



Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held in the Jeffrey Room, The Guildhall, St Giles Street, Northampton NN1 1DE on Wednesday 4 May 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 To confirm the Minutes of the Meeting of the Committee held on 5 th April 2022 (to follow). |
| 4. | Chair's Announcements To receive communications from the Chair. |
| 5. | Deputations/Public Addresses |
| 6. | List of Current Appeals/Inquiries (Pages 5 - 6) |
| Applications for Determination | |
| a) | WNN/2021/0379 - Refurbishment and extension to Ryehill House to provide additional office floorspace and demolition of Lodge Way House and Steel Works to allow for the provision of car parking and landscaping Travis Perkins, Ryehill House, Ryehill Close (Pages 7 - 22) |

| | |
|----|--|
| b) | WNN/2021/0159 - Demolition of existing dwelling at no 351 Kettering Road and replacement with part single, part two and part three storey extension to Rathgar Care Home together with parking and access alterations and associated works including alterations to boundary treatments Rathgar Care Home, 349 Kettering Road (Pages 23 - 42) |
| c) | WNN/2021/0414 - Partial demolition and conversion of shopping centre and construction of two storey extension to provide student accommodation comprising of 352no bedrooms and bed spaces (mix of studio and cluster types), retention of 2no retail units at lower ground floor level (Use Class E) and 1no retail unit at upper ground floor level (Use Class E) with alterations to Market Square and Abington Street Facades Market Walk Shopping Centre, Market Square (Pages 43 - 58) |
| d) | WNN/2022/0073 - Erection of single storey canopy structures to house photovoltaic cells, erection of associated plant equipment, trenching works, soft landscaping and other associated works Barclaycard, 1234 Pavilion Drive, Northampton (Pages 59 - 68) |
| 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 April 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

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

Or by writing to:

West Northamptonshire Council
The Guildhall
St Giles Square
Northampton
NN1 1DE

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Planning Service – Northampton Area

Assistant Director Economic Growth & Regeneration: Jim Newton



**West
Northamptonshire
Council**

List of Appeals and Determinations – 4th May 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/2021/0363 APP/W2845/W/21/3288251 | DEL | Change of Use from Dwellinghouse (Use Class C3) to Children's Home (Use Class C2) to accommodate a maximum of 3no children (8-18 years old) at 29 Colonial Drive | 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 | DISMISSED |
| 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/2021/0124 APP/W2845/W/21/3287463 | DEL | Conversion of loft with dormer to rear at 30 The Green, Kingsthorpe | AWAITED |
| WNN/2021/0426 APP/W2845/D/22/3294057 | DEL | Removal of existing conservatory and construction of new two storey rear extension at 7 Glaisdale Close | 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/2021/0651 APP/W2845/W/21/3287329 | DEL | Erection of new dwelling to rear of 103 Beech Avenue | 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 |
| WNN/2021/1063 APP/W2845/D/22/3294515 | DEL | Two storey front extension and two storey side extension over existing garage at 29 Martins Lane | 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: 4th May 2022

Application Number: N/2021/0379

Location: Travis Perkins, Ryehill House, Ryehill Close, Northampton

Development: Refurbishment and extension to Ryehill House to provide additional office floorspace and demolition of Lodge Way House and Steel Works to allow for the provision of car parking and landscaping

Applicant: TP Property Company Limited

Agent: Montagu Evans

Case Officer: Hannah Weston

Ward: Dallington Spencer 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

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.

Proposal

Permission is sought for the refurbishment and extension of Ryehill House to provide additional office floorspace, and the demolition of Lodge Way House and Steel Works to allow for the provision of car parking and landscaping.

Consultations

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

- Northamptonshire Police
- Highways
- Environmental Health
- Archaeology
- Arboricultural Officer

- Ecology
- Strategic Planning
- Anglian Water

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

- Lead Local Flood Authority – advise insufficient information provided. Information has subsequently been provided and the LLFA comments on this are awaited.
- Highways – raised concern with the one way system for the car park.

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.

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 the two storey Travis Perkins offices to the north of Rye Hill Close and east of Lodge Way, and buildings no longer in use by Travis Perkins (Steel Works and Lodge Way House) to the south of Rye Hill Close, east of Lodge Way and north of Hill Close. The redundant buildings on this part of the site have prior approval consent for demolition. The site is located within the Lodge Farm Industrial Estate.

2. CONSTRAINTS

- 2.1 None.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Permission is sought for the refurbishment and extension of Ryehill House to provide additional office floorspace, and the demolition of Lodge Way House and Steel Works to allow for the provision of car parking and landscaping.

4. RELEVANT PLANNING HISTORY

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

| Application Ref. | Proposal | Decision |
|-------------------------|---|------------------------------------|
| WNN/2022/0059 | Prior Notification of Demolition of Lodge House and related steel | Prior approval granted 14/02/22 |

| | | |
|--------------|--|---|
| | works building | |
| WN/2006/0110 | Three storey data centre and office building | Approved 19 th December 2006 – forms part of existing Ryehill House. |

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 West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- E1 - Existing employment areas
 - S1 – The distributions of development
 - S2 – Hierarchy of centres
 - S7 – Provision of Jobs
 - S8 – Distribution of Jobs
 - S10 – Sustainable Development

Northampton Local Plan 1997 (Saved Policies) (NLP 1)

- 5.4 The relevant policies of the NLP 1 are:
- Policy E20 – Design for new development
 - Policy B14 – Use in Business areas
 - Policy T12 – Servicing

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 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 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:

- 1 – Presumption for sustainable development – Significant weight.
- 3 – Design – Moderate weight
- 4 – Amenity and layout – Moderate weight
- 17 – Safeguarding existing employment sites – Significant weight

6 RESPONSE TO CONSULTATION

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

| Consultee Name | Comment |
|-------------------------|--|
| Northamptonshire Police | No objection to redevelopment but note no mention of security in submitted details. Question perimeter treatment of car park, lighting, and CCTV. |
| Highways | Observe that footways on Ryehill Close and Hill Close need to be reinstated, and raise concern as to the entry and exit to the car park as there is no means to ensure that traffic will adhere to this and the access is too narrow for two-way traffic. It is further advised that cycle parking for staff needs to be secure and sheltered. |
| Environmental Health | Advise that plant noise assessment is acceptable. Condition securing acoustic fence screen is required. Request conditions on unexpected contamination, requiring mitigation in air quality report to be provided, EV charging (and an informative on EV charging for e-bikes and e-scooters), CEMP, lighting, and waste storage. |
| Archaeology | No comment |
| Arboricultural Officer | Tree survey and constraints plan acceptable. Request condition requiring tree protection measures to be provided. |
| Ecology | Recommend conditions requiring soft landscaping to be provided, a CEMP including pollution prevention measures, bird boxes, and external lighting. |

| | |
|--------------------|---|
| Strategic Planning | Request condition on fire hydrants. |
| Anglian Water | No comment. |
| LLFA | Insufficient information available to comment on the acceptability of the proposed surface water drainage scheme. |

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 proposes the extension of Ryehill House and the demolition of Lodge Way house and Steelworks to form a car park for the expanded Travis Perkins HQ.
- 8.2 The submitted details advised that Lodge Way House and the Steelworks are no longer fit for purpose, providing old, poor quality accommodation which is not suited to modern business operations. Travis Perkins require new HQ office accommodation to meet its future needs. The refurbishment of the existing Ryehill House and the extension of the building is intended to provide this modern office accommodation.
- 8.3 Policy E1: 'Existing Employment Areas' of the West Northamptonshire Joint Core Strategy (JCS) seeks to ensure that employment areas are retained for employment uses within Use Classes B1 (now part of class E), B2 and B8 or appropriate non-B employment generating uses. Policy 7 of the JCS sets out the requirement for a minimum net increase of 28,500 jobs in the plan period between 2008-2029, and Policy S8 allows for the provision of new job growth through the renewal and regeneration of existing employment sites.
- 8.4 The application results in the demolition of 4340m² of floorspace (Lodge Way House and Steelworks) and the addition of 2308m² (extension to Ryehill House). As such there would be a net decrease in floorspace of 2032m². Whilst there is a reduction in overall floorspace, the new office accommodation being provided is of a much higher standard. Furthermore, the proposed works result in an increase in employees by 100. As such the development would assist in increasing employment options in compliance with Policy E1 of the Joint Core Strategy.
- 8.5 The demolition of the existing poor quality units and the erection of an extension to Ryehill House is considered acceptable in principle.

Design

- 8.6 The application proposes the extension of the existing office block Ryehill House. The proposed extension would be three stories in height and would join the existing projections on the host building to form a rectangular built form with a central courtyard.
- 8.7 At ground floor level the extension would form a staff canteen and kitchen and would link through to the existing building to the south. At first floor level the building would provide office space and would link to the existing building to the north and south. At second floor further office space would be provided, linking through to the existing

building to the north. The roof of the building would be flat and solar panels are proposed across the building.

- 8.8 The existing building on site is a two to three storey unit with a pitched roof. The proposed extension is of a contemporary design, being three storey in height with a flat roof. Glazed panels and cladding are used alongside projecting shade fins to create a modern extension to the building.
- 8.9 Whilst not of the same appearance as the existing building, the proposed extension provides an attractive focal entrance to the building with modern office accommodation. It is considered that the proposed extension would be an attractive addition to the host property and would, therefore, be acceptable in design terms.
- 8.10 The application also proposes the demolition of the existing redundant buildings of Lodge Way House and Steel Works. With these building being dated and in need of substantial repairs, the buildings currently offer a poor appearance to the street scene. It is considered that their removal and replacement with the modern extension to Ryehill House would be beneficial to the character and appearance of the area. It should also be noted that these buildings have prior approval to be demolished.

Neighbouring amenity

- 8.11 The application site is located on Lodge Farm Industrial Estate away from neighbouring residential properties. As such it is not considered that there would be an overshadowing, loss of light or overlooking impact on residential properties as a result of this development and the proposal and associated use remains compatible with surrounding uses.
- 8.12 The Council's Environmental Health department have been consulted on the proposal. In order to ensure no unacceptable impact upon the future Dallington Grange SUE which would be situated to the north of the site, the proposed plant compound requires controlling through acoustic fencing. This is considered reasonable to condition.

Highways

- 8.13 As existing there are 151 spaces in Ryehill House and 234 at Lodge Way House (385 total). The proposed extension to Ryehill House results in 72 spaces remaining outside Ryehill House (a reduction of 79 parking spaces). The redevelopment of Lodge Way House to provide a larger car park provides 338 spaces. This equates to a total of 410 parking spaces across the site, an increase of 25 parking spaces.
- 8.14 The Council's Highways Department have been consulted on the proposed development. No concerns are raised with the proposed level of parking provided.
- 8.15 Highways raise concern with the proposed one way system through the car park, advising that the access points to the car park are too narrow for two way traffic. The proposed car park is provided with two access points, one to the north and one to the south of the site. It is considered reasonable for such a car park to have a one way system, such that the site can only be entered by one access point and exited by another. Indeed, the existing car park on this site already has a one way system. Details of signage to secure this is considered reasonable to require through condition.
- 8.16 Highways advise that the footways on Ryehill Close and Hill Close will need to be re-instated. There are existing access points to the north and south of the proposed car park which would no longer be required as part of this development. It is considered

reasonable to attach a condition requiring the removal of these access points and the re-instatement of the footpath.

- 8.17 The proposed site plan indicates the provision of 16 cycle parking spaces within twin racks in an existing area used for cycle parking, and 80 external twin racks. These cycle racks are provided within the car park immediately in front of Ryehill House and not in the separate car park proposed. Highways raise concern that staff cycle parking should be secure and sheltered.
- 8.18 Whilst the proposed cycle parking facilities are hoops within the car park, the car park is gated and immediately overlooked by the new entrance to the building in the extension. As such there is surveillance of this cycle parking area. A condition requiring further details of a shelter for the proposed 80 space cycle parking area is considered reasonable to attach.
- 8.19 With regards to EV charging, 10% provision is required including 1 charging unit per every 10 disabled parking spaces and 1 rapid charging unit for every 50 spaces (where more than 50 spaces are provided).
- 8.20 The proposal provided 410 parking spaces. As such 41 EV charging spaces would be required, with 4 of these being at disabled parking spaces. The application proposes 45 EV charging spaces, with 4 of these being at disabled parking spaces. As such a slight overprovision of 4 EV charging units is proposed, which is beneficial to the scheme. A condition requiring the provision of EV charging and for 8 of these spaces to be rapid charging units is considered reasonable to attach.
- 8.21 The application has been submitted with a Workplace Travel Plan outlining how staff will attend the site, such as car sharing. 6 parking spaces for those car sharing are provided. It is considered reasonable to condition for the Travel Plan to be implemented.

