



Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held at The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Monday 5 December 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 - 16) To confirm the Minutes of the meetings of the Committee held on 6 th September 2022 and 1 st November 2022.
4.	Chair's Announcements To receive communications from the Chair.
5.	Deputations/Public Addresses
6.	List of Current Appeals/Inquiries (Pages 17 - 18)
7. Other Reports	
a)	WNN/2022/1072 - Temporary Change of Use (2 years) from Car Park to Temporary Home for Northampton Market Stall Holders, with associated works. Commercial Street Car Park Surface NBC, Commercial Street (Pages 19 - 30)
8. Planning Applications	

(Addendum attached.)	
a)	N/2020/1474 - Outline Planning application with all matters reserved except layout, scale and access for construction of a 6 storey building providing up to 112no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E (a,b,c,d,e,f,g(i)) and associated ancillary infrastructure. 123 - 135 Bridge Street (Pages 35 - 58)
b)	N/2020/1497 - Outline Planning application with all matters reserved except layout, scale and access for construction of up to 6 storey building providing up to 66no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E(a,b,c,d,e,f,g(i)) and associated ancillary infrastructure. 153 - 165 Bridge Street (Pages 59 - 80)
c)	N/2021/0226 - Construction of 5no new apartments above the Cube Disability Day Centre. Campbell Works, Clarke Road (Pages 81 - 92)
d)	WNN/2022/0730 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants. 7 Vernon Terrace (Pages 93 - 104)
e)	WNN/2022/0826 - Retention of 20m high telecommunications column with associated antennas and replacement of 1no meter cabinet and ancillary works (amendment to scheme approved under planning permission WNN/2021/0687). Wisteria Way/Billing Road East (Pages 105 - 114)
f)	WNN/2022/0861 - Change of Use from Existing Renal Units (Use Class E) to 12no Affordable Apartments (Use Class C3) including Bin Storage and Cycle Storage. Riverside House, Bedford Road (Pages 115 - 124)
g)	WNN/2022/0913 - Reserved Matters Application (Appearance, Scale and Landscaping) pursuant to Outline Planning Permission N/2019/1247 (Outline Planning Application for the demolition of existing dwellings at 1A and 3 Harborough Road North and erection of 14no. dwellings) for detailed house types and landscaping for the development of 14no units. Hillside Ranch, 1A Harborough Road North (Pages 125 - 134)
h)	WNN/2022/1078 - Additional storey to form 11no Apartments. 31 Abington Square (Pages 135 - 144)
i)	WNN/2022/1115 - Ground and first floor side extension. 39 Berkeley Close (Pages 145 - 152)
9.	Urgent Business The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.
10.	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 Page 2

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 November 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 democraticservices@westnorthants.gov.uk prior to the start of the meeting.

Declarations of Interest

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

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

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

Evacuation Procedure

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: publicspeaking@westnorthants.gov.uk

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 6 September 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 Sally Beardsworth

Also
 Present: Councillor Davenport
 Councillor E Roberts
 Councillor Hallam
 Councillor Purser
 Councillor Hill

Apologies
 for
 Absence: Councillor Muna Cali
 Councillor Nazim Choudary
 Councillor Zoe Smith
 Councillor Penelope Flavell

Officers: Shaun Robson (Development Manager)
 Nicky Scaife (Development Management Team Leader)
 Jonathan Moore (Senior Planning Officer)
 Adam Walker (Principal Planning Officer)
 Chris Wentworth (Principal Planning Officer)
 Jamie Parsons (Locum Planning Solicitor)
 Ed Bostock (Democratic Services Officer)

24. **Apologies for Absence and Appointment of Substitute Members**

Apologies for absence were received from Councillors Choudary, Clark, Flavell, and Z Smith.

25. **Declarations of Interest**

There were no declarations of interest made by Members.

26. **Minutes**

The minutes of the meeting held on 2nd August would be brought to a future meeting.

27. **Chair's Announcements**

The Chair advised that the addendum had been circulated to Members the day before the meeting, but gave Members 5 minutes to refresh themselves on the details contained therein.

28. **Deputations/Public Addresses**

RESOLVED:

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

N/2019/1277

Councillor Davenport
Antonella Mitchell
Emma Roberts
Andy Chapman/Shayne Martin

N/2020/1421

Councillor Hallam
Rob Mitchell
Jim Budd

WNN/2022/0033

Councillor Beardsworth
Patricia Willmott
David Linnell
Mr J Beveridge/Rhys Bradshaw

WNN/2022/0173

Councillor Purser
James Atkins
Danielle Stone
Roy Hammond
Cllr James Hill

WNN/2022/0180

Councillor Stone
Sebastian Charles

WNN/2022/0650

Councillor Purser
Roy Hammond

WNN/2022/0707

Councillor Purser

WNN/2022/0814

Councillor Hawes
Stukeley James

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

The Development Management Team Leader advised that there was nothing to report to the meeting but asked Members to contact the Planning department for details around specific appeals.

30. **N/2019/1277 - Variation of Condition 2 of Planning Permission N/2012/0909 (Proposed residential development of 139 residential dwellings, garages and associated works including new access roundabout) to alter the layout of the development, alter house types, and remove and alter garages, and variation of conditions 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 18, 19, 21, 22, 23, 24, 25, and 26 to be in accordance with details submitted. Removal of conditions 10 and 16. Development Land, Lancaster Way.**

The Principal Planning Officer presented the report to the Committee which sought approval to vary Condition 2 of Planning Permission N/2012/0909 to alter the layout of the development, alter house types, remove and alter garages, and vary conditions 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 15, 18, 19, 21, 22, 23, 24, 25, and 26 to be in accordance with details submitted. Members attention was drawn to the Addendum and amendments therein. It was noted that the application had been approved in 2016 and a Section 106 Legal Agreement signed in 2017. It was noted that development has commenced on site but a subsequent application to vary a number of conditions to address layout alterations on site was submitted and approved in principle by Committee in 2020 with a subsequent approval in principle by Committee in 2021 due to further required amendments to conditions including ecology. The S106 was not completed and further amendments to conditions due to ongoing works on site including issues regarding drainage and ecology were required to be addressed, hence the application returning to Committee for consideration. There were currently drainage issues relating to the playground which remained closed, however most of the dwellings had been constructed. Members' attention was drawn to the addendum which contained an amended recommendation, updates to conditions, changes to the main report, and further responses from consultees.

Councillor Davenport addressed the Committee in her capacity as a Ward Member and spoke against the application, stating that there was insufficient affordable housing provided and advised that residents were initially told that they could rent properties on long lease tenancies but had since been informed that these would be moved to monthly leases. She expressed concern around the soakaway that had not been built and was not connected to Lancaster Way

Antonella Mitchell, of Northampton Badger Group, spoke against the application and stated that the previously proposed wildlife corridor must remain on the development. She advised that new setts had appeared onsite and that without the wildlife corridor, there was a risk of damage by the badgers to properties.

Councillor E Roberts addressed the Committee and spoke against the application. She stated that the drainage plans on the planning portal were not the same plans

that Anglian Water had commented on and asked the Committee to defer the application until Anglian Water had commented on the most up-to-date plans. She further advised that the drainage line went under the affordable housing so it could not be built, and the S106 Agreement could not be signed. She asked that the Committee defer the application.

Andy Chapman, the director of Frampton Town Planning Ltd, addressed the Committee and spoke in favour of the application. He noted that Anglian Water had seen the most up-to-date drainage plans and had agreed a strategy in principle, following the implementation of CCTV surveys to further ascertain the extent of the drainage issues. The applicant had been given a 3-month grace period to get the order in place, gain planning permission and carry out the necessary drainage works.

In response to questions, the Committee heard that the most up-to-date drainage plan ,P27, had been submitted to Anglian Water in August and there had been no objections to the strategy in principle. In regards to the wildlife corridor no longer being part of the application, the applicant had followed the advice of the Council's Ecological and Planning officers. There was a condition included to monitor the success of the badgers' relocation towards the railway and the artificial setts. 135 soil samples had been taken onsite and most levels of contamination were below levels of concern. The site was previously used as an allotment and the contaminant found was lead, which was not uncommon for Northampton.

Members discussed the report and raised concern around the potential damage that the badgers may cause in the future.

Councillor Lane proposed and Councillor Connolly seconded that the officer recommendation be approved. The recommendation contained within the report was put to a vote and was declared carried with 4 votes for and 2 abstentions.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** as per the officer recommendation and subject to the completion of S106 Agreement, with delegated authority to the Assistant Director of Place and Economy to resolve in consultation with the Lead Local Flood Authority any outstanding matters in respect of surface water drainage and condition as appropriate and necessary, and with updates to conditions as set out in the Addendum.

Updates to Conditions

- Condition 2 should state drawing reference 352A08-120-M.
- Condition 3 should state drawing reference 352A08-4006-B.
- Condition 7 should refer to plan reference 31006/300P27 rather than 31006/300P24.
- Condition 9 – The reference to site plan layout 201 Rev G should be 201 Rev M.
- Condition 15 – Plan 18/31006/SK50 reference should be removed.

Now Condition 19

19. Within three months of the date of this decision notice a desk top study in respect of possible contaminants within the site shall be completed and a site investigation designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 1 month of completion (or within 1 month of completion of each respective phase).

Additional Condition.

Condition 20:

20. Within 3 months of planning approval, a biodiversity monitoring strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The purpose of the strategy shall be to monitor post construction/implementation success and aftercare of protected species mitigation methods, and ongoing success of the resident badger clan for three years after the occupation of the last dwelling on site. The content of the Strategy shall include the following.

- a) Aims and objectives of monitoring to match the stated purpose.
- b) Identification of adequate baseline conditions prior to the start of development.
- c) Appropriate success criteria, thresholds, triggers and targets against which the effectiveness of the various conservation measures being monitored can be judged.
- d) Methods for data gathering and analysis.
- e) Location of monitoring.
- f) Timing and duration of monitoring.
- g) Responsible persons and lines of communication.
- h) Review, and where appropriate, publication of results and outcomes.

A report describing the results of monitoring shall be submitted to the Local Planning Authority at intervals identified in the strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the Local Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The monitoring strategy will be implemented in accordance with the approved details.'

Councillor King joined the meeting at this juncture.

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

The Principal Planning Officer presented the report to the Committee which sought approval for the demolition of existing buildings and the erection of a discount Foodstore with associated parking, access, landscaping and associated engineering works. Members' attention was drawn to the addendum which contained further representations from the Highway Authority and Retail Consultant in response to further 3rd party comments received and clarification that the application was a departure from the Development Plan.

Councillor Hallam, in his capacity as Ward Councillor, addressed the Committee and spoke against the application and thanked the applicant for their informative consultation. He noted that the Highways report showed that the end of Kettering Road where the development was proposed had reached its capacity and any increase could cause the far end of Kettering Road to reach its capacity. He explained that he received frequent calls to implement traffic measuring controls on the road.

Rob Mitchell, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that there had been no objections from statutory consultees, the development would be situated within an existing employment area with the existing building not fit for purpose, would be employment-generating and would not offer any zero-hour contracts. The applicant had undertaken a thorough search of town and near-town centre locations and found no other suitable sites.

Jim Budd, the Highways Consultant on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that concern relating to increased traffic was unfounded and noted that the proposed Foodstore would lead to a redistribution of traffic rather than an increase; people did not generally go out of their way to do a food shop.

In response to questions, Mr Budd advised that a pedestrian crossing could be considered as part of the 278 works.

Members discussed the report and commented that the benefits of the development seemed to outweigh the negatives, there were no material reasons to refuse the application and that the Foodstore would help local residents during the ongoing cost of living crisis.

Councillor Clark proposed and Councillor Lane seconded that the officer recommendation be approved. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

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

32. **WNN/2022/0033 - Outline Planning Application (All Matters Reserved except Access) for 11no Dwellings with vehicular and pedestrian access. Grazing Land, Mill Lane, Kingsthorpe**

The Principal Planning Officer presented the report to the Committee which sought outline planning approval for 11 dwellings with vehicular and pedestrian access. All matters were reserved except for access. Members' attention was drawn to the Addendum and amendments therein. It was noted that there were several objections to the application, including from the Highway Authority, Kingsthorpe Parish Council, Kingsthorpe Conservation Area Advisory Committee and Sally Beardsworth, Ward Councillor, as well as 8 letters of objection from local residents. Previous schemes had been approved for 5 and 6 dwellings on the site. A flood risk assessment had been supplied and indicated that the site was unaffected by flooding due to surface water runoff. The site was located adjacent to a conservation area; however, it was considered that the impact upon the setting of the conservation area would be neutral.

Councillor Beardsworth, in her capacity as Ward Member, addressed the Committee and spoke against the application. She voiced concern around the potential dangers of the road and amount of traffic; it had a 40mph limit and was frequently used by children walking to and from school. She advised that the area to the west of the development site frequently flooded and felt that the application before the Committee was an overdevelopment.

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

David Linell, a local resident, addressed the Committee and spoke against the application. He voiced concern around the lack of infrastructure and amenities, the impact on wildlife and loss of green space. He advised that from his property he would have unrestricted views into plots 7, 8, and 9.

Rhys Bradshaw, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He advised that the principle of development had been previously established and that the applicant had written to neighbours and received no replies. He believed that the proposed density of properties struck the right balance, and that proposal was comparable to previous scheme but now proposing smaller houses. The access would be widened to comply with adopted standards, so the Highways objection no longer applied. Mr Bradshaw noted that financial contributions would be paid in full.

In response to questions, the Committee heard that Condition 12 related to EV charging points and that 1 would be provided per dwelling.

Members discussed the report.

Councillor King proposed and Councillor Russell seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

That the application be **APPROVED IN PRINCIPLE** subject to conditions and reasons as set out in the officer report with delegated authority to the Assistant Director for 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 Addendum.

Councillor Beardsworth re-joined the meeting at this juncture.

