinghouse (Use Class C3) / House in Multiple Occupation (Use Class C4) to 7-bed House in Multiple Occupation (Sui Generis) including Dormer loft conversion and rear extensions with associated internal alterations (approved under N/2021/0071).

Applicant: H R Homes Ltd

Agent: APC Architects

Case Officer: Kanchan Sharma

Ward: Abington and Phippsville Unitary Ward

Referred By: Councillor Z Smith

Reason for Referral: Overdevelopment, impact on parking and amenity

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

Permission is sought for a Change of Use from Flexible Use Dwellinghouse (Use Class C3) / House in Multiple Occupation (Use Class C4) to 7-bed House in Multiple Occupation (Sui Generis) including a dormer loft conversion and rear extensions with associated internal alterations (approved under N/2021/0071). All proposed bedrooms would have ensuite bathrooms.

Consultations

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

- Councillor Z Smith
- Highways
- Crime Prevention Design Advisor

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

- Private Sector Housing
- Environmental Health
- Northampton Town Council

No letters of objection have been received.

The key issues arising from the application details are:

- Principle of Development
- Amenity
- Highway Safety

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 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 property comprises a mid- terraced two storey property with a basement. The site has a Flexible Planning Permission to use the property as either a House in Multiple Occupation (HiMO) falling within Use Class C4 or as a dwelling (Use Class C3) with no condition restricting occupancy following an appeal to remove the relevant condition.
- 1.2 The local area is predominantly residential and has terraced properties on either side of the street.
- 1.3 The application site lies in Flood Zone 1, which means very low risk of flooding.

2. CONSTRAINTS

- 2.1. The application site is subject to an Article 4 Direction which removes permitted development rights in relation to a change of use to a House in Multiple Occupation (HIMOs).

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Permission is sought for a Change of Use from Flexible Use Dwellinghouse (Use Class C3) / House in Multiple Occupation (Use Class C4) to 7-bed House in Multiple Occupation (Sui Generis).
- 3.2. The application site has a flexible permission to operate as a dwelling house and as an HIMO approved under application N/2017/0769. An appeal on Condition 1 of this

planning consent which restricted the occupation of the premises to 4 occupants was dismissed at appeal. The appeal decision removed the condition seeking to control the number of occupants of the HIMO and therefore, the fallback position is that the property can have up to 6 occupants as permitted under Use Class C4 (Houses in Multiple Occupation) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

- 3.3. The application includes a dormer conversion and rear extensions, which have been previously been approved under delegated powers under application N/2021/0071 which remains an extant consent.

4. RELEVANT PLANNING HISTORY

- 4.1. N/2017/0769 - Change of Use from House in Multiple Occupation (Use Class C4) to a Flexible Planning Permission of House in Multiple Occupation (Use Class C4) for a maximum of 4 occupants and Dwellinghouse (Use Class C3).
Approved 14/08/17. Condition 1 restricted HIMO to maximum of 4 occupants.

An appeal was submitted seeking the removal of Condition 1 and allowed at appeal. The Inspector considered the 4-bedroom property was suitable for occupation by 5 people due to the larger size of the first floor front bedroom. He considered it unnecessary to impose a planning condition restricting the number of occupants as this would be controlled by the license.

- 4.2. N/2021/0071 - Dormer loft conversion and rear extensions with associated internal alterations. Approved 18/03/21. (Extant permission)

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

- 5.2. 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 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) 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)

- 5.3. The relevant policies of the LPP1 are:

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

Northampton Local Plan 1997 (Saved Policies)

5.4. The relevant policies of the NLP 1 are:

- Policy E20 – Design for new development
- Policy H18 – Household extensions
- Policy H30 – Multi-occupation with a single dwelling

Material Considerations

5.5. Below is a list of the relevant Material Planning Considerations

- **National Planning Policy Framework (NPPF)** sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:
 - Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided.
 - Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.
- Northampton Local Plan Part 2 (2011-2029) (Emerging)

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained within the emerging Northampton Local Plan Part 2 are therefore a material consideration in the determination of planning applications. The weight afforded to the policies relevant to this application are set out below:

- 1 – Presumption in favour of sustainable development (Significant weight)
- 2 – Placemaking (Moderate weight)
- 3 – Design (Moderate weight)
- 4 – Amenity and layout (Moderate weight)
- 5 – Carbon reduction, sustainable design etc (Moderate weight)
- 6 – Health and wellbeing (Significant weight)
- 15 – Delivering houses in multiple occupation (Significant weight)
- 33 – Highway network and safety (Significant weight)
- 35 – Parking standards (Significant weight)

