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Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held in theThe Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 2 August 2022 at 5.00 pm

Agenda

1.	Apologies for Absence and Appointment of Substitute Members
2.	Declarations of Interest
	Members are asked to declare any interest and the nature of that interest which they may have in any of the items under consideration at this meeting.
3.	Minutes (Pages 5 - 18)
	To confirm the Minutes of the Meeting of the Committee held on 7 th June 2022 and 5 th July 2022.
4.	Chair's Announcements
	To receive communications from the Chair.
5.	Deputations/Public Addresses
6.	List of Current Appeals/Inquiries (Pages 19 - 20)
Planı	ning Applications (Addendum attached – Page 21)
a)	WNN/2021/0159 - Demolition of existing dwelling at no 351 Kettering Road and replacement with part single, part two and part three storey extension to Rathgar Care Home together with parking and access alterations and associated works including alterations to boundary treatments. Rathgar Care

	Home, 349 Kettering Road (Pages 23 - 42)
b)	WNN/2022/0104 - Change of use of single dwelling to 4 no. apartments (part retrospective), including top floor rear extension, single storey ground floor rear extension and expansion of basement, with new light well to rear and low level windows to front, additional internal alterations and rear external door. 46 Abington Avenue (Pages 43 - 54)
c)	WNN/2022/0152 - Conversion of First and Second Floors to 31no Apartments. 34 - 34A Gold Street (Pages 55 - 70)
8.	Urgent Business
	The Chairman to advise whether they have agreed to any items of urgent business being admitted to the agenda.
9.	Exclusion of Press and Public
	Should Members decide not to make a decision in public, they are recommended to resolve as follows:
	"That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph(s) XXXXX would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information."

Catherine Whitehead Proper Officer 25 July 2022

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 <u>democraticservices@westnorthants.gov.uk</u> 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

If a continuous fire alarm sounds you must evacuate the building via the nearest available fire exit. Members and visitors should proceed to the assembly area as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

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: <u>publicspeaking@westnorthants.gov.uk</u> Or by writing to:

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



Northampton Local Area Planning Committee

Minutes of a meeting of the Northampton Local Area Planning Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 7 June 2022 at 5.00 pm.

- Present Councillor Jamie Lane (Chair) Councillor Anna King (Vice-Chair) Councillor Muna Cali Councillor Nazim Choudary Councillor Paul Clark Councillor Paul Dyball Councillor Cathrine Russell Councillor Zoe Smith
- Apologies Councillor Sally Beardsworth for Councillor Raymond Connolly Absence: Councillor Penelope Flavell
 Officers: Shaun Robson (Interim Development Manager) Nicky Scaife (Development Management Team Leader) Adam Walker (Principal Planning Officer) Theresa Boyd (Planning Solicitor) Ed Bostock (Democratic Services Officer)

141. Apologies for Absence and Appointment of Substitute Members

Apologies for absence were received from Councillors Connolly, Flavell, and Beardsworth.

142. **Declarations of Interest**

Councillor Z Smith advised of a predetermination in respect of items 7b, 7c, 7d, 7e, and 7f, and stated that she would speak on these items and leave the room for the remainder of the discussion and the vote.

143. Minutes

The minutes of the meeting held on 4^{th} May 2022 were agreed and signed by the Chair.

144. Chair's Announcements

The Chair introduced Shaun Robson, Interim Development Manager, to the Committee.

The Chair advised that item 7a had been withdrawn from the agenda.

145. Deputations/Public Addresses

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

WNN/2022/0053

Danielle Stone Paul Hanson Councillor Zoe Smith Councillor Bob Purser

WNN/2022/0181

Anna Rittler Danielle Stone Councillor Zoe Smith Councillor Bob Purser

WNN/2022/0225

Danielle Stone Councillor Zoe Smith Councillor Bob Purser

WNN/2022/0381

Danielle Stone Councillor Zoe Smith Councillor Bob Purser

WNN/2022/0392

Danielle Stone Councillor Zoe Smith Councillor Bob Purser Kim Opszala

146. List of Current Appeals/Inquiries

The Development Management Team Leader submitted a List of Current Appeals and Inquiries. An appeal relating to 31 Connaught Street which had been determined by officers under delegated powers was dismissed on concentration grounds; the concentration of HMOs in a 50m radius would be 12.5% if the application was allowed and so was dismissed by the Inspector. An appeal relating to 87 Earl Street was dismissed by the Inspector; they agreed with the officer decision to refuse the application on the basis that the shutters caused harm to the character and appearance of the conservation area and officers had requested that perforated shutters be used instead. The matter was now the subject of enforcement action.

Members discussed the report.

RESOLVED:

That the report be noted.

147. N/2020/1421 - Demolition of existing buildings and erection of Discount Foodstore (Use Class E), with associated car parking, access, landscaping and associated engineering works. Mayleigh House, Kettering Road North

This item was withdrawn from the agenda.

Councillor Z Smith moved to the public gallery, having advised of predeterminations in the remainder of the items on the agenda.

148. WNN/2022/0053 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. 70 Birchfield Road

The Development Management Team Leader submitted a report which sought approval for an HMO for 4 occupants to an HMO for 5 occupants. The ground floor living room would be divided to create an additional bedroom and the garage would be used for cycle storage. A number of properties in the area had been investigated as suspected HMOs; 2 were identified, however these were already known by the Council. Should the application be approved, the concentration of HMOs in a 50m radius would be 9.4%. Private Sector Housing had raised no objections to the scheme. Highways had concerns regarding the impact on parking in the area, however the property sat within a sustainable location close to public transport links and shopping facilities, and the application complied with the Council's HMO Supplementary Planning Document (SPD).

Councillor Purser addressed the Committee and spoke against the application and raised concerns around parking, waste, and the lack of amenities and room sizes in the property.

Danielle Stone addressed the Committee and spoke against the application and stated that the application went against the Council's vision for a clean, green and safe town. She voiced concern around the loss of family homes and parking dangers in the area.

Paul Hanson, a local resident, addressed the Committee and spoke against the application. He stated that the increasing number of HMOs were damaging communities and questioned the Council's concentration figures.

The Development Management Team Leader commented that all bedroom and sizes, and the kitchen/diner, exceeded minimum requirements.

The recommendation contained within the report was put to a vote and was declared carried with 4 votes in favour and 3 votes against. The Chair cast the deciding vote.

RESOLVED:

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

149. WNN/2022/0181 - Conversion of Dwellinghouse to House in Multiple Occupation (Sui Generis) for 7 occupants and 1no One Bed Ground Floor Flat (Use Class C3) with single storey flat roof rear extension, bin storage and alterations to fenestration. 141 Wycliffe Road

The Development Management Team Leader submitted a report which sought approval for the conversion of a 6 bed dwellinghouse to HMO for 7 occupants, and a 1-bed flat, converting the existing garage with a single-storey rear extension. Amendments to the front fenestration to change the garage door and provide bin storage in the existing back garden were also proposed. A condition was included to ensure that the flat remained single occupancy. Should the application be approved, the concentration of HMOs in a 50m radius would be 3.6%. Private Sector Housing had raised no objections to the application. Highways had raised concerns regarding the impact on parking in the area, however the property sat within a sustainable location close to public transport links and shopping facilities, and the application complied with the Council's HMO SPD.

Councillor Z Smith addressed the Committee and spoke against the application, voicing concerns around overdevelopment. She stated that the amenities were insufficient and that parking issues were impacting residents' safety. She also commented that it was inappropriate to fit a flat into a garage.

After addressing the Committee, Councillor Z Smith left the room for the remainder of the item.

Councillor Purser addressed the Committee and spoke against the application and commented that he could not understand how the garage was considered not large enough for a car but seemed to be suitable for a person to live in. He stated that the application represented an overdevelopment.

Danielle Stone addressed the Committee and spoke against the application and commented that the Council should be setting higher standards; bin storage close to shower rooms and the kitchen was not appropriate. She believed the application was an example overdevelopment and of landlord greed.

Anna Rittler, of a neighbouring property, addressed the Committee and spoke against the application and stated that the rear extension would be higher than the garden wall; she had a visually impaired daughter so was concerned about the loss of light to a bedroom window. She raised concern over the existing lack of parking and noted that the Northampton Local Plan stated that heritage should be protected, which she did not see the application doing.

The Development Management Team Leader confirmed that a condition was included to ensure that the basement not be used as a habitable room.

Members commented that HMO residents should be able to live with dignity, and that some landlords seemed to be exploiting the current housing situation.

The recommendation contained within the report were put to a vote and was declared lost by 2 votes for and 4 against.

RESOLVED:

That the application be **REFUSED** on the grounds of overdevelopment and residential amenity.

Councillor Z Smith returned to the meeting and sat in the public gallery.

150. WNN/2022/0225 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. 76 Derby Road

The Principal Planning Officer submitted a report to the Committee which sought approval for a change of use from dwellinghouse for 3 occupants to HMO for 5 occupants including a single storey rear extension to provide a shower room. The property had extant planning permission for use as a 4 bed HMO. Currently, waste storage was proposed in the basement, however this was not considered appropriate, and officers had requested this to be changed with details to be to be agreed by condition for facilities within the rear garden. Private Sector Housing had raised no objections to the application. Highways had raised concerns regarding the impact on parking in the area, however the property sat within a sustainable location close to public transport links and shopping facilities, and the application complied with the Council's HMO SPD. Should the application be approved, the concentration of HMOs in a 50m radius would be 5.7%.

Councillor Z Smith addressed the Committee and spoke against the application. She stated that the shower room was the equivalent of an en suite and not appropriate for 4 people to share.

After addressing the Committee, Councillor Z Smith left the room for the remainder of the item.

Councillor Purser addressed the Committee and spoke against the application and voiced concern around waste issues frequently reported in the area which this scheme would exacerbate. He saw the application as an overdevelopment.

Danielle Stone addressed the Committee and spoke against the application and commented that HMOs saw creeping increases in the number of bedrooms. She stated that on bin days, bags of waste blocked entire paths so pedestrians had to walk in the road.

In response to questions, the Committee were informed that a condition could be included to ensure that the basement was not occupied. It was also noted that ground floor occupants would have access to the upstairs bathroom.

Members commented that ideally, bedrooms in HMOs should all have en suite bathrooms, although it was noted that this was not a requirement.

The recommendation contained within the report were put to a vote and was declared carried by 4 votes for and 3 votes against. The Chair cast the deciding vote.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and with an additional condition to restrict the use of basement.

Councillor Z Smith returned to the meeting and sat in the public gallery.

Councillor Clark joined the meeting and advised of no declarations of interest.

151. WNN/2022/0381 - Conversion of two storey three bedroom terrace house to 3no self contained flats, including dormer and associated external works. 19 Derby Road

The Principal Planning Officer submitted a report to the Committee which sought approval for a conversion of dwellinghouse to 3 x 1-bed flats. A new lightwell to the rear basement flat was also proposed. The existing windows to the rear of the ground floor flat would be enlarged. The principle of subdivision was considered acceptable by officers and the flats all met national space standards. The main habitable rooms throughout the development would be on the ground floor or above. Highways had raised concerns on parking grounds, but it was not considered that the increased demand was significant, and the property sat within a sustainable location.

Councillor Z Smith addressed the Committee and spoke against the application and commented that 2 flats would be more appropriate for conversion of a property this size. She believed that the scheme was an overdevelopment and voiced concern around fire safety and parking problems in the area.

After addressing the Committee, Councillor Z Smith left the room for the remainder of the item.

Danielle Stone addressed the Committee and spoke against the application. She raised concerns around significant pressures on local services and stated that families within areas of high-density development were leaving due to what they saw as the breakdown of communities. Raised concerns regarding overdevelopment, loss of family home and existing issues of fly-tipping and refuse.

The Principal Planning Officer confirmed that the proposed lightwell would also serve as a fire escape.

Members discussed the report.

The recommendation contained within the report were put to a vote and was declared carried with 3 votes for, 2 votes against, and 2 abstentions.