33. **WNN/2022/0173 - Conversion of existing Factory Building (Use Class B2) to 19no Self-Contained Flats for Supported Living (Use Class C2) and associated works including external alterations, formation of new vehicular access, creation of under croft parking, stopping up existing access, creation of amenity space. 64 - 72 Roe Road**

The Principal Planning Officer presented the report which sought the Committee's approval for the conversion of an existing factory building to 19 self-contained flats for supported living and associated works including external alterations, the formation of new vehicular access, under croft parking, stopping up of the existing access, creation of amenity space, and partial demolition. It was noted that there had been no statutory objections to the application and it was explained that due to the removal of the non-residential use which was previously unrestricted, any overlooking to nearby properties was considered acceptable on balance.

Councillor Purser addressed the Committee in his capacity as a Ward Member and spoke against the application. He voiced concern around the impact on local residents, potential safeguarding issues and noted that the proposal lacked any communal space for occupants, or space for staff.

In response to a question, Councillor Purser stated that he believed 1 member of staff would be inadequate to support all of the occupants of the development.

James Atkins, a local resident, addressed the Committee and spoke against the application. He voiced concern around the loss of privacy to properties opposite the proposed development and at the lack of amenities proposed. He believed that the town centre was a more appropriate location for such a development.

Councillor Stone addressed the Committee and spoke against the application and commented that the application was a severe overdevelopment which lacked amenities. She felt the proposal was unsuitable for young people and the applicant was focused on making money to the detriment of the occupants. She asked that the Committee defer the application so that it could come back with more amenities.

In response to a question, Councillor Stone felt that the proposed development would become a magnet for crime.

Roy Hammond, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that the town lacked this type of accommodation; the applicant was seeking to equip young people to succeed as adults. There would be 2 members of staff onsite during the day and 1 at night, and Mr Hammond noted that the Children's Trust supported the application. He further

noted that the application had been amended following concerns, that parking was provided as part of the application, national minimum space standards were met, and the unrestricted "bad neighbour" use would be removed.

In response to a question, Mr Hammond advised that the applicant operated similar properties in the town successfully.

Councillor Hill addressed the Committee and spoke in favour of the application. He commented that concerns around waste and parking had been addressed by the applicant. He noted that there were more than 1200 looked after children in the town that should not be marginalised, and that there was wide support for the application.

In response to questions, the Committee heard that an area of open space would be provided for the occupants, and that the windows could not be glazed as the outlook for occupants would be restricted.

Members discussed the report and made the following comments:

- Some felt that the application was admirable
- Some felt that there would be too many occupants and that a smaller number of units would be more appropriate.

Councillor King proposed and Councillor Connolly seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared carried with 6 votes for and 1 against.

RESOLVED:

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

34. **WNN/2022/0180 - Change of use from commercial property (sui generis) to 5 no. flats (use class C3). 26 Clare Street**

The Senior Planning Officer presented the report which sought approval for a change of use from commercial property to 5 flats. Members attention was drawn to the Addendum and amendments to conditions therein. An application to change the use to 7 flats was refused in January 2022. Cycle and waste storage would be provided to the rear of the property. It was noted that the Town Centre Conservation Area Advisory Committee had raised an objection to the application

Councillor Stone, in her capacity as Ward Member, addressed the Committee and spoke against the application. She commented that the area was already densely populated and suffered with waste issues. She stated that people living in small spaces with no outdoor space were prone to illness.

Sebastian Charles, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that the proposal met national minimum space standards and that the units were small but would be low-cost and aimed at professional people who would be out working for most of the day. He advised that the proposal removes the commercial use and residential will bring the

building back to life. He further advised that there was easy access to nearby green spaces and that the conservation area would be preserved by the development, and that there had been no further objections to the application.

Members discussed the report.

Councillor Russell proposed and Councillor King seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

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

35. **WNN/2022/0650 - Construction of a pair of semi-detached offices (Use Class E) and associated parking area. Land rear of 84 to 86 Lower Thrift Street.**

The Principal Planning Officer presented the report which sought approval for the construction of a pair of semi-detached office buildings and associated parking. A previous application very close to the application site was refused by the Council and allowed at appeal. Office use was considered compatible with the area, and it was noted that whilst the Local Highway Authority had objected to the application, this was not considered justifiable grounds for refusal.

Councillor Purser addressed the Committee and spoke against the application. He commented that the application set a precedence for residential gardens to be filled with offices.

Roy Hammond, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that the area was in need of active frontages, and that the proposed development was modest in scale and design.

In response to a question, the Committee heard that the site was likely used as a stonemason, or that gravestones were recycled onsite; it was highly unlikely that people were buried in the gardens.

Members discussed the report.

Councillor Beardsworth proposed and Councillor King seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared unanimously carried.

RESOLVED:

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

36. **WNN/2022/0707 - Change of Use from Dwelling house (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants. 68 Bostock Avenue.**

The Principal Planning Officer presented the report which sought approval for a change of use from dwellinghouse to HMO for 5 occupants. Members attention was drawn to Highway comments in the Addendum. As part of the development, the existing large dining room window would be removed, and smaller window added. The room sizes exceeded the minimum space standards as required by the Council's adopted standards, and should the application be approved, the concentration of HMO properties in a 50m radius would be 9.45%. Whilst there was no parking proposed, the property sat within a sustainable location close to public transport links and shopping facilities.

Councillor Purser, in his capacity as a local Ward Member, addressed the Committee and spoke against the application. He noted that the proposed bathrooms were very small and stated that people living in the town centre still had cars. He stated that the town was losing family homes to HMOs.

Members discussed the report.

Councillor King proposed and Councillor Beardsworth seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared carried with 4 votes for, 2 votes against and 1 abstention.

RESOLVED:

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

37. **WNN/2022/0814 - Demolition of existing garage structures and erection of two storey partially adaptable dwelling. Land to rear 17 North Western Avenue.**

The Principal Planning Officer presented the report which sought approval for the demolition of existing garages and the erection of a two-storey, partially adaptable dwelling. Members attention was drawn to the Addendum and further comments received. It was advised that the applicant had submitted several applications in previous years which were either withdrawn or refused by the Council. Officer opinion was that the proposal would be too close to the boundary, there would be no outlook from the proposed bedroom and its overall appearance would be very cramped.

Councillor Hawes addressed the Committee and spoke in favour of the application. She did not believe that the application was an overdevelopment; there were similar developments in the area, and there had been no objections from statutory consultees.

Stukeley James, the agent on behalf of the applicant, addressed the Committee and spoke in favour of the application. He commented that there would be no change to the boundary and that partially obscured windows with less outlook can assist in making less able people feel safer where they have a degree of vulnerability.

In response to questions, the Committee heard that an elderly family member would be moving into the property; there would be space for a wheelchair, a lift, a wider staircase and doors, etc.

The Principal Planning Officer confirmed that the design of the dwelling was in-keeping with the surrounding area, but the tight relationship with the site boundaries would appear cramped. He advised that glazed windows were not appropriate for habitable rooms.

Members discussed the report and made the following comments:

- Members sympathised with the applicant but felt that the development would be cramped.
- Members felt that the application would be recommended for approval if it was in a less affluent area of the town.

Councillor Beardsworth proposed that the officer recommendation be agreed. There was no seconder.

Discussion was held with regard to the imposition of a S106 Legal Agreement if Members were minded to approve the application. It was concluded that the new dwelling could be occupied independently from the existing dwelling (17 North Western Avenue) but remained tied as one larger planning unit, as the proposed accommodation is intended for an elderly family member.

Councillor Clark then proposed and Councillor Dyball seconded that the application be approved contrary to the officer recommendation. The application was approved with 5 votes for and 2 abstentions.

RESOLVED:

That the application be **APPROVED** contrary to the Officer recommendation **and subject to the completion of a Legal Agreement** to tie the new dwelling to the existing dwelling at 17 North Western Avenue, to form one planning unit.

38. **Urgent Business**

None advised.

The meeting closed at 9.18 pm

Chair: _____

Date: _____

Planning Service – Northampton Area

Assistant Director for Planning: Colin Walker



**West
Northamptonshire
Council**

List of Appeals and Determinations – 5th December 2022

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
WNN/2021/0518 APP/W2845/W/22/3295078	DEL	Change of Use from House in Multiple Occupation (Use Class C4) for 4 occupants to House in Multiple Occupation (Use Class C4) for 5 occupants at 161 Euston Road	DISMISSED
WNN/2021/0843 APP/W2845/W/22/3301150	DEL	Two storey side and single storey rear extension and new patio areas at 18 Hillcrest Avenue (Non Determination)	AWAITED
WNN/2021/1170 APP/W2845/D/22/3302819	DEL	Two storey side and rear extensions and two storey front extension at 4 Casterbridge Court	AWAITED
WNN/2022/0261 APP/W2845/W/22/3301918	DEL	Installation of dropped kerb at 567 Harlestone Road	AWAITED
WNN/2022/0281 APP/W2845/W/22/3300030	DEL	Construction of new house in grounds of 253 Billing Road East, including shared drive	DISMISSED
WNN/2022/0341 APP/W2845/W/22/3300411	DEL	New detached motorcycle store to front of dwelling at 10 Cumberland Close	AWAITED
WNN/2022/0499 APP/V2825/D/22/3304961	DEL	New balcony to rear (Retrospective) at 46 Eastern Avenue South	AWAITED
WNN/2022/0579 APP/W2845/W/22/3304357	DEL	Placement of tables and chairs outside on pavement with retractable awning	AWAITED

Public Inquiry

None

Hearings

None

Enforcement Appeals

None

Tree Preservation Order (TPO) Appeals

WNN/2022/0510 APP/TPO/W2845/8854	DEL	T1 Leyland Cypress - Fell due to direct damage to a nearby retaining wall. Replant with one standard tree at 2 High Street, Wootton (TPO 236)	AWAITED
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The Address for Planning Appeals is:

The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Shaun Robson, Development Manager
Telephone 0300 126 7000
Planning Service
The Guildhall, St Giles Square,
Northampton, NN1 1DE

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Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/1072

Location: Commercial Street Car Park Surface N B C, Commercial Street, Northampton, NN1 1PJ

Development: Change of Use from Car Park to Temporary Home for Northampton Market Stall Holders, with associated works

Applicant: West Northamptonshire Council

Agent: West Northamptonshire Council

Case Officer: Christopher Wentworth

Ward: Castle Unitary Ward

Referred by: Assistant Director of Place and Economy

Reason for Referral: In the interest of transparency as the application is made by the Council

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

Planning consent is sought for the temporary change of use of the eastern portion of the Commercial Street Car Park to an outdoor market (Class E) for a period of two years. The temporary change of use would facilitate the relocation of Northampton Town Market from its present location within Market Square whilst the Market Square undergoes redevelopment.

Consultations

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

- Environment Agency – Flood Risk Assessment submitted – Awaiting response.

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

- Conservation
- Anglian Water
- Environmental Health
- Highways
- Tree Officer

The following consultees have **commented** on the application:

- West Northants Police

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

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Visual Impact
- Flooding and Drainage
- Tree Matters
- Site Security

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 the eastern portion of an existing surface level public car park, known as Commercial Street Car Park, which is located on the southern area of Northampton Town Centre.
- 1.2 The application site is bounded by the north by a separate surface level car park and St Peters Square shopping centre beyond, to the west and south by the remaining surface level car park and St Peters Way and Horseshoe Street beyond and to the east Foundry Street and Commercial Street.

2 CONSTRAINTS

- 2.1 The application site is within Flood Zones 2 and 3.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Planning consent is sought for the temporary change of use of the eastern portion of the Commercial Street Car Park to an outdoor market (Class E) for a period of two years. The temporary change of use would facilitate the relocation of Northampton Town market from its present location within Market Square whilst the Market Square undergoes redevelopment.
- 3.2 The proposed temporary market would comprise of 48 no. stalls within 10 no. canopied structures along with temporary toilet facilities, 8 no. additional pitches for

food trucks and boundary fencing to the southern and western perimeter of the site with a variety of access points for both pedestrians and vehicles.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
WNN/2022/0454	Public Realm regeneration of Market Square.	Approved Nov 22.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

5.2 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Development Plan

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

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

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

- BN7 – Flood Risk
- Policy SA – Presumption in Favour of Sustainable Development
- Policy S9 – Distribution of Retail Development

Northampton Local Plan 1997 (Saved Policies) (NLP1)

5.5 The relevant policies of the Northampton Local Plan 1997 (Saved Policies) (NLP1) are:

- E20 – New Development.

Northampton Central Area Action Plan (CAAP) (2013)

5.6 The relevant policies of the Northampton Central Area Action Plan (CAAP) (2013) are:

- Policy 4 – Flood Risk and Drainage.

Material Considerations

- **National Planning Policy Framework (NPPF)**

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

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

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

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

- Policy 2 – Placemaking and Design (Moderate Weight)
- Policy 4 – Amenity and Layout (Moderate Weight)
- Policy 7 – Flood risk and water management (Significant Weight)
- Policy 8 – Supporting Northampton’s Town Centre Role (Significant Weight)

6 RESPONSES TO CONSULTATION

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

Consultee Name	Position	Comment
Environment Agency	Awaiting Response	Flood Risk Assessment submitted – Awaiting response.
Northants Police	Comments.	Installation of an additional CCTV camera on the derelict ‘Pets at Home’ building at a level and at an angle that would enable more

		surveillance over the part of the car park where the market stalls are situated. I am satisfied with that contingency. Furthermore, the situation will be closely monitored by the town centre officers who will report into the 'CommunityOne' monthly meeting should Commercial Street become a hotspot for crime. I am satisfied with this approach and have no further comments to make with regard to planning application.
Tree Officer	No objection.	Tree Protection Plan and a Arboricultural Method Statement.
Conservation	No objection.	
Anglian Water	No comments to make.	
Environmental Health	No objection.	
Highways	No objection.	

7 RESPONSES TO PUBLICITY

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

7.1 There has been 1 no. objection letter raising the following comments:

- Proposal based upon cost saving.
- Chosen the worst option.
- Reduced accessibility.
- No public toilets nearby.
- Loss of parking.
- Greater highway safety risk to pedestrians.

8 APPRAISAL

Principle of Development

8.1 The proposed commercial/retail use would be located within the town centre and located within close proximity to existing retail and commercial uses. The proposal would be temporary in nature so as to allow the refurbishment of the existing Market Square, where the market is currently held. The proposed temporary use would help to ensure that the viability of the town centre is maintained with the market retained in a town centre location whilst improvement works are undertaken elsewhere. The provision of such a use is considered appropriate subject to an assessment of material considerations addressed within this report.

