



Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held in the The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 5 July 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 7 th June 2022.
4.	Chair's Announcements To receive communications from the Chair.
5.	Deputations/Public Addresses
6.	List of Current Appeals/Inquiries
Planning Applications Addendum of additional information attached.	

a)	WNN/2021/0699 - Erection of Industrial Unit (Use Class B2/B8) along with associated means of access (Site 2A/2B). Land for Car Parking Duston Mill Lane (Pages 7 - 22)
b)	WNN/2021/0963 - Reserved Matters Application pursuant to Outline Planning Permission N/2018/1034 for the erection of an Office Unit (Use Class E) and associated works including car and cycle parking (Non EIA). Development land Old Bedford Road (Pages 23 - 32)
c)	WNN/2022/0307 - First floor extension over existing garage and utility, part two storey and single storey rear extension and porch extension including garden extension. 26 Tanfield Lane (Pages 33 - 40)
d)	WNN/2022/0326 - Single storey side extension. 149 Birchfield Road (Pages 41 - 48)
e)	WNN/2022/0450 - Demolition of existing single storey garage and construction of new two storey dwelling. Land adjacent to 17 North Western Avenue (Pages 49 - 60)
f)	WNN/2022/0448 - 13 Change of Use of existing Retail Unit and associated Offices and Storage Areas (Use Class E) to 5no Apartments (Use Class C3), to include part demolition of existing buildings and internal alterations and modifications to existing external openings together with new external openings. 135 Stimpson Avenue (Pages 61 - 74)
8.	Urgent Business The Chair 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."

Northampton Local Area Planning Committee Members:

Councillor Jamie Lane (Chair)

Councillor Anna King (Vice-Chair)

Councillor Muna Cali

Councillor Nazim Choudary

Councillor Paul Clark

Councillor Raymond Connolly

Councillor Paul Dyball

Councillor Cathrine Russell

Councillor Zoe Smith

Councillor Sally Beardsworth

Councillor Penelope Flavell

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.

Evacuation Procedure

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Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Arrangements for Speaking

It is necessary to register with Democratic Services no later than midday on the last working day before the Committee. This applies to all speakers, including Ward Councillors. Speakers are required to indicate whether they will be speaking against or in support of an application.

Speakers may register by telephone, email, or by writing, using the contact details below.

Queries Regarding this Agenda

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

Tel: 07775036776

Email: publicspeaking@westnorthants.gov.uk

Or by writing to:

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



**West
Northamptonshire
Council**

**Addendum to Agenda Items
TUESDAY 5th July 2022**

7. ITEMS FOR DETERMINATION

Item 7a : WNN/2021/0699

Erection of Industrial Unit (Use Class B2/B8) along with associated means of access (Site 2A/2B)

Land for Car Parking Duston Mill Lane

- Condition 7 to be removed as it is a repeat of Condition 6 in respect of parking requirements.
- Following additional condition to be inserted in respect of flood issues as it was missed from the agenda report version.

New Condition 7:

The development hereby shall be carried out in accordance with the approved flood risk assessment (ref SHED EdgarMobbs FRDA rev D dated 31 May 2022) and the following mitigation measures it details:

- No development / use of land within flood zone 3b as shown in section 3.2 of the FRA.
- No alterations to land levels in the southern part of the site which lie within flood zones 3a and 3b.
- Finished floor level of the building should be set a minimum of 300mm above the 0.5% (1 in 200) plus climate change flood level.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To secure a satisfactory standard of development, to prevent flooding elsewhere and to reduce the risk of flooding within the site and to future occupants.

Item 7b : WNN/2021/0963

Reserved Matters Application pursuant to Outline Planning Permission N/2018/1034 for the erection of an Office Unit (Use Class E) and associated works including car and cycle parking (Non EIA)

Development land Old Bedford Road

No Update.

Item 7c : WNN/2022/0307

First floor extension over existing garage and utility, part two storey and single storey rear extension and porch extension including garden extension

26 Tanfield Lane

No Update.

Item 7d : WNN/2022/0326

Single storey side extension

149 Birchfield Road

No Update.

Item 7e : WNN/2022/0448

13 Change of Use of existing Retail Unit and associated Offices and Storage Areas (Use Class E) to 5no Apartments (Use Class C3), to include part demolition of existing buildings and internal alterations and modifications to existing external openings together with new external openings

135 Stimpson Avenue

No Update.

Item 7f : WNN/2022/0450

Demolition of existing single storey garage and construction of new two storey dwelling

Land adjacent to 17 North Western Avenue

Driveway length

Local Highway Authority Standing Advice requires a 5.5m set back from any garage door to avoid the potential for vehicles overhanging the footway.

Officers did not consider that the originally submitted plans adequately demonstrated that an acceptable driveway length was being provided. An additional plan has now been submitted which seeks to address this matter.

Notwithstanding the plans submitted to date, it is considered that an acceptable driveway length could be ensured through a suitable planning condition in the event that Members are minded to approve the application.

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Committee Date: 5th July 2022

Application Number: WNN/2021/0699

Location: Land for Car Parking, Duston Mill Lane, Northampton

Development: Erection of Industrial Unit (Use Class B2/B8) along with associated means of access (Site 2A/2B)

Applicant: Cleveland Cable Company (Holdings) Ltd

Agent: Youngs RPS

Case Officer: Christopher Wentworth

Ward: Sixfields 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

Planning consent is sought for the provision of an industrial building to be used as a B2/B8 business use which would provide industrial/ warehouse space with ancillary offices. The proposal includes the building and a wider site area comprising of car parking, a hard surfaced yard area and associated landscaping.

Consultations

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

- Planning Policy.
- Environmental Health.
- Ecology Officer.
- Arboricultural Officer.
- Anglian Water.
- Police.
- WNC Development Management.
- Highways England.
- Archaeology.

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- Natural England.
- Environment Agency.
- Highways.
- LLFA

1 no. letter of objection have been received and zero letters of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development.
- Design.
- Flooding and Drainage.
- Neighbour Amenity.
- Landscaping.
- Highway Safety and Parking.
- Ecology.

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is a largely level, made ground site that sits in the Duston Mill area in West Northampton. The site is located off Edgar Mobbs Way and directly to the south of Sixfields Stadium and a wider commercial and industrial area. To the south of the site lies Duston Mill Meadow with the River Nene beyond and to the east of the site lies Storton Pits. To the south east of the site is the A5076 and Upton Country Park is located beyond. To the west of the site is Duston Mill Lane, a grassed area beyond, the A5076 and the residential area of Upton beyond.
- 1.2 The application site extends to approx. 2.15 hectares in a rectangular plot formation. Pedestrian and vehicular access is gained into the site by two no. access points on the site's eastern boundary. The site has minimal vegetation throughout given that it has been used on an ad-hoc basis as an overflow car park for stadium events although vegetation is found around the site boundaries.
- 1.3 It is also noted that the adjoining site, to the west of Duston Mill Lane has benefited from both outline and reserved matters planning consent (WN/2009/0079 and N/2015/0532) for the provision of a hotel and spa complex. Whilst this has yet to be built it is understood that the consent has been formally implemented.

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2 CONSTRAINTS

- 2.1 The southern portion of the application site is located within flood zones 2 and 3.
- 2.2 A public right of way, specifically Footpath HW5, extends east/west across the northern portion of the site. An application to extinguish the footpath is the subject of a separate planning application.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Planning consent is sought for the provision of an industrial building to be used as a B2/B8 business use which would provide industrial/ warehouse space with ancillary offices. The proposal includes the building and a wider site area comprising of car parking, a hard surfaced yard area and associated landscaping.
- 3.2 The proposed building would measure 79.1 m long x 46.6 m wide x 14.0 m high with a total gross internal area of approximately 3,810sq.m and would be finished externally with metal and composite cladding along with powder coated aluminium windows and doors. External finish colours are to be determined.
- 3.3 The proposed yard area would be hard surfaced and would extend to the southern portion of the site and encompasses an area of approx. 7000sq.m. the site would be accessed from a private road which runs north/south to the east of the site and accessed off Edgar Mobbs Way to the north of the site. The proposed car parking area would be separate from the yard area and positioned to the buildings northern and eastern elevations and would provide space for 48 no. cars (including 2 no. accessible bays) with 5 no. EV charging points. In addition, cycle storage provision is proposed for 12 no. cycles (8 no. staff and 4 no. visitors).

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
WNN/2021/0664	Footpath Diversion – Application to extinguish existing footpath HW5.	Yet to be determined.

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.

National Planning Policy Framework (NPPF) (2021)

- 5.2 The 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:

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- Paragraph 130

Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Development Plan

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

West Northamptonshire Joint Core Strategy (Local Plan Part 1)

- 5.4 The relevant policies of the LLP1 are:

- Policy S7 – Provision of Jobs
- Policy 8 - Distribution of Jobs
- Policy S10 - Sustainable Development Principles
- Policy S11 - Carbon emissions
- Policy BN7 - Flood Risk
- Policy BN9 - Planning for Pollution Control

Northampton Local Plan (1997) – Saved Policies

- 5.5 The relevant policies of the NLP1 are:

- Policy E20 – New Development (Design)
- Policy B14 – Use in Business areas

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Material Considerations

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 – Sustainable Development (Significant Weight)
 - Policy 3 – Design (Moderate Weight)
 - Policy 5 – Carbon reduction, community energy networks, sustainable design and construction, and water use (Moderate Weight)
 - Policy 7 – Flood risk and water management (Significant Weight)
 - Policy 18 – Supporting new employment developments and schemes (Significant Weight)
 - Policy 33 – Highway network and safety (Significant Weight)
 - Policy 35 – Parking standards (Significant Weight)
 - Policy 38 – Development Allocations (Significant Weight).
- Northampton Parking Standards Supplementary Planning Document

5 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	Position	Comment
Highway Officer.	Comments received.	<ul style="list-style-type: none"> - The trip generation and distribution is accepted. - Based upon the number of vehicles through the junctions in question, it is unlikely to have a quantifiable impact. Therefore, no further assessment will be required in this instance. - Additional parking spaces have been provided in the service yard. <p>Parking spaces for staff should not be placed in the service yard for safety reasons. It is noted however that there is a gate next to the parking spaces that would prevent staff having to walk across the yard.</p> <ul style="list-style-type: none"> - Cycle parking needs to be contained within a secure structure with protection from the

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		elements. This is to help prevent theft and encourage use.
Environmental Health.	No objection, subject to conditions.	<ul style="list-style-type: none"> - Electric vehicle charging points. - Noise management plan for nighttime operation (23:00 to 07:00). - No unloading during the night-time period (23:00 - 07:00); - No forklift truck movements outside of the building only during the night-time period (23:00 – 07:00); - Loading bay roller shutter doors closed during the night-time period (23:00 – 07:00). - All forklift trucks onsite are fitted with broad band reversing alarms.
Environment Agency.	No objection, subject to conditions.	<p>Conditions for the following.</p> <ul style="list-style-type: none"> - In accordance with the submitted flood risk assessment (ref SHED_EdgarMobbs FRDA rev D dated 31 May 2022) and mitigation measures. - Development hereby permitted must not be commenced until such time as a scheme to ensure boundary treatments do not hinder flood flow routes has been submitted to and approved.
Lead Local Flood Authority (LLFA).	No objection, subject to conditions.	<p>Condition for the following.</p> <ul style="list-style-type: none"> - Full details of the surface water drainage scheme for the site, based on the approved SHED-Edgar Mobbs Flood Risk and Drainage Assessment Rev D dated 31 of May 2022. - Scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site. - Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, document ref SHED-Edgar Mobbs Flood Risk and Drainage Assessment Rev D dated 31 of May 2022.
Anglian Water.	No objection.	Standard informative.
Development Management.	Comments received.	1 no. fire hydrant (£921) to be secured by condition.
Highways England.	No objection.	
Northamptonshire Police.	No objection, subject to condition.	Security statement/scheme should be sought.
Ecology.	No objection, subject to conditions.	<ul style="list-style-type: none"> - Provision of construction environmental management plan. - External lighting strategy. - Revised landscaping plan (to include changes to the seed mixes, to ensure the biodiversity gain is delivered but

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		with less management). - Landscape and ecological management plan.
Archaeology.	No comments to make.	
Tree Officer.	No objection, subject to conditions.	- Conditions to secure an arboricultural method statement (AMS) and a tree protection plan (TPP). - Landscape plan has been revised to address tree removal and replacement.
Planning Policy.	No objection.	Proposal accords with employment allocation in emerging local plan.
Natural England.	No objection.	

6 RESPONSE TO PUBLICITY

6.1 One letter of objection has been received by a third party on the following points;

- Not a place for a warehouse building.
- Will not look good.
- Will take a piece of nature.