RESOLVED:

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

152. WNN/2022/0392 - Change of Use from 6-bedroom House in Multiple Occupation (Use Class C4) to 7-bedroom House in Multiple Occupation (Sui Generis) for 7 occupants. 63 Holly Road

The Principal Planning Officer submitted a report to the Committee which sought approval for a change of use from HMO for 6 occupants to HMO for 7 occupants. Internal layout changes were proposed to provide an additional bedroom along with some other minor alterations to the property. Officers considered the amenities sufficient and bedroom sizes complied with the Councils HMO SPD and exceeded national space standards. Highways had raised concerns regarding the impact on parking in the area, however the property sat within a sustainable location close to public transport links and shopping facilities. The garage was considered suitable for the storage of cycles and waste.

Councillor Z Smith addressed the Committee and spoke against the application. She commented that the scheme was overdevelopment and created unviable living spaces, the landlord was making money at the expense of residents' quality of life and questioned the safety of the living room in the basement

After addressing the Committee, Councillor Z Smith left the room for the remainder of the item.

Councillor Purser addressed the Committee and spoke against the application. He commented that a seventh bedroom was an overdevelopment and raised concern around the existing lack of parking and waste issues in the area.

Danielle Stone addressed the Committee and spoke against the application and commented that the application was not appropriate for post-covid living. She said that incremental increases to HMOs should not be encouraged.

Kim Opszala, the applicant, addressed the Committee and spoke in favour of the application. She advised that she was the landlord for several properties and had received no complaints from local residents. She noted that the room sizes all exceeded minimum requirements.

In response to questions, Ms Opszala confirmed that neighbours were given her contact details in case of any issues arising from her properties, and the same would be done should this application be approved. She also confirmed that occupants were vetted before they moved into her properties.

Members felt that Ms Opszala had reassured them in her statement and in answering their questions and thanked her for attending the meeting.

The recommendation contained within the report were put to a vote and was declared carried with 6 votes for and 1 vote against.

RESOLVED:

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

153. Urgent Business

There was no urgent business on this occasion.

The meeting closed at 6.52 pm

Chair: _____

Date:



Northampton Local Area Planning Committee

Minutes of a meeting of the Northampton Local Area Planning Committee held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 5 July 2022 at 5.00 pm.

- Present Councillor Jamie Lane (Chair) Councillor Anna King (Vice-Chair) Councillor Paul Clark Councillor Raymond Connolly Councillor Paul Dyball Councillor Cathrine Russell Councillor Zoe Smith Councillor Sally Beardsworth Councillor Penelope Flavell
- Officers: Shaun Robson (Interim Development Manager) Nicky Scaife (Development Management Team Leader) Chris Wentworth (Principal Planning Officer) Adam Walker (Principal Planning Officer) Theresa Boyd (Planning Solicitor) Ed Bostock (Democratic Services Officer)

1. Apologies for Absence and Appointment of Substitute Members

An apology for absence was received from Councillor Choudary.

2. **Declarations of Interest**

Councillor Z Smith advised of a predetermination in respect of item 7f and stated that she would speak on the item and leave the room for the remainder of the discussion and the vote.

3. Minutes

The minutes of the meeting held on 7th June 2022 would be brought to the following meeting.

4. Chair's Announcements

The Chair announced that items 7c (WNN/2022/0307) and 7f (WNN/2022/0448) were called in by councillors who had not registered to speak before the deadline, so the applications were withdrawn from the agenda and would be determined by officers in accordance with the Council's scheme of delegations.

5. **Deputations/Public Addresses**

RESOLVED:

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

WNN/2021/0699

Helen Marks

WNN/2021/0963

Tony Pickering

WNN/2022/0448

Councillor Z Smith

6. List of Current Appeals/Inquiries

There were no decisions to report on this occasion; an update would be brought to the next meeting.

7. 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

The Principal Planning Officer submitted a report to the Committee which sought approval for the construction of an industrial building to be used as B2/B8 business use, which would provide industrial/warehouse space with ancillary offices. The proposal included the building and a wider site area comprising car parking, hard surfaced yard and associated landscaping. Members' attention was drawn to the addendum which contained amended conditions including the removal of Condition 7 as it was a repeat of Condition 6 in respect of parking requirements, and a new Condition 7 in respect of flood issues. It was explained that the applicant had operated in Milton Keynes for a number of years and was looking to relocate to a larger site. There were no policy objections or objections from statutory consultees and the Local Flood Authority had raised no objections to the application, subject to conditions which were contained within the report.

Helen Marks, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. She advised that the applicant had outgrown its current location and was looking to expand its operation. 50 staff would be employed initially, with the potential to increase these numbers by a third as demand grew. She noted that the scheme had been amended following consultee responses.

In response to questions, the Committee heard that regarding paragraph 4.1 of the report, the footpath diversion/stopping up related to a previous Section 257 application considered by Committee, however officers were waiting for this development scheme to be determined by the Committee before progressing with confirmation of the footpath diversion/stopping up Order. The footpath diversion was already in place on site.

Members discussed the report.

Councillor Connolly proposed and Councillor Clark seconded that the officer recommendation be approved. The recommendation contained within the report were put to a vote and was unanimously declared carried.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and with **amendments to conditions – removal of Condition 7 and new Condition 7 (flood risk)**

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.

8. 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

The Principal Planning Officer submitted a report to the Committee which sought approval of appearance, landscaping, layout and scale relating to Outline Planning Permission N/2018/1034 which was approved by Northampton Borough Council on 1st November 2018. This was a reserved matters application; the principle of development had previously been established. The proposed office unit would be similar in scale and design as others nearby and it was noted that the Arboricultural Officer had no objections to the planting scheme as proposed. The proposed office unit was over 60m from the nearest residential unit and so it was not considered that there would be any impact on neighbouring residents. Condition 3 related to flooding measures and required an Emergency Egress Plan to be implemented in the case of flooding on the site to be submitted to the Council. Additional conditions relating to security measures and a construction environmental management plan were also included. Tony Pickering, trustee for Clubs for Young People Northamptonshire, addressed the Committee and spoke against the application. He commented that there had been several instances of flooding in the area following development in the area over recent years. The single lane access was frequently used by pedestrians and cyclists and Mr Pickering had concern that increased traffic would lead to an accident. He also stated that the north elevation had no features and would look very bleak from the Rowing Club.

The Principal Planning Officer confirmed that conditions relating to drainage and flooding were included in the report. He further confirmed that the principle of access was approved at the outline stage and Highways had raised no objections.

In response to questions, the Committee were informed that the proposed development was not required to provide EV charging points at the time that the outline application was considered as there was no policy requirement in place. It was anticipated that an attenuation and drainage management plan would be forthcoming as part of the condition requirements of the outline consent.

Members discussed the report.

Councillor Z Smith proposed, and Councillor Russell seconded that the officer recommendation be approved. The recommendation contained within the report was put to a vote and was unanimously declared carried.

RESOLVED:

That the application be **APPROVED** subject to the conditions and reasons as set out in the report with an **amendment to Condition 5 to include reference to external lighting with regard to biodiversity considerations.**

9. 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

This item was withdrawn from the agenda.

10. WNN/2022/0326 - Single storey side extension. 149 Birchfield Road

The Principal Planning Officer submitted a report to the Committee which sought approval for the construction of a single storey side/rear extension which would fill the gap between the outrigger and the common boundary with the neighbouring property. Materials used would match the existing building and there were no objections received in respect of the application. Whilst the proposed extension would have some overbearing visual impact on the neighbouring property, it was considered that the amended design with a lean to roof would help shift the mass away from the common boundary.

Members discussed the report.

Councillor Clark proposed, and Councillor Dyball seconded that the officer recommendation be approved. The recommendation contained within the report was put to a vote and was unanimously declared carried.

RESOLVED:

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

11. WNN/2022/0450 - Demolition of existing single storey garage and construction of new two storey dwelling. Land adjacent to 17 North Western Avenue

This item was withdrawn from the agenda.

Councillor Z Smith moved to public seating, having advised of a predetermination in the following item.

12. 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

The Principal Planning Officer submitted a report to the Committee which sought approval for a change from existing retail unit and associated offices and storage areas to 5 apartments, including part demolition of existing buildings and internal alterations and modifications to the existing external openings, together with new external openings. All apartments would have 1 bedroom. Two units were proposed on a single floor and the remainder to be split over 2 and 3 floors. All of the apartments met nationally described space standards. The shop windows would be replaced with domestic windows and additional windows would be installed. Conditions were included in the report to ensure that external materials used matched the surrounding properties. No parking was proposed as part of the application; however, the unit's previous use would have generated its own parking and the properties were situated within a sustainable location.

Councillor Z Smith addressed the Committee and spoke against the application. She commented that there were too many apartments proposed and the application demonstrated landlord greed. She noted that the nationally described space standards could not be applied to the apartments that were split over 3 floors. She raised concern around dangerous parking practices and traffic issues in the area.

After addressing the Committee, Councillor Z Smith left the room for the remainder of the item.

The Principal Planning Officer confirmed that the government had not provided guidance relating to space standards for 1 bed apartments over 3 floors but when taken as a whole, those flats did meet the nationally described space standards. He further confirmed that following amendments to the scheme, Northamptonshire Fire & Rescue Service had made no comment on the application.

Members discussed the report and commented that they would have preferred to see an application for 4 apartments, but it was acknowledged that a decision must be made on the application before them.

Councillor Lane proposed, and Councillor Dyball seconded that the officer recommendation be approved. The recommendation contained within the report was put to a vote and was declared carried with 3 votes for, 2 votes against and 3 abstentions. The Chair cast the deciding vote.

RESOLVED:

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

13. Urgent Business

There was no urgent business on this occasion.

The meeting closed at 6.52 pm

Chair:

Date:

Assistant Director Economic Growth & Regeneration: Jim Newton



Agenda Item 6 West Northamptonshire Council

List of Appeals and Determinations – 2nd August 2022

	Γ	Written Reps Procedure	
Application No.	DEL/PC	Description	Decision
N/2021/0363 APP/W2845/W/21/3288251	DEL	Change of Use from Dwellinghouse (Use Class C3) to Children's Home (Use Class C2) to accommodate a maximum of 3no children (8-18 years old) at 29 Colonial Drive	AWAITED
N/2021/0471 APP/W2845/H/21/3280283	DEL	Installation of 48 Sheet Digital Advertisement on North Elevation at Waterloo House, 21 Market Square	DISMISSED
WNN/2021/0124 APP/W2845/W/21/3287463	DEL	Conversion of loft with dormer to rear at 30 The Green, Kingsthorpe	AWAITED
WNN/2021/0426 APP/W2845/D/22/3294057	DEL	Removal of existing conservatory and construction of new two storey rear extension at 7 Glaisdale Close	AWAITED
WNN/2021/0508 APP/W2845/W/22/3291931	PC	Change of Use from Retail (Use Class E) to Takeaway (Sui Generis) and erection of extraction flue at 34-36 St Giles Street	ALLOWED
WNN/2021/0651 APP/W2845/W/21/3287329	DEL	Erection of new dwelling to rear of 103 Beech Avenue	AWAITED
WNN/2021/0692 APP/W2845/W/22/3290501	DEL	Construction of 8no new one bedroom flats on existing car park site at Car Park Premises, Millfield Enterprises, Hazelwood Road	DISMISSED
WNN/2021/0830 APP/W2845/Z/22/3291238	DEL	Installation of electric shutters and change of shop front glass (Retrospective) at 34 Abington Street	ALLOWED
WNN/2021/1063 APP/W2845/D/22/3294515	DEL	Two storey front extension and two storey side extension over existing garage at 29 Martins Lane	AWAITED
WNN/2021/1081 APP/W2845/D/22/3298011	DEL	Two storey rear extension together with new hardstanding and dropped kerb to front at 100 Westone Avenue	AWAITED
WNN/2021/1109 APP/V2825/D/22/3298364	DEL	New garage to front at 83 Welford Road	AWAITED
	1	Public Inquiry	
		None	
Hearings			
		None	
Enforcement Appeals			
		None	
		Tree Preservation Order (TPO) Appeals	
		None	

The Address for Planning Appeals is:

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

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

Local Government (Access to Information) Act 1985	Author and Contact Officer:
Background Papers The Appeal Papers for the appeals listed	Nicky Scaife, Development Manager (Interim) Telephone 01604 837692 Planning Service The Guildhall, St Giles Square, Northampton, NN1 1DE

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Addendum to Agenda Items

TUESDAY 2nd August 2022

7. ITEMS FOR DETERMINATION

Item 7a : WNN/2021/0159

Demolition of existing dwelling at no 351 Kettering Road and replacement with part single, part two and part three storey extension to Rathgar Care Home together with parking and access alterations and associated works including alterations to boundary treatments **Rathgar Care Home , 349 Kettering Road**

No update.