Impact on Character of Area

8.2 The application site is a surface level car park that is located on the southern edge of the town centre adjacent to the ring road system. The site lies outside of any conservation area and is not located within close proximity of statutorily listed buildings.

- 8.3 The immediate area is that of a car park and modern shopping centre/retail park. The proposed change of use would retain a large proportion of surface level parking adjacent to the ring road with temporary structures positioned in the north-eastern corner of the car park away from the main ring road. The structures themselves are temporary in nature are market stalls, an expected feature within a market setting and also within an urban town centre location. It is considered that the proposal would not adversely impact upon the character and appearance of the area. Furthermore, the use is temporary in nature and the structures themselves are removable so that the site can be returned to its former use with minimal works. Subject to a condition to secure that the use is temporary in nature and the site reinstated to its former use upon expiration, the proposed temporary change of use is considered appropriate in this location.

Flooding

- 8.4 The southern portion of the existing surface level car park is located within flood zone 2 and 3 which has a high probability of onsite flooding. The proposal has been accompanied by a Flood Risk Assessment (BCAL Consulting – Flood Risk Assessment. Report Reference: 6942-BCAL-XX-ZZ-RP-C-0001 P1 Dated November 2022). The assessment outlines that there is no known record of historic flooding of the site. From the available information, sea, land / surface water, groundwater, sewers and artificial source flooding are considered to present low risks to the site and that the proposed development has been designed to ensure overland flow routes are maintained through the site.
- 8.5 The proposal has been assessed by the Environment Agency who originally requested the submission of a Flood Risk Assessment. This has now been supplied by the applicant as outlined above and a response is awaited on this point.

Tree Matters

- 8.6 The proposal would be located within an existing surface level car park that has a number of trees located within it. One of the proposed stalls would be located underneath the canopy of an existing tree. The proposed stall would be secured to the ground with bolts. However, no foundations are proposed for any of the stall structures.
- 8.7 The proposal has been submitted with a tree survey which has been assessed by the authorities' tree officer who has raised no objections to the proposal or the submitted Arboricultural Impact Assessment Report from MacIntyre Trees, reference 22120_Fv1 dated November 2020. The officer concludes that the assessment is comprehensive and agrees with its conclusions and that subject to a condition to secure an appropriate method statement and tree protection measures, the proposal would be appropriate in this regard.

Highway Impacts

- 8.8 The proposal would be located within an existing car park. The access and egress to the car park would remain unchanged with access gates within the car park proposed that would ensure that the servicing of the market takes place within the market area rather than within the public car park. The proposal would result in the temporary loss of 117 no. parking spaces within the car park. However, the immediate and wider town centre is well served by public car parks, including the NCP St Peters Car Park immediately adjacent and St Johns Car Park, Mayorhold Car Park, Albion Place and Grosvenor Centre and it is not considered that the loss of 117 no. parking spaces

(retention of 120 no. spaces) would be detrimental to the overall provision in the town centre on a temporary basis. Subject to a condition to secure the reinstatement of the car park layout once the market use has been removed it is considered that the proposal is appropriate in this regard.

- 8.9 The highway officer has been consulted on the proposal and has raised no objection following an assessment of the loss of parking spaces from the Commercial Street Car park due to the installation of the temporary market stalls and whether there was enough space in the nearby car parks as suggested by the applicants to accommodate this displaced parking and the identification of designated area to show loading and unloading of materials so that it did not cause any disruption in day to day movement of either pedestrian or vehicular traffic. Such matters have been addressed in that the current car park is rarely in use at full capacity and as outlined above, there are a variety of other public car park within walking distance of the site that have available capacity. Furthermore, the loading/unloading of market vehicles would take place within the confines of the market area, i.e., within the fenced area.
- 8.10 It is noted that the proposal would result in the loss of 4 no. disabled parking spaces to accommodate the market. It is considered appropriate to secure by planning condition the retention of 4 no. disabled bays within the wider car park prior to first occupation of the market.

Public Safety

- 8.11 The proposal would introduce a new use, albeit temporary in nature to the car park area. the proposal would introduce boundary fencing and access gates and market stall structures with the aim of the boundary fencing and access gates to secure the site when not in use and to direct pedestrians to the correct access and egress points when using the site to avoid conflict with vehicles.
- 8.12 West Northants Police have been consulted on the proposal and have met with the applicant on site to discuss the scheme. They have not raised objections to the proposed use but have stated that the installation of an additional CCTV camera on the derelict 'Pets at Home' building at a level and at an angle that would enable more surveillance over the part of the car park where the market stalls are situated should be undertaken. Such matters can be addressed by planning condition. Furthermore, the Police state that the situation will be closely monitored by the town centre officers who will report into the 'CommunityOne' monthly meeting should Commercial Street become a hotspot for crime to which the Police raise no objection in this regard. On this basis, subject to the above-mentioned condition it is considered that the proposal is appropriate in this regard.

Other Matters

- 8.13 It is noted that in the objection received from a local resident that concerns have been raised over the lack of available public toilets to serve the market traders and customers. However, the proposal does include the provision of onsite toilet facilities available for use during market hours of operation.
- 8.14 The current change of use planning application is to assess the sites suitability for the use as a market site for a temporary period of time. The rationale behind the financial aspects i.e., cost savings or other potential options are not considered to be material considerations in the assessment of the current proposal in planning terms, and it would fall to other council departments to discuss matters of funding.

9 FINANCIAL CONSIDERATIONS

9.1 The proposal is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

10.1 The proposed commercial/retail use would be located within the town centre and located within close proximity to existing retail and commercial uses. The proposal would be temporary in nature so as to allow the refurbishment of the existing Market Square, where the market is currently held. The proposed temporary use would help to ensure that the viability of the town centre is maintained with the market retained in a town centre location whilst improvement works are undertaken elsewhere. The provision of such a use on a temporary period is considered appropriate subject to the imposition of planning conditions.

11 RECOMMENDATION

11.1 Temporary approval for a period of two years, subject to conditions.

Time Limit

1. The use hereby permitted shall be discontinued and the land restored to its former condition on or before 5th December 2024.

Reason: In the interests of amenity as the Local Planning Authority consider the use is only acceptable as a temporary expedient in accordance with Policy SA of the West Northamptonshire Joint Core Strategy

Approved Plans

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

- 1056814/L01 Dated 12/10/2022
- 1056814/P01 Dated 12/10/2022
- 1056814/P02 Dated 15/09/2022

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

Delivery Restrictions

3. The loading and unloading of all vehicles attending the Market site shall at all times take place solely within the curtilage of the site and not within the retained element of Commercial Street Car Park.

Reason: In the interests of highway safety in accordance with Policy SA of the West Northamptonshire Joint Core Strategy.

Refuse Conditions

4. Prior to first use, full details of the provision for the storage of refuse and materials for recycling shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the use of the Market site by customers and traders and thereafter retained.

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

Lighting Details

5. Prior to first use, full details of all external lighting shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented prior to the first use of the Market by customers and traders and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policies SA and BN9 of the West Northamptonshire Joint Core Strategy.

CCTV

6. Prior to first occupation, full details of CCTV covering the temporary market site shall be submitted to and agreed in writing by the local planning authority. Once approved, the scheme shall be implemented in full prior to first use of the site and retained for the duration of its use.

Reason: In the interests of amenity and public safety in accordance with Policy SA of the West Northamptonshire Joint Core Strategy.

Boundary Condition

7. Prior to the Market being brought into first use, full details of the method of the treatment of the external boundaries of the site, including access gates and positioning of gates and fencing, shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to first use 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 SA of the West Northamptonshire Joint Core Strategy.

Parking Requirements

8. A minimum of 4 no. disabled parking spaces shall be relocated from the Market site to elsewhere within the Commercial Street Car Park. such provision shall be made prior to the first use of the Market site by customers and retained as such until the Market is removed, and the car park reinstated to its previous iteration.

Reason: To ensure satisfactory parking facilities for people with disabilities in accordance with Policy SA of the West Northamptonshire Joint Core Strategy.

Tree Protection

9. Prior to the commencement of the development hereby approved (including all preparatory work), a detailed Tree Protection Plan and a comprehensive Arboricultural Method Statement, together referred to as the scheme of protection, that will detail how the retained trees are to be protected from harm during the development shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in strict accordance with the approved scheme of protection.

Reason: To ensure that existing tree(s) are retained and maintained in accordance with Policy SA and BN2 of the West Northamptonshire Joint Core Strategy.

Use Restriction

10. The premises shall be used for an Outdoor Retail Market and for no other purpose (including any other purpose in Class E 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: In the interests of amenity and to ensure that effective planning control is retained by the Local Planning Authority in accordance with Policy SA of the West Northamptonshire Joint Core Strategy.



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**West
Northamptonshire
Council**

**Addendum to Agenda Items
MONDAY 5th December 2022**

7. OTHER REPORTS

Item 7a : WNN/2022/1072 [CW]

Change of Use from Car Park to Temporary Home for Northampton Market Stall Holders, with associated works - **Commercial Street Car Park Surface N B C, Commercial Street**

The Environment Agency have now removed their objection following the submission of a Flood Risk Assessment. No objection, subject to the following condition:

Condition 11

The development shall be carried out in accordance BCAL Consulting, Report Reference: 6942-BCAL-XX-ZZ-RP-C-0001 P1 Dated November 2022 and the following mitigation measures detailed within the FRA : 1. The market stalls and equipment will be fixed/anchored down to the ground and will be flood resilient. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy BN7 of the West Northamptonshire Joint Core Strategy.

8. ITEMS FOR DETERMINATION

Item 8a : N/2020/1474 [CW]

Outline Planning application with all matters reserved except layout, scale and access for construction of a 6 storey building providing up to 112no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E (a,b,c,d,e,f,g(i)) and associated ancillary infrastructure' **123 - 135 Bridge Street**

No further update.

Item 8b : N/2020/1497 [CW]

Outline Planning application with all matters reserved except layout, scale and access for construction of up to 6 storey building providing up to 66no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E(a,b,c,d,e,f,g(i)) and associated ancillary infrastructure' **153 - 165 Bridge Street**

Paragraph 8.1 should read 66 units rather than 112.

Remove the reference from description of development of 3 bed for the south block.

Item 8c : N/2021/0226 [NS]

Construction of 5no new apartments above the Cube Disability Day Centre.
Campbell Works, Clarke Road

The applicant has submitted further comments as follows:

“It is our full intention to build and develop the flats over the Cube disability day centre for the purpose of providing much needed quality accommodation for young adults with learning disability. This is where they can have a full and safe living environment being supported by staff.”

Item 8d : WNN/2022/0730 [KS]

Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants. **7 Vernon Terrace**

Comments received from Local Highway Authority as follows;

The area local area is known to be heavily parked, with little to no residual parking capacity available on street. The proposed development is likely to increase the parking demand when compared to the existing use. Although this may be considered a minor increase, the cumulative impact of multiple HiMO developments being approved in a localised area can have a significant impact on local residential amenity.

This can lead to increases in double parking, parking on double yellow lines and other unsafe parking practices. If the proposed development site falls within 400m of a local centre with general facilities, and or a bus stop 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 for houses in multiple occupation should ideally be provided on site parking at the rate of 1 parking space per bedroom, however it is not possible to increase the parking provision in this instance. Given all of the above, the **LHA have serious concerns** that this development proposal can be considered acceptable, given the in practice, and resulting scenarios detailed above.

Amendments to wording of two conditions for bin storage and cycle storage as below;

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

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.

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

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

Item 8e : WNN/2022/0826 [JM]

Retention of 20m high telecommunications column with associated antennas and replacement of 1no meter cabinet and ancillary works (amendment to scheme approved under planning permission WNN/2021/0687) **Wisteria Way/ Billing Road East**

Additional condition to be added to grant of planning permission as below:

Within 3 months of the decision date, the approved mast and associated antennae shall be colour coated in Fir Green (RAL number 6009) and retained thereafter throughout the lifetime of the development.

Reason: In the interests of visual amenity to comply with Policy E20 of the Northampton Local Plan.

Item 8f : WNN/2022/0861 [ST]

Change of Use from Existing Renal Units (Use Class E) to 12no Affordable Apartments (Use Class C3) including Bin Storage and Cycle Storage. **Riverside House, Bedford Road**

Referred By: Assistant Director of Place & Economy
Reason for Referral: Major application

To note a correction regarding an error in the report referring to the requirement for a S106 Agreement to secure planning obligations as detailed in the Executive Summary. The report outlines that contributions would be required towards early years education and library facility improvements. However, as the application seeks planning permission for the conversion 12 residential units, this falls below the threshold for seeking contributions which is set out with the Developer Contributions SPD, where it states contributions will be sought where developments propose 15 or more residential units. Therefore, the contributions sought are not required to make the development acceptable and cannot be secured.

Amendment to recommendation & Section 11 of the report:

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.

Item 8g : WNN/2022/0913 [ST]

Reserved Matters Application (Appearance, Scale and Landscaping) pursuant to Outline Planning Permission N/2019/1247 (Outline Planning Application for the demolition of existing dwellings at 1A and 3 Harborough Road North and erection of 14no. dwellings) for detailed house types and landscaping for the development of 14no units. **Hillside Ranch, 1A Harborough Road North**

No further update.

Item 8h : WNN/2022/1078 [CW]

Additional storey to form 11no Apartments. **31 Abington Square**

No further update.

Item 8i : WNN/2022/1115 [KS]

Ground and first floor side extension. **39 Berkeley Close**

No further update



Planning Committee Report

Committee Date:	5th December 2022
Application Number:	N/2020/1474
Location:	123 - 135 Bridge Street, Northampton, NN1 1QF
Development:	Outline Planning application with all matters reserved except layout, scale and access for construction of a 6 storey building providing up to 112no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E (a,b,c,d,e,f,g(i))) and associated ancillary infrastructure
<hr/>	
Applicant:	Mr Collins
Agent:	MHB Planning Ltd
Case Officer:	Christopher Wentworth
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Ward:	Castle Ward
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Referred by:	Assistant Director of Place and Economy
Reason for Referral:	Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

Outline Planning application with all matters reserved except layout, scale and access is sought for the construction of a six storey building providing up to 112no. one, two & three bed apartments (Use Class C3), commercial development (Use Class E (a,b,c,d,e,f,g(i))) at ground floor level and associated ancillary infrastructure' including undercroft parking provision.