- Residential Extensions and Alterations Design Guide 2011
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Houses in Multiple Occupation Supplementary Planning Document (November 2019). The HIMO SPD details that proposals for HIMOs should:

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

6. RESPONSE TO CONSULTATION

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	Comment
Private Sector Housing	The property is suitable for 7 households as requested. The kitchen/diner is of adequate size subject to the provision of adequate kitchen facilities. Sanitary facilities are adequate. The premises will require licensing under the mandatory licensing scheme.
Environmental Health	No comments to make.
Northampton Town Council	<p>The Northampton Town Council object on the grounds that this is overdevelopment, inappropriate for the type of space and the area and is likely to exacerbate existing parking and refuse issues.</p> <p>On the amended scheme, the Town Council has advised that they welcome the ensuite facilities and living space that is proposed as part of this HMO application. NTC is of the opinion that this should be a minimum standard for HMOs in Northampton. The committee did raise a concern over the impact on parking within the locality that this application may have and would ask that the Planning officer looks at this when considering it.</p>
Cllr. Z Smith	Calls in the application on the grounds of excessive occupants, overdevelopment, living room in basement, one bedroom right off kitchen diner and exacerbation of existing parking and refuse issues in area.
Highways	Due to the known pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, I would advise that the applicant undertakes an on-street car parking beat survey.

<p>Crime Prevention Design officer</p>	<p>The issue with converting a dwelling house into a 7 bed HMO is that 7 adults may all require a space in which to park a car and these additional parking requirements may well lead to inconsiderate parking and neighbour nuisance issues which then fall on local neighbourhood officers to resolve. The applicant should be able to demonstrate that there is sufficient parking available in the immediate vicinity so as not to create additional problems.</p>
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7. RESPONSE TO PUBLICITY

7.1 No third party response received at the time of writing this report.

8. APPRAISAL

Principle of Development

8.1 The conversion of the existing dwelling/HIMO to a seven bed HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas. These matters are discussed below.

Concentration of HIMO uses in the area

8.2 As the property has an existing flexible permission for dwelling house / HIMO, the area concentration is not a material consideration.

Design and appearance of the proposed extensions

8.3 The proposed extensions and dormer are subject to an extant consent under application N/2021/0071.

8.4 The proposed rear dining room extension would be attached to the existing outrigger and would have a dual pitched roof and would be sympathetic in scale to the existing house and, whilst it would be relatively deep and would protrude slightly past the side elevation, it would not be visually prominent being located to the rear property. Furthermore, the extension to the ground floor rear bedroom would be very small in size with a simple lean-to roof. In terms of the proposed first floor rear extension, owing to the design and scale, the proposed extension would integrate with the existing outrigger and would be acceptable. A materials condition would ensure materials used are sympathetic to the appearance of the existing property.

8.5 The proposed flat roof dormer on the rear elevation would be screened behind the main dwelling and would not be widely visible from the street scene. A condition has been recommended to construct the proposed dormer in matching external materials. It is not considered that this dormer would lead to any unacceptable impact on the character of the local area. Furthermore, and in any event, it is noted that the proposed dormer could be erected as permitted development under the provision of Class B of "The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) without the need for planning permission.

8.6 Overall, it is considered that the proposed development would not have any undue adverse impact on the character of the existing dwelling, local area and streetscene and

would thus accord with Saved Policies H18 and E20 in the Northampton Local Plan and advice given within the National Planning Policy Framework.

Residential amenity

- 8.7 The neighbouring property No.103 to the southwest benefits from a rear outrigger set in from the common boundary including a rear extension and has habitable windows on the side elevation of No. 103 facing towards the application site. However, the proposed two storey rear extension and single storey extension to the ground floor bedroom are only very limited in depth. In addition, whilst the main rear dining room extension is a deeper projection, it would be set in from the boundary with a pitched roof form such that it would not appear overbearing or result in an acceptable loss of light to this neighbouring property. Furthermore, it must be acknowledged that a 2 metre boundary wall/fence could be erected along the common boundary with No. 103 without the need from planning permission. Therefore, it is considered that the proposed extensions would not have a detrimental impact on the amenity of No. 103.
- 8.8 The neighbouring property No.107 to the other side does not have any habitable window on the rear elevation adjoining to the proposed single storey extension. Furthermore, it is noted that a 6m deep single storey rear extension could be erected under permitted development provisions subject to no objections being received from neighbouring properties. In this instance, no objections have been received from any neighbours. As such, and given the single storey scale and pitched roof design of the single storey rear extension, it is not considered that it would result in an unacceptable impact on the amenities of No. 107.
- 8.9 There is a first floor rear facing window on the rear outrigger of No.107, but the proposed two storey extension is only very limited in depth such that it would not result in an adverse impact on the amenity of this neighbouring property.
- 8.10 In respect of the rear dormer, it is considered that this would not unacceptably increase overlooking to neighbouring properties and it is noted that the dormer could be added to the property under permitted development rights. As such, it is considered the proposed rear dormer would not have any undue detrimental impact on the amenity of neighbouring properties.