Item 7b : WNN/2022/0104

Change of use of single dwelling to 4 no. apartments (part retrospective), including top floor rear extension, single storey ground floor rear extension and expansion of basement, with new light well to rear and low level windows to front, additional internal alterations and rear external door

46 Abington Avenue

No update.

Item 7c : WNN/2022/0152

Conversion of First and Second Floors to 31no Apartments

34 - 34A Gold Street

No update.

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Planning Committee Report

Committee Date:	2 nd August 2022
Application Number:	WNN/2021/0159
Location:	Rathgar Care Home, 349 Kettering Road, Northampton
Development:	Demolition of existing dwelling at no 351 Kettering Road and replacement with part single, part two and part three storey extension to Rathgar Care Home together with parking and access alterations and associated works including alterations to boundary treatments
Applicant:	Rathgar Care Home Ltd
Agent:	Smith Jenkins Ltd
Case Officer:	Christopher Wentworth
Ward:	Boothville and Parklands Unitary Ward
Referred By:	Councillor M Hallam
Reason for Referral:	Overdevelopment and Impact on Amenity

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

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

Consultations

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

- Highways
- Cllr Mike Hallam

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

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

22 no. letters of objection have been received.

Conclusion

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

The key issues arising from the application details are:

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

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

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

MAIN REPORT

1 BACKGROUND TO APPLICATION

- 1.1 The application was previously considered by Planning Committee on 4th May 2022. At this meeting Members deferred the application following comments and concerns raised at the meeting from local residents and members regarding the scale of the development proposal, highway matters, and neighbour amenity issues. The deferral was agreed so as to allow for further consultation with local residents.
- 1.2 Since this meeting, the following actions have been undertaken:
 - The applicant and their agent have held a meeting with Cllr Hallam on 10th May 2022.
 - A meeting was held on 22nd June 2022 with the applicant, agent, architect, Cllr Hallam, Principal Planning Officer and the owner/occupiers of the neighbouring property no. 353 Kettering Road.
 - Further information was provided in a letter from the Agent dated 26th May 2022 setting out additional information and justification for the proposals to address the concerns of Members.
 - Further information provided via email to the Planning Officer dated 23rd June 2022 providing alternative bin store proposals, title plan documents outlining trees within the applicant's ownership, and a link to the previously submitted pre-application documents.

- 1.3 During the meeting on 22nd June 2022 concerns were raised by neighbours regarding the loss of trees to the site's frontage along the boundary with no. 353. The applicant has now confirmed that these trees would be retained and not removed as a result of the proposal.
- 1.4 The applicant and their agent following on from the June meeting agreed to look at other refuse storage options as residents of no. 353 were concerned about having a refuse store for the enlarged care home located along their rear garden boundary. The applicant duly submitted two options for the LPA to consider. These were both discounted as the first option would result in the loss of a further parking space in the already limited provision proposed to the front of the site. The second option moved two of the three bins to the front of the site, albeit without being stored in a refuse storage structure with the remaining bin retained in the rear garden along the site's boundary with no. 353. On this basis, the scheme as previously submitted in terms of refuse storage remains unchanged.
- 1.5 Furthermore, the scheme generally remains unchanged from what was previously assessed by members at Planning Committee on 4th May 2022. The applicant has outlined their views in discussions and written communication following on from the May committee meeting seeking to clarify the scheme as proposed which is summarised below. They contend that amendments to the scale and design of the extensions cannot be made for the following reasons:
 - There is a significant change in ground levels at the rear of the site which would make it difficult to form a connection with the existing building.
 - It would be difficult to add on further care home accommodation as this has to connect into the existing and maintain existing access arrangements without creating internal level changes.
 - Further (upward) extensions would compromise existing window openings.
 - Further extensions to the existing building may impact on the means of escape in the event of a fire.
 - Extensions to the existing care home are likely to result in a harmful impact on residential amenity for neighbours to the south of the site.
 - The Council are unlikely to support further additions at the rear of the existing care home due to the previous planning refusals on the site.
 - There is also an issue of viability, as the proposed number of bedrooms represents the minimum number of bedrooms required to produce a viable development. This has been reduced from a 20-bedroom extension which was proposed at pre-application stage (and discounted by the LPA at that stage).
- 1.6 As such, the scheme as previously submitted along with the May 2022 committee report as outlined below remains unchanged with an officer recommendation for approval, subject to planning conditions.

2 APPLICATION SITE AND LOCALITY

2.1 The application site relates to the Rathgar Care Home, at 349 Kettering Road, and the adjacent property no. 351 Kettering Road. The site lies on the north western side of Kettering Road in the Spinney Hill area of Northampton. The existing care home was converted from a two-storey dwelling during the 1980's. It has been extended to the rear with two storey and single storey additions, and conversion of the roof space with front and rear dormer windows. The building is finished in render with a tiled roof, and bay windows to the front elevation. The care home currently operates with 17 bedrooms. There is vehicle access from Kettering Road and 5 parking spaces.

- 2.2 No. 351 Kettering Road is a two-storey detached dwelling with single storey extensions. It is finished in brick with a tiled cat slide roof and a front dormer window. It has a private vehicle access and parking for 3 cars. There are neighbouring dwellings on each side of the site; no. 347 Kettering Road to the south-west and no. 353 Kettering Road to the north-east. There are neighbouring properties across the main highway to the east. The rear/western boundary of the site backs onto Mountfield Road which is a shared private road.
- 2.3 The site is set within a residential area of the town and is served by public transport with the nearest bus stops on Kettering Road within 300-350 metres. There are two bus routes from these stops which operate 4 services per hour Monday to Saturday and 2 services per hour on Sundays in and around Northampton.

3 CONSTRAINTS

3.1 None relevant.

4 DESCRIPTION OF PROPOSED DEVELOPMENT

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

5 RELEVANT PLANNING HISTORY

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

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

6 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

West Northamptonshire Joint Core Strategy (2014)

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

- S1 The Distribution of Development
- S7- Provision of Jobs
- S10 Sustainable Development Principles.
- S11 Low Carbon and Renewable Energy
- C2 New Developments
- H1 Housing
- H5 Existing Housing Stock
- BN1 Green Infrastructure
- BN2 Biodiversity
- BN7 Flood Risk
- BN9 Planning for Pollution Control

Northampton Local Plan 1997 (Saved Policies)

- 6.3 Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:
 - E20 New Development (Design)
 - H29 Residential Institutions

Material Considerations

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

• National Policies

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

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

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

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

In line with Paragraph 48 of the National Planning Policy Framework, the policies contained with the emerging Northampton Local Plan Part 2 are therefore a material

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

- Policy 1 Presumption in favour of sustainable development Significant Weight.
- Policy 2 Placemaking Moderate Weight.
- Policy 3 Design Moderate Weight.
- Policy 4 Amenity and Layout Moderate Weight.
- Policy 13 Residential and other residential led allocations Significant Weight.
- Policy 14 Type and Mix of Housing Moderate Weight.
- Policy 35 Parking Standards Significant Weight.

(Note: Under the Proposed Modifications to the LLP2 Policies 2 & 3 are to be combined)

Supplementary Planning Documents

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

7 RESPONSE TO CONSULTATION

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

Consultee Name	Comment
Fire Service	No representations to make.
Highways	 The parking provision proposed is not acceptable. The development would double the size of the existing care home and only provide an additional 3 parking spaces. The existing care home has 20 existing staff members and according to the transport statement, the extended facility would include another 22 members of staff. As per the Northampton parking standards, a residential care home needs to provide 1 space per full time staff and 1 per 3 beds for visitors. In addition to this, a minimum of 10% of the spaces provided need to be to disabled spaces. Furthermore, as this is a care home, a doctor / emergency space will need to required close to the entrance of the buildings. The existing access does not meet the minimum standards and as this development would result in an intensification of use, it must be improved. Vehicle to Pedestrian (and Vice Versa) Visibility – A minimum of 2m x 2m visibility splays are required, as illustrated in the Standing Advice. Also, any feature within the triangular pedestrian visibility splay area must not exceed 0.6m in height above footway level. These must be secured within the site and cannot form part of the driveway itself. As this is a care home, a commercial crossover will be needed, with a minimum width of 6m.
Arboricultural Officer	The Arboricultural Impact Assessment and Method

	Statement report from MacIntyre Trees was thorough and comprehensive, and made convincing arguments within the impact assessment for the proposed tree removals; the method statement contained useful recommendations for tree protection measures. Condition – Implementation of arboricultural method statement (AMS) and a tree protection plan (TPP).
Environmental Health	No objection, subject to conditions. - Unexpected Contamination. - Construction Noise.
Northamptonshire Police	There is no objection to this application, but concerns have been raised locally regarding the use by builders of the rear service road, which runs up behind the plot, for use during construction. It is gated for security as houses on both Kettering road and Mountfield Road abut it and if used during construction there are concerns about the vulnerability of the space to casual intrusion and possible anti-social behaviour as well as burglary if the gates are not secured. Is it possible to apply a condition detailing where access for construction can be provided and where not? A bin storage area is located at the very rear of the plot which seems odd considering bin collection lorries will require access to the bins and are unlikely to have access via a private gated road. Again, to ensure the security of the rear service road consideration should be given to moving this feature closer to the Kettering Road frontage where the bin lorries will presumably access the site.
Cllr Mike Hallam	Called in to Planning Committee – Concerns on overdevelopment of site and adverse impacts upon neighbour amenity.

8 **RESPONSE TO PUBLICITY**

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

- 8.1 There have been 22 no. objections to the proposal. A summary of the comments received is provided below:
 - The existing care home already causes considerable disruption delivery lorries completely block one carriageway of Kettering Road resulting in tailbacks.
 - There is limited parking on site meaning that staff & visitors routinely park (inconsiderately and often too close to the junction) in Greenfield Avenue. The addition of bedrooms and the necessary staff will surely cause further parking issues in already congested area and often bordering on dangerous to navigate nearby roads due to insufficient proposed parking.
 - The area already has Rathgar, two care homes in Hillcrest Avenue and a (very) large purpose-built care home further up Kettering Road, is this specific development really of benefit to the area?
 - Adverse impacts upon neighbouring property (353 Kettering Road).
 - Insufficient space for delivery vehicles.

- Boundary treatments to be removed/revised.
- Loss of trees.
- The rear extension would be visually intrusive.
- Mountfield Road is not suitable to be used for construction or general traffic associated with the use.
- Overdevelopment of the site.
- Overlooking.
- Loss of privacy.
- Change the character of that part of Kettering Road.
- Loss of residential accommodation.
- Incorrect boundary shown.
- Refuse storage located to rear rather than front.
- Construction works would adversely impact residents.
- Is drainage sufficient for the size of property?
- Parking/traffic survey based upon estimates rather than survey work.

9 APPRAISAL

Principle of Development

- 9.1 The application proposes a residential use in a residential area and is therefore, by definition, compatible with neighbouring residential properties. Furthermore, the proposal would provide specialist accommodation for older people in the form of 24-hour care for the elderly, such as those with nursing and dementia care need, and therefore would help contribute to the different housing needs across Northampton in accordance with the requirements of Policy H1 of the Joint Core Strategy. As such, no objections are raised to the principle of the proposed development.
- 9.2 The proposal would result in the loss of the existing dwelling at no. 351 Kettering Road as raised by local residents in objections received. However, the proposal would extend the care home use and therefore a form of residential use of the site would be retained. The proposal would not result in the loss of an existing dwelling to a non-residential use and would therefore comply with the requirements of Policy H5 of the JCS. The proposal would create 17 no. additional bedrooms for the care home, and therefore the proposal makes more efficient use of the land whilst retaining residential use, in line with Paragraphs 61 and 117 of the NPPF.
- 9.3 The NPPF and Planning Practice Guidance (PPG) recognise the need to provide for the housing needs of older people in order to address the requirements of an ageing population. The PPG states that the need to provide housing for older people is critical. There is an identified need for good guality care home beds in Northamptonshire, as set out in the Study of Housing and Support Needs of Older People across Northamptonshire (March 2017). The report confirms that there are not enough care home beds to meet current demand. The Northampton Borough Council Specialist Housing Supplementary Planning Document (adopted November 2019) states that in Northampton there is a deficit of care beds from 2019 onwards which continues to decline until the end of the forecast period in 2039 and that there is a requirement of 64 care beds each year to meet care bed needs until at least 2030. This forms a material consideration in the assessment of the proposal. It is noted that objections have been received regarding the need for residential care homes given the existing provision in the local area. However, as outlined above, there is demonstrable need for such accommodation locally (and nationally).
- 9.4 In addition, and notwithstanding the above, the Council cannot presently demonstrate a five-year housing land supply. Therefore, in accordance with the presumption in

favour of sustainable development in Paragraph 11 of the National Planning Policy Framework (NPPF), development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The redevelopment of the site for a 34-no. bed care home (additional 17 no. bedrooms) would make a positive contribution towards the Council's housing supply, with associated social and economic benefits. In addition, the proposal would provide other benefits such as meeting a need for accommodation for older people and generating permanent employment opportunities within a sustainable urban location. These benefits are considered to weigh heavily in favour of the proposal.