Consultations

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

- Conservation
- TCCAAC
- Regeneration
- Housing Strategy
- Cllr Danielle Stone

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

- Environment Agency
- Highways
- Environmental Health
- Archaeology
- Anglian Water
- Police
- Ecology
- LLFA

The following consultees have commented upon the application:

- Development Management
- Construction Futures

5 no. letters of objection and 1 no. comment has been received from interested 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
- Highway Safety
- Residential Amenity
- Flooding and Drainage
- Layout and Scale
- Financial Viability

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is a rectangular shaped parcel of land which extends to approximately 0.32ha and has boundaries formed by Bridge Street to the west, Cattle Market Road to the east, Navigation Row to the south and The Malt Shovel PH and existing commercial development to the north.
- 1.2 The site currently contains the Sakura restaurant and car park, Practical Car & Van Rental and a disused restaurant. To the north of the site is the Malt Shovel Tavern and Europcar. To the east is Morrison's Supermarket and to the south east are residential properties. Directly to the south of the site are disused commercial premises and to the west is the Carlsberg UK Head Office and Brewery with the site located to the south of Northampton Town Centre.

2 CONSTRAINTS

2.1 The application site is located within flood zone 3.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 Outline Planning application with all matters reserved except layout, scale and access is sought for the construction of a six storey building providing up to 112no. one, two & three bed apartments (Use Class C3), commercial development (Use Class E (a,b,c,d,e,f,g(i)) at ground floor level and associated ancillary infrastructure' including undercroft parking provision.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2020/1497	Outline Planning application with all matters reserved except layout, scale and access for construction of up to 6 storey building providing up to 66no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E(a,b,c,d,e,f,g(i)) and associated ancillary infrastructure'.	Yet to be determined.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

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

- Policy S1: The Distribution of Development
- Policy S3: Scale and Distribution of Housing Development
- Policy S10: Sustainable Development Principles
- Policy C2: New Developments
- Policy H1: Housing Density and Mix and Type of Dwellings
- Policy H4: Sustainable Housin

Northampton Local Plan 1997 (Saved Policies) (NLP1)

5.4 The relevant policies of the NLP1 are:

- E20 – New development
- B14 – Non-business development

Northampton Central Area Action Plan (CAAP) (2013) – Policies

5.5 The relevant policies of the CAAP are:

- Policy 1 – Promoting Design Excellence
- Policy 2 – Tall Buildings
- Policy 5 – Flood Risk and Drainage
- Policy 16 – Central Area Living
- Policy 22 – Bridge Street

Material Considerations

5.6 Below is a list of the relevant Material Planning considerations:

- **National Planning Policy Framework (NPPF)**

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

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 and 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)
- Northamptonshire Parking Standards
 - Northampton Parking SPD (2019)
 - Planning out Crime in Northamptonshire SPG 2004

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Highway Authority	No objection	Condition – Construction traffic management plan.
Environmental Health	Comments received	Condition: Air quality assessment. Condition: Air quality mitigation. Condition: Construction and Environmental Management Plan. Condition: Waste Strategy. Condition: Site Contamination Exploration/Remediation. Condition: Acoustic Glazing to all windows on Malt Shovel PH elevation.
Archaeology	Comments received	Condition: Written scheme of investigation for archaeological works.
Development Management	Comments received	Financial contributions sought. - Early Years Education - Primary Education - Secondary Education - Libraries - Fire Hydrants
Construction Futures	Comments	Financial contribution of £10,080 sought.
Environment Agency	No objection	Condition – In accordance with flood risk assessment and mitigation measures.
Anglian Water	Comments	Condition – Surface Water Management Strategy.
Housing Strategy	Objection	Does not meet the policy requirements for affordable housing provision.
West Northants Regeneration	Objection	- Reduce the overall height of both the north and south blocks as they are currently much taller than the neighbouring built form and look somewhat out of context.

		<ul style="list-style-type: none"> - Break the blocks up into separate and distinct buildings as this would: - Make the development as a whole feel less oppressive and add interest to the street-scene. The individual buildings could adopt slightly different architectural forms/styles for example a separate building could properly respond to the mass, form and architectural style of the Malt Shovel Tavern albeit it in a modern way and a building on the south block could start to pick up on the historic wharf building. - Allow the buildings to step down the hill rather than have a single floor plate which has a ground floor that becomes higher than actual ground level. - Allow for visual breaks right through the sites which again adds interest by creating projection and recession to the frontage and allow views through to the central areas of open space. - Ensure all buildings have active frontage at ground floor. - Ensure the design of all building's places stronger emphasis on the entrance spaces and have these as large glazed sections possibly with large canopies to protect from the elements. - Look to create buildings that have interesting roof forms rather than just flat roofs - this again adds interest. - Set back both blocks from the back of pavement to allow for a meaningful landscape strip.
Police	No objection	Condition – Security measures and a management plan for the operation of the block.
Local Lead Flood Authority	No objection	Condition – Surface Water Drainage Scheme. Condition – Surface Water Drainage Maintenance.
Ecology	Comments	Condition – Bird/Bat Boxes/Bricks. Condition – Method statement in accordance with bat survey.
Conservation Officer	Objection	<p>The site is prominent in approaches into the town centre and redevelopment to provide residential accommodation is welcome in principle and a good quality development would help to regenerate an important part of the town.</p> <p>However, although in outline form, I have concerns in respect of the bulk and massing of the indicated development and the overall quality of the design and consider that a revised</p>

		<p>proposal is required.</p> <p>Although not located within a conservation area, the site is in proximity to important historic buildings included on the Local List, notably the South Bridge and the converted Latimer & Crick warehouse, the setting of which would be harmed by the scale of the development. Views towards the town centre from the south, notably from London Road and Delapre would be likely to be impacted upon by the seven and six-storey blocks, the Town Centre Committee have drawn attention to the likely impact on the key views of the town centre, identified in the Tall Buildings Strategy, including All Saints and Holy Sepulchre churches. The impact on the town's skyline should be included and assessed as part of the application.</p> <p>The design of the buildings is poor and would fail to enhance this important gateway site. A good quality redevelopment that provides a landmark building is required that would provide a benchmark for new development in the town, but which does not dominate its surroundings.</p>
Town Centre Conservation Area Advisory Committee (TCCAAC)	Objection	<ul style="list-style-type: none"> - Located outside of town centre conservation area. - Potential to threaten views into conservation area. - The Carlsberg building whilst 8 stories in places is 4 stories when viewed in relation to the proposal. - Heritage value of existing buildings has not been assessed. - Poor quality design of proposal. - Question whether it is an appropriate location for high density residential development. - Proposal should be assessed against Tall Buildings Strategy.
Cllr Danielle Stone	Objection	<p>Request to call in application for determination by planning committee.</p> <p>Overdevelopment of the site and not in keeping with vision for the town.</p>

7 RESPONSE TO PUBLICITY

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

7.1 There have been 5 no. objections and 1 no. comment raising the following points:

- The development is poorly located for housing.
- The site is surrounded by roads, raising issues of noise, pollution and pedestrian safety.
- Apartments located adjacent to the Carlsberg offices suggest that privacy could be an issue.

- The development will add to the proliferation of development in the town centre providing very small 1 and 2 bed units, affecting the social diversity of the area, when there is also a need for family units in suitable locations.
- The development would be too high (see Tall Buildings Strategy) and it dominates the adjacent Malt Shovel pub.
- The development does not provide any external space except for a terrace.
- The indicative elevations are bland in design.
- No reference to the options to provide renewable energy.
- The tall blocks planned would be out of scale with the 'new' houses on the site of the old cattle market.
- The Malt Shovel would be overshadowed by the proposed development. It has an outdoor beer garden, and it is a live music venue.
- The proposed development is liable to flood in extreme weather conditions.
- Hoped that that this very large development will provide the gateway into the town with some interesting/high quality architecture.
- The buildings should be no higher than 4 storeys (the height of the Carlsberg office building), which will also have the benefit of protecting key views to the town centre, All Saints Church and Holy Sepulchre Church.
- The proposed design is bland, without any reference to the surrounding industrial architectural style. This is a key gateway into the town centre and deserves cutting edge design, taking cues from the modernist architecture at Carlsberg, and / or the industrial architecture of the Latimer & Crick warehouse, and the proposal should respect the setting of both of these important local buildings.
- The design should also consider ways of improving the streetscape and public realm, e.g. public art, and incorporating greenery to complement the trees on the Carlsberg and Morrisons sites.

8 APPRAISAL

Principle of Development

- 8.1 The proposed development would create an additional 112 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 significant 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 proposes ground floor commercial use (in this case Class E) along the Bridge Street frontage which is supported as it would seek to bring forward an active frontage in this location where there currently is not and would assist in supporting the general viability and vitality of the Town Centre as a whole.
- 8.2 The wider application site is designated within the CAAP as a strategic development site with a specific policy, policy 22, contained within the CAAP document. Policy 22 seeks to provide the following.
- Redevelop north and south of Navigation Row in a comprehensive manner.
 - Deliver up to 8,000 square metres of office development in addition to residential with small scale retail, financial services and restaurant uses at ground floor.

- Introduce active frontages for the daytime and early evening along Bridge Street.
- Develop landmark buildings which must be provided at the northern and southern ends of the development site.
- Development proposals will need to be compatible with the existing brewery operation to the west, in terms of amenity, design, scale and land use.

- 8.3 In this case the proposal, alongside a separate planning application for residential development, seeks to develop a parcel of land alongside Navigation Row that would provide residential accommodation at the upper floor levels along with commercial space at ground floor level. The ground floor commercial space would face directly onto Bridge Street and would provide an active frontage along this section of Bridge Street. In this case, the proposal does not seek to develop the southern or northern portion of the wider strategic site and therefore a case for a landmark building as outlined by the above policy is not relevant to this application. However, the provision of such a landmark building is not precluded by the development proposal which is the subject of the current planning application. It is also noted that the development proposal would provide residential accommodation in close proximity to the nearby Carlsberg Brewery Operation. The provision of residential accommodation is not necessarily restricted near to the brewery operation but instead is subject to good design and amenity mitigation which is discussed elsewhere in this report.
- 8.4 The application site is also to be allocated within the emerging Northampton Part 2 Local Plan as safeguarded employment land. The site is currently used for variety of uses, including two no. vacant restaurants along with a surface level car park and a vehicle rental unit which also appears to be vacant. It is considered that the current use of the site offers very little in the way of ongoing employment opportunities, particularly with reference to employment land policy E1 within the Joint Core Strategy which states that existing employment sites will be retained in B1, B2, B8 and appropriate non-B employment generating uses. In this case the site currently does not accord with this policy in providing appropriate B class uses and so the effect of this policy is diminished somewhat. It is also noted that whilst the primary focus of the current proposal is to provide residential accommodation, it would provide commercial uses at ground floor level with the provision of 2 no. separate commercial units within the new 'E' use class.
- 8.5 Furthermore, the current application has been submitted for residential development and has been with the local authority for determination since late 2020. On the basis that the site is considered to be a catalyst for further regeneration within the Bridge Street area and fulfils the aims of the CAAP in bringing forward residential and commercial space within a town centre location, it is considered that this emerging allocation can be set aside in securing the aims of the CAAP and housing provision within Northampton.
- 8.6 As such, the proposal would bring a prominent site in the town centre into a highly intensive use, contributing to the vitality and viability of the surrounding area, forming a catalyst for further regeneration works in the Bridge Street area and providing much needed housing at a time when the authority is unable to demonstrate a five-year housing land supply. As such, it is considered that in this case the tilted planning balance applies and that the principle of the development for residential purposes is accepted in this case.

Design and Impact on Character of Area

- 8.7 The site is not located within a Conservation Area nor is it located adjacent to any listed buildings. However, the site would be prominent in the approach to the town centre from Cotton End and the Rive Nene and views of the building in conjunction with wider backdrop views of the town centre conservation areas, such as All Saints and Derrnate and listed and locally listed buildings within which they could be made. The existing buildings on site are not listed or locally listed.
- 8.8 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Likewise, Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall 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. Therefore, significant weight must be given to these matters in the assessment of this planning application.
- 8.9 Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 202 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.10 In their original comments, the Council's Conservation Officer stated that "the site is prominent in approaches into the town centre and redevelopment to provide residential accommodation is welcome in principle and a good quality development would help to regenerate an important part of the town. However, although in outline form, I have concerns in respect of the bulk and massing of the indicated development and the overall quality of the design and consider that a revised proposal is required". Furthermore, they state that "the design of the buildings is poor and would fail to enhance this important gateway site. A good quality redevelopment that provides a landmark building is required that would provide a benchmark for new development in the town, but which does not dominate its surroundings". This view was also shared by the Town Centre Conservation Area Advisory Committee (TCCAAC) who raised concerns over the scale of the building and its impact upon heritage assets.
- 8.11 Since those comments were submitted the scheme has been significantly amended which has resulted in the following;
- A reduced building scale from a 7-storey building with 168 no. units to a 6-storey building with 112 no. units.
 - The building has been pushed back into the site from the back of footway to provide an improved pedestrian environment and a 'wider' streetscene.
 - The provision of ground floor commercial units (2 no.) along the Bridge Street elevation that would provide an active frontage to this section of Bridge Street where there is currently very little.
 - Projections to the building's elevations have been added along with a flat roof set in from the principal elevation to reduce prominence at street level.
 - Larger lobby entrance to the residential accommodation (2 no.) have been provided to the Cattle Market Road elevation.