Trees

- 8.22 The Council's Arboricultural officer advises that the submitted tree survey and constraints plan are acceptable. A condition requiring the tree protection measures as proposed to be followed is requested. This is considered reasonable to require through condition.

Ecology

- 8.23 The Council's Ecology Officer requests that the submitted soft landscaping scheme be required through condition, that a CEMP is required including pollution prevention measures, and that bird boxes are required through condition. These are considered reasonable to require through condition.
- 8.24 A further condition on all proposed external lighting is requested. Whilst a lighting plan is provided with the application this is indicative only and does not show where lighting is proposed. As such it is considered reasonable to attach a condition requiring details of all external lighting.

Flood risk

- 8.25 The Lead Local Flood Authority advise that there is insufficient information available to comment on the acceptability of the proposed surface water drainage scheme.

8.26 Following these comments the applicant has provided additional details. At the time of writing this report the LLFA have not provided revised comments on this scheme, and these will be reported to Committee in the Addendum to this agenda should they be received by the date of Committee. To secure acceptable drainage details and appropriate mitigation for the proposed development, conditions requiring more specific surface water drainage details are proposed. These conditions will be amended to be in accordance with the details submitted should the LLFA advise that the submitted details are acceptable.

Other matters

8.27 The Council's Environmental Health department request conditions on unexpected contamination, a requirement for the mitigation measures as detailed in the submitted air quality report to be provided, a Construction and Environmental Management Plan (CEMP), and details of lighting and waste storage. These are considered reasonable to require through condition.

8.28 Northamptonshire Police raise concern that no security measures are identified in the application, such as the perimeter treatment of the car park, lighting and CCTV. It is considered reasonable to condition the provision of details on security measures for the site.

8.29 Strategic Planning have requested a condition on fire hydrants. West Northamptonshire Council Northampton Area have no policy basis for requiring fire hydrants and as such it is not considered reasonable to attach a condition requiring these.

9 FINANCIAL CONSIDERATIONS

9.1 The development is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

10.1 To conclude it is considered that the proposal would not have an undue detrimental impact on the appearance and character of the wider area, nor result in any undue harm to residential amenity, parking, and highway safety. Furthermore the proposal provides improved office accommodation and employment facilities for an existing established business within Northampton. The proposal therefore accords with the National Planning Policy Framework; Policy S10 of the West Northamptonshire Joint Core Strategy; and Policies B14 and E20 of the Northampton Local Plan and it is recommended that planning permission is granted subject to conditions.

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:

0200 Rev P-00 – Location plan
0201 Rev P-00 – Block plan
0203 Rev P-00 – Demolition plan
0300 Rev P-03 – Proposed masterplan
0301 Rev P-04 – Proposed site plan
0302 Rev P-00 – Proposed ground floor plan
0303 Rev P-00 – Proposed first floor plan
0304 Rev P-00 – Proposed second floor plan
0305 Rev P-00 – Proposed roof plan
0306 Rev P-00 – Proposed sections
0307 Rev P-00 – Proposed elevations
0309 Rev P-00 – Phasing plan
2030 L 01 P02 – Tree protection plan
02 Rev P01, 03 Rev P02 and 04 Rev P02 – Hard landscaping plans
05 Rev P01, 06 Rev P02 and 07 Rev P01 – Soft landscaping plans

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

Tree protection fencing

3. Prior to the commencement of each phase of the development hereby approved as outlined within plan 0309 Rev P-00 (including any demolition and all preparatory work), the barrier fencing for the protection of the retained trees as shown on the Tree Affected/Tree Protection drawing from Davies landscape Architects reference 2030 L 01 P02 dated 8 March 2021 within each corresponding phase shall be erected. The development thereafter shall be implemented in strict accordance with the approved details and the control measures shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed in the corresponding phase.

Reason: In the interests of securing a satisfactory standard of development and the preservation of existing trees in accordance with the requirements of the NPPF.

Bird boxes

4. Prior to the commencement of phase 2 of the development (as outlined within plan 0309 Rev P-00) details of the location and type of all bird boxes to be erected as identified at 4.15 of the submitted Ecological Appraisal by All Ecology reference 2123 version 1.0 dated 19th February 2021 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 use of the extension 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.

CEMP

5. Prior to the commencement of each phase (as outlined within plan 0309 Rev P-00) of the development a Construction Environmental Management Plan (CEMP) for that phase shall be submitted to and approved in writing by the Local Planning Authority.

Each phase shall then be carried out in accordance with the corresponding 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.
- x) Pollution prevention measures to protect Dallington Brook.

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.

Surface water and drainage

6. No drainage works 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 so approved unless otherwise agreed in writing by the Local Planning Authority.

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.

7. Notwithstanding the submitted details, before any above ground works commence a detailed design of the surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

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. In all calculations, proposed values of impermeable area should include a 10% allowance for Urban Creep, as taken from CIRIA C753 (version 6) paragraph 24.7.2

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.

c) BRE 365 infiltration test results

Reason: To reduce the risk of flooding both on and off site by ensuring the satisfactory means of surface water attenuation and discharge from the site in accordance with the

requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

8. Before any above ground works commence a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority 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 in accordance with the requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

9. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted for approval 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) 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 in accordance with the requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

Acoustic fence

10. Prior to the commencement of phase 2 of the development (as outlined within plan 0309 Rev P-00) full details of acoustic fencing to the plant compound 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 amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

Security

11. Prior to first use of the car park on the Lodge Way House, Steel Works, section of the site (bordered by Hill Close, Lodge Way and Rye Hill Close and outlined as phase 1 within plan 0309 Rev P-00) a crime security measures strategy for crime prevention for the car park hereby approved (including but not limited to details of CCTV, boundary treatments, lighting and access control to the car park) 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 use of car park 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.

Closure of access points

12. Prior to the first use of the development hereby approved, the existing access points on Rye Hill Close and Hill Close, other than those access points shown on plan 0301 Rev P-00, shall be permanently closed (and the highway reinstated) in a manner to be approved in writing by the Local Planning Authority, and, notwithstanding the provisions of Class B of Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 no further points of access shall be created thereafter.

Reason: To confine access to the permitted points in order to ensure that the development does not prejudice the free flow of traffic or conditions of highway safety along the neighbouring highway in accordance with the requirements of the National Planning Policy Framework.

Signage - One way traffic in car park

13. Prior to the first use of the car park hereby permitted on the Lodge Way House, Steel Works, section of the site (bordered by Hill Close, Lodge Way and Rye Hill Close and outlined as phase 1 within plan 0309 Rev P-00), a scheme for the provision of signage within the site to control the one way direction of traffic through the site from the access on Rye Hill Close to the egress on Hill Close as shown on the approved plans shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to first use of the car park and retained as such thereafter.

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

Cycle storage

14. Notwithstanding the submitted details full details of secure and covered cycle storage shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the extension hereby permitted. Development shall be carried out in accordance with the approved details prior to first use, and shall be retained thereafter.

Reason: In the interest of promoting sustainable transport in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

External lighting

15. Prior to the first use of each phase of the development (as outlined within plan 0309 Rev P-00) an external lighting scheme for each corresponding phase shall be submitted to and approved in writing by the Local Planning Authority. The approved lighting scheme shall be provided prior to first use of the corresponding phase and retained on site in compliance with the details approved and in a fully working order.

Reason: In the interests of securing a satisfactory standard of development with regards to wildlife, neighbouring amenity and crime safety in accordance with the

requirements of Policy S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

EV charging

16. Full details of the proposed 45 EV charging points as shown on plan 0301 Rev P-00 shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The details shall include the provision of 8 rapid charging units. Development shall be carried out in accordance with the approved details prior to first use of the extension or car park 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 and the Parking SPD.

Refuse

17. Notwithstanding the submitted details, prior to first use of the extension hereby permitted full details of the provision for the storage and collection of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be provided prior to first use of the extension hereby permitted and retained thereafter for the storage of waste and recycling.

Reason: In the interests of visual amenity and to ensure adequate refuse storage in accordance with the National Planning Policy Framework and Policy S10 of the West Northamptonshire Joint Core Strategy.

Soft landscaping

18. The soft landscaping for each phase (as shown in plan 0309 Rev P-00) identified within plans 05 Rev P01, 06 Rev P02 and 07 Rev P01, shall be carried out in the first planting and seeding seasons following the first use of the corresponding phase hereby permitted, and shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner of plants, shrubs and trees that may die are removed or become seriously damaged or diseased with others of similar size and species.

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

Materials

19. Prior to the commencement of the development of the extension above ground floor slab level, full details of the external materials proposed for the extension shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be undertaken in full 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 S10 of the West Northamptonshire Joint Core Strategy.

Hard landscaping

20. The hard landscaping for the development hereby shall be in accordance with the details within plans 02 Rev P01, 03 Rev P02 and 04 Rev P02 and provided prior to occupation of the relevant phase.

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.

Car parking

21. Prior to the first use of the extension hereby permitted, all of the parking spaces as shown within plan 0301 Rev P-04 shall be provided in full accordance with the approved plan and these parking spaces shall be retained at all times thereafter for the parking of vehicles in association with this development.

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

Travel plan

22. The development shall be undertaken in full accordance with the measures and timetable identified within the submitted travel plan by jpp reference R-TP-22145-01-0 dated February 2021.

Reason: In the interests of promoting more sustainable means of travel in accordance with the requirements of the National Planning Policy Framework.

Contamination

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

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

Air quality

24. The development shall be undertaken in full accordance with the air quality mitigation measures outlined within sections 9.1 and 9.2 of the submitted Air Quality Assessment undertaken by MLM Consulting Engineers Ltd, dated 2nd March 2021, Ref: 66202387-MLM-ZZ-XX-RP-J-0001 Rev C01.

Reason: 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.

Informatives:

1. Environmental Health advise that in order to promote and encourage other sustainable travel options to employees, it is recommended that the applicant considers providing onsite EV charging infrastructure for both E-bikes and E-Scooters in addition to that proposed for electric vehicles.
-



West Northamptonshire Council

Title: **Ryehill House, Ryehill Close**

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Date: 22-04-2022

Scale: 1:2,500 @A4

Drawn: M Johnson

Planning Committee Report

Committee Date: 4th May 2022

Application Number: WNN/2021/0159

Location: Rathgar Care Home , 349 Kettering Road, Northampton,

Development: Demolition of existing dwelling at no 351 Kettering Road and replacement with part single, part two and part three storey extension to Rathgar Care Home together with parking and access alterations and associated works including alterations to boundary treatments

Applicant: Rathgar Care Home Ltd

Agent: Smith Jenkins Ltd

Case Officer: Christopher Wentworth

Ward: Boothville and Parklands Unitary Ward

Referred By: Councillor Mike Hallam

Reason for Referral: Overdevelopment and impact on amenity

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO 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.

Proposal

This application seeks full planning permission for the demolition of the existing two storey dwelling at 351 Kettering Road and the redevelopment of the application site to provide a 17-no. bed care home building extension to the existing Rathgar Care Home located next door at no. 349 Kettering Road. The overall care home provision would result in a total of 34 no. beds. The care home would provide care for the elderly (Use Class C2) arranged over three floors together with a total of 10 car parking spaces, associated landscaping and amenity space.