Design and Layout

- 9.5 Saved Policy E20 of the Northampton Local Plan and Policies S10 and H1 of the Joint Core Strategy place great importance on the quality of design of new developments and are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 9.6 The proposal is to demolish the existing dwelling at no. 351 Kettering Road which comprises of a 1960's/70's two storey dwelling and extend the existing care home onto this site with single, two and three storey extensions in the form of a building that is linked to the existing care home building by a subservient, glazed link. The proposed care home extension would comprise a large building with an overall width (including the glazed link) and depth of approx. 17.6m and 23.5m respectively and a maximum height of 9m. The single storey rear extension extends to approx. 16m wide and 12.5m depth from the rearmost point of the two-storey building extension and is erected to a height of 3.25m with a flat, green roof. The extension is physically distinct from the existing care home, however key design references including bay windows, the hipped roof, projecting gable features, and materials are proposed so as to provide a cohesively designed scheme between the two buildings. It is noted that from the Kettering Road elevation, that ground levels, and ground and first floor window heights are also consistent between the existing building and the proposed extension which is welcomed.
- 9.7 The proposed extension would comprise of two main elements: the main front part of the extension facing onto Kettering Road, and a rear single storey extension. The footprint of the proposed extensions has been designed to reflect the footprint of the existing care home which has a similar two storey and single storey arrangement. The existing care home building and the extension would be linked by a new central glazed entrance lobby and this would form the main entrance to the care home. The existing entrance would be retained for staff use, allowing members of staff to easily access changing areas at the front of the building at the start and end of each shift. The provision of a glazed link and lobby to the front of the enlarged building is considered to be a positive design addition that provides a focal point and clear wayfinder to the building entrance within the streetscene.
- 9.8 The front part of the extension would be two storeys in height with further accommodation in the roof space. It would have a symmetrical design with bay windows and gable features on the front elevation. The roof would be hipped at each end. The front elevation would be finished in render and plain tiles to match the existing building which is considered to be appropriate as its aids in cohesion between the old and new. There would be a two-storey projecting wing at the rear, which would have a flat roof and covered in vertical timber effect cladding.
- 9.9 The single storey element of the extension to the rear of the two-storey extension would be linked to the existing single storey rear extension of the care home and

would be finished in matching materials of brick and render and would have a flat green roof. Details of the green roof can be secured by planning to secure an appropriate standard of development. A new courtyard would be created between the front part of the extension and the single storey rear block. This would provide a discreet courtyard for residents use off of the main lounge area whilst the rear garden of no. 351 would be integrated with the existing garden of the care home to create a larger, private amenity space area.

- 9.10 It is considered that the scale and design of the proposed extension has been designed to appear as a distinct addition to the existing care home building, which would be separated from the original care home building but would replicate the traditional design features, proportions and materials of the existing in order to achieve a cohesive development and maintain the residential character of the site. The main part of the extension would be at the front of the site and would be set back slightly behind the building line of the existing care home which is considered to be appropriate as the building line is slightly staggered along this section of Kettering Road. The mass of the building would be broken down using double gable features on the front of the building and a symmetrical hipped roof with matching roof materials which can be secured by planning condition. The extension would also be set away from the boundary to the north between no. 353 by approx. 1.4m. Within the street scene, the height of the proposed two storey extension would sit between the ridge height of the existing care home and the adjacent neighbour to the north to a height of 9m to the ridge line. The height of the extension is considered to be appropriate in this regard as it allows for a stepped appearance between buildings along Kettering Road, which is on a hill.
- 9.11 At the rear of the site there would be a single storey extension covered in a green roof. This would be set further away from the northern boundary by 2.2m and would be concealed from public views by the front element of the extension. A large single storey projection exists at the rear of the existing care home, and therefore the proposed addition replicates this arrangement somewhat, albeit in a more uniform shape, and would provide additional bedroom accommodation. Concerns have been raised within objections received that the proposal would represent overdevelopment of the site and would be an incongruous addition within the streetscene. Whilst the proposal does represent an increase in built form over the existing dwelling found on site, the streetscene is characterised by generous detached dwellings, with some variation in size, design and use of materials. When viewed from the public realm the scale of the extension is considered to be an appropriately sized addition within the site and is set in from the northern boundary as other buildings along this section of Kettering Road are.
- 9.12 It is noted that the scale of the proposed single storey rear extension would be large. However, it would generally reflect the scale of an existing single storey rear extension to the existing care home building within the wider site and has been designed in a manner so as to reduce its visual impact upon surrounding properties by being single storey in nature with a flat, green roof. The proposed extension would retain a 'rear garden' space that would be combined with the adjacent care home garden and would not result in the whole site being built upon. Furthermore, it is noted that the wider area has been characterised by properties with long rear gardens. However, such a plot formation has changed over time where development has been undertaken within such plots (i.e., dwellings in gardens, rear extensions). On this basis, it is considered that the quantum of development as proposed is an acceptable addition in this case and when combined with the fact that careful attention has been paid to the front elevation of the extension to include existing design features including a hipped roof, gable features, fenestration size/pattern and

materials to create a visual connection and integrate the extension on the site and the street scene, the proposed design of the development including the layout, scale and density is appropriate in relation to the characteristics of the surrounding area. The proposal would have an acceptable impact on the street scene and would represent the most efficient use of land. The proposal would comply with Policy E20 of the Northampton Local Plan, Policies S10 and H1 of the Joint Core Strategy, Emerging Policy 3 of the Northampton Local Plan Part 2, and Paragraph 127 of the NPPF.

Residential Amenity

- 9.13 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, emerging Policy 4 of the Northampton Local Plan Part 2 and the guidance in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 9.14 The care home building extension would be set to the northern side of the existing care home building and to the south of 353 Kettering Road, some 1.4m in from the side boundary and 3.75m from the two-storey flank wall of no. 353. Concerns have been raised by local residents that the proposed extension would adversely impact upon the neighbouring dwelling of 353 in terms of overlooking, loss of privacy and outlook. With regards to outlook, no. 353 is a two-storey residential dwelling that has bedroom and study accommodation at first floor level. Two windows are positioned to the side elevation of the existing dwelling that serve bedroom accommodation and which would be impacted by the proposed building extension. At present these windows do look onto the two-storey flank wall of the existing dwelling at a distance of 5.9m and look over a single storey part of the dwelling to do so. The proposed building extension, whilst not advancing the footprint of the building closer than the dwelling to be demolished, would advance the two-storey element with a hipped roof and dormer 2.15m closer to the two windows at a distance of 3.75m. This would result in reduced outlook to those two side windows. However, it is noted that the two rooms in question are served by principal windows to the front and rear elevations and that the side windows in question are secondary windows, albeit on a southern elevation. Given the secondary nature of the windows, and the small increase in distance posed by the two-storey extension in terms of outlook, it is not considered that the works would give rise to a significant level of harm to residential amenity associated with residents of no. 353 such it would be sufficient to warrant refusal in this regard.
- 9.15 With regards to loss of privacy and overlooking, the main two storey extension that fronts Kettering Road, would not give rise to overlooking or loss privacy associated with no. 353. It is noted that two doors at located on the northern elevation that would serve a plant room and fire exit and at first floor level two windows are proposed in line with the flank wall of no. 353 which would provide a window for the internal stairwell and a window for an en-suite shower room to bedroom 29. It is not considered that these windows would give rise to significant levels of overlooking or loss of privacy as they would not relate to habitable rooms. However, in order to reduce the 'feeling' of overlooking it is considered appropriate to secure obscure glazing to these two windows.
- 9.16 The two-storey rear outrigger extension would provide bedroom accommodation and would be set down from the 'main' two-storey extension with a flat roof. The rear outrigger would provide four windows at first floor level to its northern elevation that would face towards the boundary of no. 353. Three of these windows would serve a corridor and one would serve a resident's bedroom. These windows would be set in 13m from the side (northern) boundary with no. 353 and as such, given the distance

of 13m involved it is considered that these windows would not result in levels of overlooking or loss of privacy sufficient to warrant refusal and that the distance proposed is sufficient. To the other side of the two-storey outrigger, two windows are proposed that would a bedroom and shower room and these would be positioned at a distance of 13.7m from the southern side boundary with no. 347 and would look over the existing care home site.

- 9.17 The proposed single storey rear extension proposes two windows that would face onto the northern side boundary with no. 353 at a distance of 2.3m from the boundary. At present the boundary is formed of a brick wall and the proposal seeks to remove this and replace the entire boundary with a 1.8m high concrete post and timber panel fence along the entire rear boundary. Whilst this would provide poor outlook from these windows, the windows in question are secondary windows, with the bedrooms in question served by windows to other elevations. Furthermore, the height of the proposed boundary treatment and height of the proposed windows would not result in overlooking to the neighbouring garden. It is noted that views of the top portion of the extension above the fence line would be viewable from neighbouring gardens. However, this is not considered to result in adverse visual impacts to adjacent residents.
- 9.18 It is noted that third party concerns have been received regarding the potential for noise and activity from future users of the garden of the care home detracting from the amenity of neighbours. However, a care home is a residential use and is, therefore, by nature compatible with neighbouring residential dwellings. Also, it is noteworthy that a part of the site was previously used as a care home. Furthermore, the use can be restricted to a care home only and no other use within Class C2 to prevent a change to other C2 uses that may not be as compatible with neighbours.
- 9.19 In addition, and in any event, the noise implications of the scheme have been assessed by Environmental Health and found to be acceptable subject to conditions to prevent unacceptable impacts from construction works which can be secured within a construction management plan. Environmental Health advise that the submitted noise assessment has been reviewed and that the report methodology and assessment is accepted. However, clarification on the ventilation of the rooms directly overlooking Kettering Road, which are those subject to higher road traffic noise levels is required. Such details can be secured by planning condition so as to ensure that the thermal comfort for residents in warmer weather conditions is secured. Furthermore, it is noted that the proposed extension includes an enlarged kitchen area to accommodate the increased number of residents which is expected. However, it is considered necessary to secure details of plant and machinery along with odour control so as to ensure that neighbour amenity, for both existing and future occupiers is maintained.
- 9.20 Turning to the amenities of future occupiers of the care home, the individual bedrooms contained within the extension are generously sized and all include ensuites. In addition, all bedrooms are served by at least one large window, that overlook Kettering Road, the rear courtyard or the rear communal amenity space. The care home extension would also include an additional communal lounge/dining space (in addition to the existing lounge in the existing building) and a new kitchen area. Furthermore, the residents would also benefit from a generously sized and landscaped communal amenity area to the rear of the site along with a sheltered courtyard between the two and single storey elements. Subject to the conditions as outlined above it is considered that the proposal results in acceptable impacts upon residential amenity for existing and future occupiers.