7 APPRAISAL

Principle of Development

- 7.1 The application proposes the erection of a building for general industrial and storage/distribution uses with ancillary offices. Whilst the end user has been indicated within the submission, a cable manufacturer, the building in terms of size and scale has been designed to appeal to wider occupant market with a view to futureproofing the site which is supported.
- 7.2 Policy 7 of the West Northamptonshire Joint Core Strategy (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. In addition, policy S1 seeks to focus development and economic activity 'primarily in and adjoining principal urban areas of Northampton'.
- 7.3 The JCS also identifies the role of the South East Midlands Local Enterprise Partnership Northampton Waterside Enterprise Zone (2012) which seeks to deliver 120 hectares of employment land, to include manufacturing. The application site is located within the enterprise zone area and it is considered that the provision of such a proposal would positively contribute to job creation (in this case approx. 55 no. of staff) and therefore accords with the aspirations of the EZ and policy S8 of the JCS.
- 7.4 The emerging Northampton Local Plan Part 2 (2011-2029) whilst yet to be adopted is at an advanced stage having passed through the examination stage. The part 2 plan makes reference, within policy 17, to safeguarding existing employment land, for which land within the EZ is included. Furthermore, the draft proposals map makes specific reference to the application site in terms of an allocation under site reference (LAA0870) for employment use and is referred to as previously

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developed land (although it is noted that no previous formal planning applications have been determined for the site).

- 7.5 On this basis, it is considered that the proposed use of the site for general industrial and storage/distribution uses would regenerate this vacant site and bring it into employment use contributing towards the provision of jobs within the Borough and therefore accord with the aims of the above JCS policies and the aims of the National Planning Policy Framework which seeks to promote economic growth. Therefore, the proposal is supported in principle subject to an assessment of other site-specific matters as outlined in this report.

Design

- 7.6 The application proposes the creation of a single industrial building that would be located within the northern portion of the site. The building would be rectangular in nature and would measure 79.1 m long x 46.6 m wide. The building would be erected to a maximum height of 14m with a curved roof to add visual interest, which would be particularly prominent from the north looking south (from Edgar Mobbs Way and Sixfields, which is supported. The eaves height of the building would be 10.5m.
- 7.7 The proposed building would be constructed with external cladding with the office element indicated by a change in cladding material and colour. In addition, strip windows and a canopy to the main entrance to the south eastern corner are proposed which are considered to further emphasize this part of the building and provide visual interest. The production/ warehouse element is proposed to be more simply clad with 3no. loading doors opening onto the southern yard area. The changes in cladding colour are proposed to reduce the visual bulk of the building which is considered to be an appropriate approach and results in a building that is of a functional design standard and appropriate within its context.
- 7.8 The proposed site encompasses a wider, hard surfaced yard area to the southern portion of the site which would be used for the loading and unloading of vehicles, the parking of delivery/service vehicles and the storage of materials and finished products and would be served by dedicated yard access from the private road to the site's eastern boundary and 3 no. loading/unloading doors to the building's southern elevation. Whilst the yard area is large in its area, it is designed to be of a size to adequately serve the industrial building and positioned to the southern portion of the site so as to be less prominent. Furthermore, the site boundaries comprise of existing vegetation and additional landscaping is proposed that would further bolster vegetation on site. On this basis, it is considered that the proposal is a positive addition to the landscape and the overall site development would positively impact the wider area, particularly when compared to its existing state as a compacted hardcore car park area.

Noise

- 7.9 The application site is located within a mixed area that comprises of residential uses, commercial/business uses and recreational areas such the local nature reserves to the south and east of the site. The nearest residential properties to the site are located to the west of the site at a closest distance of approx. 100m. the site is separated from these dwellings by the A5076 dual carriageway that connects the western side of Northampton to the M1 motorway. In addition, it is noted that a site directly adjacent to the site (on the opposite side of Duston Mill Lane) has planning consent, which has been implemented, for the provision of a hotel and spa complex.
- 7.10 The submission has been accompanied by a noise assessment which has assessed the proposal and the use of the site over a 24-hour period in conjunction with nearby uses (including the hotel).

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The assessment concludes that the site would operate below background noise levels during both daytime and nighttime and would not give rise to noise nuisance issues. Environmental Health have been consulted on the proposal and who have had an opportunity to assess the submitted information. They have raised no objections to the proposal subject to the provision of planning conditions to secure a noise management plan for night time operations (between the hours of 23:00 to 07:00), that no unloading during the night-time period (23:00 - 07:00) is to take place, that no forklift truck movements outside of the building during the night-time period (23:00 – 07:00), that the loading bay roller shutter doors remain closed during the night-time period (23:00 – 07:00) and that all forklift trucks onsite are fitted with broad band reversing alarms. Subject to the imposition of such conditions, the proposal would not adversely impact upon neighbouring land uses/occupiers and would enable the end occupier to operate on a 24-hour basis. The proposal is therefore considered appropriate in this regard.

Parking and highway safety

- 7.11 Northamptonshire County Council Highways have been consulted on this proposal. They have advised that there is no objection to the proposal in terms of trip generation and distribution which is accepted. Based upon the number of vehicles moving through the junctions assessed and the distribution of that traffic, it is considered unlikely to have a quantifiable impact. Therefore, no further assessment on this aspect is required.
- 7.12 During the course of the application assessment a revised parking layout was provided for consideration whereby the highway officer commented that additional staff parking spaces had been provided in the service yard area although it was noted that there would be a gate next to those parking space which would prevent the need for staff having to walk across the yard. Such provision is considered acceptable on the basis of the limited external space available. However, on the basis that the proposal seeks consent for a B2 and B8 use the applicant has submitted two parking plan layouts with the intention that one would be implanted should a B2 use be undertaken on site and another parking layout should the B8 use be undertaken. Each parking layout would provide sufficient levels of onsite parking for the requisite uses and would not alter the sites proposed access. Such an approach is considered to be pragmatic and more appropriate to the uses sought and undertaken on site and it is considered that such parking provision can be secured by planning condition.
- 7.13 The Northampton Parking SPD requires the provision of electric vehicle charging points within developments of this nature. This is a requirement of 10% of all parking spaces. In addition, Environmental health have requested the imposition of such a condition to secure provision. The scheme has indicated the provision of 5 no. EV charging spaces which is considered sufficient, and it is considered reasonable to attach a condition requiring the provision of EV charging prior to first occupation.
- 7.14 The proposal includes provision of covered cycle parking within the car park area adjacent to the building entrance which is supported. The level of provision (12 no. spaces) accords with the requirements outlined within the Northampton Parking SPD for the proposed use. It is considered reasonable to attach a condition to secure implementation of such provision prior to first occupation.

Flood Risk

- 7.15 The application site is located within flood zones 1 2 and 3, with the southern portion of the site (the external yard area) located within flood zones 3 and 3. The southernmost portion of the site falls within flood zones 3a and 3b. This designation requires consultation with both the Environment Agency and Lead Local Flood Authority (LLFA) so as to ensure that the proposal does not adversely

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impact upon surrounding land in terms of water runoff and flooding and to also ensure that the site adequately deals with flooding and drainage for future occupants.

- 7.16 Extensive discussions have been undertaken between the applicant, LPA, Environment Agency and LLFA so as to fully assess the proposal and its impacts and to secure appropriate mitigation measure. This has resulted in a revised yard area being provided for during the course of the applications assessment within the flood zone 3 area. On this basis the Environment Agency have raised no objection to the proposal subject to the imposition of planning conditions so as to ensure that the development accords with the submitted flood risk assessment and associated mitigation measures which include no development / use of land within flood zone 3b, no alternations to land levels in the southern part of the site which lie within flood zones 3a and 3b and that the finished floor level of the building should be set a minimum of 300mm above the 0.5% (1 in 200) plus climate change flood level. In addition, the EA have requested the imposition of a condition to secure a scheme to ensure that boundary treatments around the site, with particular reference to the southern section of the site, do not hinder flood flow routes. It is considered necessary to impose such conditions to secure an appropriate standard of development and to ensure that there are no detrimental impacts to flood storage or flood flow routes.
- 7.17 The LLFA, upon consultation, have stated that they raise no objection to the proposal subject to the imposition of planning conditions to secure an appropriate standard of development. Such conditions as recommended relate to full details of the surface water drainage scheme for the site, a scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site so as to ensure it is achievable and a verification report for the installed surface water drainage system. The imposition of these conditions are considered necessary and reasonable in this case.
- 7.18 Anglian Water have been consulted on the proposal and have stated that their standard informative related to the used water network should be attached to any permission granted.

Other Matters

- 7.19 A sustainability assessment has been submitted as part of the application submission and focuses on Sustainable Design and Construction, Environmental Performance, Energy Efficiency, Water Efficiency, Built Environment, Green Infrastructure and Accessibility. This looks at sourcing and using sustainably sourced material capable of reuse, the building would provide good thermal performance in excess of required current standards, the provision of a heat recovery system and low energy lighting, the use of SUDS and water reducing fixtures/fittings and electric vehicle charging points. All of these measures are welcomed and are considered to contribute to providing development that accords with policy S10 of the JCS, the NPPF and the policies 1 and 5 from the emerging part 2 local plan.
- 7.20 NCC Development Management request conditions and contributions on fire hydrants and broadband provision. There is no policy basis within Northampton Borough Council Planning Department for the requirement of these and as such it is not considered reasonable to attach conditions with regards to fire hydrants and broadband provision.
- 7.21 The application site is located within close proximity to a number of local nature reserves (although outside of these boundaries) which are referenced within the submitted ecological assessment. The proposal seeks to provide additional landscaping in and around the site boundaries and the submitted information indicates that the proposal would result in a small biodiversity gain which is welcomed. The WNC Ecologist has assessed the submitted information and is supportive of the net biodiversity gain and recommends the imposition of planning conditions to secure an appropriate

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lighting scheme, taking into account ecological need, the provision of a construction environmental management plan (CEMP) related to Biodiversity and the provision of a landscape and ecological management plan (LEMP). Subject, to these conditions it is considered that the proposal is appropriate in this regard.

8 FINANCIAL CONSIDERATIONS

- 8.1 The development proposal is not CIL liable.

9 PLANNING BALANCE AND CONCLUSION

- 9.1 To conclude, 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, highway safety or upon flooding and drainage in and around the site. Subject to the imposition of planning conditions, it is considered that the proposal is acceptable addition in this location.
- 9.2 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.

10. RECOMMENDATION / CONDITIONS AND REASONS

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

20015-FSA-00-XX-DR-A-0120 P04 (Location Plan)
20015-FSA-00-XX-DR-A-0123 P10 (Proposed Site Plan)
20015-FSA-00-XX-DR-A-0126 P02 (Plant Enclosure)
20015-FSA-00-XX-DR-A-0127 P01 (Site Bicycle Enclosure)
20015-FSA-00-XX-DR-A-0128 P02 (Proposed Site Plan - B2 Use)
20015-FSA-01-00-DR-A-1120 P03 (Ground Floor Plan)
20015-FSA-01-01-DR-A-1121 P03 (First Floor Plan)
20015-FSA-01-R2-DR-A-1122 P01 (Roof Plan)
20015-FSA-01-ZZ-DR-A-1125 P03 (Ground Floor Office Plan)
20015-FSA-01-ZZ-DR-A-1126 P03 (First Floor Office Plan)
20015-FSA-01-XX-DR-A-2120 P05 (Elevations Sheet 1)
20015-FSA-01-XX-DR-A-2121 P04 (Elevations Sheet 2)

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

3. The premises shall be used only for B2 or B8 use classes and for no other purpose.

Reason: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with Policies S7 and S8 of the West Northamptonshire Joint Core Strategy (Local Plan Part 1).

Planning Committee Report

4. The B2 use hereby approved shall not be occupied until the approved parking layout as detailed on drawing reference 20015-FSA-00-XX-DR-A-0128 P02 is implemented in full and thereafter retained as such. Should the use of the building be utilised under a B8 use class then prior to first occupation the approved parking layout as detailed on drawing reference 20015-FSA-00-XX-DR-A-0123 P10 shall be implemented in full and retained as such.

Reason: In order to define the scope of planning permission and to ensure that parking provision is provided on site appropriate to its end use.

5. The cycle storage details as outlined on drawing reference 20015-FSA-00-XX-DR-A-0123 P10 and 20015-FSA-00-XX-DR-A-0127 P01 shall be fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy (Local Plan Part 1) and the NPPF.

6. The car parking spaces shall at all times be reserved for the parking of vehicles by staff and visitors and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy (Local Plan Part 1) and saved policy E20 of the Northampton Local Plan.

7. The car parking spaces shall at all times be reserved for the parking of vehicles by staff and visitors and there shall be no storage of goods, materials, refuse, pallets or skips thereon.

Reason: To ensure that adequate parking facilities are maintained in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy (Local Plan Part 1) and saved policy E20 of the Northampton Local Plan.

8. Prior to the construction of the development hereby approved a scheme of all external boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall ensure:

- That boundary treatments do not hinder flood flow routes.
- Ensure any proposed fencing is open to allow flood water to flow through it.
- There should be a maintenance programme to ensure any debris accumulated on the fence should be removed to allow flood water unhindered.

Once approved, the scheme shall be fully implemented and subsequently maintained, in accordance with the scheme's timing/phasing arrangements, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development and to ensure that there are no detrimental impacts to flood storage or flood flow routes.

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

Planning Committee Report

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy S10 and BN9 of the West Northamptonshire Joint Core Strategy (Local Plan Part 1) and Saved policy E20 of the Northampton Local Plan.