- The building has been reduced in scale adjacent to the Malt Shovel PH whereby the building is three stories with a flat roof and then steps up through 4, 5 and then 6 stories.
- 8.12 The existing street scene comprises of a variety of single and two storey buildings with a variety of uses, albeit many of which are currently vacant. To the northern site boundary lies the Malt Shovel Public House which is a two-storey public house building that sits at the back of pavement fronting Bridge Street. The public house is operational and has an outdoor seating area to the rearmost portion of the site with a service access onto Cattle Market Road. The proposal seeks to demolish all buildings on the site which includes the restaurant buildings and commercial warehouse unit. The Malt Shovel PH would remain adjacent to the site's northern boundary.
- 8.13 The proposal would create an active frontage along Bridge Street and would result in an improved public realm with the provision of an enlarged footway and public space area of approx. 7m depth plus the existing footway width of between 2.2m-2.7m. The surfacing and landscaping of this area would be the subject of a separate reserved matters application, although the layout is secured as part of this current outline planning application. However, in this aspect it is considered that the proposal positively impacts upon the immediate streetscene along this section of Bridge Street with improved open space and active frontages provided by the ground floor commercial units. This accords with the general provisions of the development plan and also the design aspirations outlined within the CAAP, specifically with reference to policy 22.
- 8.14 The current application is for outline permission with a number of matters reserved, which include landscaping and appearance. A number of objections have been made regarding the appearance of the building and the lack of detail included within the submitted plans. However, matters related to the external appearance of the building, including colours, materials, detailing, windows, etc. would be determined at reserved matters stage and that the scope of the application at present relates to the scale and layout of the building only.
- 8.15 The proposed building as currently submitted would provide residential accommodation primarily over five floors of the six-storey building. The building would be set within the southern section of Bridge Street towards the road bridge over the Rive Nene within the Bridge Street/Cattle Market Road gyratory where a variety of buildings scales are found. Directly to the west of the site lies the Carlsberg factory building which comprises of the office buildings that face onto Bridge Street itself along with the wider site that contains the silos that are a dominant feature within the site and immediate area. In this context the proposed building would be set approx. 17m away from the Carlsberg building, separated by the public highway and would be erected to a height of 18.4m to the highest part of the flat roofed building, although this is noted to be the uppermost floor that is set in from the buildings Bridge Street elevation whereby a height of 16.4m is proposed. The Carlsberg office buildings directly opposite the site measure approx. 16m high and provide 4 stories, although it is noted that the floor to ceiling levels is greater than that of the residential building proposed so the overall scale is viewed as similar when viewed in close proximity of the site, particularly along Bridge Street. In this regard it is not considered that the proposed scale of the building is inappropriate in this context and that the layout and positioning of the building help to reinforce the appropriateness of the scale in this context, albeit it is noted that this is significantly different from what is currently experienced along this section of Bridge Street.

- 8.16 To the eastern side of the site lies Cattle Market Road which is a two-lane highway and forms part of the gyratory road system and beyond that lies the Morrison's Supermarket which whilst a single storey structure internally, presents itself to the Cattle Market Road elevation as a two-storey building with a blank façade. The proposed building would be positioned approx. 25.2m away from the supermarket building, separated by the public highway. This currently presents as a poor streetscape in terms of active frontage although it is improved somewhat by existing residential development, in the form of three storey dwellings further along Cattle Market Road, albeit this is located further away from the application site sited diagonally (south east) at a distance of approx. 40m. The proposal would introduce windowed elevations at first floor level and above to this elevation which is considered to be positive as it would introduce overlooking and surveillance to an area of public realm that is currently poor served by such measures. It is noted that the scale of the building would be substantially greater than that currently experienced on this section of Cattle Market Road with the existing supermarket building measuring 8.5m. However, it is considered that the expanse of public highway provides sufficient separation between built development so as to not result in an oppressive structure within the immediate streetscene.
- 8.17 The northern boundary of the site is adjacent to the Malt Shovel Public House which is a two-storey building that fronts Bridge Street and extends back into an ever decreasingly wide plot to the Cattle Market Road frontage. Concerns have been raised regarding the scale of the proposed building when viewed in relation to the existing Malt Shovel PH building. The proposal has been amended during the course of the application submission to seek to address such concerns. The proposed building when viewed from the Bridge Street elevation is separated from the Malt Shovel building by a new service yard area, at a distance of 5.5m wide, whereas at present the building is attached to an existing metal clad commercial building. This is considered to be an improvement as it allows the existing public house building to be viewed as a detached building. Furthermore, the proposed building has been designed in a stepped manner in that beyond the service yard the building would be three stories high at a height of 10.3m with a flat roof when compared to the existing public house at a height of 8.7m. The building then steps up to four stories and then five stories which is considered to be a more considerate design approach to the scale of the building in this location with reference to the Malt Shovel building taken into account, although it is acknowledged that the scale of the building is much larger than the current situation this is not considered to be a negative aspect in itself.
- 8.18 The proposed building would be located to the southern extent of the town centre and views of the proposal would be made from various vantage points to the south of the site and from within the town centre. A variety of concerns have been received regarding the proposals adverse impact upon views within the wider area with particular reference to the loss of views of All Saints and Holy Sepulchre Church from Far Cotton, particularly from the locally listed bridge that crosses the River Nene and also from the town centre looking southwards towards London Road and Delapre Park. Concerns have also been raised regarding the lack of compliance with the Tall Buildings Strategy document.
- 8.19 With regards to the Tall Buildings Strategy document whilst it is not adopted planning policy, the document was commissioned to inform the preparation of the Central Area Action Plan (CAAP) and was also used to inform elements of the emerging Local Plan Part 2 and forms part of the list of documents submitted to the Planning Inspectorate as supporting evidence. As such, there isn't a requirement for applicants to follow the criteria within the document, but the proposal is assessed against the policies that the document helped to inform, e.g. The CAAP policy 22.

- 8.20 The applicant has provided photomontages of the proposed building that shows views of the proposed building in situ when taken from the bridge crossing the River Nene to the south of the application site and also looking south from two vantage points (Lloyds Bank and NB's) on Bridge Street within the town centre core and All Saints Conservation Area towards the application. It is noted that the views of All Saints Church Tower and St Sepulchre Church Spire would not be visible from the Far Cotton bridge at ground level, a distance of 150m from the application site. However, views of this structure would be made further back along London Road alongside from the Asda Supermarket and Delapre where the road rises up towards the Lancaster Way roundabout. It is noted that the photomontage shows the positions of the two church structures and shows they would only be viewable with a building on site at a height of 3 stories when viewed from Far Cotton Bridge and anything taller than that would obscure views at close distance. Whilst the loss of immediate views of the two structures at close quarters to the site is regrettable, this in itself is not considered a reason for refusal, particularly as longer distance views of the town centre core with prominent structures such as the church spire would still be maintained.
- 8.21 Furthermore, the views from the town centre (Bridge Street) as shown in the photomontage show that the building would not be visible from NB's nightclub and that only the upper floors (5th and 6th) would be visible within the wider roofscape looking southwards and would be seen in the context of other roofs within the urban area. This in itself is considered to be appropriate in terms of impact. On this basis, it is considered that the proposal would result in less than substantial harm to the wider conservation areas and the listed buildings within it and that the public benefits are the provision of significant levels of housing within a sustainable location, within an area that does not currently benefit from a 5-year housing land supply, ensuring a long-term viable use of the site, maintaining the vitality and viability of the town centre and would help to regenerate a gateway area to the town centre, all of which are considered to be sufficient to set aside this limited harm.
- 8.22 The proposal still allows for a 'landmark' building as outlined within policy 22 of the CAAP to the southern edge of Bridge Street adjacent to the locally listed bridge over the River Nene which could act as a gateway to the town centre.
- 8.23 It is also noted that no external finish materials have been specified at this outline stage as the appearance of the building, along with landscaping, is a reserved matter that would be dealt with separately.

Residential and Neighbour Amenity

- 8.24 The application proposes the provision of 112 no. apartments which would comprise of the following: 69 no. 1 bed units, 42 no. 2 bed units and 1 no. 3 bed unit arranged over 5 floors (the 6th floor being the ground floor level undercroft parking area and commercial space. All of the proposed units would meet or exceed the minimum floorspace requirements as outlined within the nationally described space standards.
- 8.25 The proposal would provide a shared amenity space at first floor level within a central, open atrium that would provide approx. 495sq.m of floorspace. In addition, the site is located within the town centre and within walking distance of amenity space, such as Becketts Park and the River Nene. It is, therefore, considered that sufficient amenity space is provided in this case.

- 8.26 Two no. enclosed refuse storage areas are proposed for the building and would be accessed from the both the undercroft parking area and the service yard area accessed from Bridge Street. It is considered appropriate to attach a condition to ensure that separate, dedicated refuse storage is provided for both the residential and commercial uses. In addition, a condition is proposed to ensure the refuse storage areas are provided prior to first occupation and an additional condition requires the submission and approval of a Waste Management to ensure appropriate management of refuse storage and that there is no adverse impact on surrounding amenity. Environmental health raises no objection in this regard.
- 8.27 The application site is located within an edge of town centre location and as such the neighbouring units are commercial in nature with residential dwellings to the rear of the site along Cattle Market Road. Whilst the application site would add habitable room windows to all sides, although this would be dealt with reserved matters stage, it is not considered that the outlook from these windows would result in an unacceptable relationship for a town centre location, with sufficient distance retained between the building and neighbouring windows on the opposite side of Cattle Market Road
- 8.28 In respect of surrounding commercial uses, 3rd party comments have been received raising concern regarding the potential impacts arising from the proposed development in respect of the use of the Malt Shovel Public House situated to the northern boundary of the site which has a license to hold late and live music events and which has an outside seating area adjacent to the proposed servicing area.
- 8.29 Paragraph 187 of the NPPF seeks to ensure that new development can effectively integrate with existing businesses, including pubs and music venues, and that these existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed.
- 8.30 An initial Noise Assessment and subsequent updated noise assessment to assess the Malt Shovel Public House has been submitted with the application and assessed by Environmental Health. The original Noise Assessment did not include an assessment of Malt Shovel Public House which it was understood was not trading/reduced levels of trading during the Covid-19 lockdown period. The updated assessment assessed the Malt Shovel in Summer/Autumn of 2022.
- 8.31 Public Protection has advised that there have been no noise nuisance/ public nuisance incidents on record in respect of the Malt Shovel Public House since 2014. It is however acknowledged that there is currently no particular concentration of residential uses within the immediate vicinity of the venue.
- 8.32 The development proposal includes residential accommodation with habitable rooms on all elevations. In order to ensure appropriate levels of amenity for proposed occupiers and that there are no unreasonable expectations placed on existing businesses in the vicinity to curtail their existing activities in relation to noise impacts, Environmental Health have requested that all windows to the Malt Shovel PH elevation are subject to acoustic glazing protection. Such details are considered to be necessary in this regard. Furthermore, it is considered necessary to impose a condition to secure a pre-occupation survey to ensure that the mitigation measures have been installed correctly so that they achieve the aims of reducing noise impacts upon future residents and adverse impacts upon nearby commercial uses.

- 8.33 It is therefore considered that any impacts arising from surrounding uses can be sufficiently mitigated such that there is no unacceptable adverse impact on proposed amenity or existing businesses within the area in accordance with policy requirements.

Highway Impacts

- 8.34 The application site is located within the CAAP area albeit in an edge of town centre location. The proposal would provide 41 no. onsite parking spaces within an undercroft location and would be accessed from the Cattle Market Road elevation using a new two-way access point. The Council's Highways department have been consulted on the proposal and have raised no objection to the proposal. It has been demonstrated that the estimated trip rates generated by the proposed development, when compared to the existing uses and trip distribution, would not have an undue impact on the local highway network. Furthermore, whilst the proposed 41 no. parking spaces is below the minimum standards, given the edge of town centre location, it is accepted that this is a reasonable level of parking provision. The highway authority does request the imposition of a planning condition to secure a Construction traffic management plan (CEMP) which is considered necessary and appropriate in relation to the scale and location of the proposed development.
- 8.35 In addition, the application proposes the provision of two cycle stores encompassing a footprint of 116sq.m which would both be accessed from the Cattle Market Road elevation, adjacent to the entrance lobbies. It is considered appropriate to attach a condition to secure the type of internal rack storage proposed and to also ensure that such provision is made prior to the buildings first occupation.

Crime Prevention

- 8.36 The Police Crime Prevention Design Advisor has been consulted on the proposal and whilst no formal objection has been raised, they have requested the imposition of planning conditions to secure security measures for the building and a management plan for the operation of the block. It is considered that such conditions are reasonable and necessary to ensure that future occupants are reside in safe and well managed accommodation.

Flooding and Drainage

- 8.37 The site lies within Flood Zone 3, albeit with flood defences, on the Environment Agency's Flood Map for Planning and is therefore at a high risk of flooding from main river sources. There is a watercourse approximately 150m to the south of the site (Rover Nene) and this is shown to flood and the Environment Agency Flood Map indicates that this does breach the site boundary. On this basis, the building has been designed so that all residential accommodation is at first floor level or above with parking and, servicing and commercial uses taking place at ground floor level only. The Environment Agency has been consulted and have raised no objections to the proposed development subject to a condition to secure that the development is undertaken in accordance with the submitted Flood Risk Assessment for the Bridge Street North scheme. It is considered relevant and necessary to secure such matters by planning condition.
- 8.38 The submitted drainage details outline that the current site (brownfield) is 100% impermeable with existing hard surfacing and buildings. The proposal seeks to provide a green roof to the proposed building of approx. 1400sq.m which would provide approx. 42% of permeable ground cover for surface water drainage. The

applicant has also indicated that foul water drainage would be dealt with using existing infrastructure on Bridge Street and Navigation Row subject to a separate application direct with Anglian Water.

- 8.39 The Lead Local Flood Authority has been consulted on the application and no objections have been raised, subject to conditions to secure a detailed surface water drainage design and a detailed scheme for the maintenance of the approved surface water infrastructure.
- 8.40 Anglian Water have been consulted and no objections have been raised. The most recent response from Anglian Water recommends the imposition of a surface water drainage condition so as to ensure that the proposal does not adversely impact upon environmental or residential amenity. It is considered necessary and reasonable to secure such details by planning condition.
- 8.41 The application is considered to comply with BN7A and BN7 of the JCS, Policy 7 of the emerging Local Plan 2 and guidance in the NPPF.

Other Matters

- 8.43 The Council's Archaeology officer requests a condition on archaeological works, which is considered reasonable to attach.
- 8.44 West Northamptonshire Council Key Services request conditions on fire hydrants and broadband. There is no planning policy basis to require such conditions and as such these are not considered reasonable to attach.