Parking and Highway Safety

- 9.21 The Northamptonshire Parking Standards seek one parking space per full time equivalent staff plus 1 one visitor space per 3 beds, with 10% of the total car parking spaces required to be disabled spaces. In addition, the Parking Standards seek 1 cycle space per five staff members.
- 9.22 The existing care home with 17 no. bedrooms currently has 5 no. informally marked parking spaces along with a refuse store located to the front of the building. It is noted that the submission makes reference to 7 no. existing spaces although 5 no. spaces was observed on site and this figure has been assumed for the assessment. In addition, the separate driveway that currently serves no. 351 provides informal parking for 3 no. vehicles. As such, there is an existing parking shortfall on the current site (5 no. spaces to 17 no. bedrooms) and this is a material consideration in the assessment of the current application.
- 9.23 The current application proposes a 34-bed care home, with the extension providing an additional 17 bedrooms, which would be served by 10 no. onsite parking spaces along with improved manoeuvring space. One of the spaces would be a disabled bay and the internal car park area would provide sufficient space for a delivery vehicle to unload clear of the public highway, a concern which residents have raised as an existing issue. The proposal would however still not meet the standards, a concern also noted by the Highway Authority, with for example the standards suggesting that the development should provide 12 parking spaces for visitors as well as additional parking for staff at one space per full time equivalent (FTE) staff. The supporting submissions suggest that there would 42 FTE staff with up to 16 no. staff likely to be on site at any one time and that based on survey work undertaken that approx. 40% of staff travel to work by private car.
- 9.24 On this basis, the proposed parking provision would result in an improvement upon the existing substandard provision and would result in a 100% increase in onsite and formally marked out parking provision which is supported. Whilst it is noted that this falls below the standards however it should be acknowledged that the standards are only guidance and it must also be taken into account that there was an existing parking shortfall on the site, along with other supporting material considerations. In this case, the site is located within a sustainable, urban location with a number of bus stops located along Kettering Road close to the application site and the proposal has the ability to provide improved levels of cycle storage within the site which can be secured by planning condition. The application has also been supported by a Travel Plan which seeks to promote sustainable forms of transport to the site. Furthermore, the existing site access from Kettering Road does not currently provide sufficient visibility and improvements to this can be secured by planning condition and the existing access serving the existing dwelling would also be removed.
- 9.25 It is also noted, and a point raised by the applicant, that a recent planning consent was granted for a new care home, known as Cedarwood, further along Kettering Road whereby the scheme was approved with a similar parking level of 19 no. spaces for 56 beds which equates to approx. 1 space per 3 beds. In the case of the current scheme, the proposal would provide 1 space per 3.4 beds and this assessment is also considered to be material consideration in the assessment of this scheme. The Parking Standards recently adopted by Northampton seek to encourage the installation of Electric Vehicle Charging Points (EVCP). One such charging point is proposed as part of this application and such provision can be secured by condition.

9.26 Having regard to the above, it is considered that on balance, whilst the proposal fails to meet the minimum parking standards outlined in the Parking SPD, the proposal does result in a substantial improvement in terms of provision and access compared to the existing situation and offers the opportunity to provide more sustainable transport options in terms of cycle storage and the ability for delivery/service vehicles to service the site clear of the public highway. On this basis, it is considered that the proposal is an acceptable addition and would not result in significant adverse highway impacts sufficient to warrant refusal of planning consent.

Other Considerations

- 9.27 The application has been supported by a Arboricultural Impact Assessment and Method Statement along with a tree protection plan which has been assessed by the Council's Tree Officer for the area. They have raised no objection to the proposal in this regard and have requested the imposition of a planning condition to ensure that the contents of the assessment and protection plan are implemented which is considered to be appropriate in this case. Discussions have been undertaken between the applicant, neighbouring residents and LPA and the scheme has been clarified so as to ensure that no trees along the front site boundary between the site and no. 353 are to be removed as a result of the proposed development.
- 9.28 The Northants Police Crime Design Advisor raises no objection to the proposal but raises concerns over construction access, particularly from the rear along Mountfield Road. Furthermore, they raise concern over the placement of bins to the rearmost portion of the site whereas they are likely to be collected/emptied at the Kettering Road frontage, a concern also noted by local residents. The issue of refuse storage has been discussed as part of the deferral process and whilst other options have been considered the setup as proposed is considered to be the most appropriate. A request for the imposition of a condition to secure a construction management plan has been made. Such a condition is considered necessary to exactly define the scope of the planning permission granted and to ensure that residential amenity is maintained to neighbouring properties.
- 9.29 A revised site plan was received during the course of the assessment which revised the site boundary shown on the site plan between the site and no. 353 Kettering Road following an objection on the basis that the boundary line was inaccurate.

10 FINANCIAL CONSIDERATIONS

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

11 PLANNING BALANCE AND CONCLUSION

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

highway safety or neighbour amenity that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

12 RECOMMENDATION / CONDITIONS AND REASONS

12.1 Approve, subject to conditions.

Time Limit

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

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

<u>Plans</u>

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 202 Rev A, 204, 205, 206, 207, 208, 209.

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

<u>Use</u>

3. The development hereby permitted shall be used as a care home only and for no other purpose including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

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

<u>CEMP</u>

- 4. Notwithstanding the submitted details and Prior to the commencement of the development hereby permitted (including demolition), a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. Development shall than be carried out in accordance with the approved CEMP which shall include:
 - i. Demolition processes.
 - ii. Traffic management and signage during construction.
 - iii. Construction access.
 - ii. Parking for site operatives and visitors.
 - iii. Storage areas for plant and materials.
 - iv. The erection and maintenance of security fencing/hoardings and lighting.
 - v. Welfare and other site facilities.
 - vi. Working hours and delivery times.
 - vii. Measures to control noise, vibration, dust and fumes during construction
 - viii. Measures to prevent mud and other debris being deposited on the surrounding highway.

ix. Ecological mitigation measures

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

Tree Protection Measures

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

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

Contamination

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

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

Levels

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

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy and Saved Policy E20 of the Northampton Local Plan. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

Materials

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

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

Obscure Glazing

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

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

Parking

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

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

Vehicular Access

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

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

EV Charging

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

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

Bicycle Parking/Storage

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

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

Landscaping

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

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

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

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

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

<u>Refuse</u>

16. The details for the provision of storage of refuse and materials for recycling as outlined on drawing reference drawing no. 06204-202 A shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained in full.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

Boundary Treatments

17. Notwithstanding the submitted details, prior to the construction of the development hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in

writing by the Local Planning Authority, implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

Odour Control

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

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

Window Details - Ventilation/Acoustic Design

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

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



West Northamptonshire Council	Planning Committee Report
Committee Date:	2 nd August 2022
Application Number:	WNN/2022/0104
Location:	46 Abington Avenue, Northampton
Development:	Change of use of single dwelling to 4 no. apartments (part retrospective), including top floor rear extension, single storey ground floor rear extension and expansion of basement, with new light well to rear and low level windows to front, additional internal alterations and rear external door
Applicant:	Yuill Family Properties
Agent:	APC, Architects, Planning Consultants
Case Officer:	Christopher Wentworth
Ward:	Abington and Phippsville Unitary Ward
Referred By:	CIIr Z Smith & CIIr W Tarasiewicz
Reason for Referral:	Impact on existing and proposed amenity and services

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

as set out below with delegated authority to the Assistant Director of Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

Planning consent is sought for a number of extensions to enlarge 4 no. existing apartments at 46 Abington Avenue so as to provide enlarged internal accommodation. Retrospective planning consent is also sought for the property which it is understood has been in use as 4 no. apartments for a number of years but for which planning consent for a change of use from a single dwellinghouse has not been previously sought. The proposed application seeks to regularise the use whilst also seeking to provide improved internal accommodation in line with recommended space standards.

Consultations

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

- Cllr Zoe Smith.
- Cllr Walter Tarasiewicz.
- Northampton Town Council.

The following consultees have commented on the application:

- Highways.
- Environmental Health.

No letters of objection or of support have been received from third parties.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Residential Amenity
- Design and Appearance
- 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 Victorian terrace property located close to Kettering Road in the Abington area of Northampton. The property is a two-storey brick building when viewed from the front elevation and is located on the south side of the street. To the rear of the property the dwelling is three- storeys due to a change in site levels with a long garden with low brick boundary treatment to each side and a two-storey projecting outrigger. Car parking in the locality is on-street only.

2 CONSTRAINTS

2.1 None relevant.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Planning consent is sought for a number of extensions to enlarge 4 no. existing apartments at 46 Abington Avenue so as to provide enlarged internal accommodation. Retrospective planning consent is also sought for the property which has it is understood has been in use as 4 no. apartments for a number of years but for which planning consent for a change of use from a single dwellinghouse has not been previously sought. The proposed application seeks to regularise the use whilst also seeking to provide improved internal accommodation in line with current recommended space standards.
- 3.2 The proposed extensions comprise of a ground floor rear extension that extends from the existing outrigger to provide bedroom and shower room accommodation. The extension would extend to a depth of 5.3m from the existing rear elevation (excluding

the existing store room) into the rear garden and to a width of 4m and to a height of 2.35m (eaves) and 2.75m (ridge).

- 3.3 A second-floor extension is also proposed that would be positioned on top of the existing outrigger roof to provide bedroom accommodation. The extension would measure 3.45m deep, 3.7m wide and 3.1m high with a flat roof.
- 3.4 The proposal also proposes an expansion of the existing basement under the existing living room to provide approx. 25sq.m of additional living accommodation (kitchen and bedroom).
- 3.5 Externally 3 no. low level windows are proposed to the front elevation beneath the existing bay window to provide ventilation (trickle vents) and natural light to the kitchen area whilst to the rear elevation a lightwell is proposed to serve the basement level bedroom.
- 3.6 This would result in the following apartments.
 - (Flats 2 & 4) 2 No. single storey, 1 bedroom, 1 person apartments (44.1sq.m & 42.7sq.m).
 - (Flat 3) 1 No. single storey, 2 bedroom, 3 person apartment (62.3sq.m).
 - (Flat 1) 1 No. two storey, 2 bedroom, 3 person apartment (78.9sq.m).
- 3.7 The proposal does not propose any on plot parking but a detached rear structure within the garden area to provide secure, covered cycle storage for 4 no. cycles along with a refuse store is proposed. The structure would measure 5m wide, 3m deep and 2m high with a flat, felt roof and constructed from a brick base (900mm) and timber upper walls.

4 RELEVANT PLANNING HISTORY

4.1 None relevant.

5 RELEVANT PLANNING POLICY AND GUIDANCE

5.1 <u>Statutory Duty</u>

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

5.2 Development Plan

- West Northamptonshire Joint Core Strategy Local Plan (Part 1) Policies S10 – Sustainable Development Principles H1 – Housing density and mix and type of dwellings
- Northampton Local plan (1997) Saved Policies E20 – Design

5.3 <u>Material Considerations</u>

- National Planning Policy Framework (NPPF) (2021)
- Northampton Parking SPD (2019)
- Residential Extensions and Alterations Design Guide SPD

- Technical housing Standards Nationally Described Space Standards
- 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 14 Type and Mix of Housing Moderate Weight.
 - •Policy 35 Parking Standards Significant Weight.

(Note: Under the Proposed LLP2 Main Modifications Policies 2 & 3 are merged)

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 Nam	ie	Position	Comment
Cllr Zoe Smith		Objection	 Call in request to planning committee. Proposal represents overdevelopment. The room sizes appear very small.
Cllr V Tarasiewicz	Walter	Objection	 -Call in request to planning committee. Will negatively affect residential amenity. Will put undue pressure on services in the area.
Northampton Council	Town	Objection	- Concerns raised on utilisation of basement as bedroom accommodation.
Highways		Comments received	 Any changes to the frontage should not encroach upon or overhang the highway. The proposed development site falls within 400m of a local centre with general facilities, and or a bus stop with a half hourly 7:00am to 9:00pm service then the site may be considered sustainable in terms of transport. However, whilst this may reduce the number of car trip, in reality it is highly unlikely that all transport needs of residents will be met in this way, which inevitably results in residents bringing their necessary vehicles into the area, along with the associated

		 issues outlined above. Parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process. The LPA should consider all of the matters 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	Conditions requested	 Scheme for external and internal noise levels. Construction Management Plan. Revised cycle storage for 6 no. cycles.

7 RESPONSE TO PUBLICITY

7.1 There have been no objections/letters of support received from third parties at the time or writing this report.

8 APPRAISAL

Principle of Development

- 8.1 The proposed change of use would not remove the existing building from a residential use but instead would provide a number of smaller residential units for between 1 and 3 persons in each. This is generally supported in policy terms and would help, albeit in a small way, to deliver additional residential accommodation where the local planning authority is currently unable to demonstrate a 5-year housing supply.
- 8.2 The property lies within the existing urban area of Northampton and thus the principle of residential development is supported by Policy S1 of the West Northamptonshire Joint Core Strategy. The provision of internal accommodation and the proposed extensions are subject to further assessment as outlined in the report below.