Consultations

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

- Highways
- Cllr Mike Hallam

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

- Environmental Health
- Fire Service
- Arboricultural Officer
- Northamptonshire Police

22 no. letters of objection have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Design and Layout
- Residential Amenity
- Parking and Highway Safety

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site relates to the Rathgar Care Home, at 349 Kettering Road, and the adjacent property no. 351 Kettering Road. The site lies on the north western side of Kettering Road in the Spinney Hill area of Northampton. The existing care home was converted from a two-storey dwelling during the 1980's. It has been extended to the rear with two storey and single storey additions, and conversion of the roof space with front and rear dormer windows. The building is finished in render with a tiled roof, and bay windows to the front elevation. The care home currently operates with 17 bedrooms. There is vehicle access from Kettering Road and 5 parking spaces.
- 1.2 No. 351 Kettering Road is a two-storey detached dwelling with single storey extensions. It is finished in brick with a tiled cat slide roof and a front dormer window. It has a private vehicle access and parking for 3 cars. There are neighbouring dwellings on each side of the site; no. 347 Kettering Road to the south-west and no. 353 Kettering Road to the north-east. There are neighbouring properties across the main highway to the east. The rear/western boundary of the site backs onto Mountfield Road which is a shared private road.
- 1.3 The site is set within a residential area of the town and is served by public transport with the nearest bus stops on Kettering Road within 300-350 metres. There are two

bus routes from these stops which operate 4 services per hour Monday to Saturday and 2 services per hour on Sundays in and around Northampton.

2 CONSTRAINTS

2.1 None relevant.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 This application seeks full planning permission for the demolition of the existing two storey dwelling at 351 Kettering Road and the redevelopment of the application site to provide a 17-no. bed care home building extension to the existing Rathgar Care Home located next door at no. 349 Kettering Road. The overall care home provision would result in 34 no. beds. The care home would provide care for the elderly (Use Class C2) arranged over two and three storeys together with a total of 10 car parking spaces, associated landscaping and amenity space.

4 RELEVANT PLANNING HISTORY

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

| Application Ref. | Proposal | Decision |
|------------------|--|-----------|
| N/1987/0170 | Change of use to residential care home. | Approved. |
| N/1988/1332 | Extension to residential care home. | Approved. |
| N/1993/0585 | Extension to residential care home. | Approved. |
| N/2002/0195 | Two storey and single storey rear extension. | Refused. |

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

West Northamptonshire Joint Core Strategy (2014)

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

- S1 - The Distribution of Development
- S7- Provision of Jobs
- S10 - Sustainable Development Principles.
- S11 - Low Carbon and Renewable Energy
- C2 - New Developments
- H1 – Housing
- H5 - Existing Housing Stock
- BN1 - Green Infrastructure
- BN2 – Biodiversity
- BN7 - Flood Risk

- BN9 - Planning for Pollution Control

Northampton Local Plan 1997 (Saved Policies)

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

- E20 - New Development (Design)
- H29 - Residential Institutions

Material Considerations

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

- **National Policies**

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

Section 2 – Achieving Sustainable Development
 Section 8 - Promoting healthy and safe communities
 Section 9 - Promoting sustainable transport
 Section 11 - Making effective use of land
 Section 12 - Achieving well designed places
 Section 15 - Natural Environment

- **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 13 – Residential and other residential led allocations – *Significant Weight.*
- Policy 14 – Type and Mix of Housing – *Moderate Weight.*
- Policy 35 – Parking Standards – *Significant Weight.*

Supplementary Planning Documents

- Planning out Crime in Northamptonshire SPG 2004
- Northamptonshire County Parking Standards 2016
- Biodiversity SPD 2017
- Northampton Parking Standards 2019

6 RESPONSE TO CONSULTATION

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

| Consultee Name | Comment |
|-------------------------|---|
| Fire Service | No representations to make. |
| Highways | <p>The parking provision proposed is not acceptable. The development would double the size of the existing care home and only provide an additional 3 parking spaces. The existing care home has 20 existing staff members and according to the transport statement, the extended facility would include another 22 members of staff. As per the Northampton parking standards, a residential care home needs to provide 1 space per full time staff and 1 per 3 beds for visitors. In addition to this, a minimum of 10% of the spaces provided need to be to disabled spaces. Furthermore, as this is a care home, a doctor / emergency space will need to be required close to the entrance of the buildings.</p> <ul style="list-style-type: none"> - The existing access does not meet the minimum standards and as this development would result in an intensification of use, it must be improved. • Vehicle to Pedestrian (and Vice Versa) Visibility – A minimum of 2m x 2m visibility splays are required, as illustrated in the Standing Advice. Also, any feature within the triangular pedestrian visibility splay area must not exceed 0.6m in height above footway level. These must be secured within the site and cannot form part of the driveway itself. • As this is a care home, a commercial crossover will be needed, with a minimum width of 6m. |
| Arboricultural Officer | <p>The Arboricultural Impact Assessment and Method Statement report from MacIntyre Trees was thorough and comprehensive, and made convincing arguments within the impact assessment for the proposed tree removals; the method statement contained useful recommendations for tree protection measures.</p> <p>Condition – Implementation of arboricultural method statement (AMS) and a tree protection plan (TPP).</p> |
| Environmental Health | <p>No objection, subject to conditions.</p> <ul style="list-style-type: none"> - Unexpected Contamination. - Construction Noise. |
| Northamptonshire Police | <p>There is no objection to this application, but concerns have been raised locally regarding the use by builders of the rear service road, which runs up behind the plot, for use during construction. It is gated for security as houses</p> |

| | |
|------------------|--|
| | <p>on both Kettering road and Mountfield Road about it and if used during construction there are concerns about the vulnerability of the space to casual intrusion and possible anti-social behaviour as well as burglary if the gates are not secured. Is it possible to apply a condition detailing where access for construction can be provided and where not?</p> <p>A bin storage area is located at the very rear of the plot which seems odd considering bin collection lorries will require access to the bins and are unlikely to have access via a private gated road. Again, to ensure the security of the rear service road consideration should be given to moving this feature closer to the Kettering Road frontage where the bin lorries will presumably access the site.</p> |
| Cllr Mike Hallam | Called in to Planning Committee – Concerns on overdevelopment of site and adverse impacts upon neighbour amenity. |

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 There have been 22 no. objections to the proposal. A summary of the comments received is provided below:

- The existing care home already causes considerable disruption - delivery lorries completely block one carriageway of Kettering Road resulting in tailbacks.
- There is limited parking on site meaning that staff & visitors routinely park (inconsiderately and often too close to the junction) in Greenfield Avenue. The addition of bedrooms and the necessary staff will surely cause further parking issues in already congested area and often bordering on dangerous to navigate nearby roads due to insufficient proposed parking.
- The area already has Rathgar, two care homes in Hillcrest Avenue and a (very) large purpose-built care home further up Kettering Road, is this specific development really of benefit to the area?
- Adverse impacts upon neighbouring property (353 Kettering Road).
- Insufficient space for delivery vehicles.
- Boundary treatments to be removed/revisted.
- Loss of trees.
- The rear extension would be visually intrusive.
- Mountfield Road is not suitable to be used for construction or general traffic associated with the use.
- Overdevelopment of the site.
- Overlooking.
- Loss of privacy.
- Change the character of that part of Kettering Road.
- Loss of residential accommodation.
- Incorrect boundary shown.
- Refuse storage located to rear rather than front.
- Construction works would adversely impact residents.
- Is drainage sufficient for the size of property?

- Parking/traffic survey based upon estimates rather than survey work.

8 APPRAISAL

Principle of Development

- 8.1 The application proposes a residential use in a residential area and is therefore, by definition, compatible with neighbouring residential properties. Furthermore, the proposal would provide specialist accommodation for older people in the form of 24-hour care for the elderly, such as those with nursing and dementia care need, and therefore would help contribute to the different housing needs across Northampton in accordance with the requirements of Policy H1 of the Joint Core Strategy. As such, no objections are raised to the principle of the proposed development.
- 8.2 The proposal would result in the loss of the existing dwelling at no. 351 Kettering Road as raised by local residents in objections received. However, the proposal would extend the care home use and therefore a form of residential use of the site would be retained. The proposal would not result in the loss of an existing dwelling to a non-residential use and would therefore comply with the requirements of Policy H5 of the JCS. The proposal would create 17 no. additional bedrooms for the care home, and therefore the proposal makes more efficient use of the land whilst retaining residential use, in line with Paragraphs 61 and 117 of the NPPF.
- 8.3 The NPPF and Planning Practice Guidance (PPG) recognise the need to provide for the housing needs of older people in order to address the requirements of an ageing population. The PPG states that the need to provide housing for older people is critical. There is an identified need for good quality care home beds in Northamptonshire, as set out in the Study of Housing and Support Needs of Older People across Northamptonshire (March 2017). The report confirms that there are not enough care home beds to meet current demand. The Northampton Borough Council Specialist Housing Supplementary Planning Document (adopted November 2019) states that in Northampton there is a deficit of care beds from 2019 onwards which continues to decline until the end of the forecast period in 2039 and that there is a requirement of 64 care beds each year to meet care bed needs until at least 2030. This forms a material consideration in the assessment of the proposal. It is noted that objections have been received regarding the need for residential care homes given the existing provision in the local area. However, as outlined above, there is demonstrable need for such accommodation locally (and nationally).
- 8.4 In addition, and notwithstanding the above, the Council cannot presently demonstrate a five-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the National Planning Policy Framework (NPPF), development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The redevelopment of the site for a 34-no. bed care home (additional 17 no. bedrooms) would make a positive contribution towards the Council's housing supply, with associated social and economic benefits. In addition, the proposal would provide other benefits such as meeting a need for accommodation for older people and generating permanent employment opportunities within a sustainable urban location. These benefits are considered to weigh heavily in favour of the proposal.

Design and Layout

- 8.5 Saved Policy E20 of the Northampton Local Plan and Policies S10 and H1 of the Joint Core Strategy place great importance on the quality of design of new

developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.

- 8.6 The proposal is to demolish the existing dwelling at no. 351 Kettering Road which comprises of a 1960's/70's two storey dwelling and extend the existing care home onto this site with single, two and three storey extensions in the form of a building that is linked to the existing care home building by a subservient, glazed link. The proposed care home extension would comprise a large building with an overall width (including the glazed link) and depth of approx. 17.6m and 23.5m respectively and a maximum height of 9m. The single storey rear extension extends to approx. 16m wide and 12.5m depth from the rearmost point of the two-storey building extension and is erected to a height of 3.25m with a flat, green roof. The extension is physically distinct from the existing care home, however key design references including bay windows, the hipped roof, projecting gable features, and materials are proposed so as to provide a cohesively designed scheme between the two buildings. It is noted that from the Kettering Road elevation, that ground levels, and ground and first floor window heights are also consistent between the existing building and the proposed extension which is welcomed.
- 8.7 The proposed extension would comprise of two main elements: the main front part of the extension facing onto Kettering Road, and a rear single storey extension. The footprint of the proposed extensions has been designed to reflect the footprint of the existing care home which has a similar two storey and single storey arrangement. The existing care home building and the extension would be linked by a new central glazed entrance lobby and this would form the main entrance to the care home. The existing entrance would be retained for staff use, allowing members of staff to easily access changing areas at the front of the building at the start and end of each shift. The provision of a glazed link and lobby to the front of the enlarged building is considered to be a positive design addition that provides a focal point and clear wayfinder to the building entrance within the streetscene.
- 8.8 The front part of the extension would be two storeys in height with further accommodation in the roof space. It would have a symmetrical design with bay windows and gable features on the front elevation. The roof would be hipped at each end. The front elevation would be finished in render and plain tiles to match the existing building which is considered to be appropriate as it aids in cohesion between the old and new. There would be a two-storey projecting wing at the rear, which would have a flat roof and covered in vertical timber effect cladding.
- 8.9 The single storey element of the extension to the rear of the two-storey extension would be linked to the existing single storey rear extension of the care home and would be finished in matching materials of brick and render and would have a flat green roof. Details of the green roof can be secured by planning to secure an appropriate standard of development. A new courtyard would be created between the front part of the extension and the single storey rear block. This would provide a discreet courtyard for residents use off of the main lounge area whilst the rear garden of no. 351 would be integrated with the existing garden of the care home to create a larger, private amenity space area.
- 8.10 It is considered that the scale and design of the proposed extension has been designed to appear as a distinct addition to the existing care home building, which would be separated from the original care home building but would replicate the traditional design features, proportions and materials of the existing in order to achieve a cohesive development and maintain the residential character of the site. The main part of the extension would be at the front of the site and would be set back

slightly behind the building line of the existing care home which is considered to be appropriate as the building line is slightly staggered along this section of Kettering Road. The mass of the building would be broken down using double gable features on the front of the building and a symmetrical hipped roof with matching roof materials which can be secured by planning condition. The extension would also be set away from the boundary to the north between no. 353 by approx. 1.4m. Within the street scene, the height of the proposed two storey extension would sit between the ridge height of the existing care home and the adjacent neighbour to the north to a height of 9m to the ridge line. The height of the extension is considered to be appropriate in this regard as it allows for a stepped appearance between buildings along Kettering Road, which is on a hill.