Financial Contributions

- 8.45 West Northamptonshire Council Key Services request a financial contribution towards libraries. There is no planning policy basis in the Northampton Area for the requirement of funds towards libraries and as such it is not reasonable for the Council to request such funding for this development.
- 8.46 Construction Futures request a contribution towards apprentice training and a training scheme on the site. This is considered reasonable to request through a S106 agreement.
- 8.47 The proposal currently proposes the provision of 112 no. apartments. As such, the provision of affordable housing as outlined under policy H2 is relevant. This policy requires the provision of 35% affordable housing provision (equivalent to 40 no. units) which should be provided for on site and if not possible off site (provision or financial contribution as a last resort). As part of the submission, the applicant has indicated that the scheme would be financially unviable if it were required to provide policy compliant affordable housing or other planning obligations relevant to the scheme (i.e., Public open space, education, etc.). A financial viability assessment has been submitted to demonstrate that the scheme would be unviable if any contributions were sought, including any affordable housing provision. The submitted viability assessment has been independently assessed by the authority's viability consultant and who has concluded that the scheme is unable to offer any form of affordable housing or any form of financial contributions.
- 8.48 The authority accepts the findings of the independent viability assessment and is of the view that the redevelopment of the site to provide significant levels of residential accommodation, albeit not in accordance with affordable housing policy, is

acceptable on this occasion as the authority is currently unable to demonstrate a 5 year housing land supply and that also sufficient justification, in the form of the independently assessed viability details, have concluded that the scheme would be unviable in this case.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable and chargeable for residential development.
- 9.2 The proposed ground floor commercial space is CIL liable but for which there currently no charge as it would provide retail space within the CAAP area.

10 CONCLUSION

- 10.1 The proposed development represents an acceptable land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbouring amenity, the highway system, or crime and safety. Whilst the development will result in limited harm to the historic environment by virtue of the loss of views from far Cotton Bridge, this harm is assessed as being less than substantial and any harm would be outweighed by the public benefits of the scheme by ensuring a long-term viable use for the site and significant levels of housing. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies C2, H1, H14, S1, S3 and S10 of the West Northamptonshire Joint Core Strategy; and Polices 1, 2, 5, 16 and 22 of the Northampton Central Area Action Plan 2013.

11 RECOMMENDATION

- 11.1 Approve, subject to conditions.

12 CONDITIONS

- 1. Approval of the details of the appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

- 2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 3. The development hereby permitted shall be carried out in accordance with the following approved plans: SK115 North Block Rev C, SK100North Block Rev D, SK101 North Block Rev C, SK150 North Block Rev B, SK100 Existing Site Location Rev A.

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

- 4. The works of demolition hereby permitted shall not be carried out until details of the scheme for the carrying out of the works of redevelopment of the site hereby

permitted (including a timetable for these works) has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to protect the character and appearance of the Conservation Area in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

5. No development (including demolition) shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
- i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
 - ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms (including Best Practice Measures contained within Section 6 of the submitted Dust Impact Assessment undertaken by Accon UK Limited, dated 1st October 2020, Report Ref: A/3391/CMP/01).
 - iii) Details of the siting of all vehicles of site operatives and visitors.
 - iv) The unloading and loading arrangements for heavy plant and machinery.
 - v) The location, extent and duration of any temporary stockpiling areas.
 - vi) Measures to prevent mud being deposited on the surrounding highway.
 - vii) Hours in which development will take place.
 - viii) Demolition methods.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This is a pre-commencement condition to enable timely submission of information.

6. No development shall take place until details of the existing and proposed ground levels and finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

7. No development shall take place until an investigation and risk assessment to assess the nature and extent of any contamination of the site has been completed, in accordance with a scheme that has been first submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced which must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, pets, and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,

- archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

9. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

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 paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

11. Prior to any works above lower ground floor slab level, a scheme providing details of the measures to be incorporated into the development demonstrating how the principles and practices of 'Secured by Design' have been included shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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.

12. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The written scheme will include the following components, completion of each which will trigger the phased discharging of the conditions:
- (i) Approval of a Written Scheme of Investigation.
 - (ii) Fieldwork in accordance with the agreed written scheme of investigation.
 - (iii) Completion of a Post-excavation assessment report and approval of an approved Updated Project Design (to be submitted within 6 months of the completion of fieldwork unless otherwise agreed in advance with the planning authority);
 - (iv) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the local planning authority, completion of an archive report and submission of a publication report to be completed within two years of the completion of fieldwork unless otherwise agreed in advance by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with the NPPF paragraph 199. This is a pre-commencement condition to ensure timely submission of details.

13. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy dated 23/08/2022 will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include
- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
 - ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - iii) cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices
 - iv) Flows to be restricted to 2l/s.

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

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

details of any drainage elements that will require replacement within the lifetime of the proposed development.

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

15. Prior to first occupation, full details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to occupation and retained thereafter.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

16. Prior to first occupation of the residential accommodation hereby approved, the secure cycle storage, as shown on plan K150 - Proposed Vehicular Access - North Block Rev B shall be provided on site and retained for the parking of bicycles by the occupants of the residential accommodation thereafter.

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

17. The commercial and residential refuse stores as shown within plan SK150 - Proposed Vehicular Access - North Block Rev B shall be provided on site prior to the first occupation of the development hereby approved and retained at all times thereafter for bin storage.

Reason: In the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

18. Prior to first occupation the noise mitigation scheme outlined within the Noise Impact Assessment Addendum undertaken by Sweco, dated 14 December 2021 – Document Reference: 65201962-ACO.REP2 and document reference LR02-20123-R0 Dated 21 October 2022 shall be provided in full on the site. The noise mitigation scheme shall thereafter be retained in a fully working condition.

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

19. Before development commences an air quality assessment shall be undertaken to assess the impact of the development on local air quality and the community against the National Air Quality Standards and Objectives. The assessment shall identify the impact of the existing and proposed development and any exceedance of the air quality objectives, including any proposed mitigation and shall be submitted to the local planning authority for approval. Once approved the development shall be undertaken according to this approval and the use shall not commence until any agreed mitigation measures have been implemented. No changes shall be made to the development without the prior written approval of the local planning authority.

In addition to the above a point source emissions assessment should be undertaken from the adjacent Carlsberg Site located on Bridge Street. The assessment must have due regard to a recent application N/2019/1418 – Erection of 2no buildings to accommodate combined heat and power recovery units, 4 no coolers, 35 metre high

chimney, overhead gantry for services and relocation of existing car parking arrangements.

Reason: In the interest of residential amenity and to protect public health.

20. Above ground works on the Development hereby approved shall not commence until a scheme of sound insulation works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme of works shall be capable of achieving the following indoor noise levels:

General Environmental noise ingress:

- Habitable rooms (daytime): LAeq,16 hour of 35dB (0700 to 2300 hours); and
 - Bedrooms (night-time): LAeq,8 hour of 30dB (2300 to 0700 hours) and LAFmax,5min of 45dB no more than 10 times a night (2300 to 0700 hours).
- Night-time entertainment noise ingress:
- Bedrooms (night-time): Night-time entertainment noise ingress shall not exceed any of the three site-specific entertainment noise criteria defined in Section 2.6 (Page 11) of the Sweco report "33-39 The Drapery, Northampton: Noise Impact Assessment Addendum". These apply to noise from adjacent hospitality venues during the night-time.

The scheme of sound insulation works shall include a system of alternative acoustically treated ventilation to all habitable rooms where these indoor noise levels would otherwise be exceeded.

The scheme of sound insulation shall also account for noise ingress through mechanical ventilation duct routes into habitable rooms where this would otherwise result in the above indoor noise levels being exceeded. The building shall not be occupied until the sound insulation works have been implemented in accordance with the approved scheme and shall thereafter be permanently retained.

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



Title: **123 - 135 Bridge Street**

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Date: 17-11-2022

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Planning Committee Report

Committee Date:	5th December 2022
Application Number:	N/2020/1497
Location:	153 - 165 Bridge Street, Northampton, NN1 1QF
Development:	Outline Planning application with all matters reserved except layout, scale and access for construction of up to 6 storey building providing up to 66no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E(a,b,c,d,e,f,g(i)) and associated ancillary infrastructure'
<hr/>	
Applicant:	Mr Collins
Agent:	MHB Planning Ltd
Case Officer:	Christopher Wentworth
<hr/>	
Ward:	Castle Ward
<hr/>	
Referred By:	Assistant Director of Place and Economy
Reason for Referral:	Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS.

Proposal

The development proposal seeks outline planning consent with all matters reserved except layout, scale and access for the construction of up to a 6-storey building providing up to 66 no. one and two bed apartments (Use Class C3). The proposal also seek consent for the provision of commercial development (Use Class E(a, b,c,d,e,f,g(i)) at ground floor level and the provision of 38 no. parking spaces accessed from Cattle Market Road and Navigation Row.

Consultations

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

- Town Centre Conservation Area Advisory Committee (TCCAAC)
- Cllr Danielle Stone

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

- Environment Agency
- Environmental Health
- Conservation Officer

- Northamptonshire Police
- Lead Local Flood Authority (LLFA)
- Highways

The following consultees have **commented** on the application:

- Anglian Water
- Construction Futures
- Archaeology
- Ecology
- Housing Strategy
- NHS
- Development Management

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

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Highway Safety
- Flooding and Drainage
- Scale
- Heritage Impact
- Residential Amenity
- Noise Impacts

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 is approximately 0.21ha located on Bridge Street in Northampton town centre roughly 350m to the south of the All-Saints Conservation Area. It is a parcel of land with the Carlsberg Factory immediately to its west and 3 storey flats immediately to its east. Navigation Row forms the northern boundary and an Avis Vehicle Rental unit is located to the southern boundary.
- 1.2 It is currently occupied by a mixture of low rise, flat and pitched roof, predominantly brick built commercial units. These include Bradbury Equipment and Dunlop Garage Equipment both served by Bridge Street and Cattle Market Road. These roads which provide arterial connections to and from the south mean this is a prominent position on a main entrance to the town.

- 1.3 The southern part of Cattle Market Road is lined with 3 storey flats, their front doors are set behind a brick wall which lines the footpath on the eastern side of the road. The development site backs on to Cattle Market Road, and as such it is lined by the service yards and car parking of the businesses. Their boundary treatments include a mixture of metal railings and close board fencing.
- 1.4 Navigation Row at the northern boundary is a lightly used, one way, cut through, with no active frontages. The parcel of land to the north beyond Navigation Row comprises a mixture of commercial and restaurant businesses. Immediately adjacent to the application site is the Sakura Restaurant and its car park.

2 CONSTRAINTS

- 2.1 The application site is located within flood zone 3.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development proposal seeks outline planning consent with all matters reserved except layout, scale and access for the construction of up to a 6-storey building providing up to 66 no. one and two bed apartments (Use Class C3). The proposal also seek consent for the provision of commercial development (Use Class E(a, b,c,d,e,f,g(i))) at ground floor level and the provision of 38 no. undercroft parking spaces accessed from Cattle Market Road and Navigation Row.
- 3.2 The proposal comprises of 53 no. 1 bed units and 13 no. 2 bed units.

4 RELEVANT PLANNING HISTORY

- 4.1 Application reference N/2020/1474 at adjoining site (123-135 Bridge Street) for outline planning application with all matters reserved except layout, scale and access for the construction of a 6 storey building providing up to 112no. one, two & three bed flats and apartments (Use Class C3), commercial development (Use Class E (a,b,c,d,e,f,g(i))) and associated ancillary infrastructure'.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

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

Development Plan

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

West Northamptonshire Joint Core Strategy (Part 1) (LLP1)

- 5.4 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- Policy BN5: Historic Environment
 - Policy H1: Housing
 - Policy S10: Sustainable Development Principles

Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.5 The relevant policies of the NLP1 are:
- E20: New development

Northampton Central Area Action Plan (CAAP) (2013) – Policies

- 5.6 The relevant policies of the CAAP are:
- Policy 1: Promoting Design Excellence
 - Policy 16: Town Centre living

Material Considerations

- 5.7 Below is a list of the relevant Material Planning considerations:

- **National Planning Policy Framework (NPPF)**

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

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

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

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

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

6 RESPONSES TO CONSULTATION

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

Consultee Name	Position	Comment
Anglian Water	Comment	Condition to secure surface water drainage.
Construction Futures	Comment	Financial contribution sought - £4,620
Environment Agency	No objection	Condition to secure development in accordance with Flood Risk Assessment.
Environmental Health	No objection	In summary: <ul style="list-style-type: none">· It is agreed the site could be developed for residential with the correct noise mitigation package – This is confirmed and agreed· Clarity provided on noise levels at higher floors of the development, to the satisfaction of the LPA- It is agreed that further modelling at detailed design stages could provide this information to assist in

		<p>producing a full noise mitigation package, through the imposition of suitably worded planning conditions</p> <ul style="list-style-type: none"> · Further detailed design proposals for noise mitigation covering construction, glazing, ventilation and comfort cooling will need to be conditioned if these do not come forward for agreement ahead of the LPA decision on the site. Environmental Health would prefer to agree a scheme upfront of a decision based on environmental site constraints presented but can provide suggested conditions at a later stage pending the further noise assessment work and clarifications on the existing assessment that has been submitted. - <p>It is agreed that this information can be submitted at detailed design stages through the imposition of suitable worded planning conditions, although early engagement and agreement is preferred where practicable.</p> <ul style="list-style-type: none"> · Measures to control overheating and eliminate openable windows for thermal comfort should be submitted to the satisfaction of the LPA. – Ventilation should be by mechanical means as the solution will need to meet the requirements of both the Noise and Air Quality Sections of our earlier consultation responses. Comfort cooling measures will also need to be addressed at detailed design stages. · Balconies should be avoided unless enclosed fully given the noise level data presented. - It is understood that further refinements to the application not yet reviewed by Environmental Protection mean that this issue is not now relevant.
Northamptonshire Police	No objection	No objection principle of development subject to robust condition to secure security measures and management plan for block.
LLFA	No objection	Condition – Surface Water Drainage Scheme. Condition – Surface Water Drainage Maintenance.
Highways	No objection	Condition – Construction traffic management plan (CEMP)
Ecology	Comment	The site has negligible biodiversity interest, however due to the proximity to the river there is a very small possibility that bats could use the otherwise unsuitable buildings for roosting. In

		accordance with the ecologist's recommendations, I would suggest the roof materials be soft stripped under a method statement and would suggest that the method statement be conditioned pre-commencement.
Housing Strategy	Comment	<p>The provision of 20% affordable housing on this Build to Rent scheme appears consistent with the Planning Practice Guidance however I recommend confirming that this is correct with Planning Policy.</p> <ul style="list-style-type: none"> • The affordable units should be provided as Affordable Private Rent in accordance with the Planning Practice Guidance and should be secured in perpetuity through a S106 agreement. • The housing mix should be adjusted to increase the number of 2-bedroom units and decrease the number of 1-bedroom units. • The applicant commits to all units meeting the Nationally Described Space Standards. This is positive but cannot be confirmed in this outline planning permission. If possible, a condition should be added to the permission to secure this standard. • Consideration should be given to whether a more detailed Sustainability Statement is required at this stage.
NHS	Comment	Financial contribution sought – £33,554.70
Development Management	Comment	<p>Financial contributions sought.</p> <ul style="list-style-type: none"> - Early years Education – £48,412 - Primary Education – £20,982 - Libraries - £8,065 - 2 x no. Fire Hydrants.
Town Centre Conservation Area Advisory Committee	Objection	The proposal would affect views of key historic buildings including All Saints and Holy Sepulchre Churches, including longer views from London Road and from the south bridge riverside area.
Archaeology	Comment	Condition to secure an archaeological programme of work so as to ensure that appropriate investigating and recording can take place.
Cllr Danielle Stone	Objection	Call in request due to overdevelopment, pressure on services and lack of balance.
Conservation	No comment	The application does not lie within a conservation area and is not considered to have an impact on the immediate setting of a heritage asset. Therefore, there are no comments from the Conservation Team.