Residential Amenity

- 8.3 The NPPF at paragraph 124 advises that good design is a key aspect of sustainable development. Paragraph 127 advises on the need to ensure that new development provides a high standard of amenity for existing and future users. These aims are reiterated in Policy H1, criterion f) of the West Northamptonshire Joint Core Strategy which states that, amongst other considerations, housing development will be expected to have regard to the living conditions provided for future residents.
- 8.4 The layout of the property as existing comprises a 2-bedroom flat on the ground floor, a 1-bedroom flat and 1-bedroom bedsit on the first floor and a 1-bedroom flat on the second floor.
- 8.5 The application seeks consent for a single storey rear extension to provide additional floorspace to create a re-configured ground floor layout and, in addition, increase the footprint of the property at basement level internally together with an external rear lightwell, to provide 2 apartments on the ground floor/basement level.
- 8.6 Flat 1, as proposed, would include the proposed basement extension which would result in the provision of an additional 25sq.m of internal floorspace and would be used to provide a reconfigured two storey, 2 bed, 3 person unit over the basement

and ground floor level to the front portion of the property. Within the basement a kitchen area would be positioned to the front and would be served with 3 no. high level windows to provide natural light and ventilation from the Abington Avenue frontage, with a shower room located behind and a double bedroom to the rearmost part which would be served by a large lightwell into the rear garden and would provide 10.5sq.m of floorspace. The basement bedroom would be provided with sufficient natural light from an enlarged light well to the rear elevation and would provide sufficient levels of internal bedroom space, a concern noted by the Town Council.

- 8.7 At ground floor level a further single bedroom would be provided facing onto the rear garden and a separate living room is proposed to the front elevation with a large bay window. The overall unit (Flat 1) would provide 78.9sq.m of internal floorspace over the two levels which exceeds the minimum space standards for a 2 storey, 2 bed, 3 person unit. The submitted plans show that sufficient headroom is to be provided within the basement area with a minimum head height of 2.4m proposed. Also, it is considered that the lightwell is an appropriate window treatment for a bedroom and would provide a quiet space to aid rest. The internal layout of this unit overall is considered acceptable and would provide an appropriate level of amenity.
- 8.8 Flat 2, as proposed, would be located at ground floor level within the re-configured rear section of the building, including the proposed single storey rear extension, and would allow a reconfiguration of the internal layout to provide a separate bedroom leading onto the garden, a shower room, and open plan living room and kitchen area. The overall floorspace provision would measure 44.1sq.m and would therefore exceed the minimum requirements outlined within the Nationally Described Space Standards for a 1-bed, 1 person unit, whilst the bedroom itself, measuring approx. 10sq.m would also meet the minimum space standards.
- 8.9 Flat 3, as proposed, would be located on the re-configured first floor comprising a 2bedroom/3 person unit with a double bedroom with en-suite, a single bedroom, shower room and kitchen living area located towards the front of the property with an overall 62.3sq.m of internal floorspace exceeding the required space standards for a 2-bed, 3 person unit.
- 8.10 The proposed second storey extension would provide additional floorspace to be used to accommodate a standalone bedroom associated with the second-floor apartment (Flat 4). The proposed extension would provide an additional 9.5sq.m of floorspace and would result in a separate bedroom with window over the rear garden, shower room and open plan kitchen/living area resulting in 42.7sq.m of internal floorspace which exceeds the minimum floorspace requirements for a 1 bed, 1 person apartment. The increased floorspace provision is welcomed in that it would offer improved levels of residential accommodation for future occupiers.
- 8.11 Enclosed refuse storage is proposed within the rear garden and would provide sufficient provision for the level of accommodation and would be required by condition.
- 8.12 In respect of impact on the amenity of existing properties, given the nature of the existing building, which is a Victorian terrace with a two-storey rear outrigger, an existing breach of the 45-degree code already exists as the buildings were designed and built in such a manner where rear elevation windows at ground floor level are set back behind the outrigger. The position and scale of the proposed ground floor rear extension off the rearmost point of the outrigger would extend the breach. However, given the intervening distance between the affected next door property window and

the ground floor extension along with the existing boundary treatment and that the proposed extension is set in from the neighbouring boundary with No. 44, and that there are no rear facing ground floor windows to the adjoining property, No. 48, it is not considered that the proposed extension would significantly worsen the existing situation sufficient to warrant refusal. Furthermore, no objections have been received from neighbouring properties and it is noted that a variety of rear extension types, scales and depths are found in the locality. On this basis and on balance, the single storey extension is considered to be an appropriate addition in this regard and would not lead to any unacceptable impact on neighbouring amenity.

8.13 In respect of the proposed rear dormer, this would be sited upon the roof of the twostorey rear outrigger and as submitted would currently fall under permitted development rights on the basis that it does not exceed the highest part of the roof on the existing dwelling. However, regardless of the permitted development rights on site, the proposed dormer would be constructed from matching materials and would have one rear window that overlooks the rear garden and is not orientated to either neighbouring properties, although it is noted that views from this at second storey level would provide fall reaching views across the local area, although this in itself is not sufficient to warrant planning consent in this case.

Design and Appearance

- 8.14 The proposed ground floor rear extension would result in a new single storey addition that would extend to 5.3m from the existing rear outrigger of the building. It is noted that a section of the existing single storey structure (the rearmost section), which extends to a depth of 1.2m and a width of 2m, is to be removed to facilitate the new extension. As such, the new extension would extend a further 4.1m into the rear garden area than existing. The depth of the extension is not considered excessive in the locality, with a number of extensions of varying depths observed locally and would not result in over development of the plot with approx. 60sq.m of useable rear garden space retained.
- 8.15 The proposed second floor rear extension would be mounted upon the roof of the existing two storey outrigger. The extension would be set down from the main roof ridge line and would not be viewable from the front elevation and would be finished external with matching roof tiles to provide a cohesive element to its appearance. The extension would have a flat roof and a single window facing onto the rear garden and would be a typical roof dormer extension found on residential properties and it is noted that a number of properties within the locality have been extended in a similar manner. On this basis, it is considered that the proposal is an acceptable addition in this regard.
- 8.16 The proposal includes the provision of 3 no. low level windows to the front elevation beneath the existing bay window and a lightwell to the rear elevation within the rear garden. Such features are found amongst other properties within the streetscene where other basement conversions have taken place and are considered to be an acceptable addition to the dwelling itself and the immediate streetscene.
- 8.17 The applicant has indicated that the external materials associated with the ground floor extension would comprise of facing brickwork to match the existing building with the second-floor extension utilising matching roof materials. This is supported and would be conditioned as such to ensure that all external finish materials mirror those to the main building. This will ensure a satisfactory standard of development.

8.18 The proposal includes the provision of a detached structure to the rearmost section of the rear garden to provide secure and covered storage for cycle and refuse bins. The structure would be 2m high and of a scale typically found in a rear garden in terms of sheds/garden rooms, etc. the external appearance of the structure would comprise of brick base up to 900mm high and would utilise brickworks to match the main dwellinghouse whilst the upper section of the external walls would be constructed from timber with a flat, felt roof. Such materials and scale are considered appropriate in this context.

Parking and Highway Safety

- 8.19 The property currently has 4 no. apartments and the proposal, whilst providing additional floorspace, would not increase the total number of units, but rather provide improved standards of existing levels of residential accommodation. Northamptonshire County Council's Parking Standards advises that parking provision for applications for conversion to flats will be considered on their own merit. The property, like others in the immediate area, is served by on street parking provision, due to the terraced nature of the dwellings, which is unrestricted.
- 8.20 The application site falls within 400m of a local centre with general facilities and a bus stop with a half hourly 7:00am to 9:00pm service. On this basis the site is considered sustainable in terms of transport. The Highways Officer has stated however, that whilst this may reduce the number of car trips, in reality it is highly unlikely that all transport needs of residents will be met in this way, which inevitably results in residents bringing their necessary vehicles into the area. They go on state that parking beat surveys may be undertaken to provide information that may assist the LPA in their decision-making process, however these surveys are not taken over a long enough time period, and so at best provide a snapshot of what is observed on a few given days.
- 8.21 In this case, the provision of a parking beat survey was not requested on the basis that the property has already been in use as 4 no. separate apartments for a considerable period of time (Council Tax records indicating the use of the property as 4 separate units since 1993 albeit not evidenced as continuously used) and therefore the parking requirements of the building are already in existence.
- 8.22 In addition, the area is located within a sustainable location in terms of facilities and public transport links. It is also noted that cycle storage within the rear garden area is proposed for up to 4 no. cycles within a lockable, covered, timber structure which is welcomed. Environmental Health have requested provision for 6 no. cycles. Given that the proposal would result in an increase in bedrooms to a total of 6 no, it is considered appropriate to secure cycle storage for 6 no. cycles. Such details can be secured by planning condition.
- 8.23 Given the site's location, it is therefore considered that the extensions as proposed would unlikely result in adverse significant changes to the parking in the area and that a refusal on highway grounds could not be upheld. It is therefore considered that there are no unacceptable impacts on the highway network for safety arising from this proposal.

Waste and Recycling

8.24 There is an existing rear garden where bins can be stored as indicated on the submitted plans within a new bin store structure, and there are means of accessing

the rear garden from all the apartments. As such, satisfactory bin storage can be provided for both apartments in accordance with Policies S10 and H1 of the JCS.

Community Infrastructure Levy (CIL)

8.25 The development is not CIL liable due to the scale of development proposed.

9 PLANNING BALANCE AND CONCLUSION

9.1 The scale of the proposed extensions are considered appropriate in the locality and would not result in over development of the plot or unacceptable impact on neighbouring amenity. Subject to a matching material condition the extensions would be acceptable additions. Furthermore, the provision of the extensions would enable a sufficiently sized apartments to be provided in accordance with the current national space standards resulting in the betterment of existing and future occupiers which is supported. As such, the proposal is recommended for approval subject to conditions.

10 **RECOMMENDATION**

10.1 Approve, subject to conditions.

11 CONDITIONS AND REASONS

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: N457-101B, N457-102, N457-001.

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

Materials Extension

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.

Materials Dormer

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

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

Refuse Storage

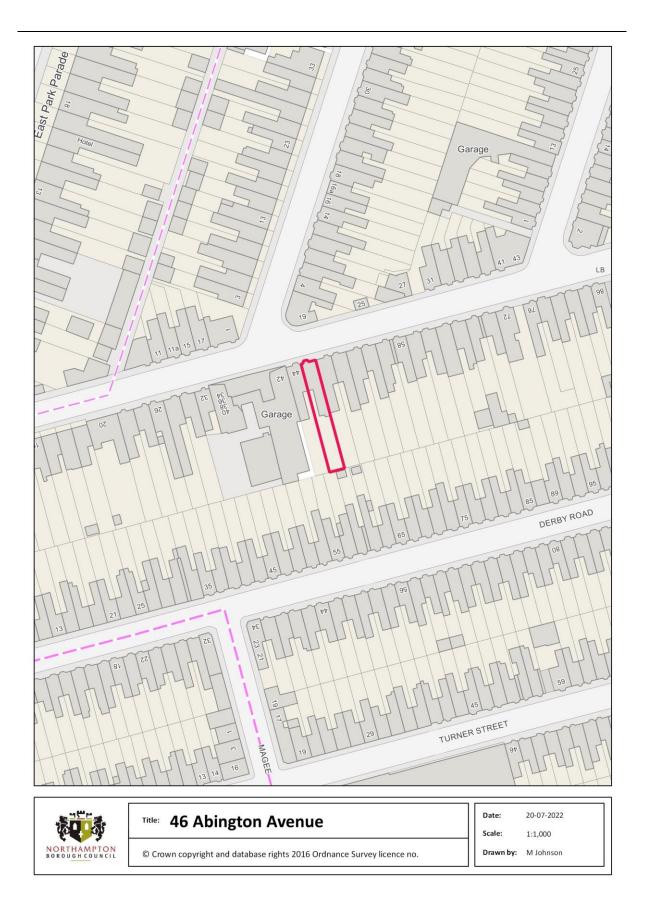
5. The refuse storage as shown on the approved plans shall be provided within 1 month of planning consent being granted and retained thereafter.