Size of the property and facilities for future occupiers

- 8.11 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use. The property is considered to be of sufficient size, providing room sizes in accordance with the Council's HIMO Facilities and Amenities Guidance and appropriate kitchen/dining, WC and wash facilities. A condition restricting the use of the property to a maximum of 7 people would ensure over-development does not occur.
- 8.12 Private Sector Housing have confirmed that the room sizes, amenities and facilities indicated on the submitted plans indicate that the proposals would meet the requirements for a 7 occupant HIMO. All bedrooms would be served by adequate outlook and light. The application property has a basement, which has been proposed to be used as a living room in addition to a communal kitchen/diner on the ground floor. A new window is proposed to be inserted to the basement at street level which would provide some light into the basement living room. Whilst it is acknowledged that outlook would be restricted from this window, in view that the bedroom sizes are in excess of minimum requirements and that a reasonable size communal kitchen/ diner

would be provided it is considered overall that an acceptable level of amenity would be provided for proposed occupiers

- 8.13 Moreover the proposed extensions would provide additional space and a condition has been recommended to build the extension prior to the occupation of the property as a HIMO with 7 occupants to ensure adequate facilities are provided.

Flood Risk

- 8.14 The site lies in a low risk Flood Zone (Zone 1) where there is limited risk from flooding.

Highways/Parking

- 8.15 The application proposes no onsite parking to serve the property. The Houses in Multiple Occupation SPD sets out clearly that where limited or no parking provision is proposed, the site must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.16 The Highway Authority has advised the applicant undertake a Parking Survey; no parking beat survey was submitted. Nevertheless, it is considered that the application site is in a sustainable location within 100 metres of the nearest bus stops on Abington Avenue, with buses stopping at least every 30 minutes on Mondays to Fridays, with a less frequent service at weekends. In this regard, the proposal is considered to be in accordance with the requirements of the SPD in respect of parking considerations. It also complies with Principle 5 of the Northampton Parking Standards SPD (2019).
- 8.17 Within such areas, the HIMO SPD recommends that storage space should be provided which is accessible to cycle users. No details of cycle storage have been submitted with the application but there is enough space in the rear garden to accommodate a cycle store. Therefore, a condition is recommended to provide further details.
- 8.18 A further consideration in respect of parking is the Northamptonshire Parking Standards, which states that an HIMO should provide on plot parking at the ratio of one parking space per bedroom. The proposed development would produce a demand for one additional parking space in comparison to the existing permitted use.
- 8.19 However, there is no evidence to support that all the residents would own cars. Furthermore, regard must be paid to recent appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport, and no parking is provided, considerable weight has been given to the sustainable location of the site, and the appeals concerned have been allowed. Indeed, some Inspectors have taken the view that proposed occupiers in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 8.20 Overall, in view of the recent appeal decisions, and the weight the Inspectors have given to the sustainability of locations and having regard to the sustainable location of the application site, the number of occupants proposed, the existing authorised use and that there is sufficient room within the site to provide secure bicycle storage, in accordance with the requirements of the HIMO SPD and the Parking SPD, it is not considered that a refusal on highway grounds could be upheld at appeal.

Refuse Storage

- 8.21 No details have been submitted for recycling and refuse storage; a condition is therefore recommended requiring full details to be submitted.

Amenity

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

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The application site has an extant planning permission to operate as a HIMO. The current application includes the provision of an additional bedroom through the erection of extensions and the loft conversion, which is an extant permission.
- 10.2 The proposed development would not lead to adversely affect upon the character of the local area, street scene, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property as extended would be of sufficient size to accommodate the level of accommodation as proposed.
- 10.3 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan and the Council's Houses in Multiple Occupation SPD.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposed development is recommended for approval subject to the following conditions.

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: N412-001 and N412-101 Rev A.

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

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

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

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

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

5. Full details for the provision of secure cycle storage shall be first submitted to and approved in writing by the Local Planning Authority fully implemented prior to the development being first brought into use and retained thereafter.