7 RESPONSES TO PUBLICITY

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

7.1 There have 10 no. objections/ comments raising the following:

- The proposal remains monolithic and bland.
- It would give future residents poor visual amenity as many of the flats would look into/at Carlsberg.
- Carlsberg has floodlighting so residents in the higher flats would be affected.
- Future residents' health would be compromised by the closeness to the main roads
- The tree planting proposed does nothing to mitigate the lack of green space around the proposed site.
- The proposal is too large.
- Insufficient communal space is proposed.
- Proposal results in over development.
- Would have unacceptable effects on the setting of All Saints Conservation Area and views of key listed buildings, such as All Saints Church, as identified by the Tall Buildings Strategy.
- The rear courtyard is the only exterior space for the pub, this proposal means it will lose all of its light/sun and impacted by noise from the plant room, and the possible smell and noise of the bins.
- No consultation between adjacent landowners and applicant.
- Access through to town from Far Cotton will be negatively impacted due to significant traffic congestion.
- There should be more variety in the type of units offered.
- Public realm improvements should be sought.
- Flooding and drainage may be an issue.
- Noise from the adjacent pub would adversely impact upon future residents.
- No need for further commercial units.
- 50% of units should be council run for low-income residents.
- Insufficient parking provision.

7.2 There has been 1 no. letter of support raising the following:

- The plans are fantastic.
- Development will serve to increase investment in this part of town.
- Town centre needs more high-density living options within walking distance to facilities.

8 APPRAISAL

Principle of Development

8.1 The proposed development would create an additional 112 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 significant 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 proposes ground floor commercial use (in this case Class E) along the Bridge Street frontage which is supported as it would seek to bring forward an active frontage in this location where there currently is not and would assist in supporting the general viability and vitality of the Town Centre as a whole.

8.2 The wider application site is designated within the CAAP as a strategic development site with a specific policy, policy 22, contained within the CAAP document. Policy 22 seeks to provide the following.

- Redevelop north and south of Navigation Row in a comprehensive manner.
- Deliver up to 8,000 square metres of office development in addition to residential with small scale retail, financial services and restaurant uses at ground floor.
- Introduce active frontages for the daytime and early evening along Bridge Street.
- Develop landmark buildings which must be provided at the northern and southern ends of the development site.
- Development proposals will need to be compatible with the existing brewery operation to the west, in terms of amenity, design, scale and land use.

8.3 In this case the proposal, alongside a separate planning application for residential development, seeks to develop a parcel of land alongside Navigation Row that would provide residential accommodation at the upper floor levels along with commercial space at ground floor level. The ground floor commercial space would face directly onto Bridge Street and would provide an active frontage along this section of Bridge Street. In this case, the proposal does not seek to develop the southern or northern portion of the wider strategic site and therefore a case for a landmark building as outlined by the above policy is not relevant to this application. However, the provision of such a landmark building is not precluded by the development proposal which is the subject of the current planning application. It is also noted that the development proposal would provide residential accommodation in close proximity to the nearby Carlsberg Brewery Operation. The provision of residential accommodation is not necessarily restricted near to the brewery operation but instead is subject to good design and amenity mitigation which is discussed elsewhere in this report.

8.4 The application site is also to be allocated within the emerging Northampton Part 2 Local Plan as safeguarded employment land. The site is currently used for variety of uses, including two no. vacant restaurants along with a surface level car park and a vehicle rental unit which also appears to be vacant. It is considered that the current use of the site offers very little in the way of ongoing employment opportunities, particularly with reference to employment land policy E1 within the Joint Core Strategy which states that existing employment sites will be retained in B1, B2, B8 and appropriate non-B employment generating uses. In this case the site currently does not accord with this policy in providing appropriate B class uses and so the effect of this policy is diminished somewhat. It is also noted that whilst the primary focus of the current proposal is to provide residential accommodation, it would provide commercial uses at ground floor level with the provision of 2 no. separate commercial units within the new 'E' use class.

8.5 Furthermore, the current application has been submitted for residential development and has been with the local authority for determination since late 2020. On the basis that the site is considered to be a catalyst for further regeneration within the Bridge Street area and fulfils the aims of the CAAP in bringing forward residential and commercial space within a town centre location, it is considered that this emerging

allocation can be set aside in securing the aims of the CAAP and housing provision within Northampton.

- 8.6 As such, the proposal would bring a prominent site in the town centre into a highly intensive use, contributing to the vitality and viability of the surrounding area, forming a catalyst for further regeneration works in the Bridge Street area and providing much needed housing at a time when the authority is unable to demonstrate a five-year housing land supply. As such, it is considered that in this case the tilted planning balance applies and that the principle of the development for residential purposes is accepted in this case.

Design and Impact on Character of Area

- 8.7 The site is not located within a Conservation Area nor is it located adjacent to any listed buildings. However, the site would be prominent in the approach to the town centre from Cotton End and the Rive Nene and views of the building in conjunction with wider backdrop views of the town centre conservation areas, such as All Saints and Derrnigate and listed and locally listed buildings within which they could be made. The existing buildings on site are not listed or locally listed.
- 8.8 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Likewise, Section 66 of the same Act states that: In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall 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. Therefore, significant weight must be given to these matters in the assessment of this planning application.
- 8.9 Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 202 of the NPPF outlines that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 8.10 In their original comments, the Council's Conservation Officer stated that "the site is prominent in approaches into the town centre and redevelopment to provide residential accommodation is welcome in principle and a good quality development would help to regenerate an important part of the town. However, although in outline form, I have concerns in respect of the bulk and massing of the indicated development and the overall quality of the design and consider that a revised proposal is required". Furthermore, they state that "the design of the buildings is poor and would fail to enhance this important gateway site. A good quality redevelopment that provides a landmark building is required that would provide a benchmark for new development in the town, but which does not dominate its surroundings". This view was also shared by the Town Centre Conservation Area Advisory Committee (TCCAAC) who raised concerns over the scale of the building and its impact upon heritage assets.
- 8.11 Since those comments were submitted the scheme has been significantly amended which has resulted in the following;

- A reduced building scale at 6 stories high, albeit with a significantly reduced footprint at 5th floor level.
 - Reduction in total number of units from 71 no. units to 66 no. units.
 - Projections to the building's elevations have been added.
- 8.12 The existing street scene comprises of a variety of single and two storey buildings with a variety of uses, albeit many of which are currently vacant. To the northern site boundary lies Navigation Row, beyond which are disused buildings and surface level parking which form the basis of another development proposal under planning reference N/2020/1474 which has yet to be determined.
- 8.13 The surfacing and landscaping of this area would be the subject of a separate reserved matters application, although the layout is secured as part of this current outline planning application. However, in this aspect it is considered that the proposal positively impacts upon the immediate streetscene along this section of Bridge Street with improved levels of overlooking from the residential accommodation at first floor and above. This accords with the general provisions of the development plan and also the design aspirations outlined within the CAAP, specifically with reference to policy 22.
- 8.14 The current application is for outline permission with a number of matters reserved, which include landscaping and appearance. A number of objections have been made regarding the appearance of the building and the lack of detail included within the submitted plans. However, matters related to the external appearance of the building, including colours, materials, detailing, windows, etc. would be determined at reserved matters stage and that the scope of the application at present relates to the scale and layout of the building only.
- 8.15 The proposed building as currently submitted would provide residential accommodation primarily over five floors of the six-storey building. The building would be set within the southern section of Bridge Street towards the road bridge over the Rive Nene within the Bridge Street/Cattle Market Road gyratory where a variety of buildings scales are found. Directly to the west of the site lies the Carlsberg factory building which comprises of the office buildings that face onto Bridge Street itself along with the wider site that contains the silos that are a dominant feature within the site and immediate area. In this context the proposed building would be set approx. 17m away from the Carlsberg building, separated by the public highway and would be erected to a height of 19.85m to the highest part of the flat roofed building, although it is noted that the predominant section of the building would be erected to a height of 16.7m. This is noted to be the uppermost floor that is set in from the buildings Bridge Street elevation whereby a height of 16.4m is proposed. The Carlsberg office buildings directly opposite the site measure approx. 16m high and provides 4 stories, although it is noted that the floor to ceiling levels are greater than that of the residential building proposed so the overall scale is viewed as similar when viewed in close proximity of the site, particularly along Bridge Street. In this regard it is not considered that the proposed scale of the building is inappropriate in this context and that the layout and positioning of the building help to reinforce the appropriateness of the scale in this context, albeit it is noted that this is significantly different from what is currently experienced along this section of Bridge Street.
- 8.16 To the eastern side of the site lies Cattle Market Road which is a two-lane highway and forms part of the gyratory road system and beyond that lies the Morrison's Supermarket which whilst a single storey structure internally, presents itself to the Cattle Market Road elevation as a two-storey building with a blank façade. This currently presents as a poor streetscape in terms of active frontage although it is

improved somewhat by existing residential development, in the form of three storey dwellings along Cattle Market Road. The proposal would introduce windowed elevations at first floor level and above to this elevation which is considered to be positive as it would introduce overlooking and surveillance to an area of public realm that is currently poor served by such measures. It is noted that the scale of the building would be substantially greater than that currently experienced on this section of Cattle Market Road with the existing supermarket building measuring 8.5m. However, it is considered that the expanse of public highway provides sufficient separation between built development so as to not result in an oppressive structure within the immediate streetscene.

- 8.17 The proposed building would be located to the southern extent of the town centre and views of the proposal would be made from various vantage points to the south of the site and from within the town centre. A variety of concerns have been received regarding the proposals adverse impact upon views within the wider area with particular reference to the loss of views of All Saints and Holy Sepulchre Church from Far Cotton, particularly from the locally listed bridge that crosses the River Nene and also from the town centre looking southwards towards London Road and Delapre Park. Concerns have also been raised regarding the lack of compliance with the Tall Buildings Strategy document.
- 8.18 With regards to the Tall Buildings Strategy document whilst it is not adopted planning policy, the document was commissioned to inform the preparation of the Central Area Action Plan (CAAP) and was also used to inform elements of the emerging Local Plan Part 2 and forms part of the list of documents submitted to the Planning Inspectorate as supporting evidence. As such, there isn't a requirement for applicants to follow the criteria within the document, but the proposal is assessed against the policies that the document helped to inform, e.g. The CAAP policy 22.
- 8.19 The applicant has provided photomontages of the proposed building that shows views of the proposed building in situ when taken from the bridge crossing the River Nene to the south of the application site and also looking south from two vantage points (Lloyds Bank and NB's) on Bridge Street within the town centre core and All Saints Conservation Area towards the application. It is noted that the views of All Saints Church Tower and St Sepulchre Church Spire would not be visible from the Far Cotton bridge at ground level, a distance of 150m from the application site. However, views of this structure would be made further back along London Road alongside from the Asda Supermarket and Delapre where the road rises up towards the Lancaster Way roundabout. It is noted that the photomontage shows the positions of the two church structures and shows they would only be viewable with a building on site at a height of 3 stories when viewed from Far Cotton Bridge and anything taller than that would obscure views at close distance. Whilst the loss of immediate views of the two structures at close quarters to the site is regrettable, this in itself is not considered a reason for refusal, particularly as longer distance views of the town centre core with prominent structures such as the church spire would still be maintained.
- 8.20 Furthermore, the views from the town centre (Bridge Street) as shown in the photomontage show that the building would not be visible from NB's nightclub and that only the upper floors (5th and 6th) would be visible within the wider roofscape looking southwards and would be seen in the context of other roofs within the urban area. This in itself is considered to be appropriate in terms of impact. On this basis, it is considered that the proposal would result in less than substantial harm to the wider conservation areas and the listed buildings within it and that the public benefits are the provision of significant levels of housing within a sustainable location, within an

area that does not currently benefit from a 5-year housing land supply, ensuring a long-term viable use of the site, maintaining the vitality and viability of the town centre and would help to regenerate a gateway area to the town centre, all of which are considered to be sufficient to set aside this limited harm.

- 8.21 The proposal still allows for a 'landmark' building as outlined within policy 22 of the CAAP to the southern edge of Bridge Street adjacent to the locally listed bridge over the River Nene which could act as a gateway to the town centre.
- 8.22 It is also noted that no external finish materials have been specified at this outline stage as the appearance of the building, along with landscaping, is a reserved matter that would be dealt with separately.