10. Prior to the commencement of the development a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
- i. A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
 - ii. Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
 - iii. Details of the siting of all vehicles of site operatives and visitors.
 - iv. The unloading and loading arrangements for heavy plant and machinery.
 - v. The location, extent and duration of any temporary stockpiling areas.
 - vi. Measures to prevent mud being deposited on the surrounding highway.
 - vii. Hours in which development will take place.
 - viii. Non-road mobile machinery (NRMM) controls.
 - ix. Details of temporary site storage, welfare facilities and contractor parking.

The approved CEMP and measures contained therein shall be adhered to throughout the construction process.

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

11. The landscaping scheme as detailed within drawing reference 20-44-02 Revision H shall be implemented in full and maintained as such.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy S10, BN2 and BN9 of the West Northamptonshire Joint Core Strategy (Local Plan Part 1).

12. Notwithstanding the details submitted, full details of a scheme of electric vehicle charging points equivalent to at least 10% of provided onsite parking spaces (including a timetable for implementation) shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. Development shall be carried out in accordance with the approved details and 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 Northampton Parking Standards Supplementary Planning Document (2019).

13. 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 and submitted for approval in writing to the Local Planning Authority. Following completion of measures identified in the approved remediation

Planning Committee Report

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.

14. The development hereby shall be carried out in accordance with the approved flood risk assessment (ref SHED_EdgarMobbs FRDA rev D dated 31 May 2022) and the following mitigation measures it details:
- No development / use of land within flood zone 3b as shown in section 3.2 of the FRA
 - No alternations to land levels in the southern part of the site which lie within flood zones 3a and 3b
 - Finished floor level of the building should be set a minimum of 300mm above the 0.5% (1 in 200) plus climate change flood level.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reason - To secure a satisfactory standard of development, to prevent flooding elsewhere and to reduce the risk of flooding within the site and to future occupants.

15. Prior to commencement of any construction activities, full details of the surface water drainage scheme for the site, based on the approved SHED-Edgar Mobbs Flood Risk and Drainage Assessment Rev D dated 31 of May 2022 will 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;
- i. details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures.
 - ii. details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - iii. Details of the water quality indices for the proposed downstream defender.

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 policy 5 of the North Northamptonshire Joint Core Strategy.

16. No occupation of the site hereby approved shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment, document ref SHED-Edgar Mobbs Flood Risk and Drainage Assessment Rev D dated 31 of May 2022 has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Local Planning Authority The details shall include:
- a. Any departure from the agreed design is keeping with the approved principles
 - b. As-Built Drawings and accompanying photos
 - c. Results of any Performance testing undertaken as a part of the application process (if required)

Planning Committee Report

- d. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e. CCTV Confirmation that the system is free from defects, damage and foreign objects.

Reason: To 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 policy 5 of the North Northamptonshire Joint Core Strategy.

17. No external unloading of vehicles shall be undertaken during the night-time period between the hours of 23:00 - 07:00.

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

18. No forklift truck movements shall be undertaken outside of the approved building during the night-time period which is between the hours of (23:00 – 07:00).

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

19. The approved loading bay roller shutter doors to the approved building shall remain closed during the night-time period which is between the hours of 23:00 – 07:00.

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

20. Prior to first occupation of the development hereby approved, a noise management plan for night-time operation (between the hours of 23:00-07:00) shall be submitted to and approved in writing by the Local Planning Authority. Once approved, the details shall be implemented in full and maintained as such.

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



West Northamptonshire Council

Title: Duston Mill Lane - Land for parking

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Date: 24-06-2022

Scale: 1:2,000 @A4

Drawn: M Johnson

Planning Committee Report

Committee Date: 5th July 2022

Application Number: WNN/2021/0963

Location: Development land, Old Bedford Road, Northampton

Development: Reserved Matters Application pursuant to Outline Planning Permission N/2018/1034 for the erection of an Office Unit (Use Class E) and associated works including car and cycle parking (Non EIA)

Applicant: St Clair Land and Developments

Agent: CC Town Planning Ltd

Case Officer: Andrew Holden

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

The proposal is a reserved matters application following outline approval, for the approval of appearance, landscaping, layout and scale. The proposal entails the construction of a two storey office building and associated car and cycle parking.

Consultations

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

- Parish Council

The following consultees have raised **no objections or have no comment to make** in respect of the application:

- Canal & River Trust

Planning Committee Report

- Environmental Health
- Environment Agency
- Emergency Planning
- Lead Local Flood Authority
- Police Crime Prevention Design Adviser
- Highways
- Ecologist
- Arboricultural Officer

One letter of objection has 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:

- Impact on the Character of the Area
- Impact on neighbouring occupiers
- Flood Risk and Emergency Egress

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 comprises an area of disused overgrown land adjacent to residential properties and the Nene Whitewater Centre and to a sports pitch. It is accessed by means of a spur road adjacent to the Bedford Road, via an established business park.

2 CONSTRAINTS

- 2.1 The application site is within Floodzones 2 and 3

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposal is a reserved matters application following the outline approval detailed below, for the approval of the reserved matters of appearance, landscaping, layout and scale. The proposal entails the construction of a two storey office building of 832 square meters and associated car and cycle parking,

Planning Committee Report

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2018/1034	Outline Application (with all matters except access) for the erection of an Office Unit (Use Class B1) and associated works including car and cycle parking	Approved 01/11/18

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

5.3 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

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

5.4 The relevant policies of the LLP1 are:

- Policy E2 – New Office Floorspace
- Policy BN1 - Green Infrastructure Connections
- Policy BN8 - The River Nene Strategic River Corridor
- Policy S10 – Sustainable Development Principles

Northampton Local Plan (1997) – (Saved Policies)

5.5 No relevant saved policies.

Material Considerations

5.6 Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)

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

Following the decision at the Full Council on 18 January 2021, the former Northampton Borough Council submitted the Northampton Local Plan Part 2 (2011 – 2029) and supporting documents to the Secretary of State for Housing, Communities and Local Government (now Secretary of State for Levelling Up, Housing and Communities) on 4 February 2021 for examination. This is in

Planning Committee Report

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 5 – Carbon reduction, sustainable design etc (Moderate weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)

- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

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

Consultee	Comment
Canal & River Trust	Application falls outside scope for notification
Environmental Health	Comments remain the same as for the outline consent – conditions required regarding contaminated land, noise and electric vehicle charging points
Environment Agency	Following initial concerns confirm the floor levels proposed comply with the Flood Risk Assessment. And that whilst concerned about structural stability, emergency egress and the adequacy of the car park barrier, it is outside their remit to comment on these aspects. Emergency Planning and Building Control should instead be consulted.
Emergency Planning	Falls outside our remit – Lead Local Flood Authority should be consulted
Lead Local Flood Authority	The guidance on Emergency Flood Plans states we do not provide bespoke advice in relation to Emergency Flood Plans. We would however request that these plans are developed as part of the planning application process. This is to ensure that procedures are in place for occupants or users to retreat to a safe place of refuge, via a safe route, should a flood event occur. There is no statutory requirement for the Environment Agency (EA) or the emergency services to approve evacuation plans. The ultimate decision rests with the Local Planning Authority. The EA will not comment on the acceptability of an emergency flood plan.
Building Control	No response received.
Police Crime Prevention Design Adviser	Recommend measures to reduce the opportunities for crime are installed

Planning Committee Report

Highways	Cycle parking for staff needs to be contained within a secure structure to provide security from theft and protection from the elements.
Ecologist	Main concern with this application is that it has not demonstrated that a net biodiversity gain would be delivered. Would recommend a pre-commencement condition for an ecological Construction Environmental Management Plan (CEMP)
Great Houghton Parish Council	Most concerned about any additional traffic created by further development, especially when taken in conjunction with other developments proposed or being built in the local area.
Arboricultural Officer	The planting scheme from ES Landscape Planning proposes a good choice of tree species that when mature will be of significant scale and mass, and the positions which appear to have been well-positioned to avoid future conflict. The shrub mix, as well as the native hedgerow mix, are both good species choices and the shrub beds and new hedge seem to be well positioned. I have no objections to the landscape scheme as proposed.

7 RESPONSE TO PUBLICITY

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

7.2 There has been one objection, raising the following comments:

- Concerned will lead to flooding / affect drainage of neighbouring site.
- Will cause access problems for neighbouring site and has the potential to cause an accident due to additional vehicles.
- Building is of unsightly appearance.

8 APPRAISAL

Principle of Development

8.1 The proposed development has outline planning permission, therefore the principle of development has been established.

8.2 The current application is for reserved matters, relating to appearance, landscaping, layout and scale, which will be considered in this report.

Impact on the character of the area

8.3 The building as proposed is of a modern appearance, and is similar in its scale and massing to other office buildings in the area. Materials are stated as being also similar to these buildings, which are finished in brick. The design differs from these nearby buildings in the use of a flat roof and more areas of cladding, but as it is somewhat remote from these the building will be seen as a standalone development and an exact replication is not considered necessary or even desirable. It is considered that it would not appear out of character with the area. Full details of materials would be required by condition.

Planning Committee Report

- 8.4 Landscaping around the building would consist of trees and shrubs which are considered to be appropriate to this type of development. The Arboricultural officer has confirmed that this is an appropriate scheme.

Impact on neighbouring occupiers

- 8.5 The site is adjacent to dwellinghouses at The Limes and The Willows on Bedford Road, but otherwise the area is characterised by commercial and leisure uses. The site boundary is over 20m from the nearest of these neighbouring houses and the proposed building is at the far end of the development site from these, over 60m away. It is considered, therefore that no impact on these neighbouring residents would occur, which would not have been envisioned at the outline stage.
- 8.6 The access road is shared by the adjacent leisure premises of Northampton Canoe Club and Rowing Club. Both of these are a considerable distance from the site and it is not considered any adverse impact would result.

Flood Risk and Emergency Egress

- 8.7 The outline application was accompanied by a detailed Flood Risk Assessment (FRA) and a condition was attached to that permission requiring compliance with that assessment. The principal flood risk issues and the principle of using this site for offices has, therefore, been covered at that stage.
- 8.8 Nevertheless, the detail of the development now proposed at the reserved matters stage must also be considered in this respect. Part of this assessment is the proposed floor levels, and the Environment Agency (EA) have now confirmed that the development is acceptable in this regard.
- 8.9 Consideration must be given also at the detailed design stage to egress in the event of flooding. The EA initially raised concerns about the absence of an adequate egress plan but that this matter should be considered by emergency planning officers. The Lead Local Flood Authority take this role, but have indicated that do not “approve” such plans. Nevertheless, they have highlighted a document which provides clear guidance as to what such a plan should contain, including matters such as signing of clear and safe routes of egress. It is recommended, therefore, that a condition is attached to this reserved matters permission, requiring the full details of such a plan.
- 8.10 Further concerns raised by the EA were regarding the structural stability of the building in the event of a flood event, and the adequacy of barriers within the car park, to prevent vehicles floating away in a flood. Whilst raising these concerns, the EA however indicated that they were not able to comment on such matters, and that appropriate further consultation should be carried out.
- 8.11 In respect of structural stability, Building Control were consulted, but at the time of writing have not responded. Any response will be reported to the Committee by means of the Addendum, however it is considered that this is a matter properly dealt with at the appropriate time under a building regulations application and need not delay the granting of planning permission.
- 8.12 In respect of the adequacy of car park barriers, it can be noted that this is the subject of a condition on the outline permission, details of which will need to be provided before occupation. A further condition on this topic is not, therefore, necessary and this matter can also be addressed at the appropriate time.

Planning Committee Report

Highway and Parking Impacts

- 8.13 Whilst comments from Great Houghton Parish Council are noted, the highway impacts of the development were considered at the outline stage, at which time no objections were raised by the Local Highway Authority. The level of parking now shown is what was envisaged at that stage and complies with adopted standards.

Other Matters

- 8.14 Comments from Environmental Health refer to the need for conditions covering contaminated land and noise. These were imposed at the outline stage and need not be repeated. Environmental Health also refer to the need for electric vehicle charging points. At the time the outline application was approved, it was considered that the scale of the development did not warrant this and a condition to that effect was not imposed. Whilst changes in policy mean that these would now be required, as the condition was not imposed at the outline stage, it could not now be added at reserved matters stage.
- 8.15 The Police Crime Prevention Design Adviser has specified that measures for the reduction of crime are installed, whilst the Ecologist has requested a condition for an ecological Construction Environment Management Plan. Appropriate conditions are recommended.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The principle of office development has already been accepted through the outline planning approval. The layout, appearance, scale and landscaping are considered acceptable and compliant with the aims and objectives of the National Planning Policy Framework, Policies BN1, BN2, BN3, BN5, BN7, E1, S1, S7, S8, S10 and S11 and E20 of the Northampton Local Plan.

11 RECOMMENDATION / CONDITIONS AND REASONS

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

Plans

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Site Plan (1:1250) M-1802-P-01, Ground Floor Plan M-2150-P-01, First Floor Plan M-2150-P-02, Roof Plan M-2150-P-03, Elevations M-2150-P-04, Site Plan M-2150-SI-01B, Areas M-2150-SK-01, 10266L.HSLP.003, 180196-RGL-00-00-DR-D-101-0001 S2-P02.