- 8.11 At the rear of the site there would be a single storey extension covered in a green roof. This would be set further away from the northern boundary by 2.2m and would be concealed from public views by the front element of the extension. A large single storey projection exists at the rear of the existing care home, and therefore the proposed addition replicates this arrangement somewhat, albeit in a more uniform shape, and would provide additional bedroom accommodation. Concerns have been raised within objections received that the proposal would represent overdevelopment of the site and would be an incongruous addition within the streetscene. Whilst the proposal does represent an increase in built form over the existing dwelling found on site, the streetscene is characterised by generous detached dwellings, with some variation in size, design and use of materials. When viewed from the public realm the scale of the extension is considered to be an appropriately sized addition within the site and is set in from the northern boundary as other buildings along this section of Kettering Road are.
- 8.12 It is noted that the scale of the proposed single storey rear extension would be large. However, it would generally reflect the scale of an existing single storey rear extension to the existing care home building within the wider site and has been designed in a manner so as to reduce its visual impact upon surrounding properties by being single storey in nature with a flat, green roof. The proposed extension would retain a 'rear garden' space that would be combined with the adjacent care home garden and would not result in the whole site being built upon. Furthermore, it is noted that the wider area has been characterised by properties with long rear gardens. However, such a plot formation has changed over time where development has been undertaken within such plots (i.e., dwellings in gardens, rear extensions). On this basis, it is considered that the quantum of development as proposed is an acceptable addition in this case and when combined with the fact that careful attention has been paid to the front elevation of the extension to include existing design features including a hipped roof, gable features, fenestration size/pattern and materials to create a visual connection and integrate the extension on the site and the street scene, the proposed design of the development including the layout, scale and density is appropriate in relation to the characteristics of the surrounding area. The proposal would have an acceptable impact on the street scene and would represent the most efficient use of land. The proposal would comply with Policy E20 of the Northampton Local Plan, Policies S10 and H1 of the Joint Core Strategy, Emerging Policy 3 of the Northampton Local Plan Part 2, and Paragraph 127 of the NPPF.

Residential Amenity

- 8.13 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, emerging Policy 4 of the Northampton Local Plan Part 2 and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 8.14 The care home building extension would be set to the northern side of the existing care home building and to the south of 353 Kettering Road, some 1.4m in from the side boundary and 3.75m from the two-storey flank wall of no. 353. Concerns have been raised by local residents that the proposed extension would adversely impact upon the neighbouring dwelling of 353 in terms of overlooking, loss of privacy and outlook. With regards to outlook, no. 353 is a two-storey residential dwelling that has bedroom and study accommodation at first floor level. Two windows are positioned to the side elevation of the existing dwelling that serve bedroom accommodation and which would be impacted by the proposed building extension. At present these windows do look onto the two-storey flank wall of the existing dwelling at a distance of 5.9m and look over a single storey part of the dwelling to do so. The proposed building extension, whilst not advancing the footprint of the building closer than the dwelling to be demolished, would advance the two-storey element with a hipped roof and dormer 2.15m closer to the two windows at a distance of 3.75m. This would result in reduced outlook to those two side windows. However, it is noted that the two rooms in question are served by principal windows to the front and rear elevations and that the side windows in question are secondary windows, albeit on a southern elevation. Given the secondary nature of the windows, and the small increase in distance posed by the two-storey extension in terms of outlook, it is not considered that the works would give rise to a significant level of harm to residential amenity associated with residents of no. 353 such it would be sufficient to warrant refusal in this regard.
- 8.15 With regards to loss of privacy and overlooking, the main two storey extension that fronts Kettering Road, would not give rise to overlooking or loss privacy associated with no. 353. It is noted that two doors are located on the northern elevation that would serve a plant room and fire exit and at first floor level two windows are proposed in line with the flank wall of no. 353 which would provide a window for the internal stairwell and a window for an en-suite shower room to bedroom 29. It is not considered that these windows would give rise to significant levels of overlooking or loss of privacy as they would not relate to habitable rooms. However, in order to reduce the 'feeling' of overlooking it is considered appropriate to secure obscure glazing to these two windows.
- 8.16 The two-storey rear outrigger extension would provide bedroom accommodation and would be set down from the 'main' two-storey extension with a flat roof. The rear outrigger would provide four windows at first floor level to its northern elevation that would face towards the boundary of no. 353. Three of these windows would serve a corridor and one would serve a resident's bedroom. These windows would be set in 13m from the side (northern) boundary with no. 353 and as such, given the distance of 13m involved it is considered that these windows would not result in levels of overlooking or loss of privacy sufficient to warrant refusal and that the distance proposed is sufficient. To the other side of the two-storey outrigger, two windows are proposed that would serve a bedroom and shower room and these would be positioned at a distance of 13.7m from the southern side boundary with no. 347 and would look over the existing care home site.
- 8.17 The proposed single storey rear extension proposes two windows that would face onto the northern side boundary with no. 353 at a distance of 2.3m from the boundary. At present the boundary is formed of a brick wall and the proposal seeks to remove this and replace the entire boundary with a 1.8m high concrete post and timber panel fence along the entire rear boundary. Whilst this would provide poor outlook from these windows, the windows in question are secondary windows, with the bedrooms in question served by windows to other elevations. Furthermore, the

height of the proposed boundary treatment and height of the proposed windows would not result in overlooking to the neighbouring garden. It is noted that views of the top portion of the extension above the fence line would be viewable from neighbouring gardens. However, this is not considered to result in adverse visual impacts to adjacent residents.

- 8.18 It is noted that third party concerns have been received regarding the potential for noise and activity from future users of the garden of the care home detracting from the amenity of neighbours. However, a care home is a residential use and is, therefore, by nature compatible with neighbouring residential dwellings. Also, it is noteworthy that a part of the site was previously used as a care home. Furthermore, the use can be restricted to a care home only and no other use within Class C2 to prevent a change to other C2 uses that may not be as compatible with neighbours.
- 8.19 In addition, and in any event, the noise implications of the scheme have been assessed by Environmental Health and found to be acceptable subject to conditions to prevent unacceptable impacts from construction works which can be secured within a construction management plan. Environmental Health advise that the submitted noise assessment has been reviewed and that the report methodology and assessment is accepted. However, clarification on the ventilation of the rooms directly overlooking Kettering Road, which are those subject to higher road traffic noise levels is required. Such details can be secured by planning condition so as to ensure that the thermal comfort for residents in warmer weather conditions is secured. Furthermore, it is noted that the proposed extension includes an enlarged kitchen area to accommodate the increased number of residents which is expected. However, it is considered necessary to secure details of plant and machinery along with odour control so as to ensure that neighbour amenity, for both existing and future occupiers is maintained.
- 8.20 Turning to the amenities of future occupiers of the care home, the individual bedrooms contained within the extension are generously sized and all include en-suites. In addition, all bedrooms are served by at least one large window, that overlook Kettering Road, the rear courtyard or the rear communal amenity space. The care home extension would also include an additional communal lounge/dining space (in addition to the existing lounge in the existing building) and a new kitchen area. Furthermore, the residents would also benefit from a generously sized and landscaped communal amenity area to the rear of the site along with a sheltered courtyard between the two and single storey elements. Subject to the conditions as outlined above it is considered that the proposal results in acceptable impacts upon residential amenity for existing and future occupiers.

Parking and Highway Safety

- 8.21 The Northamptonshire Parking Standards seek one parking space per full time equivalent staff plus 1 one visitor space per 3 beds, with 10% of the total car parking spaces required to be disabled spaces. In addition, the Parking Standards seek 1 cycle space per five staff members.
- 8.22 The existing care home with 17 no. bedrooms currently has 5 no. informally marked parking spaces along with a refuse store located to the front of the building. It is noted that the submission makes reference to 7 no. existing spaces although 5 no. spaces was observed on site and this figure has been assumed for the assessment. In addition, the separate driveway that currently serves no. 351 provides informal parking for 3 no. vehicles. As such, there is an existing parking shortfall on the current

site (5 no. spaces to 17 no. bedrooms) and this is a material consideration in the assessment of the current application.

- 8.23 The current application proposes a 34-bed care home, with the extension providing an additional 17 bedrooms, which would be served by 10 no. onsite parking spaces along with improved manoeuvring space. One of the spaces would be a disabled bay and the internal car park area would provide sufficient space for a delivery vehicle to unload clear of the public highway, a concern which residents have raised as an existing issue. The proposal would however still not meet the standards, a concern also noted by the Highway Authority, with for example the standards suggesting that the development should provide 12 parking spaces for visitors as well as additional parking for staff at one space per full time equivalent (FTE) staff. The supporting submissions suggest that there would 42 FTE staff with up to 16 no. staff likely to be on site at any one time and that based on survey work undertaken that approx. 40% of staff travel to work by private car.
- 8.24 On this basis, the proposed parking provision would result in an improvement upon the existing substandard provision and would result in a 100% increase in onsite and formally marked out parking provision which is supported. Whilst it is noted that this falls below the standards however it should be acknowledged that the standards are only guidance and it must also be taken into account that there was an existing parking shortfall on the site, along with other supporting material considerations. In this case, the site is located within a sustainable, urban location with a number of bus stops located along Kettering Road close to the application site and the proposal has the ability to provide improved levels of cycle storage within the site which can be secured by planning condition. The application has also been supported by a Travel Plan which seeks to promote sustainable forms of transport to the site. Furthermore, the existing site access from Kettering Road does not currently provide sufficient visibility and improvements to this can be secured by planning condition and the existing access serving the existing dwelling would also be removed.
- 8.25 It is also noted, and a point raised by the applicant, that a recent planning consent was granted for a new care home, known as Cedarwood, further along Kettering Road whereby the scheme was approved with a similar parking level of 19 no. spaces for 56 beds which equates to approx. 1 space per 3 beds. In the case of the current scheme, the proposal would provide 1 space per 3.4 beds and this assessment is also considered to be material consideration in the assessment of this scheme. The Parking Standards recently adopted by Northampton seek to encourage the installation of Electric Vehicle Charging Points (EVCP). One such charging point is proposed as part of this application and such provision can be secured by condition.
- 8.26 Having regard to the above, it is considered that on balance, whilst the proposal fails to meet the minimum parking standards outlined in the Parking SPD, the proposal does result in a substantial improvement in terms of provision and access compared to the existing situation and offers the opportunity to provide more sustainable transport options in terms of cycle storage and the ability for delivery/service vehicles to service the site clear of the public highway. On this basis, it is considered that the proposal is an acceptable addition and would not result in significant adverse highway impacts sufficient to warrant refusal of planning consent.

Other Considerations

- 8.27 The proposal would result in the loss of trees (2 no. category C trees and a group of category C) and a section of Elm hedgerow along the site's northern boundary to the front of the site facing towards Kettering Road. The application has been supported

by a Arboricultural Impact Assessment and Method Statement along with a tree protection plan which has been assessed by the Council's Tree Officer for the area. They have raised no objection to the proposal in this regard and have requested the imposition of a planning condition to ensure that the contents of the assessment and protection plan are implemented which is considered to be appropriate in this case.

- 8.28 The Northants Police Crime Design Advisor raises no objection to the proposal but raises concerns over construction access, particularly from the rear along Mountfield Road. Furthermore, they raise concern over the placement of bins to the rearmost portion of the site whereas they are likely to be collected/emptied at the Kettering Road frontage, a concern also noted by local residents. On these points they request the imposition of conditions to secure revised refuse storage details (towards the front of the site) and a construction management plan. Such conditions are considered necessary to exactly define the scope of the planning permission granted and to ensure that residential amenity is maintained to neighbouring properties.
- 8.29 A revised site plan was received during the course of the assessment which revised the site boundary shown on the site plan between the site and no. 353 Kettering Road following an objection on the basis that the boundary line was inaccurate.