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

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

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H18 of the Northampton Local Plan.

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

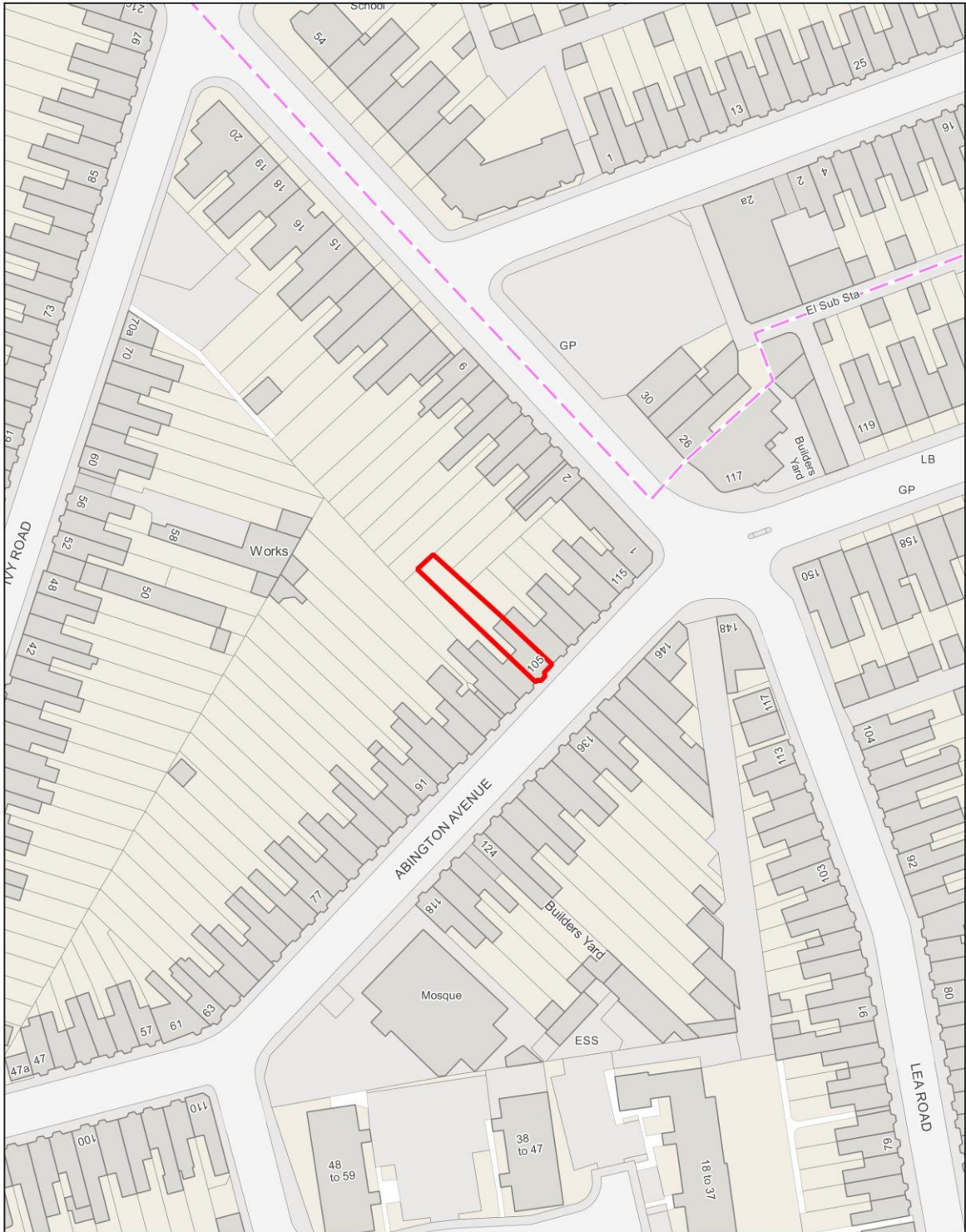
Reason: In the interests of visual amenity to ensure that the extension harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

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

Reason: In the interests of visual amenity to ensure that the dormer harmonises with the existing building in accordance with Policy E20 of the Northampton Local Plan.

9. The proposed extensions, rear dormer and alterations hereby permitted shall be built in accordance with the approved plans before the premises is first occupied as a 7 person house in multiple occupation and should be retained thereafter.

Reason: For the avoidance of doubt and to ensure a satisfactory standard of accommodation is provided, in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.



**West
Northamptonshire
Council**

Title: **105 Abington Avenue**

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