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

Floor Levels

2. 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

Planning Committee Report

the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3. Prior to the occupation of the development hereby approved, an Emergency Egress Plan to be implemented in the case of flooding of the site shall be submitted to an approved in writing by the Local Planning Authority. The plan shall be implemented as shall be specified therein prior to or upon the occupation of the development and throughout the lifetime of the development.

Reason: To ensure the provision of a safe and secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

Construction Environmental Management Plan

4. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect and enhance the biodiversity of the site, in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

Security Measures

5. Prior to the occupation of the development hereby permitted, full details of security measures shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and fully implemented prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of a safe and secure development in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy

Cycle Storage

Planning Committee Report

6. Notwithstanding the submitted details and prior to the occupation of the development, full details of facilities for the secure and covered parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the development being first brought into use and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1, BN5 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.



**West
Northamptonshire
Council**

Title: **Old Bedford Road - Development**

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Date: 24-06-2022

Scale: 1:1,500 @A4

Drawn: M Johnson

Planning Committee Report

Committee Date:	5 th July 2022
Application Number:	WNN/2022/0307
Location:	26 Tanfield Lane, Northampton, NN1 5RN
Development:	First floor extension over existing garage and utility, part two storey and single storey rear extension and porch extension to front including rear garden extension
<hr/>	
Applicant:	Mr Anatolii Petrici
Agent:	LMR Designs Ltd
Case Officer:	Jonathan Moore
<hr/>	
Ward:	Delapre and Rushmere Unitary Ward
<hr/>	
Referred By:	Councillor J Davenport
Reason for Referral:	Object to over-development and impact on character of the area, concern over height and effect on neighbouring privacy

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

Planning permission is sought for a first floor extension over existing garage and utility, part two storey and single storey rear extension and porch extension to front including rear garden extension by 1.2m to the back. The single storey rear extension would have a flat roof and project just under 4 metres off the back wall of the house and provide kitchen/ dining and family room. The two storey additions would have a front facing gable roof to echo that on the left hand side of the existing house. There would also be a small front porch extension, Materials would match the existing house.

Consultations

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

Councillor J Davenport- object to over-development and impact on character of the area, concern over height and effect on neighbouring privacy

Planning Committee Report

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

- Northampton Town Council

3 public 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
- Impact on character and appearance of host building and area
- Neighbour 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 is an existing large two storey detached dwelling located in an established residential street of other detached houses. The property has a relatively modest back garden enclosed on all sides. There is an existing driveway to the front that can accommodate about 3 cars off road.

2 CONSTRAINTS

- 2.1 N/A

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Planning permission is sought for a first floor extension over existing garage and utility, part two storey and single storey rear extension and porch extension to front including rear garden extension by 1.2m to the back. The single storey rear extension would have a flat roof and project just under 4 metres off the back wall of the house and provide kitchen/ dining and family room. The two storey additions would have a front facing gable roof to echo that on the left hand side of the existing house. There would also be a small front porch extension, Materials would match the existing house.

Planning Committee Report

4 RELEVANT PLANNING HISTORY

4.1 There is no planning history directly relevant to the proposal

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 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (Local Plan Part 1)

5.3 The relevant policies of the LLP1 are:

- Policy S10 – Sustainable Development Principles

Northampton Local Plan (1997) – Saved Policies

5.4 The relevant policies of the NLP1 are:

- E20 – Design for new development
- H18 – Extensions to dwellings

Material Considerations

5.5 Below is a list of the relevant Material Planning Considerations

- National Planning Policy Framework (NPPF)

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

- Paragraph 130

Planning policies and decisions should ensure that developments:

- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

Planning Committee Report

- (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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 Sustainable Development- significant weight
- Policy 2 Place Making- moderate weight
- Policy 3 Design- moderate weight
- Policy 4 Amenity- moderate weight
- Residential Extensions and Alterations Design Guide SPD
- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
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Planning Committee Report

Cllr J Davenport	Local Councillor	Object on over-development, impact on character of the area, privacy and height of extension
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7 RESPONSE TO PUBLICITY

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

Objections on following grounds:

- Rear extension is large and substantial
- Query on guttering and services
- Close to property
- Fence would set precedent for others
- Loss of shrubbery, fence not like for like replacement
- Disregard for original plans for estate
- Out of character

8 APPRAISAL

Main issues

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

Principle of development

8.2 The site is located in an established residential area where subject to design and effect on residential amenity the principle is considered acceptable.

Design and impact on the appearance and character of area

8.3 Any development must be designed to a high standard to accord with the aims of Paragraph 130 of the NPPF and Policy S10 of the JCS and E20 of the Northampton Local Plan. The NPPF cites that Planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

8.4 Given that the single storey rear extension would be screened behind the existing house the visual impact would be on balance acceptable not being visible from the public highway (Tanfield Lane). The proposed flat roof design is considered acceptable and not of keeping with the existing building in size and general appearance. Extensions of similar size are reasonably common around the town on detached buildings.

Planning Committee Report

- 8.5 In terms of the proposed side/ front extensions, the second front facing gable would echo that on the other side of the house presenting a symmetrical and balanced frontage that would complement the host building and street scene. Even though the side additions are not subordinate, they would still retain visual symmetry and have an acceptable impact. The proposed fenestration would also tie in with the existing dwelling.
- 8.6 Due to the relative variety in house types the impact on the street scene would be acceptable and the design considered satisfactory subject to matching materials to be agreed by condition to ensure satisfactory external built form. This would accord with Policy E20 of the Northampton Local Plan and S10 of the JCS.
- 8.7 The proposed porch extension is considered modest in size and also considered to be keeping with the host building in appearance and design and would be subject to matching materials to ensure satisfactory visual effects. Regarding the garden extension this would be a minor addition to the rear (1.2m) and would unlikely raise any significant concerns visually with the new fence line complementing the line of that of the adjacent hedge at the back of the pavement adjacent to Tanfield Lane. Although there would be some loss of vegetation this could be removed in any event without needing any form of consent.

Effect on neighbouring amenity

- 8.8 Turning to the effects upon residential amenity. the proposed single storey extension would have a similar effect to one erected under permitted development being no more than 4m deep and therefore loss of light, outlook and privacy would be considered reasonably limited on the rear and side of numbers 24 and 28. Tanfield Lane. The effect on the rear of number 24 would be limited to one part of their back garden and no habitable windows would be impacted upon in the rear elevation close to the boundary as the effect would be on the hack of a garage. In terms of the two storey additions, the impact is considered greater on number 28 Tanfield Lane being close to their boundary line and existing patio/ rear projection.
- 8.9 It is noted that the adjacent number 28 Tanfield Lane has their own single storey extension close to the boundary with side facing roof windows. There is a small window in the side of the original house which is a small secondary window to the kitchen with the rear windows in the extension being the main primary source of outlook which is a large patio style set of windows and not particularly affected. The impact on these would be acceptable due to relationship and separation involved. In terms of the proposed porch extension this is considered modest in scale and would have minimal neighbour impact given the relation ship and separation to adjoining occupiers.
- 8.10 In terms of the garden extension this is considered reasonably minor in scale. In terms of the fence, the visual impact on the fence line would be reasonably limited and the applicant confirms would be a like for like replacement of existing fence fronting Tanfield Lane. The new fence lines would follow the line of the existing hedge adjacent and given separation would not effect the amenity of the occupiers occupier opposite at 27 Tanfield Lane. There would be minimal effect on highway safety or vision splays.

Parking and Highway safety

- 8.11 The site is also served by adequate off road parking on an existing front hard standing for about 3 cars and it is considered that this is sufficient for the needs of the proposed extension meeting local parking requirements.

Planning Committee Report

Other issues

- 8.12 In terms of other issues, one neighbour queries the issue of guttering however there is no requirement to show that on plan form. Concern over precedent holds limited weight as each planning application are considered on their own merits.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL Liable being under 100 square metres floor area

10 PLANNING BALANCE AND CONCLUSION

- 10.1 Weighing up the proposal against development plan and national policy the proposal is on balance considered to be acceptable and subject to the conditions below is recommended for approval.

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 begun before the expiration of three years from the date of this permission. 003, 004C, 005A

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

Materials

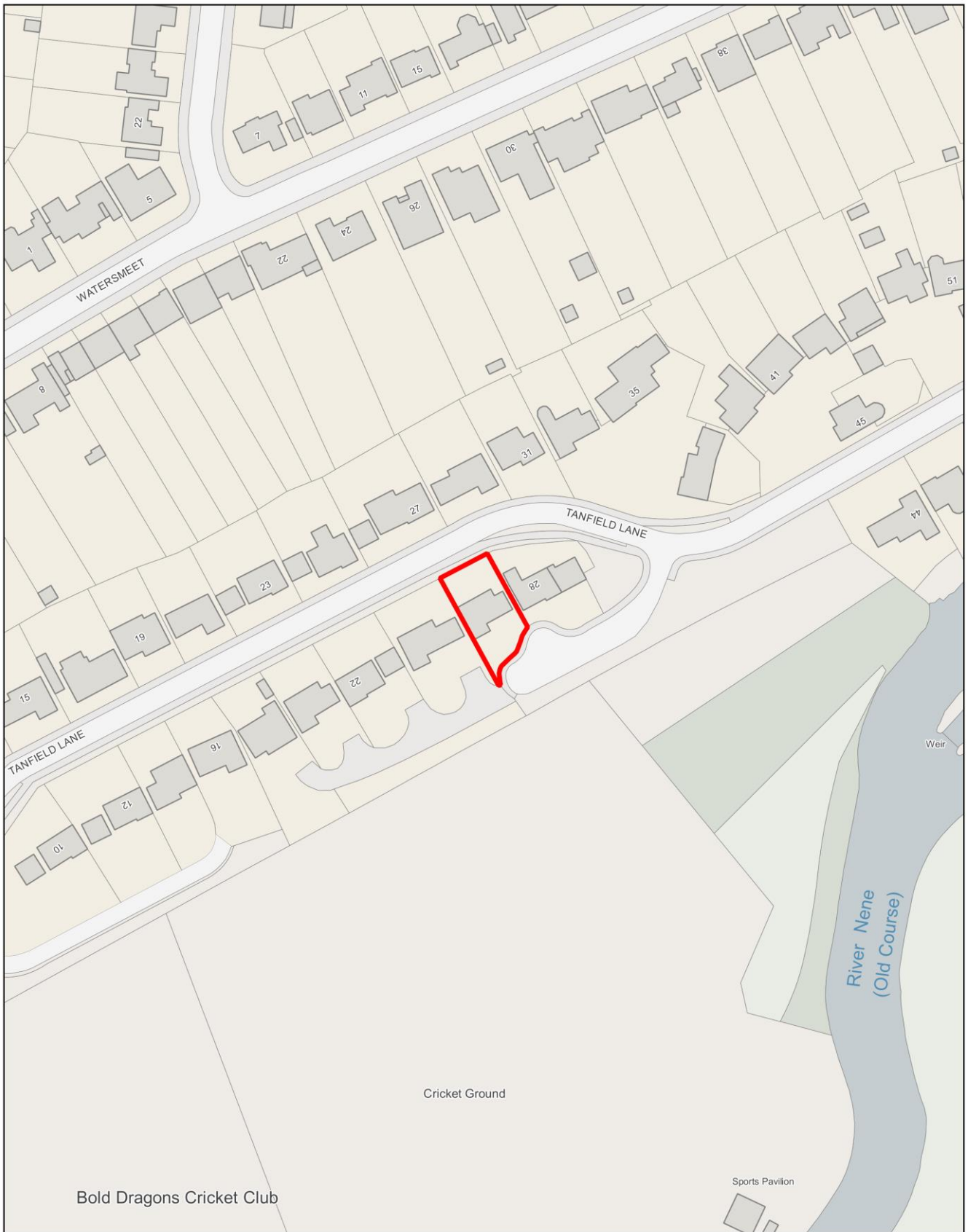
3. The external walls and roof of the extensions shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

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

Permitted Development Rights

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

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



**West
Northamptonshire
Council**

Title: **26 Tanfield Lane**

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Date: 24-06-2022

Scale: 1:1,250 @A4

Drawn: M Johnson

Planning Committee Report

Committee Date: 5th July 2022
Application Number: WNN/2022/0326
Location: 149 Birchfield Road, Northampton, NN1 4RQ
Development: Single storey side/rear extension

Applicant: Mrs Hina Byron
Agent: LMR Designs Ltd
Case Officer: Kanchan Sharma

Ward: Abington and Phippsville Unitary Ward

Referred By: Assistant Director of Place and Economy

Reason for Referral: West Northamptonshire Council employee

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

The current application seeks planning permission for single storey side/rear extension. The extension would in fill the gap between the outrigger and the common boundary with the neighbouring property.

Consultations

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

- None

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

- None

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

- None

One letter of support has been received.

Planning Committee Report

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:

- Impact on the character of the area, design and appearance.
- Residential Amenity.