9 FINANCIAL CONSIDERATIONS

- 9.1 As the building would fall within Use Class C2, there is not a policy requirement to secure construction training or other Section 106 matters and, for the avoidance of doubt, a condition is recommended that would reinforce the Use Class of the approved development. Furthermore, the development proposal is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 To conclude, the Council cannot presently demonstrate a five-year housing land supply and, therefore, the application needs to be assessed in accordance with the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and provide specialist accommodation for older people to help contribute to the different housing needs across Northampton and the Council's five-year housing land supply, with associated social and economic benefits. On balance, whilst the proposal does not provide parking provision in line with published standards, the proposal does result in an improvement on the existing situation and subject to conditions, would not give rise to significant harm upon highway safety or neighbour amenity that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Approve, subject to conditions.

Time Limit

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: 202 Rev A, 204, 205, 206, 207, 208, 209.

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

Use

3. The development hereby permitted shall be used as a care home only and for no other purpose including any other purpose in Class C2 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.

Reason: For the avoidance of doubt and in the interests of ensuring a satisfactory standard of development, residential amenity and parking provision as the application has been assessed on details submitted in accordance with the requirements of Policies H1, S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

CEMP

4. Notwithstanding the submitted details and Prior to the commencement of the development hereby permitted (including demolition), 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 which shall include:
 - i. Demolition processes.
 - ii. Traffic management and signage during construction.
 - iii. Construction access.
 - ii. Parking for site operatives and visitors.
 - iii. Storage areas for plant and materials.
 - iv. The erection and maintenance of security fencing/hoardings and lighting.
 - v. Welfare and other site facilities.
 - vi. Working hours and delivery times.
 - vii. Measures to control noise, vibration, dust and fumes during construction
 - viii. Measures to prevent mud and other debris being deposited on the surrounding highway.
 - ix. Ecological mitigation measures

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. Pre-commencement condition to ensure details are agreed in a timely manner.

Tree Protection Measures

5. The arboricultural method statement (AMS) and tree protection plan (TPP) as outlined by MacIntyre Trees in their Arboricultural Impact Assessment and Method Statement and appendices reference 2184_Fv1 dated September 2021 shall be implemented upon commencing works on site (including demolition) and shall be retained in full until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed from site.

Reason: In the interests of the character and appearance of the locality in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

Contamination

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

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

Levels

7. Prior to the commencement of the development hereby permitted, full 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 amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

Materials

8. 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. The development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

Obscure Glazing

9. The first-floor side facing windows to the northern elevation, serving the shower room of bedroom 29 and the adjacent stairwell, shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

Parking

10. Prior to the occupation of the development hereby permitted, car parking shall be constructed and laid out in accordance with the details shown on drawing number 202 Rev A and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with Policies S10 and C2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Vehicular Access

11. Notwithstanding the submitted details, prior to the occupation of the development hereby permitted, full details of the revised access to include sufficient visibility splays, shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the access shall be constructed in accordance with the approved details and retained as such and all existing accesses from the site onto the highway, specifically the private driveway serving no. 351 Kettering Road, shall be permanently closed in accordance with the details shown on drawing 202 Rev A, including the reinstatement of the footway and verge.

Reason: To confine access to the permitted point(s) in order to ensure that the development does not prejudice the free flow of traffic or conditions of highway safety along the neighbouring highway in accordance with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy.

EV Charging

12. Prior to occupation of the development hereby permitted, a scheme for the installation of at least one electric vehicle charging point within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of reducing carbon emissions and to secure a satisfactory standard of development in accordance with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

Bicycle Parking/Storage

13. Notwithstanding the submitted details and prior to the occupation of the development hereby permitted, full details of facilities for the secure and covered parking of bicycles to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to the occupation of the development hereby permitted and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policies C2 and S10 of the West Northamptonshire Joint Core Strategy.

Landscaping

14. Notwithstanding the submitted details and prior to occupation of the development hereby permitted, a detailed scheme of hard and soft landscaping for the site, including details of the proposed green roof, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, where present, the

location and species of any existing trees and hedgerows on the land and details of any to be retained.

Reason: In the interests of amenity and biodiversity and to secure a satisfactory standard of development in accordance with Policies S10, H1, BN1 and BN2 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

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

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

Reason: In the interests of amenity and biodiversity and to secure a satisfactory standard of development in accordance with Policies S10, H1, BN1 and BN2 of the Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

Boundary Treatments

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

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

Refuse Storage

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

Reason: In the interests of appearance of the locality, residential amenity and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan.

Odour Control

18. Prior to the occupation of the development hereby permitted, full details of an odour control system for the cooking equipment to serve the enlarged care home and measures for the acoustic treatment of the system shall be submitted to and approved in writing by the Local Planning Authority. The approved system and acoustic treatment shall be installed prior to the occupation of the approved development and retained and maintained thereafter in accordance with the approved details

Reason: To secure an acceptable level of residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.

Window Details - Ventilation/Acoustic Design

19. Prior to the occupation of the development hereby permitted, glazing and ventilation acoustic design details of windows and external doors to the Kettering Road elevation shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be implemented in accordance with the approved details prior to occupation and retained and maintained as such thereafter.

Reason: To secure an acceptable level of residential amenity in accordance with Policies H1 and BN9 of the West Northamptonshire Joint Core Strategy.



**West
Northamptonshire
Council**

Title: **349 Kettering Road**

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Date: 22-04-2022

Scale: 1:1,250 @A4

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Planning Committee Report

Committee Date: 4th May 2022

Application Number: WNN/2021/0414

Location: Market Walk Shopping Centre, Market Square
Northampton

Development: Partial demolition and conversion of shopping centre and construction of three storey extension to provide student accommodation comprising of 352no bedrooms and bed spaces (mix of studio and cluster types), retention of 2no retail units at lower ground floor level (Use Class E) and 1no retail unit at upper ground floor level (Use Class E) with alterations to Market Square and Abington Street Facades

Applicant: Urban Village Capital

Agent: Frampton Town Planning Ltd

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: REFUSE PERMISSION

Proposal

Permission is sought for the partial demolition and conversion of the shopping centre and construction of a three storey extension above to provide student accommodation comprising of 352no bedrooms and bed spaces (mix of studio and cluster types), retention of 2no retail units at lower ground floor level (Use Class E) and 1no retail unit at upper ground floor level (Use Class E) with alterations to Market Square and Abington Street Facades.

Consultations

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

- Ecology
- Historic England
- Fire and Rescue
- Environment Agency
- Anglian Water
- Construction Futures
- Strategic Planning
- Northampton Town Council

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

- Environmental Health
- Conservation
- Town Centre Conservation Area Advisory Committee
- Cllr Birch
- Cllr Stone

Letters have been received from 3 neighbouring properties or third parties.

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 unacceptable.

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 eastern side of Market Square and the northern side of Abington Street, with access to the centre on both streets. The site comprises a two storey shopping centre, with the lower ground floor accessed from Market Walk, and due to levels difference the upper ground floor accessed via Abington Street. The top floor of the building is currently storage rooms for the shopping centre units. The roof of the shopping centre forms the delivery floor with access through the neighbouring shopping centre, the Grosvenor Centre.
- 1.2 The All Saints Conservation Area borders the application site to the west and covers the frontage on Market Square. There are a number of listed buildings bordering the site on Market Square and Abington Street.

2. CONSTRAINTS

- 2.1. Market Square frontage is in All Saints Conservation Area.
- 2.2. A number of Listed and Locally Listed Buildings adjacent and close to the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. Permission is sought for the partial demolition and conversion of the shopping centre and construction of a three storey extension above to provide student accommodation comprising of 352no bedrooms and bed spaces (mix of studio and cluster types), retention of 2no retail units at lower ground floor level (Use Class E) and 1no retail unit at upper ground floor level (Use Class E) with alterations to Market Square and Abington Street Facades.

4. RELEVANT PLANNING HISTORY

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

| Application Ref. | Proposal | Decision |
|------------------|---|----------------------|
| N/2020/0198 | The conversion of the upper ground floor and first floor level and the construction of a 3 storey extension above to provide student accommodation comprising 355no student bedrooms and bedspaces (mix of cluster and studio types). The removal of four existing units at lower ground floor level and the insertion of two new units within a flexible use of A1 and A3 (shops and restaurants). The change of use of all existing units at ground floor to a flexible use of A1 (shop) and A3 (restaurant). The provision of one retail (use class A1) unit fronting Abington Street at upper ground floor level. Alterations to Market Square and Abington Street façades. | Refused – 24/07/2020 |
| N/2019/1356 | Removal of existing internal unit division to create open floors at ground and first floor. Change of use of open ground and first floors to flexible multi-class uses of retail (Use Class A1), financial and professional services (Use Class A2), restaurant/cafe (Use Class A3), drinking establishment (Use Class A4) and hot food takeaway (Use Class A5) inclusive and Leisure (Use Class D2). Change of use of second floor from Retail (Use Class A1) to Hotel (Use Class C1). Alteration to shop front on Abington Street and part removal of atrium roof at roof level. | Approved 15/05/2020 |
| N/2016/1693 | Change of use of units within | Approved 30/03/2017 |

| | | |
|--|--|--|
| | Market Walk Shopping Centre from retail (use class A1) to a flexible use within classes A1 (retail), A2 (financial and professional services), A3 (restaurant/café), and A4 (drinking establishment) | |
|--|--|--|

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 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Central Area Action Plan (2013)
- 5.3. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 5.4. 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, and the Northampton Central Area Action Plan 2013. The relevant planning policies of the statutory Development Plan are set out below:

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

- 5.5. 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 distributions of housing development.
 - S10 – Sustainable Development principles.
 - C2 – New developments.
 - E1 – Existing employment areas.
 - H1 – Housing density and mix and type of dwellings.
 - BN5 – Historic Environment.
 - BN9 – Pollution Control.
 - INF 1 and 2 – Infrastructure delivery.
 - N1 – The regeneration of Northampton.

Northampton Central Area Action Plan 2013

- 5.6. The relevant policies are:

- 1 – Promoting design excellence.
- 12 – Primary shopping area.
- 13 – Improving the retail offer.
- 16 – Central area living.

Material Considerations

5.7. 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 8 - Promoting healthy and safe communities.
 - Section 9 - Promoting sustainable transport
 - Section 12 – Design

- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- Planning out Crime in Northamptonshire SPG 2004
- All Saints Conservation Area Appraisal and Management Plan 2007
- A Character Assessment and Tall Buildings Strategy for Northampton's Central Area.

- **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
- 8 – Supporting Northampton Town Centre's role - Significant weight
- 9 – Regeneration opportunities in the central area- Significant weight
- 12 – Development of main town centre uses - Significant weight
- 21 – Residential development on upper floors - 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 | Raise concern with the bin layout within the site and advise that a waste strategy should be provided and agreed with Veolia prior to any decision being made to ensure a workable refuse strategy is possible on the site. Request conditions on noise, air quality |
| Ecology | No objection. Satisfied no reports are needed. |
| Historic England | No comment to make on scheme. |
| Conservation | Object – harm to setting of adjacent and nearby listed buildings, and to the character and appearance of the conservation area. |
| Town Centre Conservation Area Advisory Committee | Object. Lost opportunity to improve Market Square elevation. Full height may be visible from Market Square. Detractor to the conservation area. Overdevelopment of the site. No case made to justify student accommodation in town centre which risks unbalancing the town centre population and seasonal peaks and troughs of population. |
| Fire and Rescue | No objections. Recommendations made on sprinklers and fire service access. |
| Environment Agency | No comment to make on application. |
| Anglian Water | Request conditions and informatives on foul and used water. |
| Construction Futures | Request construction training scheme and financial contribution. |
| Strategic Planning | Request contribution towards libraries and fire hydrants and a condition on fire hydrants. |
| Northampton Town Council | Support. Less demands for retail in town centres and the development will regenerate the building and have economic benefits with people living in the town centre. |
| Cllr Birch | Object. Overdevelopment within a town centre. Introduces transient residents that will not establish community. University have stated there is no demand for more student accommodation. Accommodation is only suitable for temporary living, not permanent. Risk this will be converted to a HiMO. 23 rooms do not meet the Average Daylight Factor which does not provide a healthy environment. No sign of on-site gym and laundries. Concerns with crime safety. Concerns with refuse management and potential fly tipping as a result. |
| Cllr Stone | Object. Overdevelopment with too high a density that is incompatible with vision for the town centre. Concerns with crime safety with the mixed residential and retail units. Pressures on local services. Sewage impact of large development. Concerns with refuse arrangements. No more student accommodation is needed and it may be altered in the future. During pandemic larger rooms are needed. Some rooms have inadequate natural light. Impact on climate emergency and need for zero carbon and energy efficient buildings. Calls application in to Committee. |

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. Five letters have been received from three third parties raising concerns and objecting to the application. The concerns raised can be summarised as follows:

- Canopy on Market Square not needed and encourages rough sleeping.
- New entrance on Market Square must be in keeping with the conservation area and market.
- New proposal does less harm to the existing building at street level but two additional floors will be seen from the Market Square and have a similar damaging effect on the Conservation Area and Listed Buildings as the previous refusal.
- Number of residential units similar to previous refusal and will similarly have poor outlook, light and privacy.
- Concern regarding fire safety.
- Bad proposal for a town centre that has lost its sole.