Reason: To ensure a satisfactory standard of amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

Cycle Storage

6. Notwithstanding the submitted cycle storage details outlined on plan reference N457-102, full details of facilities for the secure and covered parking of 6 no. bicycles shall be first submitted to and approved in writing by the Local Planning Authority within 1 month of planning consent being granted. Development shall be carried out in accordance with the approved details and fully implemented within 1 month of approval.

Reason: To ensure the provision of adequate facilities and to define the scope of planning permission.



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West Northamptonshire Council	Planning Committee Report
Committee Date:	2 nd August 2022
Application Number:	WNN/2022/0152
Location:	34 - 34A Gold Street, Northampton
Development:	Conversion of First and Second Floors to 31no Apartments
Applicant:	MSA Properties Ltd
Agent:	Resolution Planning
Case Officer:	Christopher Wentworth
Ward:	Castle Unitary Ward
Referred By:	Assistant Director of Place and Economy
Reason for Referral:	Major application requiring a Section 106 Agreement

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 conditions as deemed necessary;

And **SUBJECT TO THE COMPLETION OF A S106 LEGAL AGREEMENT** to secure the following planning obligations:

- Affordable Housing
- Healthcare Contribution
- Off-site Open Space Contribution
- Construction Training
- Monitoring Fee

Proposal

The development proposal seeks planning consent for the change of use of the existing first and second floor levels of 34-34A Gold Street from retail floorspace to 31 no. apartments. The proposal seeks to provide 7 no. studio apartments and 24 no. 1 bedroom apartments with the ground floor retail space retained. The conversion of the first and second floor areas would result in the provision of new windows to the side elevations of the building to serve the residential accommodation along with windows and access doors to the rearmost elevation facing onto St Katherines Street.

Consultations

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

• Town Centre Conservation Area Advisory Committee.

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

- Highways.
- Conservation Officer.
- NHS.
- Police.
- Fire and Rescue.
- Development Management.
- Archaeology.
- Ecology.
- Environmental Health.
- Anglian Water.
- Construction Futures.

2 no. letters of objection have been received and no letters of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development.
- Heritage Impacts.
- Highway Safety.
- Residential Amenity.
- Affordable Housing.
- S106 Financial Contributions.

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site consists of an existing three storey building located on Gold Street in Northampton Town Centre. The building is a mid-20th century commercial building with facing brickwork and large windows to the Gold Street elevation at first floor level and smaller windows at second floor level within the mansard roof. The building comprises of a ground floor retail unit (currently Poundstretcher) with ancillary retail space (currently vacant) at first and second floor.
- 1.2 The site is located within and outside of the All Saints Conservation Area with the front portion of the building within it and the rearmost portion, which fronts onto St Katherines Street, outside the conservation area boundary. The Grade II Baptist

Church is located beyond College Street Mews to the north of the site and a number of listed buildings are located opposite the site on the opposing side of Gold Street.

1.3 The building itself is located within a terrace of building that comprise of a variety of architectural types, ages and scales that front Gold Street. The building is attached to no. 36 Gold Street which comprises a bar/restaurant use whilst the other side of the building is attached to no. 32 Gold Street which comprises a café/restaurant at ground floor level.

2 CONSTRAINTS

- 2.1 The application site is located within Northampton Town Centre.
- 2.2 All Saints Conservation Area.
- 2.3 Setting of Grade II listed buildings and locally listed buildings on Gold Street and off St Katherine's Street.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development proposal seeks planning consent for the change of use of the existing first and second floor levels of 34-34A Gold Street from retail floorspace to 31 no. apartments. The proposal seeks to provide 7 no. studio apartments and 24 no. 1 bedroom apartments with the ground floor retail space retained. The conversion of the first and second floor areas would result in the provision of new windows to the side elevations of the building to serve the residential accommodation along with windows and access doors to the rearmost elevation facing onto St Katherines Street.
- 3.2 Access into the residential accommodation would be provided from a new entrance from the Gold Street elevation and access from the rear of the building from St Katherines Street.
- 3.3 The proposal does not seek to provide any on-site vehicle parking. 44 no. cycle storage spaces for residential purposes are proposed and dedicated residential and separate commercial refuse storage is proposed.

4 RELEVANT PLANNING HISTORY

4.1 None relevant.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.
- 5.4 Development Plan
 - West Northamptonshire Joint Core Strategy (Local Plan Part 1).
 - Policy BN5 Historic Environment
 - Policy BN9 Pollution Control
 - Policy H1 Housing
 - Policy H2 Affordable Housing
 - Policy S10 Sustainable Development Principles
 - Northampton Central Area Action Plan (CAAP) (2013).
 - Policy 1 Promoting Design Excellence
 - Policy 16 Town Centre living

5.5 Material Considerations

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

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

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

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

(Note: Under the Proposed Modifications to the LLP2 Policies 2 & 3 are to be combined).

• Northampton Parking Standards Supplementary Planning Document

- Planning Obligations Strategy Supplementary Planning Document
- Northamptonshire Parking Standards

6 **RESPONSE TO CONSULTATION**

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

Consultee Name	Comment
Anglian Water	Request foul and surface water drainage conditions.
Archaeology	No comments to make.
Construction Futures	Financial contribution sought towards construction training.
Fire and Rescue	As this is an existing building and road widths and carrying capacity are current the only comment the fire Authority can make at this time is access to the furthest point of any building from the road should be no more than 45m. - There are other works that would need to be addressed at Building Control Stage.
Conservation Officer	 No objection. The building does not make a positive contribution to the character or appearance of the conservation area. I have no objection in principle to the conversion of the upper floors into residential use as a means of securing occupation of vacant floorspace. The application does not indicate alterations to the Gold Street elevation apart from the insertion of a doorway and the appearance and character of the conservation area will not be harmed. Details of any required alterations to the windows on the front elevation to improve their acoustic or thermal performance should be provided if the appearance of the building would be affected. The insertion and alteration of windows on the rear and side elevations would not be prominent in views within the conservation area and is acceptable
Environmental Health	No objection, subject to conditions. - Ventilation Strategy Condition. - The proposed Ryton Acoustic AirLiner through wall passive supply air ventilators to be installed in habitable rooms of flats facing onto the west, east and south facades is accepted and is recommended to be conditioned. - Waste Management Strategy. - Construction Noise.
Town Centre Conservation Area Advisory Committee	Objection. - Overdevelop the site. - Lack of parking. - Refuse storage is insufficient. - Poor amenity to proposed flat layouts. - Fewer flats of a variety of sizes should be sought to provide diverse community. - Changes to shopfront not shown for full assessment.
Highways	No comments to make.

Ecology	No comments to make.		
NHS	Financial contribution sought to provide necessary		
	expansion to primary health care capacity.		
Development	Contributions sought for broadband and libraries.		
Management	(Office note: there is no policy requirement for such		
_	provision)		
Police	No objection, subject to conditions.		
	- Security system required for access doors.		
	- External mail delivery for units.		
	- Further details regarding rear boundary		
	treatments/security details are required.		
	- Fob controlled access should be provided so that residents		
	are able to access their own floor only.		

7 RESPONSE TO PUBLICITY

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

- 7.1 2 no. objections have been received, the comments of whom are summarised as follows:
 - Would result in overlooking/loss of privacy to adjacent properties.
 - Accommodation would be adversely impacted by noise and activity of adjoining uses.
 - Adversely impacts lights level of adjoining properties.
 - Impacts upon ability of adjoining buildings to extend in future.

8 APPRAISAL

Principle of Development

8.1 The proposed development would create an additional 31 no. units of residential accommodation within a sustainable location. The authority is currently unable to demonstrate a five-year housing land supply, and therefore the tilted balance assessment is engaged. The development proposal would make a contribution to addressing this continuing need, which is considered to be of benefit. Furthermore, the proposal would create new residential accommodation within the town centre in a highly sustainable location which is a strategic objective of the Central Area Action Plan (CAAP) which is to re-populate the town centre through mixed use development proposals such as that proposed. The proposal also retains a ground floor commercial use (in this case retail) along Gold Street which is one of the principal shopping streets in Northampton town centre, which is supported. For these reasons, the proposal is considered acceptable in principle.

Design and Appearance

8.2 The proposal seeks to make limited external changes to the building, particularly when viewed from Gold Street, which is within the All Saints Conservation Area. The changes to this elevation comprise of new entrance doors at ground floor level to provide access to the residential accommodation at first and second floor. In addition, the 3 no. windows at second floor level within the mansard roof are to be enlarged so that the depth of those windows mirrors the windows at first floor level more closely whilst also providing more natural light to the residential accommodation they would serve. It is considered that these proposed changes are appropriate and are minimal

in nature to the overall look of the building and would not adversely impact upon the building or the wider street scene. It is noted that concerns have been raised that the details regarding the type of doors proposed have not been specified. However, the layout of the proposed entrance arrangement has been provided on the submitted elevation plans and it is considered appropriate to secure external finish materials by planning condition to ensure an appropriate to secure full details of the windows proposed to the front elevation (and elsewhere within the building) by planning condition.

8.3 The scale of the existing building would be retained with no extensions proposed. The proposal does seek the provision of new windows to both side elevations of the building (facing no's 36 and 32 Gold Street respectively) which would serve the proposed apartments at first and second floor levels. 24 no. widows (12 no. per floor) are proposed facing towards the 36 Gold Street elevation and 20 no. windows are proposed to the 32 Gold Street elevation (9 no. at second floor and 11 no. at first floor). The rearmost part of the building facing to St Katherines Street and the open space beyond would provide 10 no. windows (some existing and some new) with an additional access door serving the residential accommodation. This rear access would also provide direct access to the refuse and cycle store which is welcomed. The provision of windows to the elevations as outlined above is supported as at present these walls are large blank facades and the provision of windows would provide an element of variety and interest to these walls. Whilst the applicant has outlined that these windows would be double glazed UPVC units, they have not outlined the colour of these windows or associated panels and as such consider that such details can be secured by planning condition to ensure an appropriate appearance.

Heritage Impacts

- 8.4 The front portion of the building is located within the All Saints Conservation Area whilst the rearmost section sits outside of the boundary. The building is not statutorily or locally listed. Given that the proposed changes to the front elevation are minimal, it is not considered that the proposal would adversely impact upon the setting of the nearby listed buildings along Gold Street or the All Saints Conservation Area. Furthermore, the Conservation Officer raises no objection in principle to the conversion of the upper floors into residential use as a means of securing occupation of vacant floorspace.
- 8.5 Concern has been raised by the Town Centre Conservation Area Advisory Committee (TCCAAC) regarding the proposal who state that the proposal represents overdevelopment of the site, that there is a lack of parking, that the refuse storage is insufficient, poor amenity to flat layouts, a variety of unit sizes should be sought and that changes to the shopfront are not shown for full assessment. As outlined above, the changes to the front elevation have been outlined with specific materials details to be secured by planning condition. Furthermore, the building itself is not being extended in any way and the proposal represents a change of use of existing floorspace. On this basis, the proposal is not considered to represent overdevelopment in this central location. Matters regarding amenity and parking are addressed below in this report.
- 8.6 As such, it is considered that subject to conditions the proposal would not adversely impact upon the character and appearance of the conservation area and would not result in any harm to the setting of nearby listed buildings.

Highway Matters

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

Residential Amenity

- 8.8 The application site is located within Northampton Town Centre, specifically Gold Street which is a main shopping street in the town and is surrounded by a variety of commercial uses including retail and food and beverage outlets. The applicant has engaged directly with Environmental Health prior to and during the assessment of the current planning application with regards to noise and odour management. In addition, Environmental Health have requested the imposition of planning conditions to secure a waste management strategy and restriction to construction noise associated with the proposal. Such conditions are considered to be appropriate in this case. With regards to noise mitigation measures, the applications are secured on each façade to ensure that ambient noise levels for habitable rooms are secured. Environmental Health raise no objection to this subject to securing these glazing specifications via planning condition.
- 8.9 It is also noted that closed windows are proposed as an alternative form of room ventilation. Whilst no objection to such an approach was raised, further details regarding the ventilation strategy were requested and subsequently submitted to Environmental Health during the application assessment who were satisfied with the details provided subject to them being secured by planning condition. Such an approach is considered appropriate and will ensure that noise levels and odour from adjacent commercial uses do not adversely impact upon future occupants of the residential accommodation.
- 8.10 The proposal would provide two entrances to the proposed residential accommodation, one from the Gold Street elevation and one to the rear of the building from St Katherines Street. Access to all apartments can be made from each entrance with the rear access providing direct access to the residents refuse store, which would be separate from the ground floor commercial refuse store and also to the cycle storage area for those residential units.
- 8.11 In respect of proposed amenity, all of the proposed residential units would meet or exceed the minimum space standards referred to in the Nationally Described Space Standards, which is considered an appropriate guide to ensure an appropriate level of amenity, for either 1 bed/1 person units (37sq.m or more) or 1 bed/2 person units (50sq.m or more) which is welcomed.
- 8.12 The outlook from the proposed residential units, specifically in relation to habitable rooms, would look over the front elevation of Gold Street, the rear elevation of St Katherines Street and the side elevations of 32 and 36 Gold Street at first and second floor levels. The outlook to the residential units is considered to be acceptable with sufficient outlook achieved to all units. It is noted that limited outlook to 14-15 is

proposed at first floor level looking over the pitched roofline of no. 36 Gold Street. However, the outlook to this unit would not be sufficiently compromised so as to adversely impact upon future occupiers of that unit with sufficient outlook and light levels achieved.