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is a mid -terraced 4 storey house. The basement and roof have been converted to create habitable spaces.
- 1.2 The local area is predominantly residential with similar terraced properties on both side of the street. The properties in the local area have been altered and extended over the period of the time.

2 CONSTRAINTS

- 2.1 None

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposed development seeks planning permission for single storey rear/side extension. The proposal has been amended during the course of the application and the proposed design has been altered to s minimise the impact on the neighbouring property.

4 RELEVANT PLANNING HISTORY

- 4.1 There is no planning history directly relevant to the proposal.

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.

Planning Committee Report

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 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy (Local Plan Part 1)

- 5.3 The relevant policies of the LLP1 are:

- Policy S10 – Sustainable Development Principles

Northampton Local Plan (1997) – Saved Policies

- E20 – Design for new development
- H18 – Extensions to dwellings

Material Considerations

- National Planning Policy Framework (NPPF)

The 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 12 – Achieving well designed places

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 Sustainable Development- significant weight
- Policy 2 Place Making- moderate weight
- Policy 3 Design- moderate weight
- Policy 4 Amenity- moderate weight
- Residential Extensions and Alterations Design Guide SPD

Planning Committee Report

- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

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

None received.

7 RESPONSE TO PUBLICITY

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

None received.

8 APPRAISAL

Main issues

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

Impact on character and appearance of the area

8.2 The application proposes the erection of a single storey extension to the rear/side of this property. The proposed extension would be attached to the existing extension and would project 4.7m. The extension would be lean-to roof with an eave's height of 2.5 metres and a ridge height of 3.6 metres.

8.3 The proposed extension would be single storey in scale and being positioned to the rear of the property would not be readily visible in the streetscene. The extension does not dominate or overwhelm the host property. It is considered, therefore, that the proposed extension would be acceptable in design terms and would not have an unacceptable impact on the character and appearance of the area.

Residential amenity

8.4 No adverse comments have been received from any neighbouring properties. A letter of support has been received for the amended proposal.

8.5 The proposed side extension would sit adjoining to the common boundary between the application site and the neighbouring property, No.151. Whilst the proposed extension with an extended length would have some overbearing visual impact on the neighbouring property, it is considered that the amended design with the lean to roof would help to shift the mass away from the common boundary. Moreover, weightage has been given to the fact that similar extension could be carried out under the provisions of the permitted development rights for larger homes,

Planning Committee Report

extension and as such, since no objection has been received, the proposal would be acceptable. As such it would not have any detrimental impact on the amenity of this neighbouring property. In addition, no window has been proposed on the side elevation facing and a condition has been recommended to withdraw the permitted development rights to insert any window on the side elevation. The proposed velux roof lights are at such height that it would not create any overlooking issues. It is considered that the proposal would not have an unacceptable impact on the amenities of this neighbouring property.

- 8.6 The proposed extension would be largely screened for neighbouring property, no.147 and as such would have no adverse impact resulting from the proposed extension.
- 8.7 Given the separation to the rear boundary and single storey nature of the proposal, it would not have an adverse impact on the amenities of the neighbours to the rear of the site.
- 8.8 Overall, the proposed extension would have an acceptable impact on the residential amenity of all neighbouring properties.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL chargeable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 It is considered that the proposed development would not result in an unacceptable detrimental impact on the character of the area or the residential amenity of any neighbouring property. No objections are therefore raised with regards to Policy S10 of the Joint Core Strategy, Saved Policies E20 and H18 of the Northampton Local Plan, the Residential Extensions and Alterations Design Guide Supplementary Planning Document and advice given within the National Planning Policy Framework. As such, the proposal is considered acceptable and recommended for approval.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposal is considered acceptable and 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: 021-108-003 Rev B, 021-108-004 Rev B, 021-108-005.

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

Planning Committee Report

Materials

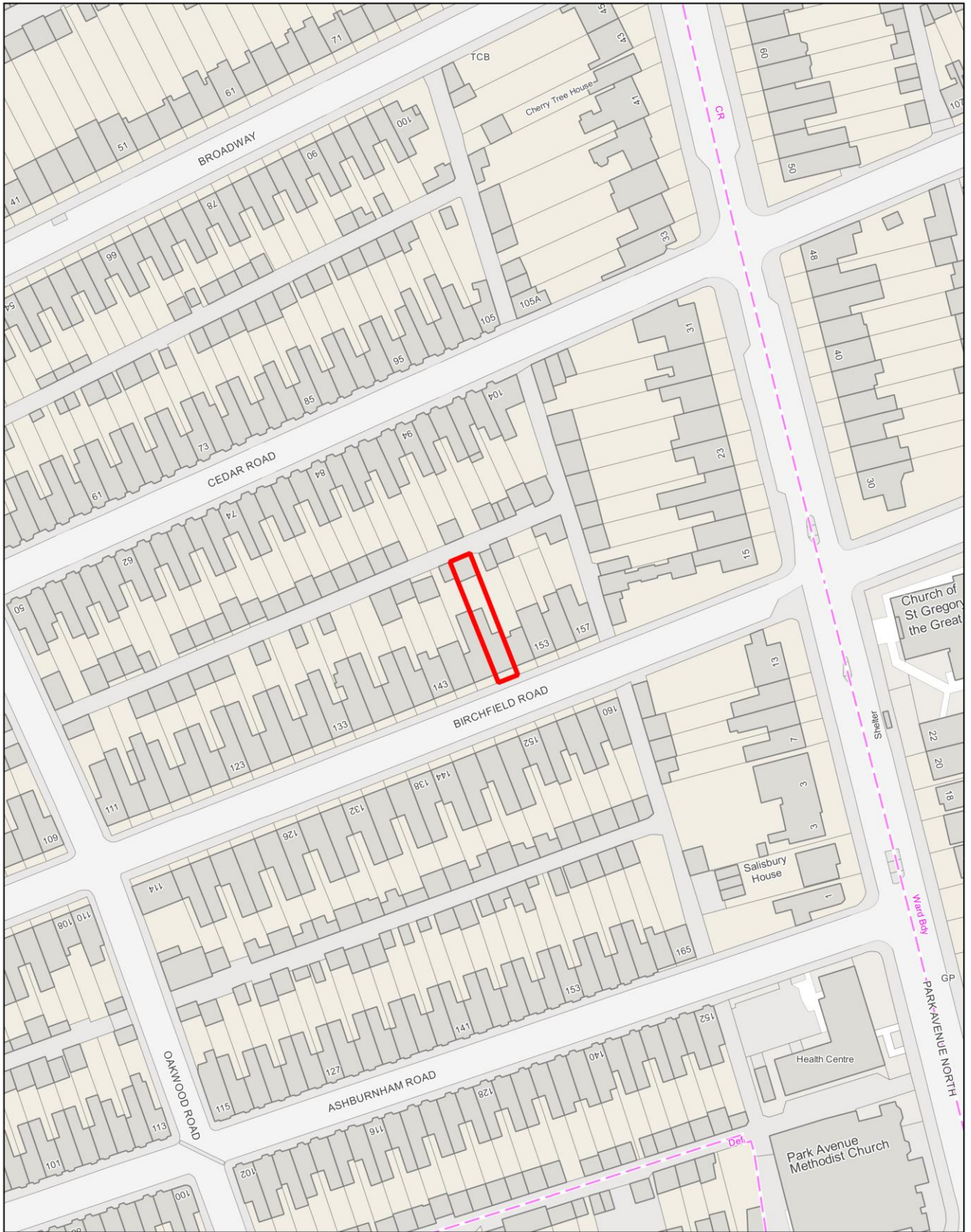
3. The external walls and roof of the extension shall be constructed with materials of the same type, texture and colour as the external walls and roof of the existing building.

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

Permitted Development Rights

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

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



**West
Northamptonshire
Council**

Title: **149 Birchfield Road**

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Date: 24-06-2022

Scale: 1:1,250 @A4

Drawn: M Johnson

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Planning Committee Report

Committee Date:	5 th July 2022
Application Number:	WNN/2022/0450
Location:	Land Adjacent to 17 North Western Avenue, Northampton
Development:	Demolition of existing single storey garage and construction of new two storey dwelling
<hr/>	
Applicant:	Mr Nigel Berrill
Agent:	Mr Stukeley James
Case Officer:	Adam Walker
<hr/>	
Ward:	Kingsthorpe South Unitary Ward
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Referred By:	Councillor Cheryl Hawes
Reason for Referral:	Considers there are no material reasons for refusal and the application should be considered by Committee

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: REFUSE PERMISSION

Proposal

Demolition of existing garage and erection of two storey dwelling.

Consultations

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

- Environmental Health
- Kingsthorpe Parish Council
- Northamptonshire Police

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

- Councillor Cheryl Hawes

The following consultees have raised **comments/observations** on the application:

- Local Highway Authority

No public representations 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
- Impact on the character and appearance of the area
- Living conditions of the future occupier/s
- Impact on neighbouring occupiers
- Parking and highway safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons:

1. The proposed development would represent a cramped and incongruous feature which would be out of keeping with the street scene due to its tight relationship with the plot boundaries. The proposal is thereby contrary to guidance in the National Planning Policy Framework, Polices S10 and H1 of the West Northamptonshire Joint Core Strategy, Saved Polices E20, and H10 of the Northampton Local Plan and emerging polices 1, 2 and 3 of the Northampton Local Plan Part 2.

2. The proposed development would represent a poor standard of accommodation due to the obscure glazing to the bedroom window which would not provide an acceptable outlook for a main habitable room. The proposal is thereby contrary to guidance in the National Planning Policy Framework, Polices S10 and H1 of the West Northamptonshire Joint Core Strategy, Saved Policy E20 of the Northampton Local Plan and emerging polices 1, 2 and 3 of the Northampton Local Plan Part 2.

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 relates to part of the curtilage belonging to 17 North Western Avenue, Northampton. The property forms a large, detached dwelling located on the corner of North Western Avenue and Foxgrove Avenue.

1.2 The application site lies to the rear of the dwelling and comprises of a single storey double garage with a lean-to timber shed to one side and hard surfacing to the front. The garage is accessed from Foxgrove Avenue, where there is a double set of timber gates to the boundary. The site also includes some of the dwelling's existing garden area.

1.3 The site is located within a residential area. No. 61 Foxgrove Avenue borders the site to the south east and the rear garden of 19 North Western Avenue abuts the south western boundary.

2 CONSTRAINTS

2.1 There are no specific constraints.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 It is proposed to demolish the existing garage and erect a two storey dwelling.

3.2 The proposed dwelling would front onto Foxgrove Avenue and would comprise of a large garage, entrance space and storage area on the ground floor and an open plan living area and a bedroom with en-suite on the first floor. Parking space would be provided to the front of the dwelling and garden space to one side.

3.3 The dwelling would have a hipped roof and would be faced in a mixture of brick and render with tiles to the roof.

3.4 Supporting information states that the dwelling would include elements that can be adapted in the future to aid accessibility to and within the building.

4 RELEVANT PLANNING HISTORY

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

Application Ref	Proposal	Decision
WNN/2021/1084	Demolition of existing single storey garage and construction of new two storey dwelling	Withdrawn
WNN/2021/0480	New detached dwelling	Refused
N/2018/0689	Games Room over existing double garage with WC below and connection path to existing house	Refused
N/2017/0863	Demolition of existing garage and erection of a 2 storey building consisting of a garage to the ground floor and living accommodation above with external access staircase	Refused
N/2014/0152	Erection of detached dwelling	Withdrawn

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 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy - Local Plan (Part 1) (LLP1)

- Policy SA – Presumption in Favour of Sustainable Development
- Policy H1 – Housing Density & Mix & Type of Dwellings
- Policy H4 – Sustainable housing
- Policy S1 – Distribution of Development
- Policy S3 – Scale and Distribution of Housing Development
- Policy S4 – Northampton Related Development Area
- Policy S10 – Sustainable Development Principles

Northampton Local Plan 1997 (Saved Policies)

- Policy E20 – Design
- Policy H10 – Backland Development

Material Considerations

5.3 Below is a list of the relevant Material Planning Considerations

National Planning Policy Framework (NPPF)

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

- Paragraphs 72 (c) - ensure that a variety of homes to meet the needs of different groups in the community will be provided
- Paragraph 127 (f) - seeks to create safe and healthy places with a high standard of amenity for existing and future users.

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

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

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

- 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 5 – Carbon reduction, sustainable design etc (Moderate weight)

- Policy 6 – Health and wellbeing (Significant weight)
- Policy 14 – Type and Mix of Housing (Moderate weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)

Northamptonshire County Parking Standards (November 2016)

Northampton Parking Standards Supplementary Planning Document (November 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	Position	Comment
Local Highway Authority	Comment	The plans need to demonstrate suitable access width, visibility splays, access gradient, drainage, access surfacing and driveway length (minimum 5.5m).
Environmental Health	No objection	Conditions recommended for contaminated land and provision of an electric vehicle recharging point. Informatives recommended for construction working hours and boilers.
Kingsthorpe Parish Council	No objection	No objection
Northamptonshire Police	No objection	The dwelling addresses the street and has on plot parking. All doors and windows should meet the requirements of a recognised third party accredited security standard.
Councillor Cheryl Hawes	Support	The applicant has attempted to comply with all the issues on the previously refused applications. Having spoken with the applicant and looked at the submitted plans and the previous applications, I am struggling to see any material planning reasons as to why this application should be refused.