8. APPRAISAL

Principle

- 8.1 The application proposes the change of use of the existing shopping centre to a mixed use of retail and student halls. Two retail units would be retained at lower ground floor level fronting the Market Square, alongside a commercial store, with the remainder of the floor converted to student accommodation. One retail unit would be retained at upper ground floor level fronting Abington Street with the remainder of the floor converted to student accommodation. The first floor would be entirely converted to student accommodation. Three new floors are proposed above the existing building which would solely provide student accommodation.
- 8.2 With regards to the proposed student accommodation, the proposal would result in an increase in the number of people residing within the town centre, which is consistent with the strategic objectives of the CAAP, which calls for the repopulation of the town centre. Given that the proposed development would be for bespoke student accommodation, it would not add to the Council's housing land supply, as it would be a sui generis use. However, it is acknowledged that the development is likely to reduce demand for Houses in Multiple Occupation elsewhere within the Borough. As such, this would support the provision of a mixture of house types across the Borough, as required by the NPPF.
- 8.3 With regards to the reduction of retail units on the site, with just three being retained, whilst the site is located within a Primary Retail Frontage in the CAAP and there would be loss of retail uses, it is considered that the proposed mix of uses would contribute positively to the area. It was established within previous planning applications on this site that weight must be given to the high vacancy rates with little interest in the units in the centre for a number of years and the benefit of bringing some meaningful uses back into the building, which in turn increases the vitality and viability of the centre.
- 8.4 As with these previous applications on this site, with the high vacancy rates within the Market Walk Shopping Centre, and the length of time that these high vacancy rates have been in occurrence within this site, it is considered that the reduction in the number of units to provide student accommodation is justified. The proposed uses are appropriate uses to find within a town centre location, and provide the opportunity to increase the vitality and viability of the town centre through increased footfall. In addition, an active retail frontage would be retained on the Market Square façade.

8.5 In line with the above, the principle of the proposal is accepted.

The impact of the proposal on the character and appearance of the host property, street scene, Conservation Area and surrounding Listed Buildings.

8.6 Permission is sought for the partial demolition and conversion of the shopping centre and construction of a three storey extension above to provide student accommodation with alterations to the Market Square and Abington Street Facades.

8.7 Application N/2020/0198 was refused in July 2020. One reason was:

‘The proposed extension and alterations to the facades fronting Market Walk and Abington Street would result in a stark, dominating, overpowering, obtrusive and incongruous appearance through the scale, massing, proportions and design used. The resultant appearance would harm the character and appearance of the existing building, the character and appearance of the street scenes, the character and appearance of the All Saints Conservation Area, and the setting of a number of listed buildings, including Grade II* listed 32/32a Market Square. This falls contrary to the NPPF, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policy BN5 of the Joint Core Strategy 2014, and policy 1 of the Northampton Central Area Action Plan 2013.’

8.8 The current scheme has amended the proposed design from that previously refused.

8.9 As existing, the Market Walk shopping centre is not a historic building, however it follows the pattern of development on Market Walk to appear as a row of properties with ridge height and window proportions to compliment the surrounding historical properties. From Abington Street the Market Walk shopping centre has again been designed to complement the neighbouring property.

8.10 Whilst the canopies used on Market Walk and Abington Street for this building are in need of updating, the building as a whole respects the character of the surrounding historic buildings and Conservation Area and does not appear dominating and obtrusive within the street scene. The appearance and scale are broadly in keeping with that of buildings on the east side of the Square and within the terrace row which it falls centrally within.

8.11 With regards to the Abington Street elevation, it is proposed to increase the ridge height of the existing building to create space for an additional floor. Above this an extension is proposed (fourth floor) which presents a blank wall to Abington Street. This blank wall would be set back approximately 8.8 metres from the main Abington Street elevation. Whilst set back, this blank wall would be visible from longer views. It is considered that the introduction of a blank brick wall fronting Abington Street is entirely unacceptable and provides a poor appearance to the detriment of the host property and surrounding area.

8.12 On the Market Square elevation the scheme now proposes to retain much of the existing appearance of the Market Walk shopping centre at lower ground, upper ground and first floor levels. At second floor level the existing roof of the building is being raised to create space for an additional floor. The ridge on the northern end of the front elevation is raised to almost meet the height of the adjacent listed building, and on the southern end of the elevation is raised to be much higher than the neighbouring property. The building is then given one consistent ridge line, whereas currently the building has a varied ridge line. Two further floors are then proposed above this, set

back approximately 22 metres from the Market Square elevation. The two floors would not run parallel to the Market Square elevation. Whilst set back, two outdoor terraces are proposed forward of the built form, just around 8 metres from the front elevation of Market Square. Whilst not shown in the plans, boundary treatment around these terraces would need to be high to stop access to the remainder of the flat roof, and such boundary treatment would be readily visible from Market Square.

- 8.13 The Council's Conservation Officer has been consulted on this proposal and advises that Market Walk occupies a prominent position adjacent to historically important buildings (such as the grade II* listed Beethoven House) and adjacent to the All Saints Conservation Area. The Conservation Officer advises that whilst the existing building on site is of no historic interest, it is in scale with the height of nearby buildings and allows Beethoven House to be seen as the dominant element on the skyline. It is advised that the increase in the height of the roof proposed on Market Square harms the significance and setting of the grade II* listed building. It is further advised that the loss in the variety in roofline height, which is a feature of the Market Square, would harm the character and appearance of the Conservation Area.
- 8.14 It is further advised that the proposed bulk and massing of the additional floors, whilst set back, would still be dominant in the skyline views from Market Square and would harm the overall appearance of the conservation area.
- 8.15 It is considered that the proposed extensions and alterations result in an appearance which is dominating and visually detracts within the street scenes. The three storey extension is readily visible from the street scene of the Market Square, and would add a bulk and dominance to this building which overwhelms the neighbouring buildings. It is considered that the design of the alterations and extensions has a negative impact upon the existing appearance of the property and upon the street scene.
- 8.16 In addition to the proposal being of a poor design for this location, the application site is also located adjacent to the All Saints Conservation Area, with the frontage of the site facing Market Walk being within this Conservation Area, the site is also surrounded by a number of Listed Buildings, including 32/32a Market Square, a Grade II* Listed Building.
- 8.17 The Council's Conservation Officer and the Town Centre Conservation Area Advisory Committee have all been consulted on this application and all raise an objection to the design of the scheme.
- 8.18 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to have special regard to the desirability of preserving a Listed Building or its setting. Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 8.19 Paragraph 195 of the NPPF requires Local Authorities to carry out their own assessment taking into account any necessary expertise. Paragraph 197 of the NPPF requires Local Authorities to take account of the desirability of new development making a positive contribution to local character and distinctiveness. Paragraph 206 requires Local Authorities to look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance.
- 8.20 Paragraph 199 requires, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight to be given to the assets

conservation. Paragraph 200 states that any harm to the significance of a designated heritage asset, including from development within its setting, should require clear and convincing justification. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

- 8.21 The Council's Conservation Officer advises that the proposal would be dominant and obtrusive in views from Market Square and its scale and design would be harmful, and would fail to preserve or enhance, the character and appearance of the Conservation Area. The setting of the nearby listed buildings would also be harmed by the development. The frontage to Abington Street would be visually intrusive in views along the street, in particular the blank wall extension above. The bulk, scale and massing of the extension would be over dominant in views from Market Square and All Saints Conservation Area and would have a harmful impact on the setting of the Grade II* Beethoven House and Welsh House alongside.
- 8.22 Northampton Town Centre Conservation Advisory Committee concur that the full height would be visible from the Market Square and would be a detractor to the conservation area and overdevelopment of the site.
- 8.23 It is considered that the bulk and mass of the resultant building is excessive and dominating, and that the design used for the raised roof heights and extension are of a poor quality appearance which exacerbate the harm derived from this proposal. It is considered that the proposal is of an entirely unacceptable design which would result in a dominating and obtrusive appearance, overwhelming and detracting from the setting of neighbouring Listed Buildings and detracting from the character and appearance of the Conservation Area.
- 8.24 Paragraph 202 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.25 Whilst the provision of footfall within the town centre is considered a positive of this development, it is not considered that this would outweigh the considerable harm to the character and appearance of the street scenes of Market Square and Abington Street, the Conservation Area, or neighbouring Listed Buildings resultant from this stark, dominating, obtrusive, overpowering and incongruous design.

Living conditions for future occupants

- 8.26 Application N/2020/0198 was refused in July 2020. One reason was due to:
- 'The proposal would result in the provision of unacceptable living conditions for the majority of the future occupants through the provision of bedrooms that are offered poor natural light levels, poor outlook, and poor privacy levels, through a reliance on voids and decks, and the positioning of amenity spaces and walkways outside windows. This is considered contrary to the aims of the National Planning Policy Framework, and Policy H1 of the West Northamptonshire Joint Core Strategy.'
- 8.27 The application proposes the creation of 352 student bedspaces, comprising 106 studio flats and 246 cluster bedrooms.
- 8.28 At lower ground floor level, that entered by Market Square, a large central entrance would be created for the student accommodation with reception area, alongside an

internally accessed bike store. This provides a safe and secure entrance point to the student accommodation. At upper ground floor, that entered by Abington Street, a further separate entrance is provided for the student occupiers.

- 8.29 The proposed student accommodation is provided with windows overlooking Market Square and Abington Street, looking within an internal void in the building, looking over a void surrounded by properties on Market Square and Abington Street to the south of the building, or looking at a small void at second, third and fourth floor level looking north towards an existing car park and servicing for the Grosvenor Shopping Centre.
- 8.30 At upper ground floor level, first floor and second floor levels student bedroom windows are proposed overlooking a void on the southern side of the building which is surrounded by the rear of properties on Market Square and Abington Street. At upper ground floor level 3 studios and 8 cluster bedrooms are shown. These are shown to be provided with outside terraces, although no access is shown to these area (which is presumed to be a drawing error). A landscape area is further shown, but again with no access to it which is presumed to be a drawing error.
- 8.31 At first floor and second floor level 3 studios and 8 cluster bedrooms are again proposed on each floor. Each cluster bedroom is again shown to have an outside balcony area. The result of this is that the windows for those cluster bedrooms at upper ground floor level and first floor level would be covered by balconies. Whilst in most situations this would allow sufficient light to still enter the bedrooms, these windows are already proposed within a void where there is minimal outlook and daylight available. Covering the windows with balcony overhangs further reduces the amount of light that can enter these bedrooms, to the detriment of the living conditions of these units. Furthermore, the studio flats within this void look directly into a service yard at the tightest point, with a separation of just 4.8 metres from a wall. It is considered that poor living conditions would be provided to those bedrooms overlooking this void area.
- 8.32 With regards to the central void within the building itself, this is provided largely following an existing glazed roof for the shopping centre, however, whereas the existing shopping centre is 3 storeys, the resultant building would be 6 storeys in height and light would have to travel down this void to provide the only light to a large proportion of the proposed bedrooms. It is considered that the proposed light well would offer a poor level of secondary light to the proposed bedrooms, worsening the lower down the development you move. Similarly, the outlook from these internal bedrooms would be exceptionally poor, being of internal walls and windows opposite. This poor light level and outlook is considered entirely unreasonable for proposed bedrooms.
- 8.33 Further concern is raised with this central void with regards to the proximity and positioning of windows. On the southern and western ends of this void at lower ground, first, second and third floor levels, studio flats are shown with windows at right angles to bedroom windows in the cluster/studio flats. The close proximity of these windows at right angles means that each room would have a clear view into the other, creating privacy issues. Furthermore, 5 of these studio flats are of such a shape that the only window in the room is positioned in the corner of the room, providing little light into the studio.
- 8.34 It is also the case that insufficient separation distances are provided between the windows in this central void to provide acceptable living conditions. On each level two bedrooms are provided with a separation of just 5 metres from a wall.