- 8.13 Also, it is noted that concerns have been raised by an adjoining neighbour that the proposal would give rise to a loss of privacy for existing and future occupiers and the units located directly adjacent no. 36 to the side elevation at first and second floor. Having assessed the matter and additional information provided by the applicant in terms of cross sections, it has been demonstrated that the floor levels would be markedly different with windows not located at the same level and at an acute angle. With such a difference it is considered that this reduces the potential for overlooking and lack of privacy concerns between the proposed residential and existing commercial use.
- 8.14 Concerns have also been raised regarding the provision of windows to the side elevations which are considered would limit any future development opportunities to their site. In this case, the proposal is to be assessed on what is currently located on site. There are no planning consents or lice applications to the adjacent site for extension works and therefore the Local Planning Authority is obliged to assess the scheme on the current site conditions.

Other Matters

- 8.15 Northamptonshire Police have been consulted on the proposal and raise no objection subject to the provision of further details related to site security, specifically access door security, external mailboxes, details regarding rear boundary treatments/security details for the refuse store/cycle store area and access arrangements to control access to each floor. It is considered reasonable and necessary to secure such details to ensure an appropriate standard of residential amenity for future occupiers and the imposition of a planning condition is considered appropriate in this case.
- 8.16 The proposal represents a change of use of an existing building and does not seek to provide any further built development outside of what is already found on site. The application has been assessed by Anglian Water who has raised no objection but has requested the imposition of conditions to secure drainage details for both foul and surface water drainage. Whilst foul water drainage is considered appropriate given the intensification of the use proposed, it is not considered necessary to impose the surface water condition given that no further built development is proposed over the existing situation.

Affordable Housing and S106 Developer Matters

- 8.17 Polices INF1 and INF2 of the Joint Core Strategy seek to secure the provision of infrastructure needed to serve new developments, such as education, healthcare, open space provision and construction training, either directly on site or by a financial contribution secured through a Section 106 planning obligation.
- 8.18 In addition, the NPPF details that major housing developments should be expected to provide at least 10% affordable housing. Policy H2 of the JCS seeking the provision of 35% affordable housing, subject to the assessment of viability, to be provided as an integral part of the development with a tenure to reflect local housing need.
- 8.19 The scale of residential development proposed would require the provision of affordable housing at a rate of 35% (in this case 11 no. units) as outlined within policy

H2 of the West Northamptonshire Joint Core Strategy (Local Plan Part 1). Such provision should be provided for onsite in the first instance or if not possible, a financial contribution equivalent to the 35% provision secured to provide off-site affordable housing elsewhere in Northampton.

- 8.20 In respect of obligations towards infrastructure and services, comments received from NCC Development Management seek the provision of library and broadband facilities. It is considered that there is insufficient policy basis to insist on the provision of such facilities. No contribution for education provision has been requested due to the mix of accommodation proposed which is not considered will generate such need.
- 8.21 Policy PO4 as outlined within the Planning Obligations Strategy Supplementary Planning Document, states that for residential development proposal of 15 units or more the authority shall assess the impacts of the proposal upon the existing open space, sport and recreation; or where it has been identified that additional provision will be required, the Council will obligate the developer to provide this. Ordinarily the authority's approach is to require the developer to provide the additional provision on site but if not possible, it can be provided elsewhere. If this is not possible the authority will seek financial payments for offsite provision. In this instance, a request for a contribution towards off-site provision is considered appropriate.
- 8.22 Requests for financial contributions have also been received from Construction Futures which provide social and training opportunities in Northampton and a request has been received from the NHS in order to provide the required necessary expansion to primary health care capacity as a result of the proposal. Such requests are considered appropriate and proportionate to the development as proposed.
- 8.23 Paragraph 58 of the NPPF advises it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment. The weight to be given to a viability assessment is up to the decision maker, having regard to all the circumstances in the case.
- 8.24 The application is supported by a Viability Report which has been subject to independent assessment on behalf of the Council. The Council's consultant has reviewed the submitted details which have been subject to further discussion and negotiation with the applicant and concludes that the scheme would not be viable if the Council request policy compliant affordable housing provision and the full extent of S106 financial obligations required. Notwithstanding this, the Council's consultant advises that the following level of affordable housing and S106 financial contributions could be achieved whilst ensuring a viable development scheme:
 - Affordable housing financial towards off-site affordable housing provision
 - Healthcare financial contribution.
 - Public Open Space financial contribution.
 - Construction Training financial contribution
- 8.25 The LPA's position is to secure policy compliant affordable housing provision on site, which in the Northampton area equates to 35% provision. Also, the primary objective of affordable housing policy is to secure such provision on site. In this instance, the review of the viability assessment establishes that the most the scheme can viably offer is 10% (3 no. units) along with contributions towards improved healthcare provision, training opportunities and a reduced contribution towards public open space improvements. As the development is a flatted development, it is extremely unlikely that a Registered Provider would be willing to take on 3 units within a 30 unit

development. Therefore, in this instance it is considered appropriate to seek a financial contribution towards off-site provision of affordable housing.

8.26 Given the conclusions of the Viability Assessment, it is acknowledged that the requirement for a policy compliant level of affordable housing and full S106 contributions would result in the development being unviable and the upper floors of the building in the town centre remaining vacant. The reduced provision of affordable housing and Section 106 contributions must therefore be weighed against bringing the upper floors of the building back into use and the provision of housing and it is considered that this weighs in favour of the proposal. On this basis, the local planning authority accept the findings of the independent viability consultant and considers that a scheme as outlined above would result in an appropriate standard of development.

9 FINANCIAL CONSIDERATIONS

9.1 The development proposal is not CIL liable the proposal not including any increase in floorspace to that existing.

10 PLANNING BALANCE AND CONCLUSION

10.1 The development represents an appropriate land use and would bring the vacant upper floors of this building located in the Town Centre and Conservation Area back into use. The proposal would not have a significant adverse impact upon the highway system, neighbour amenity and the character and appearance of the surrounding area or heritage assets. Furthermore, the provision of affordable housing, and contributions towards healthcare, training and public open space along with the provision of new dwellings within a sustainable, town centre location, therefore meeting the aims of the CAAP and contributing towards meeting a housing need in the area and the Council's five-year housing supply, are all positive aspects to the proposal. On this basis it is considered that the proposal is therefore in general conformity with the requirements of the National Planning Policy Framework; Policies BN5, H1 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1 and 16 of the Northampton Central Area Action Plan.

11 RECOMMENDATION / CONDITIONS AND REASONS

11.1 The proposed development is recommended for approval subject to the conditions set out below with delegated authority to the Assistant Director of Place and Economy to approve any amendments to those conditions as deemed necessary and subject to the completion of a Section 106 Legal Agreement to secure the obligations as set out in the Executive Summary of this report.

<u>Time Limit</u>

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-21-E3-001, ASM-21-E3-061, ASM-21-E3-060, ASM-21-E3-062, ASM-21-E3-063, ASM-21-E3-005b, ASM-21-E3-003b, ASM-21-E3-004b.

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

Materials and Window/ Door Details

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

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

Construction Environmental Management Plan

- 4. Prior to commencement of development (including demolition works), a Construction Environment Management Plan (CEMP) shall be submitted to the Local Planning Authority for agreement in writing, after which any demolition, site clearance and construction shall be carried out in accordance with the agreed CEMP. The CEMP should include (but not be limited to):
 - Details of the proposed construction access to the site
 - Details of hours of operation and delivery times
 - Details of on-site storage
 - Details of how delivery of materials will be made.

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

Foul Drainage

5. No drainage works shall commence until a foul drainage details have been submitted to and approved in writing by the Local Planning Authority. Once approved, the details shall be implemented in full prior to occupation and retained as such thereafter.

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

Refuse and Cycle Storage

6. The refuse and cycle storage as shown on the drawing reference ASM-21-E3-062 shall be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

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

Waste Management Strategy

- 7. Notwithstanding the submitted details, a waste management strategy shall be first submitted to and approved in writing by the Local Planning Authority. The waste strategy should show:
 - sufficient space within the dwellings to store refuse generated by day-to-day activities in the dwellings
 - a workable and reasonable route for occupiers to carry their waste to the bin store
 - a management plan for collection of refuse from the bin store and arrangements for moving the bins in and out before and after collection
 - a management plan for cleaning and maintaining the bin store
 - adequate separation of the domestic and commercial waste.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Security Measures

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

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

External Boundaries

9. Prior to first occupation, full details of the method of the treatment of the external boundaries to the rear of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the buildings hereby permitted and retained thereafter.

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

Glazing Specifications

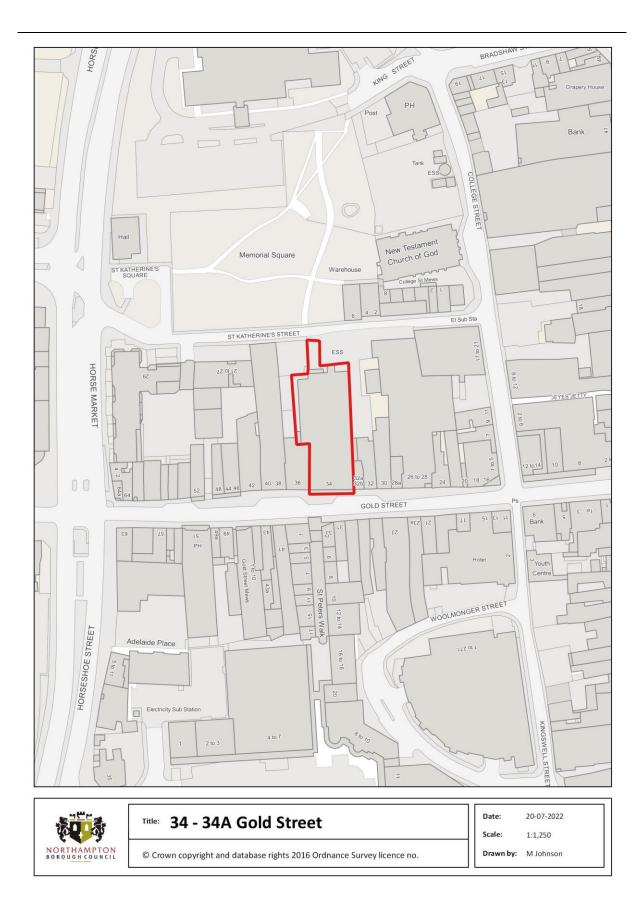
- 10. In order to ensure internal ambient noise levels for habitable rooms (bedrooms and lounges) are achieved, the proposed glazing specifications should be achieved and maintained at all times:
 - West Facade Close double-glazed windows of 4/12/4 mm format with a minimum sound reduction of 31dB, Rw.
 - East Facade Closed double glazing of 4/12/4 mm format with a minimum sound reduction of 31dB, Rw.
 - South Facade Secondary glazing to complement the mixed double glazed / single glazed units, comprising of 10 mm glass spaced 200 mm from the existing glazing to provide 10/200/4 format.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Ventilation Strategy

11. The approved ventilation strategy details as outlined in document reference MDRJ4895b (RandTech Consulting Ltd dated 1st April 2022) shall be implemented in full prior to first occupation and shall be maintained and retained in full.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy



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