7 RESPONSE TO PUBLICITY

7.1 No representations have been received in response to the publicity of the application.

8 APPRAISAL

Background and planning history

- 8.1 As set out at paragraph 4.1, there have been several planning applications in recent years to form a two storey building on the application site, all of which have either been refused or withdrawn. The proposals have been for a new dwelling, a residential annex and an ancillary building to the main dwelling.
- 8.2 The most recent refusal was for a detached dwelling (WNN/2021/0480), which was refused on the following grounds:
- The development would represent a cramped and incongruous feature which would be out of keeping with the street scene due to its tight relationship with the plot boundaries and design of the front elevation which is dominated by an overly large garage door
 - The adverse effect on the amenities of neighbouring properties due to visual dominance and overlooking
 - The poor standard of accommodation due to the small size of the only window serving the proposed bedroom
 - Detrimental impact on highway safety due to the inadequate driveway length to the front of the garage
- 8.3 The above application is a material consideration in the assessment of the current scheme.
- 8.4 An application was subsequently submitted for a new dwelling which sought to address the previous reasons for refusal (WNN/2021/0480). That application was withdrawn by the applicant earlier this year in light of concerns raised by officers with the impact of the development on the character and visual amenity of the street scene and the standard of amenity for the future occupier.
- 8.5 The current proposal is identical to the previously withdrawn application and has been referred to the Northampton Planning Committee by Councillor Hawes.

Principle of Development

- 8.6 The application site is located within a residential area that forms part of the established urban area of Northampton and which is well served by existing services and facilities. The proposal is therefore compatible with the nature of the surrounding area and represents development in a sustainable location. The principle of the development is therefore considered to be in accordance with Policies S1 and S10 of the West Northamptonshire Joint Core Strategy.
- 8.7 The Council cannot currently demonstrate a five year housing land supply and the proposal would add to the supply of housing in Northampton, albeit on an extremely modest scale, and this weighs in favour of the application.
- 8.8 Supporting information states that “In consideration of an aging family member, the applicant wishes to construct the dwelling to include elements that can be adapted in the future to aid the accessibility to and within the building.” It further states that the proposal has been designed “to promote the concept of sustainable development with

living space provided for able bodied persons whilst having elements capable of being easily adapted for those with mobility issues.” The layout of the proposed dwelling includes a very spacious garage which would enable wheelchair access around a vehicle as well as an area which appears to be for use as a lift.

- 8.9 A dwelling that can be readily adapted in the future is consistent with the aims of Policies H1 and H4 of the Joint core Strategy as well as Policy H14 of the emerging Local Plan Part 2 in terms of supporting the delivery of a range of housing, including housing capable of meeting the changing circumstances of the occupiers over their lifetime.
- 8.10 The principle of development is therefore considered to be acceptable, subject to assessment of the matters detailed in the remainder of this appraisal.

Impact on the character and appearance of the area

- 8.11 Saved Policy E20 of the Northampton Local Plan places great importance on the quality of design of new developments and is in conformity with the NPPF, which advises that planning should always seek to secure high quality design. Policy 3 of the emerging Local Plan relates to the design of new development and it is considered that moderate weight can be afforded to this policy. Saved Policy H10 of the Northampton Local Plan states that planning permission for the development of residential backland will not be granted unless it can be shown that the siting and layout of the development will not be detrimental to the character and amenity of the locality.
- 8.12 The proposal is for a two storey dwelling fronting onto Foxgrove Avenue which would be located at the end of a row of two storey properties. This part of Foxgrove Avenue is characterised by semi-detached dwellings with some detached and terraced houses existing slightly further along Foxgrove Avenue. There is a gentle gradient to Foxgrove Avenue and the properties gradually step down towards the site, following the topography of the street.
- 8.13 The development would sit immediately adjacent to No.61 Foxgrove Avenue. This neighbouring property has been extended to the side and as result the dwellinghouse is almost up to the boundary with the application site. No.61 forms the end property in a row of three semi-detached properties, most of which have been extended to the side and this has reduced the physical separation between these dwellings.
- 8.14 The proposed dwelling would be set down in relation to No.61, reflecting the topography and character of the area. The general bulk and scale of the dwelling would also be in keeping with the existing street scene and the hipped roof would reflect the appearance of neighbouring properties, including No.61.
- 8.15 The proposal would however be very tight up against the rear boundary of the site, being approximately 1m from the garden of 19 North Western Avenue. The dwelling would also be separated from the boundary with No.61 Foxgrove Avenue by a similar distance, resulting in a very narrow separation distance between the proposed dwelling and the side elevation of No.61. Officers are of the opinion that this gives the dwelling a cramped appearance, and this is further exacerbated by the narrow garden for the proposal which lies to the side of the house and would be an uncharacteristic feature as properties in the surrounding area all have relatively long rear gardens.
- 8.16 It is considered that the dwelling’s cramped positioning within its plot would give it the appearance of an obvious form of backland development which would fail to

harmonise with the established character of the area and result in an incongruous addition to the street scene. This is exacerbated by its position at the end of the row of houses on the south western side of Foxgrove Avenue and its prominence when entering Foxgrove Avenue from the north west.

- 8.17 Certain elements of the proposal also do not meet high standards of design. The ground floor front elevation does not provide an active frontage to the street because it only contains an entrance door and a garage door, which is not the case with neighbouring properties because these have main windows on the ground floor level allowing for a sense of activity at street level. In addition, the north western elevation of the proposed dwelling forms a prominent gable end and this would be a blank wall with very little visual interest, although it is acknowledged that the side elevation of No.61 similarly lacks interest.
- 8.18 For the reasons outlined above, it is considered that the proposal would have a detrimental impact on the character and appearance of the area, contrary to Policy E20 of the Northampton Local Plan, emerging Policy 3 of the Local Plan Part 2 and guidance in the NPPF. Furthermore, it is considered that the proposed scheme has not adequately addressed the first reason for refusal under application WNN/2021/0480.

Living conditions of the future occupiers

- 8.19 Saved Policy E20 of the Northampton Local Plan requires development to provide adequate standards of privacy, daylight and sunlight and Policy H1 of the Joint Core Strategy seeks to ensure new development has regard to the living conditions for future residents. Policy 4 of the emerging Local Plan requires development to create a high standard of amenity for occupiers, including ensuring satisfactory outlook and visual amenity from within buildings and communal garden areas, taking account of the relationship with neighbouring buildings and the wider street scene. These policies reflect paragraph 130 of the NPPF which advises of the need to ensure that developments create places with a high standard of amenity for existing and future users.
- 8.20 The proposed dwelling would have an internal floor area of approximately 60 square metres at first floor level which would provide open plan living space, bedroom with en-suite, staircase and space for a lift. The ground floor contains a garage, storage space and circulation/access areas.
- 8.21 As a one bed, two storey dwelling the size of the unit exceeds the Government's Nationally Described Space Standards, compliance with which is required by Policy 4 of the emerging Local Plan Part 2 and to which moderate weight should be attached. It is stated that the proposal is intended to be an adaptable dwelling so that it can meet the needs of an aging family member and the submission makes specific reference to the dwelling being capable of being adapted for a wheelchair user. The NDSS clearly states that the minimum space standards are not adequate for wheelchair housing, meaning that this development may not be suitable as an adaptable dwelling. However, there is no requirement for this to be an accessible unit and given that it meets the general space standards it is considered that the proposal provides an acceptable amount of living space.
- 8.22 With regards to outlook and natural light for the dwelling, the open plan living area towards the front of the dwelling is provided with windows that would allow for an acceptable standard of amenity. However, the bedroom would be heavily restricted in terms of its outlook because the majority of the window would be fitted with obscure

glazing, with only a small area of clear glazing at the top (1.7m above finished floor level). The reason for this is to avoid close overlooking of No.19 North Western Avenue and is a consequence of this being a cramped form of development. To protect the amenity of No.19, the glazing would need to be at the highest end of the privacy scale and by its very nature would not afford any kind of outlook that would normally be expected for a habitable room. This would significantly compromise the overall living conditions of the future occupier.

- 8.23 The limitations of the proposed bedroom are such that the development would not provide acceptable standard of living conditions and as such the application fails to accord with Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, Policy 4 of the emerging Local Plan 2 and guidance in the NPPF. One of the previous reasons for refusal under application WNN/2021/0480 related to the suitability of the bedroom window and it is not considered that this previous reason for refusal has been adequately addressed.

Impact on neighbouring occupiers

- 8.24 The proposed dwelling would be to the rear of No.17 North Western Avenue, which forms a large, detached house. There would be no windows facing No.17 and as such there would be no overlooking issues. There were concerns with the previously refused application (WNN/2021/0480) in that the proposed dwelling would have a visually dominant impact on the occupiers of the existing dwelling. The separation distances involved with the current scheme are generally similar to application WNN/2021/0480. Nevertheless, as No.17 is within the ownership of the applicant, on balance it is not considered that the development would unduly prejudice the amenity of the occupiers of 17 North Western Avenue.
- 8.25 The proposed dwelling would be parallel to the rear garden of No.19 North Western Avenue, around 1m from the boundary. Although it would be located towards the rear part of the neighbour's garden, under the previously refused application (WNN/2021/0480) there were concerns that a two storey building would result in a substantial built form close to the boundary and this would have a visually dominant and overbearing impact on the garden. There were also concerns with direct overlooking of this neighbouring property. The current application has addressed the issue of overlooking because of the inclusion of obscure glazing to a height of 1.7m above finished floor level. Whilst officers retain some concerns with the impact of the bulk and mass of the building on the amenity of the neighbour's garden, on balance it is not considered that this would be so significant so as to justify a refusal on such grounds. In reaching this conclusion, it is noted that the neighbour has not objected to the application.
- 8.26 Turning to the impact on the neighbour at 61 Foxgrove Avenue, the proposed dwelling would be wholly to the side of this house, minimising the impact in terms of overshadowing or visual dominance. This neighbour has a side facing first floor window close to the boundary, which would essentially be blocked by the proposed dwelling. However, as a window serving a non-habitable room, the impact of this is considered to be acceptable. Whilst there would be some overlooking of the neighbour's rear garden, this is common in respect of side-by-side dwellings in a built-up urban area such as this.
- 8.27 On balance the impact of the proposed development on neighbouring occupiers is considered to be acceptable.

Parking and highway safety

- 8.28 The plans indicate one parking space to the front of the dwelling as well as one in the garage, which complies with adopted standards in terms of the number of spaces. Local Highway Authority Standing Advice requires a 5.5m set back from any garage door to avoid the potential for vehicles overhanging the footway and one of the reasons for refusal under application WNN/2021/0480 was that the development failed to provide an adequate driveway length, and this was therefore deemed to be detrimental to highway safety. It is not considered that the submitted plans adequately demonstrate that an acceptable driveway length is currently being proposed. However, an update will be provided on this matter within the published committee addendum.
- 8.29 Officers consider that the development is capable of satisfying other requirements within the Standing Advice such as minimum access width, vehicle-pedestrian inter-visibility, gradient, drainage and surfacing.
- 8.30 A further consideration is that the site of the proposed dwelling is currently in use as garages for No.17 North Western Avenue. As a four bedroom dwelling, this would require three spaces, plus a visitor space. The driveway at the front of No.17 has space for at least two vehicles and it is considered that additional space could potentially be provided with some minimal alterations. As such it is not considered that any objections could be sustained in respect of the impact on parking provisions for the existing property.

Other matters

- 8.31 Issues of potential land contamination could be adequately addressed through conditions.
- 8.32 The proposal includes provision of an electric vehicle recharging point within the garage, which would help to mitigate the impact of the development on air quality and climate change.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable.