- 8.35 On the upper ground floor level a studio flat is shown where the window is immediately blocked by a screen in an area which appears to form a shared terrace for four studio flats. Clarification has been sought on this area but none has been provided. Either way this studio flat would have its only window blocked by screening, and also 5 studio flats would potential have overlooking and noise issues from a shared terrace being provided immediately outside the bedroom windows.
- 8.36 Further concern is raised that on the upper ground floor the existing ramp remains with 6 bedroom windows looking directly on to this and with this being proposed to provide a small, screened area for the bedrooms and a communal area which any person could access. This amenity area is immediately outside bedroom windows and would result in privacy and noise issues for occupiers of these bedrooms. Furthermore, these 6 bedrooms are cramped in a corner of the void with the outlook being immediately of a screen, and then of a blank wall just 7 metres away. This poor outlook due to insufficient separation distances continues on the first, second, third and fourth floors, with the same layout and same poor outlook.
- 8.37 With regards to the northern void, concern is raised on the second floor, where 8 cluster bedrooms are proposed which face almost directly onto a wall between this site and Grosvenor Centre, offering unacceptably poor outlook and light levels. At third and fourth floor cluster bedrooms also face northwards, with the outlook being of a busy car park with open decks where people can look directly at these bedroom windows, and of a busy service deck for shops within the Grosvenor Centre.
- 8.38 On the upper floor level fronting Market Square, a studio flat is provided of a shape which is unusable and would have poor light levels due to its shape. This is repeated on the first and second floors. At fourth floor level two studios are provided which again are of an unusable shape and unlikely to provide acceptable living conditions.
- 8.39 On each floor amenity areas are marked which are in fact the corridor areas. Corridors are not considered to provide meaningful amenity spaces. Furthermore, it would be entirely inappropriate to encourage the gathering of residents in corridors immediately outside the doors of student bedrooms.
- 8.40 On the first floor plan two studios facing Market Square and two studios facing Abington Street are shown with no windows. On the second floor one studio fronting Market Square and two fronting Abington Street are again shown with no windows in the floorplans. Whilst this is presumed to be an error, an assessment must be made on the submitted plans which show no windows to these rooms. This is entirely unacceptable.
- 8.41 At second floor level ten studios are shown facing Market Square with windows indicated to be within dormers. The elevation plans, however, only show rooflights at this level. The level of light provided to these rooms, alongside ceiling heights, remains unclear and it cannot be established that acceptable living conditions would be provided to these flats.
- 8.42 A daylight and sunlight report has been submitted with the application. This report outlines that 17 rooms do not meet the right for light in the document provided. Whilst this document outlines that this is good that it is only 17, it is the case that all student rooms must be provided with acceptable light and outlook to accord with planning policy requirements. This document clearly outlines that 17 rooms are not provided with acceptable light, which is entirely unacceptable and an appropriate level of amenity should be provided for all accommodation proposed.

- 8.43 It is further considered that the amenity provision for the site is poor. In previous reiterations, large areas of communal space were provided. These have now all been lost. A reliance is now on corridor spaces providing amenity space, which is not acceptable. The proposed studios are small and the shared spaces for the cluster flats are small and do not appear to take account of how many bedrooms are using them (with regards to size). In order to justify smaller facilities, sufficient on-site amenity space of a good quality would need to be provided, which it is not in this development. Whilst reference is made in the operational management plan to an on-site gym, games room, study areas, and laundry, no such spaces are shown in the plans.
- 8.44 Whilst a POD hotel has been approved on this site which comprises small rooms with no windows, occupiers of the hotel rooms would be more transient in nature and for shorter periods of time in comparison with student occupiers for whom the accommodation would be likely to be for an entire academic year. As such, it is considered appropriate and reasonable to expect an appropriate level of amenity to be provided for proposed occupiers.
- 8.45 It is considered that extremely poor living conditions would be provided for the majority of the proposed bedrooms, with poor outlook, light levels and privacy, alongside poor amenity provisions within the development itself with the studios being small and communal space within cluster flats also being small. As such, it is considered the development as proposed fails to provide an appropriate level of amenity for proposed occupiers contrary to policy.

Neighbouring amenity

- 8.46 The application site is located within the Town Centre, and as such the majority of neighbouring units are commercial in nature. There are, however, residential units within upper floors of some of the neighbouring units. Whilst the application site adds windows and intensifies the use of the existing windows which are largely obscure, it is not considered that the outlook from these windows would result in an unacceptable relationship with existing properties in respect of a town centre location, with sufficient distance retained between these windows and neighbouring windows.

Highways

- 8.47 The proposal does not provide any car parking. With the site being located within the Town Centre, and as such a sustainable location, it is not considered that parking is required and the provision of cycle storage is sufficient. This is the approach taken on previous applications on this site. Precise details of how the student occupiers would move in and out could be required through condition.
- 8.48 A bike store of 91m² has been provided at lower ground floor level internally. The bike store shown does not outline how many bicycles would fit within the room. It is unlikely that a room of this size could accommodate the required 352 cycle spaces needed for this development. There are, however, a number of rooms which are labelled management or back of house stores. Additional bicycle storage could be provided within these rooms. A condition requiring further details on proposed cycle storage could address this matter.
- 8.49 Concern is raised as to how units on the lower ground level would be serviced. As current the roof of the Market Square shopping centre forms a servicing area. The proposed results in the loss of this servicing area and no details are provided as to how the remaining units would be serviced. It is the case, however, that there are a number of other units on Market Square and Abington Street which do not have service yards

and as such it is not considered that a lack of servicing arrangements would amount to a reason for refusal. Details of the servicing would have been required through condition should the application have been recommended for approval.

Waste

- 8.50 Environmental Health raised concern with the waste storage on site and whether it was workable.
- 8.51 The submitted plans show the provision of separate bin storage for the commercial and student uses. The Council's waste team have been consulted on this application and no comments have been received.
- 8.52 Whilst Environmental Health raise concern with the bin provisions and lack of refuse strategies, further details could be required by condition to ensure appropriate refuse storage arrangements and an appropriate management strategy, such that it is not considered that the waste provisions on site could form a reason for refusal.

Crime

- 8.53 The application site is located within the Town Centre, where there are potential crime issues. As part of this application Northamptonshire Police have been consulted and no response has been received at the time of writing this report. A condition requiring details of how the development will meet secure by design, and to provide CCTV and security measures could ensure that appropriate mitigation measures are imposed and secured. This would include details on how the retail and student uses would be kept separate and the security of the roof terraces to stop people accessing the remainder of the roof.

Other matters

- 8.54 Environmental Health request conditions on noise and air quality. These are considered reasonable to impose should the application have been recommended for approval.
- 8.55 The Fire and Rescue Service make recommendations with regards to sprinklers and fire service access. An informative advising of this advice would have been attached should the application have been recommended for approval.
- 8.56 Anglian Water requested conditions and informatives on foul and used water. These would have been reasonable to attach should the application have been recommended for approval.
- 8.57 A contribution towards construction training has been requested. This would have been secured through a Section 106 Legal Agreement should the application have been recommend for approval.
- 8.58 Strategic Planning have requested a condition and contribution on fire hydrants and a further contribution towards libraries. West Northamptonshire Council Northampton Area have no policy basis for requiring these and as such these would not have been reasonable to have secured should the application have been recommended for approval.
- 8.59 There are a number of inconsistencies and errors in the plans. Whilst attempts have been made to secure corrected plans, none have been provided. With the application

being for a refusal, a decision can proceed despite these errors and on the basis of the details provided.

9 FINANCIAL CONSIDERATIONS

9.1 The development is not CIL liable.

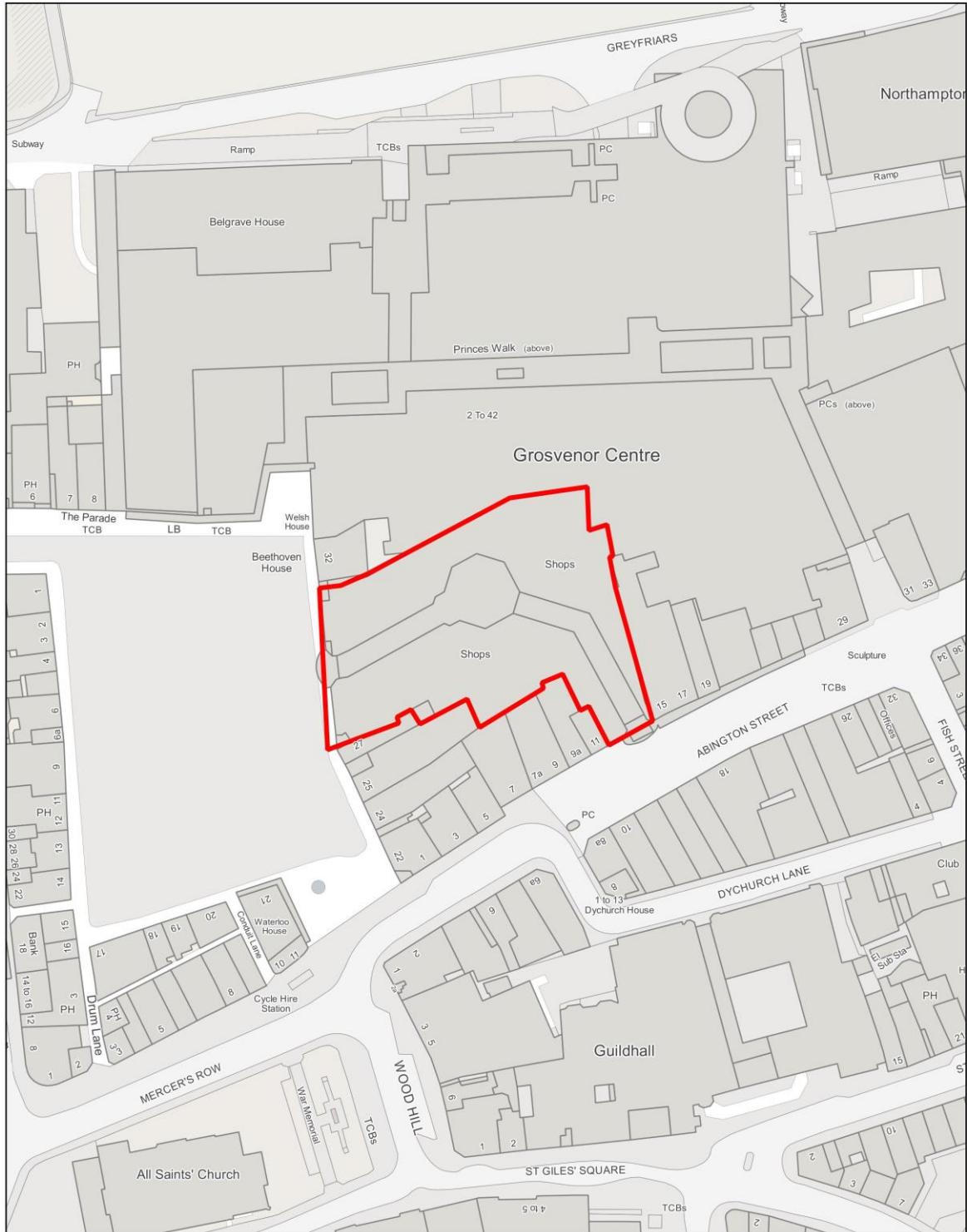
10 PLANNING BALANCE AND CONCLUSION

10.1 To conclude, the design of the scheme is considered to be unacceptable and would have a harmful impact upon the character and appearance of the host property, neighbouring street scenes, the conservation area, and the setting of neighbouring listed buildings. Furthermore the proposal is considered to provide entirely unacceptable living conditions for future occupants of the development. The proposal is considered to fall contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990, the requirements of the National Planning Policy Framework, Policies S10, BN5, and H1 of the West Northamptonshire Joint Core Strategy; Policy 1 of the Central Area Action Plan 2013 and emerging Policies 3, 4 and 31 of the submitted Northampton Local Plan Part 2 . It is recommended that planning permission is refused.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 The proposed development is recommended for refusal for the following reasons:

1. The design of the proposed extensions and alterations would result in a stark, dominating, overpowering, obtrusive and incongruous appearance through the scale, massing and proportions. The resultant appearance would harm the character and appearance of the existing building, the character and appearance of the surrounding street scenes, the character and appearance of the All Saints Conservation Area, and the setting of a number of listed buildings, including Grade II* listed 32/32a Market Square. This falls contrary to the NPPF, Section 72 and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy 2014, Policy 1 of the Northampton Central Area Action Plan 2013 and emerging Policies 3 and 31 of the submitted Northampton Local Plan Part 2.
 2. The proposal would result in the provision of unacceptable living conditions for the majority of the future occupants through the provision of bedrooms that are offered poor natural light levels, poor outlook, and poor privacy levels, through a reliance on voids and decks. This is considered contrary to the aims of the National Planning Policy Framework, Policy H1 of the West Northamptonshire Joint Core Strategy and emerging Policy 4 of the submitted Northampton Local Plan Part 2.
-



**West
Northamptonshire
Council**

Title: **Market Walk Shopping Centre**

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Date: 22-04-2022

Scale: 1:1,250 @A4

Drawn: M Johnson

Planning Committee Report

Committee Date: 4th May 2022

Application Number: WNN/2022/0073

Location: Barclaycard, 1234 Pavilion Drive, Northampton

Development: Erection of single storey canopy structures to house photovoltaic cells, erection of associated plant equipment, trenching works, soft landscaping and other associated works

Applicant: Barclays Bank plc

Agent: JLL

Case Officer: Hannah Weston

Ward: Nene Valley 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

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.

Proposal

Permission is sought for the erection of single storey canopy structures to house photovoltaic cells within the car park areas associated with the site, with associated plant equipment, trenching works and soft landscaping.

Consultations

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

- Arboricultural Officer
- Ecology
- Archaeology
- Environmental Health
- Highways
- Hardingstone Parish Council.

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.

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 western side of Brackmills Industrial Estate, to the south, east and north of Pavilion Drive which circles the site, and to the west of Rhosili Road. The site is positioned near to the A45 and comprises the offices for Barclaycard, with the associated staff parking, and amenity space.

2. CONSTRAINTS

2.1. None.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

3.1. Permission is sought for the erection of single storey canopy structures to house photovoltaic cells within the car park areas associated with the site with associated plant equipment, trenching works and soft landscaping.

4. RELEVANT PLANNING HISTORY

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

| Application Ref. | Proposal | Decision |
|-------------------------|---|-----------------|
| WNN/2021/0258 | Erection of ancillary single storey lake house building, landscaping works, provision of external staff facilities, erection of plant equipment including generator compound, works to car park and ancillary works | Approved 8/9/21 |
| N/2018/1487 | Replacement signage scheme including new high level sign, car park entrance signs, security hut signs, barrier sign, and flags. | Approved |
| N/2015/1113 | Installation of 8no condenser units. | Approved |
| N/2015/0634 | Retain change of use of land for | Approved |

| | | |
|--------------------|--|-------------------------------|
| | permanent car parking (follows N/2012/0480) | |
| N/2014/1130 | Installation of 200no. ground mounted solar photovoltaic panels and ancillary works. | Approved |
| N/2012/0480 | Proposed temporary extension to existing car park | Approved – cease 13 July 2015 |

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 West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- E1 Existing employment areas
 - S1 – The distributions of development
 - S2 – Hierarchy of centres
 - S7 – Provision of Jobs
 - S8 – Distribution of Jobs
 - S10 – Sustainable Development
 - S11 – Renewable Energy

Northampton Local Plan 1997 (Saved Policies) (NLP 1)

- 5.4. The relevant policies of the NLP 1 are:
- Policy E20 – Design for new development
 - Policy B5 – Development at Brackmills
 - Policy B14 – Use in Business areas
 - Policy T12 – Servicing

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 7-12 - Presumption in favour of sustainable development.
- Paragraphs 156 and 158 support development for renewable and low carbon 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
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.

- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)

- **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:

- 1 – Presumption for sustainable development – Significant weight.
- 3 – Design – Moderate weight
- 4 – Amenity and layout – Moderate weight
- 5 – Carbon Reduction, Community Energy Networks, Sustainable Design and Construction, and Water Use – Significant weight

6. RESPONSE TO CONSULTATION

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

| Consultee Name | Comment |
|-----------------------------|---|
| Arboricultural Officer | No objection subject to condition requiring compliance with submitted arboricultural report and tree protection plan. |
| Ecology | No comment. |
| Archaeology | No comment. |
| Environmental Health | No observations and no conditions required. |
| Highways | No comment to make on application. |
| Hardingstone Parish Council | No objection. |

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 proposes the erection of photovoltaic cells (solar panel) canopies above existing car parking areas.
- 8.2 The submitted details advise the proposal is part of “the sustainability initiatives proposed for the Northampton site to align with Barclays 2050 ‘net zero bank’ ambitions by reducing carbon usage and generating renewable energy on-site through solar panels.” “In conjunction with sustainable electricity procurement already in flight at Northampton, Barclays will achieve a net carbon zero campus by end of 2023.”
- 8.3 The NPPF at paragraphs 156 and 158 support development for renewable and low carbon development. Policies 10 and 11 of the Joint Core Strategy reflect these aims to support low carbon and renewable energy schemes having regard to the visual impact and impact on amenity. Emerging Policy 5 of the submitted Northampton Local Plan Part 2 supports development proposals that actively promote energy efficiency and use of renewable energy sources where there is opportunity to do so.
- 8.4 The development of the site as proposed is in line with national and local policy requirements aimed at reducing carbon emissions and promoting renewable energy. As such, the principle of the development is considered acceptable.

Design

- 8.5 Car park A is located to the immediate front of the office building, to the north of Pavilion Drive. 22 rows of canopies would be erected over this car park. The 12 rows of canopies to the east of the entrance are also shown to provide EV charging facilities as part of the installation. New HV and PV substations are also proposed to the eastern side of the car park to facilitate these solar panel canopies.
- 8.6 Car park B and C located across Pavilion Drive to the south would have 10 sets of canopies installed over existing parking spaces. New HV and PV substations would be erected on the northern side of this car park in association with the proposed solar panels.
- 8.7 The canopies proposed on all of the external car parks are pitched with open sides, being supported by a pillar to one side. Local inverter enclosures would be provided as part of this element between beams. The proposed canopies are between 3.5 metres and 4 metres in height, at the highest point.
- 8.8 A multi storey car park exists to the north of the site. It is proposed to add rows of these photovoltaic cell canopies to the roof of the existing car park. These canopies would be pitched and would add a maximum height of 3.9 metres to the top of the car park. Local inverter enclosures would be provided as part of this element between beams.

- 8.9 Whilst the proposed solar panel canopies would add built form to the open car parks, and height to the existing multi-storey car park, it is not considered that the appearance of these would be harmful to the character or appearance of the surrounding area of site itself. This is due to the positioning of the canopies within the car parks of this site, and with the canopies themselves being open sided, reducing their bulk. As such it is considered that the proposal would be acceptable in design terms.

Neighbouring amenity

- 8.10 The application site is not located near residential properties and as such it is not considered that the proposal would harm neighbouring amenity. The Council's Environmental Health team have not raised any concerns or requested any conditions.

Highways

- 8.11 The Council's Highways department advise that they have no comment on this scheme. With no objections from Highways, it is considered that the proposal would not harm highway safety.

Trees

- 8.12 The Council's Arboricultural officer does not raise any objection to the scheme but recommends a condition requiring compliance with the submitted arboricultural report and tree protection plan. This is considered reasonable to require this through condition.

Flood risk

- 8.13 Drainage details have been submitted with this application. The Lead Local Flood Authority (LLFA) have been consulted on the submitted details however at the time of writing this report no comments have been received from the LLFA. Any comments received prior to the day of Committee will be reported within the Committee Addendum.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal would make a positive contribution towards national and local aims towards carbon reduction and renewable energy. It is considered that the proposal would not have an undue detrimental impact on the appearance and character of the wider area, nor result in any undue harm to residential amenity, parking, and highway safety. The proposal therefore accords with the National Planning Policy Framework; Policies S10 and S11 of the West Northamptonshire Joint Core Strategy, Policies B14 and E20 of the Northampton Local Plan and emerging Policy 5 of the submitted Northampton Local Plan Part 2 and it is recommended that planning permission is granted subject to conditions.

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:

NOV-GEN - ZZ - ZZ - DR - A-010100 Rev P02 – Location plan
072-TCBA-10003 Rev 05 – Site plan areas A, B and C
072-TCBA-10004 Rev 04 – Site plan multi-storey car park
072-TCBA-10005 Rev 03 – Frame types 1 and 2
072-TCBA-10006 Rev 04 – Frame types 3, 4, 5 and 6
072-TCBA-10007 Rev 03 – PV substation
072-TCBA-10008 Rev 02 – Elevations car park A
072-TCBA-10009 Rev 02 – Elevations car park A
072-TCBA-10010 Rev 02 – Elevations car parks A, B, and C
072-TCBA-10011 Rev 02 – Elevations multi-storey car park
6458 - GA- 0001 Rev B – HV substation

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

Surface water and drainage

3. No drainage works 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 so approved unless otherwise agreed in writing by the Local Planning Authority.

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.

4. Before any above ground works commence a detailed design of the surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development should be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

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. In all calculations, proposed values of impermeable area should include a 10% allowance for Urban Creep, as taken from CIRIA C753 (version 6) paragraph 24.7.2

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.

c) BRE 365 infiltration test results

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

5. Before any above ground works commence a detailed scheme for the maintenance and upkeep of every element of the surface water drainage system proposed on the site shall be submitted to and approved in writing by the Local Planning Authority 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 in accordance with the requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

6. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted for approval in writing by the Local Planning Authority. The details shall include:
- Any departure from the agreed design is keeping with the approved principles
 - Any As-Built Drawings and accompanying photos
 - Results of any performance testing undertaken as a part of the application process (if required / necessary)
 - Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
 - 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 in accordance with the requirements of the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

CEMP

7. Prior to the commencement of each phase (as outlined within plans 072-TCBA-10003 Rev 05 and 072-TCBA-10004 Rev 04), 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:
- A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
 - Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
 - Details of the siting of all vehicles of site operatives and visitors.
 - The unloading and loading arrangements for heavy plant and machinery.
 - The location, extent and duration of any temporary stockpiling areas.
 - Measures to prevent mud being deposited on the surrounding highway.
 - Hours in which development will take place.
 - Non-road mobile machinery (NRMM) controls.
 - 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.

Trees

8. Prior to the commencement of the development hereby approved (including all preparatory work) within each phase (as outlined within plans 072-TCBA-10003 Rev 05 and 072-TCBA-10004 Rev 04), the arboricultural method statement and tree protection plan, together referred to as the scheme of protection, for the protection of the trees to be retained as proposed by PJC Consultancy in their Arboricultural impact assessment, method statement and tree protection plan reference 5880/21/02 dated 6 January 2022 shall be adopted for that phase.

Each phase of the development shall be implemented in strict accordance with the approved scheme of protection, which shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed for the corresponding phase.

Reason: In the interests of securing a satisfactory standard of development and the preservation of existing trees in accordance with the requirements of the NPPF.

Landscaping

9. Prior to the commencement of each phase (as outlined within plans 072-TCBA-10003 Rev 05 and 072-TCBA-10004 Rev 04), a hard and soft landscaping scheme for the corresponding phase shall be submitted to and approved in writing by the Local Planning Authority. The approved schemes shall be carried out in each phase in the first planting and seeding seasons following the completion of the works hereby approved, and shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

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



**West
Northamptonshire
Council**

Title: **1234 Pavilion Drive**

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