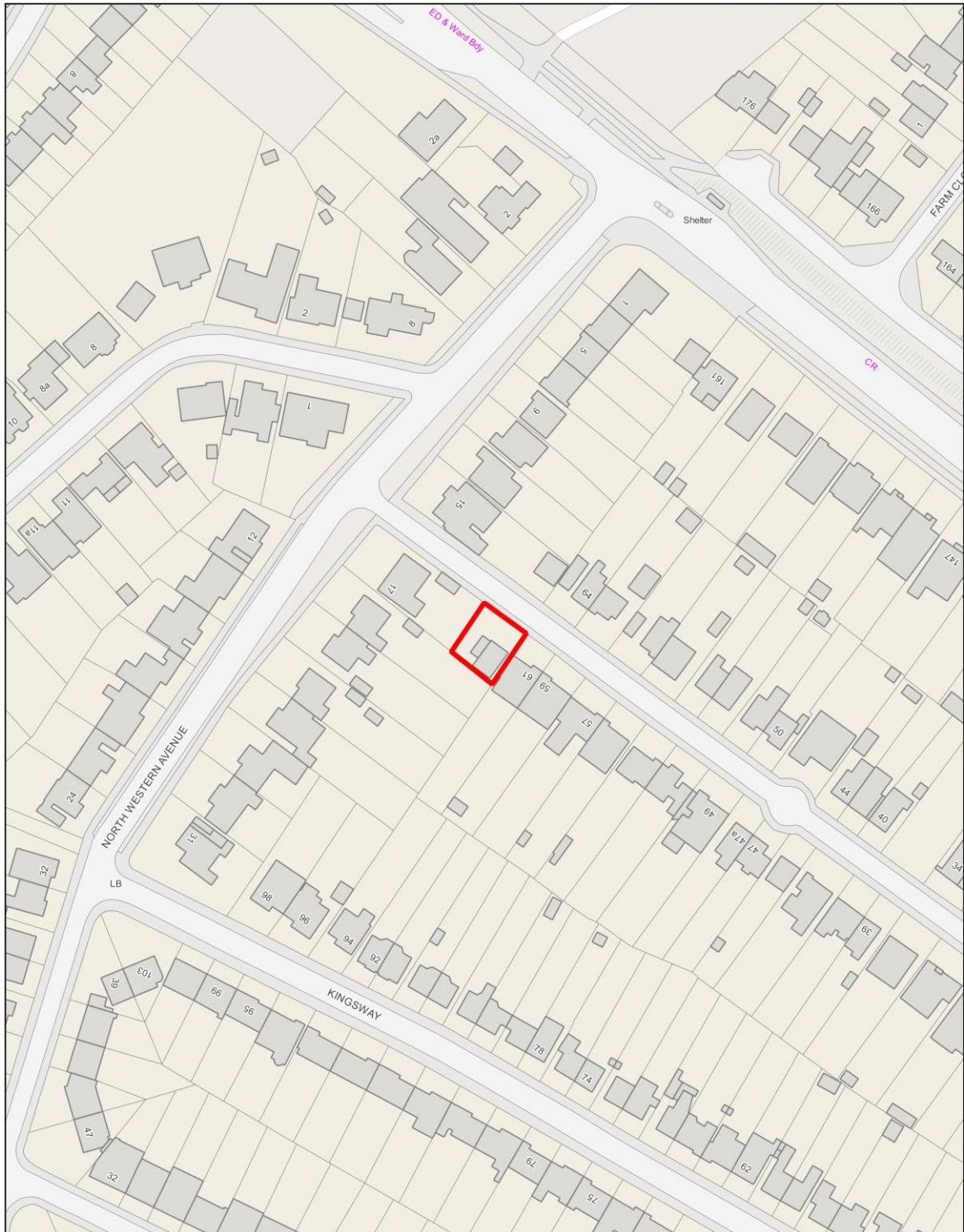
10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal would provide new housing in a sustainable location and this represents a benefit. However, it is considered that the proposal would represent a cramped form of development which would appear out of keeping with the appearance of the street scene and would thus harm the visual amenity of the area. Furthermore, as a consequence of the cramped nature of the proposed dwelling, the standard of living conditions for the future occupier would be compromised because one of its main habitable rooms (bedroom) would not be provided within any meaningful outlook. On balance, the harm that would be caused to the visual amenity of the area and the prejudicial living conditions of the future occupier are considered to outweigh the benefits of the development.

11 RECOMMENDATION / REASONS FOR REFUSAL

11.1 The application is recommended for refusal for the following reasons:

1. The proposed development would represent a cramped and incongruous feature which would be out of keeping with the street scene due to its tight relationship with the plot boundaries. The proposal is thereby contrary to guidance in the National Planning Policy Framework, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy, Saved Policies E20, and H10 of the Northampton Local Plan and emerging policies 1, 2 and 3 of the Northampton Local Plan Part 2.
 2. The proposed development would represent a poor standard of accommodation due to the obscure glazing to the bedroom window which would not provide an acceptable outlook for a main habitable room. The proposal is thereby contrary to guidance in the National Planning Policy Framework, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy, Saved Policy E20 of the Northampton Local Plan and emerging policies 1, 2 and 3 of the Northampton Local Plan Part 2.
-



**West
Northamptonshire
Council**

Title: **17 North Western Avenue**

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Date: 25-05-2022

Scale: 1:1,250 @A4

Drawn: D Jaskulska

Planning Committee Report

Committee Date:	5 th July 2022
Application Number:	WNN/2022/0448
Location:	135 Stimpson Avenue, Northampton, NN1 4JN
Development:	Change of Use of existing Retail Unit and associated Offices and Storage Areas (Use Class E) to 5no Apartments (Use Class C3), to include part demolition of existing buildings and internal alterations and modifications to existing external openings together with new external openings
<hr/>	
Applicant:	Hanumana Limited
Agent:	Architectural Solutions (Midlands) Ltd
Case Officer:	Adam Walker
<hr/>	
Ward:	Abington and Phippsville Unitary Ward
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Referred By:	Councillor Purser and Councillor Smith
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Reason for Referral:	On the grounds that it represents overdevelopment of this site and that the room sizes seem far too small.
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EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The proposal is for the change of use and alterations to convert the existing building, which was previously used for retail with ancillary storage and distribution, into 5no. one bedroom apartments.

Consultations

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

- Northampton Town Council
- Councillor Smith and Councillor Purser

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

- Environmental Health

The following consultees have made comments/observations on the application:

- Local Highway Authority
- Northamptonshire Fire & Rescue Service

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One letter of objection has 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
- Impact of the external alterations on the surrounding area
- Living conditions of the future occupiers of the development
- Amenity of neighbouring properties
- 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 was formerly used for retail with ancillary offices and storage space. The premises were occupied by a decorating supplies business, which vacated the site in January 2022.
- 1.2 The property comprises of a combination of single, two and three storey adjoining buildings spread across the site in a reverse 'L' shape. The three storey building also includes a basement level. The buildings are predominantly faced in render with some red brick elements.
- 1.3 The retail frontage is to Stimpson Avenue and the property also has a frontage onto the junction with Derby Road. The site extends to the rear of 133 Stimpson Avenue and several residential properties on Derby Road and Turner Street.
- 1.4 The surrounding area is predominantly residential, with traditional terraced housing existing towards the west and a mixture of more modern residential development lying to the east. The site is within walking distance of the facilities and amenities within allocated Neighbourhood Centres on Kettering Road and Abington Avenue.

2 CONSTRAINTS

- 2.1 None

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3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development is for the change of use of the property to five apartments (Use Class C3).
- 3.2 All of the apartments would have one bedroom. Two of the units are on a single floor and the remainder are split over two and three floors.
- 3.3 A series of external alterations are proposed to facilitate the change of use. These include:
- Partial demolition of a single storey flat roofed building to enable a ground floor frontage and access to be formed for apartment 2 and a communal bin store
 - Replace existing corrugated roof to retail unit with tiled roof, extend pitched roof across part of existing single storey flat roofed building and erect new gable end wall (apartment 1)
 - Timber fence panel and gate formed to Stimpson Avenue where part of single storey flat roofed building is to be demolished
 - Replace existing retail frontage on Stimpson Avenue with three windows and a door (apartment 1)
 - Replace two doors to Stimpson Avenue with windows (apartment 3)
 - Form two new ground floor windows and an entrance door to Stimpson Avenue (apartment 3)
 - New first floor window and rooflights added to a two storey building within the site (apartment 2)
 - New ground floor window to Derby Road elevation (apartment 5)

4 RELEVANT PLANNING HISTORY

- 4.1 There is no planning history directly relevant to the proposal.

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 and the adopted Northampton Local Plan. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy - Local Plan (Part 1) (LLP1)

- 5.3 The relevant saved policies of the LLP1 are:
- Policy H1 – Housing Density & Mix & Type of Dwellings
 - Policy S1 – Distribution of Development
 - Policy S3 – Scale and Distribution of Housing Development
 - Policy S4 – Northampton Related Development Area
 - Policy S10 – Sustainable Development Principles

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- Policy BN7 – Flood Risk
- Policy BN9 – Pollution Control

Northampton Local Plan 1997 (Saved Policies)

5.4 The relevant saved policies are:

- Policy E20 – Design
- Policy H24 – Flats wholly or partly in basement areas

Material Considerations

5.5 Below is a list of the relevant Material Planning Considerations

National Planning Policy Framework (NPPF)

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

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

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

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

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

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained 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 5 – Carbon reduction, sustainable design etc (Moderate weight)
- Policy 6 – Health and wellbeing (Significant weight)
- Policy 14 – Type and Mix of Housing (Moderate weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)

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Northamptonshire County Parking Standards (November 2016)

Northampton Parking Standards Supplementary Planning Document (November 2019)

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Local Highway Authority	Observation	The local area is known to be heavily parked, with little to no residual parking capacity available on street. The proposed development is likely to increase the parking demand when compared to the existing use in the evening, when parking demand is at its highest. This can lead to increases in double parking, parking on double yellow lines and other unsafe parking practices. The LPA should consider the above in respect of safety and safe practice along with the residential amenity of the local residents, which will inevitably suffer if further vehicles are brought into the area.
Environmental Health	No objection	Recommend conditions requiring a construction management plan, a scheme for noise mitigation for the future occupiers and contaminated land conditions if ground works are involved. Comment that the nature of Stimpson Avenue is such that it does not promote pedestrian and cycle travel, which is likely to encourage reliance on cars.
Northampton Town Council	Object	Object on highway grounds as the site is near to a busy junction between two main roads and there is a lack of parking for the proposed apartments.
Northamptonshire Fire & Rescue Service	Comment (Comments provided on the plans as originally submitted and not the revised plans)	Apartment 2 is unlikely to meet Building Regulations due to the bedroom on the second floor being an inner room. All bedrooms in all flats (other than the flat containing the basement area) are classed as inner rooms and must be provided with escape windows.
Northamptonshire	-	No comments received

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Police		
West Northamptonshire Refuse (Veolia)	-	No comments received
Councillor Bob Purser	Object	The proposal represents overdevelopment of this site and the room sizes seem far too small.
Councillor Zoe Smith	Object	The proposal represents overdevelopment of this site and the room sizes seem far too small.

7 RESPONSE TO PUBLICITY

7.1 There has been one representation received at the time of writing this report. The representation raises concerns with the proposal and a summary of the comments is provided below.

- Proposal will exacerbate existing parking problems
- There are already more than enough flats in this area
- Against the development, especially when it is so close to the objector's property

8 APPRAISAL

Main issues

8.1 The main issues to consider are the principle of development, the visual impact of the proposed external alterations, the living conditions of future occupiers of the development, the impact on the amenity of neighbouring properties, and the impact on parking and highway safety.

Principle of development

- 8.2 The proposed development would provide additional housing at a time when the Council is unable to demonstrate a five year housing land supply. The proposal represents a very modest housing windfall but it would nevertheless make a positive contribution to the Council's housing delivery targets as set out in Policies S3 and S4 of the West Northamptonshire Joint Core Strategy, and this weighs in favour of the application.
- 8.3 Policy H1 of the Joint Core Strategy and Policy 14 of the emerging Local Plan Part 2 seek to ensure the provision of a range of house types. The proposal would provide self-contained one bedroom units which would add to the mixture of property types in this location.
- 8.4 The proposed development would support the re-use of a vacant building and the proposal therefore represents an efficient use of land and resources, which the NPPF promotes.
- 8.5 The surrounding area is predominantly residential and therefore the proposal is compatible with the nature of the area. Furthermore, the loss of the established retail use would not conflict with any planning policies or guidance because retail uses are classified as a main town centre use and the site is within an out-of-centre location.

Planning Committee Report

- 8.6 Having regard to all of the above, the principle of the proposed development is considered to be acceptable.

Impact on the character of the surrounding area

- 8.7 The proposal involves a series of external alterations to facilitate the change of use. These include the formation of new window and door openings, replacing existing windows and doors associated with the commercial use with residential type windows and doors, some very limited demolition, and an existing corrugated pitched roof would be replaced with a tiled roof and slightly extended over a part of the property that has currently has a flat roof.
- 8.8 The new and replacement fenestration has been designed to be in keeping with the host building, with the proportions and detailing of the new windows reflecting the existing property.
- 8.9 Part of a single storey flat roof building would be demolished to create a pedestrian access off Stimpson Avenue and enable a frontage to be formed for one of the apartments internal to the site. A section of timber panel fence and a timber access gate are proposed alongside Stimpson Avenue where the building is being demolished. This would not appear out of keeping with the character of the area because there are other sections of timber fencing alongside Stimpson Avenue within the immediate vicinity.
- 8.10 Replacing the existing corrugated roof above the former shop with a concrete tiled roof would enhance the appearance of the building within the streetscene.
- 8.11 A condition is recommended requiring the new materials used for the proposed external alterations to match the existing building. This includes where existing openings are being blocked up, the new gable end wall to apartment 1, the new ground floor frontage for apartment 2 within the site, the proposed tiles for the replacement roof and the new windows and doors.
- 8.12 Subject to the aforementioned condition, the application is considered to comply with Policy E20 of the Northampton Local Plan, Policy 3 of the emerging Local Plan Part 2 and guidance in the NPPF.

Living conditions of future occupiers

- 8.13 Saved Policy E20 of the Northampton Local Plan requires development to provide adequate standards of privacy, daylight and sunlight and Policy H1 of the Joint Core Strategy seeks to ensure new development has regard to the living conditions for future residents. Policy 4 of the emerging Local Plan requires development to create a high standard of amenity for occupiers, including ensuring satisfactory outlook and visual amenity from within buildings, taking account of the relationship with neighbouring buildings and the wider street scene. These policies reflect paragraph 130 of the NPPF which advises of the need to ensure that developments create places with a high standard of amenity for existing and future users.
- 8.14 Officers are satisfied that the proposed apartments would provide an acceptable amount of living space for the future occupiers, having regard to the Government's Nationally Described Space Standards (NDSS). Apartments 1, 2 and 3 either meet or exceed NDSS. It is not possible to directly apply NDSS to apartments 4 and 5 because these units have three floors and the NDSS does not provide a minimum standard for one bedroom units with three storeys. Nevertheless, the available living space within apartments 4 and 5 (i.e. habitable rooms, kitchens and bathrooms) exceed the minimum requirement for a one bedroom single occupancy unit and on this basis it is considered that adequate space would be provided for the occupiers of these apartments.

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- 8.15 All habitable rooms would be served by windows that would generally provide a suitable outlook and natural light. The bedroom for apartment 2 and the kitchen-diner for apartment 5 would however be somewhat constrained in this regard.
- 8.16 The outlook from the bedroom of apartment 2 would essentially be an internal outlook into the access area for the communal bin store and natural light to this window would be impacted by the proximity of nearby buildings and boundary treatments. There is also the potential for the occupier of apartment 2 to be disturbed by other residents accessing the communal bin store.
- 8.17 The kitchen-diner for apartment 5 would be located within the basement and would be reliant on a large bay window at ground floor level providing natural light to this area, with a void being created over the basement staircase to allow light down to the basement.
- 8.18 Notwithstanding the identified constraints on these two apartments, on balance, it is not considered that the impact on the living conditions of the future occupiers of apartments 2 and 5 would be significantly prejudiced, particularly because the main living spaces elsewhere within the units afford a good degree of natural light and suitable outlook.
- 8.19 To ensure that occupiers of the development are not subject to excessive levels of noise, Environmental Health have recommended a condition regarding a noise mitigation scheme. The imposition of such a condition is considered reasonable and necessary.
- 8.20 The development provides suitable refuse arrangements. Bins would be stored within an enclosed area internal to the site and would be accessible to all residents, with bins needing to be moved a short distance onto Stimpson Avenue via shared pedestrian gate ready for collection.
- 8.21 One of the apartments would be provided with a small area of outdoor amenity space (apartment 3) but the remainder of the apartments would not have any external amenity space. However, this is not usual for this type of development and the site is within walking distance of public recreation space. As such, there are not any significant concerns in this regard.
- 8.22 It is considered that the proposed development would provide an acceptably high standard of living conditions for the future occupiers and the application accords with Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, Policy 4 of the emerging Local Plan and guidance in the NPPF.

Impact on neighbour amenity

- 8.23 The previous use of the property was for retail with ancillary storage and office space. The proposed conversion of the property to 5no. one bedroom apartments is unlikely to result in significant additional comings and goings over and above the established use.
- 8.24 Windows within the apartments would not result in any significant overlooking issues. The outlook from all windows would remain towards Stimpson Avenue and Derby Road and window to window relationships between the proposed apartments and neighbouring residential properties would be reflective of the established pattern of development and the character of the surrounding area. No new windows would be introduced that would compromise the privacy of the properties on Turner Road, Derby Road and Stimpson Avenue that share a boundary with the application site.
- 8.25 A condition is recommended requiring a construction management plan to mitigate the impact on neighbouring occupiers during the development phase.

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Parking and highway safety

- 8.26 The site does not benefit from any off-street parking and so the parking needs of the future occupiers would have to be met through on-street parking. Parking is generally unrestricted within the surrounding area and is heavily subscribed.
- 8.27 The established use of the property is for retail and the previous use of the premises would have generated a certain level of parking demand from staff, deliveries and from customers. Whilst it is unlikely that the previous use of the premises as a decorating supply business would have generated any significant demand for parking in the evening, when demand for residential parking is at its highest, the lawful use of the property as a shop could nevertheless generate demand in the evenings if it were used for a different type of retail use, for example as a convenience store.
- 8.28 The site is within a sustainable location, being very close to several bus stops and within easy walking distance of at least two allocated Neighbourhood Centres (Abington Avenue and Kettering Road). The development would also provide secure cycle storage for each apartment. These factors would help to reduce reliance on private vehicles and would help to mitigate the potential demand for vehicle parking from the future occupiers.
- 8.29 Given that the established use of the property would generate its own, not inconsiderable, parking demand and considering the sustainable location of the site, officers consider that the parking needs of the future occupiers could be accommodated on the local highway network without resulting in any significant adverse impact on highway safety. The application is therefore considered to be in accordance with Policy 33 of the emerging Local Plan and guidance in the NPPF.

Other matters

- 8.30 One letter of objection has been received. The concerns raised in relation to the impact on parking have been addressed earlier within this appraisal. With regards to the objector's comment that there are already more than enough flats in this area, this is not a material planning consideration as such. There is a need to deliver new housing in Northampton, as set out in the Joint Core Strategy and emerging Local Plan Part 2, and planning policies and guidance require a mixture of house types to be provided. The proposal would therefore support these aims.
- 8.31 The development would involve conversion of basement area into a kitchen-diner. The site is at low risk of flooding and as such there are not any significant concerns with flooding of the basement accommodation.
- 8.32 Environmental Health have recommended that conditions are imposed in relation to contaminated land if ground works are proposed. The extent of ground works would be very limited and would largely amount to the erection of a single storey gable end wall for apartment 1 and new walling to form the ground floor frontage of apartment 2. Given the limited scope of ground works, a condition requiring the reporting of any unexpected contamination is considered reasonable in this instance.
- 8.33 With regards to fire safety, this would be addressed separately as part of the Building Regulations regime.

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9 FINANCIAL CONSIDERATIONS

- 9.1 CIL is not chargeable on this application and the scale of development does not meet the threshold for affordable housing or public open space provision/contributions.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal would bring a vacant building back into use and would deliver new housing that would add to the range of dwelling types in the area and make a positive contribution towards the Council's housing delivery targets.
- 10.2 The proposed external alterations are in keeping with the host building and would harmonise with the character of the surrounding area. The proposed apartments would provide acceptable living conditions for the future occupiers and the development would not unduly prejudice the amenity of neighbouring occupiers.
- 10.3 Given the established use of the property for retail and the sustainable location of the site, it is not considered that the parking demand generated by the proposed development would result in any significant and demonstrable harm to highway safety.
- 10.4 The application is in accordance with Policies SA, S3, S4, H1 and S10 of the Joint Core Strategy, Policy E20 of the Northampton Local Plan, Policies 1, 2, 3, 4, 6, 14 and 33 of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework. The application is therefore recommended for approval.

11 RECOMMENDATION / CONDITIONS AND REASONS

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

Approved plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans: ASM-22-H12-005, ASM-22-H12-004b and ASM-22-H12-003d.

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

Materials

3. The materials used for the external alterations, including works to block up existing openings, new walling, the roof to apartment 1 and all new and replacement windows and doors, shall be constructed with materials of the same type, texture and colour as those used in the construction of the existing property.

Reason: In the interests of visual amenity and to accord with Policy E20 of the Northampton Local Plan, Policy 3 of the emerging Local Plan Part 2 and guidance in the NPPF.

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Noise mitigation scheme

4. Prior to the occupation of the residential units hereby permitted, a scheme for achieving the external and internal noise levels outlined in BS8233:2014 and World Health Organisation Guidelines for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme before the apartments are first occupied and shall thereafter be retained as such.

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

Construction management plan

5. Prior to the commencement of development a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period and the approved measures shall be retained for the duration of the construction

Reason: In the interests of safeguarding highway safety, safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy and Policy 6 of the emerging Local Plan Part 2.

Unexpected contamination

6. In the event that contamination is found at any time when carrying out the approved development, development operations shall cease and it shall be reported in writing to the Local Planning Authority within 2 working days. An investigation and risk assessment of the contamination shall be undertaken and the findings submitted to the Local Planning Authority. Where the assessment indicates that remediation is necessary, a remediation scheme shall be submitted to and approved in writing by the Local Planning Authority before any further development works take place. Following completion of the measures identified in the approved remediation scheme, a verification report shall be submitted to and approved in writing by the Local Planning Authority before any of the apartments are first occupied.

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.

Basement Use

7. The approved kitchen-diner within the basement of the property (apartment 5) shall not be converted and occupied as a bedroom.

Reason: To ensure acceptable living conditions for the occupiers of this unit and to accord with Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, Policy 4 of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework.

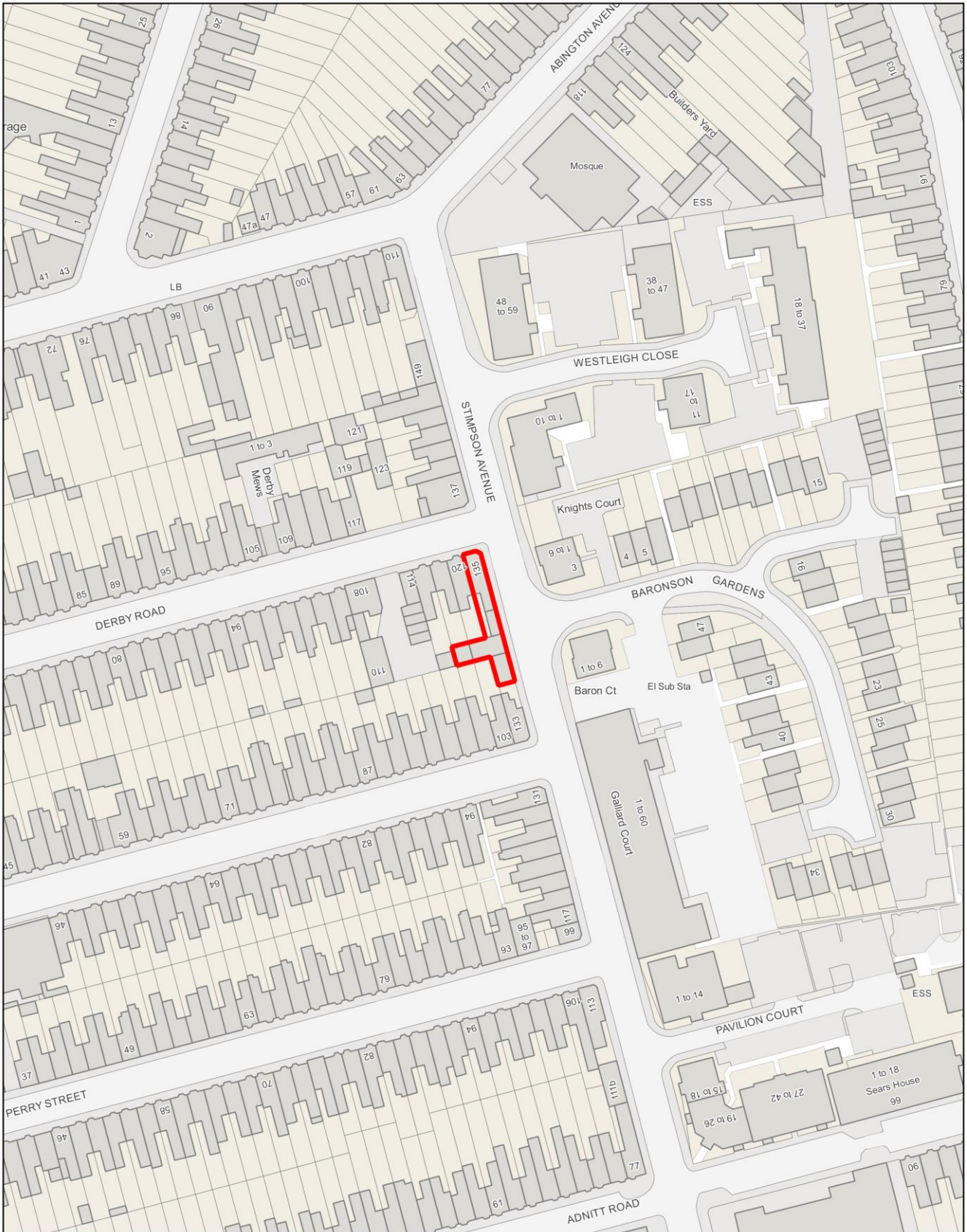


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Bin and cycle storage

8. The bin and cycle storage as shown on approved drawing number ASM-22-H12-003d shall be provided before the apartment to which the bin and cycle storage relates is first occupied and shall thereafter be retained as such.

Reason: In the interests of residential amenity and highway safety and to promote sustainable modes of transport. This is to accord with Policy E20 of the Northampton Local Plan, Policy S10 of the Joint Core Strategy, Policies 4 and 33 of the emerging Local Plan Part 2 and guidance in the National Planning Policy Framework.



**West
Northamptonshire
Council**

Title: **135 Stimpson Avenue**

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