Residential and Neighbour Amenity

- 8.23 The application proposes the provision of 66 no. apartments which would comprise of the following: 53 no. 1 bed units, 13 no. 2 bed units arranged over 5 floors (the 6th floor being the ground floor level undercroft parking area and refuse/cycle stores). All of the proposed units would meet or exceed the minimum floorspace requirements as outlined within the nationally described space standards.
- 8.24 The proposal would provide a shared amenity space at first floor level within a central, open atrium that would provide approx. 300sq.m of floorspace. In addition, the site is located within the town centre and within walking distance of amenity space, such as Becketts Park and the River Nene. It is, therefore, considered that sufficient amenity space is provided in this case.
- 8.25 Two no. enclosed refuse storage areas are proposed for the building and would be accessed from the both the undercroft parking area and the service yard area accessed from Bridge Street. It is considered appropriate to attach a condition to ensure that separate, dedicated refuse storage is provided for both the residential and commercial uses. In addition, a condition is proposed to ensure the refuse storage areas are provided prior to first occupation and an additional condition requires the submission and approval of a Waste Management to ensure appropriate management of refuse storage and that there is no adverse impact on surrounding amenity. Environmental health raises no objection in this regard.
- 8.26 The application site is located within an edge of town centre location and as such the neighbouring units are commercial in nature with residential dwellings to the rear of the site along Cattle Market Road. Whilst the application site would add habitable room windows to all sides, although this would be dealt with reserved matters stage, it is not considered that the outlook from these windows would result in an unacceptable relationship for a town centre location, with sufficient distance retained between the building and neighbouring windows on the opposite side of Cattle Market Road
- 8.27 In respect of surrounding commercial uses, 3rd party comments have been received raising concern regarding the potential impacts arising from the proposed development in respect of the use of the Malt Shovel Public House, situated to the north of the application site, albeit separated by existing commercial buildings and the subject of further residential development, which has a license to hold late and live music events and which has an outside seating area adjacent to the proposed servicing area.

- 8.28 Paragraph 187 of the NPPF seeks to ensure that new development can effectively integrate with existing businesses, including pubs and music venues, and that these existing businesses should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development is completed.
- 8.29 An initial Noise Assessment and subsequent updated noise assessment to assess the Malt Shovel Public House has been submitted with the application (and associated planning reference N/2020/1474) and assessed by Environmental Health. The original Noise Assessment did not include an assessment of Malt Shovel Public House which it was understood was not trading/reduced levels of trading during the Covid-19 lockdown period. The updated assessment assessed the Malt Shovel in Summer/Autumn of 2022.
- 8.30 Public Protection has advised that there have been no noise nuisance/ public nuisance incidents on record in respect of the Malt Shovel Public House since 2014. It is however acknowledged that there is currently no particular concentration of residential uses within the immediate vicinity of the venue.
- 8.31 The development proposal includes residential accommodation with habitable rooms on all elevations. In order to ensure appropriate levels of amenity for proposed occupiers and that there are no unreasonable expectations placed on existing businesses it is considered necessary to impose a condition to secure a pre-occupation survey to ensure that the mitigation measures have been installed correctly so that they achieve the aims of reducing noise impacts upon future residents and adverse impacts upon nearby commercial uses.
- 8.32 It is therefore considered that any impacts arising from surrounding uses can be sufficiently mitigated such that there is no unacceptable adverse impact on proposed amenity or existing businesses within the area in accordance with policy requirements.

Highway Impacts

- 8.33 The application site is located within the CAAP area albeit in an edge of town centre location. The proposal would provide 38 no. onsite parking spaces within an undercroft location and would be accessed from the Navigation Row elevation using a new two-way access point. The Council's Highways department have been consulted on the proposal and have raised no objection to the proposal. It has been demonstrated that the estimated trip rates generated by the proposed development, when compared to the existing uses and trip distribution, would not have an undue impact on the local highway network. Furthermore, whilst the proposed 38 no. parking spaces is below the minimum standards, given the edge of town centre location, it is accepted that this is a reasonable level of parking provision. The highway authority does request the imposition of a planning condition to secure a Construction traffic management plan (CEMP) which is considered necessary and appropriate in relation to the scale and location of the proposed development.
- 8.34 In addition, the application proposes the provision of a cycle store encompassing a footprint of 47sq.m which would both be accessed from within the undercroft parking area, adjacent to the entrance lobbies. It is considered appropriate to attach a condition to secure the type of internal rack storage proposed and to also ensure that such provision is made prior to the buildings first occupation.

Crime Prevention

- 8.35 The Police Crime Prevention Design Advisor has been consulted on the proposal and whilst no formal objection has been raised, they have requested the imposition of planning conditions to secure security measures for the building and a management plan for the operation of the block. It is considered that such conditions are reasonable and necessary to ensure that future occupants are reside in safe and well managed accommodation.

Flooding and Drainage

- 8.36 The site lies within Flood Zone 3, albeit with flood defences, on the Environment Agency's Flood Map for Planning and is therefore at a high risk of flooding from main river sources. There is a watercourse approximately 150m to the south of the site (River Nene) and this is shown to flood and the Environment Agency Flood Map indicates that this does breach the site boundary. On this basis, the building has been designed so that all residential accommodation is at first floor level or above with parking and, servicing and commercial uses taking place at ground floor level only. The Environment Agency has been consulted and have raised no objections to the proposed development subject to a condition to secure that the development is undertaken in accordance with the submitted Flood Risk Assessment for the Bridge Street North scheme. It is considered relevant and necessary to secure such matters by planning condition.
- 8.37 The submitted drainage details outline that the current site (brownfield) is 100% impermeable with existing hard surfacing and buildings. The proposal seeks to provide a green roof to the proposed building which would improve permeable ground cover for surface water drainage. The applicant has also indicated that foul water drainage would be dealt with using existing infrastructure on Bridge Street and Navigation Row subject to a separate application direct with Anglian Water.
- 8.38 The Lead Local Flood Authority has been consulted on the application and no objections have been raised, subject to conditions to secure a detailed surface water drainage design and a detailed scheme for the maintenance of the approved surface water infrastructure.
- 8.39 Anglian Water have been consulted and no objections have been raised. The most recent response from Anglian Water recommends the imposition of a surface water drainage condition so as to ensure that the proposal does not adversely impact upon environmental or residential amenity. It is considered necessary and reasonable to secure such details by planning condition.
- 8.40 The application is considered to comply with BN7A and BN7 of the JCS, emerging Policy 7 of the emerging Local Plan 2 and guidance in the NPPF.

Other Matters

- 8.41 The Council's Archaeology officer requests a condition on archaeological works, which is considered reasonable to attach.
- 8.42 West Northamptonshire Council Key Services request conditions on fire hydrants and broadband. There is no planning policy basis to require such conditions and as such these are not considered reasonable to attach.

Financial Contributions

- 8.43 West Northamptonshire Council Key Services request a financial contribution towards libraries. There is no planning policy basis in the Northampton Area for the requirement of funds towards libraries and as such it is not reasonable for the Council to request such funding for this development.
- 8.44 Construction Futures request a contribution towards apprentice training and a training scheme on the site. This is considered reasonable to request through a S106 agreement.
- 8.45 The proposal currently proposes the provision of 66no. apartments. As such, the provision of affordable housing as outlined under policy H2 is relevant. This policy requires the provision of 35% affordable housing provision (equivalent to 23 no. units) which should be provided for onsite and if not possible off site (provision or financial contribution as a last resort). As part of the submission, the applicant has indicated that the scheme would be financially unviable if it were required to provide policy compliant affordable housing or any other planning obligations relevant to the scheme (i.e., Public open space, education, Construction Futures, etc). A financial viability assessment has been submitted to demonstrate that the scheme would be unviable if any contributions were sought, including any affordable housing provision. The submitted viability assessment has been independently assessed by the authority's viability consultant and who has concluded that the scheme is unable to offer any form of affordable housing or any form of financial contributions.
- 8.46 The authority accepts the findings of the independent viability assessment and is of the view that the redevelopment of the site to provide significant levels of residential accommodation, albeit not in accordance with affordable housing policy, is acceptable on this occasion as the authority is currently unable to demonstrate a 5 year housing land supply and that also sufficient justification, in the form of the independently assessed viability details, have concluded that the scheme would be unviable in this case.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable and chargeable for residential development.

10 CONCLUSION

- 10.1 The proposed development represents an acceptable land use and would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbouring amenity, the highway system, or crime and safety. Whilst the development will result in limited harm to the historic environment by virtue of the loss of views from far Cotton Bridge, this harm is assessed as being less than substantial and any harm would be outweighed by the public benefits of the scheme by ensuring a long-term viable use for the site and significant levels of housing within a sustainable location. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies C2, H1, H14, S1, S3 and S10 of the West Northamptonshire Joint Core Strategy; and Policies 1, 2, 5, 16 and 22 of the Northampton Central Area Action Plan 2013.

11 RECOMMENDATION

- 11.1 Approve, subject to conditions.

12 CONDITIONS

1. Approval of the details of the appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only granted under Article 5(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans: SK200 - Proposed Ground, 1st, 2nd & 3rd Floors - South Block Rev E, SK201 - Proposed Fourth & Fifth Floor - South Block Rev D, SK250 - Indicative Vehicular Access - South Block Rev C.

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

4. The works of demolition hereby permitted shall not be carried out until details of the scheme for the carrying out of the works of redevelopment of the site hereby permitted (including a timetable for these works) has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to protect the character and appearance of the Conservation Area in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

5. No development (including demolition) shall take place until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.
Development shall then be carried out in accordance with the approved CEMP. The CEMP shall include, though not necessarily be restricted to the following details:
 - i) A Traffic Management Plan incorporating the routing of construction traffic and details of heavy vehicle movement patterns.
 - ii) Measures to minimise and control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms (including Best Practice Measures contained within Section 6 of the submitted Dust Impact Assessment undertaken by Accon UK Limited, dated 1st October 2020, Report Ref: A/3391/CMP/01).
 - iii) Details of the siting of all vehicles of site operatives and visitors.
 - iv) The unloading and loading arrangements for heavy plant and machinery.
 - v) The location, extent and duration of any temporary stockpiling areas.
 - vi) Measures to prevent mud being deposited on the surrounding highway.
 - vii) Hours in which development will take place.
 - viii) Demolition methods.

Reason: To minimise the impact of the development during the construction phase in accordance with the National Planning Policy Framework. This is a pre-commencement condition to enable timely submission of information.

6. No development shall take place until details of the existing and proposed ground levels and finished floor levels of the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

7. No development shall take place until an investigation and risk assessment to assess the nature and extent of any contamination of the site has been completed, in accordance with a scheme that has been first submitted to and approved in writing by the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced which must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health,
- property (existing or proposed) including buildings, pets, and service lines and pipes,
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

Reason: Pre commencement condition to ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment in accordance with paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

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

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 paragraph 170 of the NPPF and Policy BN9 of the West Northamptonshire Joint Core Strategy.

11. Prior to any works above lower ground floor slab level, a scheme providing details of the measures to be incorporated into the development demonstrating how the principles and practices of 'Secured by Design' have been included shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

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.

12. No development shall take place until a programme of archaeological work in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The written scheme will include the following components, completion of each which will trigger the phased discharging of the conditions:
- (i) Approval of a Written Scheme of Investigation.
 - (ii) Fieldwork in accordance with the agreed written scheme of investigation.
 - (iii) Completion of a Post-excavation assessment report and approval of an approved Updated Project Design (to be submitted within 6 months of the completion of fieldwork unless otherwise agreed in advance with the planning authority);
 - (iv) Completion of post-excavation analysis, preparation of site archive ready for deposition at a store (Northamptonshire ARC) approved by the local planning authority, completion of an archive report and submission of a publication report to be completed within two years of the completion of fieldwork unless otherwise agreed in advance by the local planning authority.

Reason: To ensure that features of archaeological interest are properly examined and recorded in accordance with the NPPF paragraph 199. This is a pre-commencement condition to ensure timely submission of details.

13. Before any above ground works commence full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy dated 23/08/2022 will be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include
- i) details (i.e. designs, diameters, invert and cover levels, gradients, dimensions and so on) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required).
 - ii) details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations.
 - iii) cross sections of the control chambers (including site specific levels mAOD) and manufacturers' hydraulic curves should be submitted for all hydrobrakes and other flow control devices
 - iv) Flows to be restricted to 2l/s.

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

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

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

15. Prior to first occupation of the residential accommodation hereby approved, the secure cycle storage, as shown on plan SK250 - Indicative Vehicular Access - South Block Rev C shall be provided on site and retained for the parking of bicycles by the occupants of the residential accommodation thereafter.

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

16. The residential refuse store as shown within plan SK250 - Indicative Vehicular Access - South Block Rev C shall be provided on site prior to the first occupation of the development hereby approved and retained at all times thereafter for bin storage.

Reason: In the interests of residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

17. Prior to first occupation the noise mitigation scheme outlined within the Noise Impact Assessment Addendum undertaken by Sweco, dated 14 December 2021 – Document Reference: 65201962-ACO.REP2 and document reference LR02-20123-R0 Dated 21 October 2022 shall be provided in full on the site. The noise mitigation scheme shall thereafter be retained in fully working condition.

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

18. Before development commences an air quality assessment shall be undertaken to assess the impact of the development on local air quality and the community against the National Air Quality Standards and Objectives. The assessment shall identify the impact of the existing and proposed development and any exceedance of the air quality objectives, including any proposed mitigation and shall be submitted to the local planning authority for approval. Once approved the development shall be undertaken according to this approval and the use shall not commence until any agreed mitigation measures have been implemented. No changes shall be made to the development without the prior written approval of the local planning authority.

In addition to the above a point source emissions assessment should be undertaken from the adjacent Carlsberg Site located on Bridge Street. The assessment must have due regard to a recent application N/2019/1418 – Erection of 2no buildings to accommodate combined heat and power recovery units, 4 no coolers, 35-metre-high chimney, overhead gantry for services and relocation of existing car parking arrangements.

Reason: In the interest of residential amenity and to protect public health.

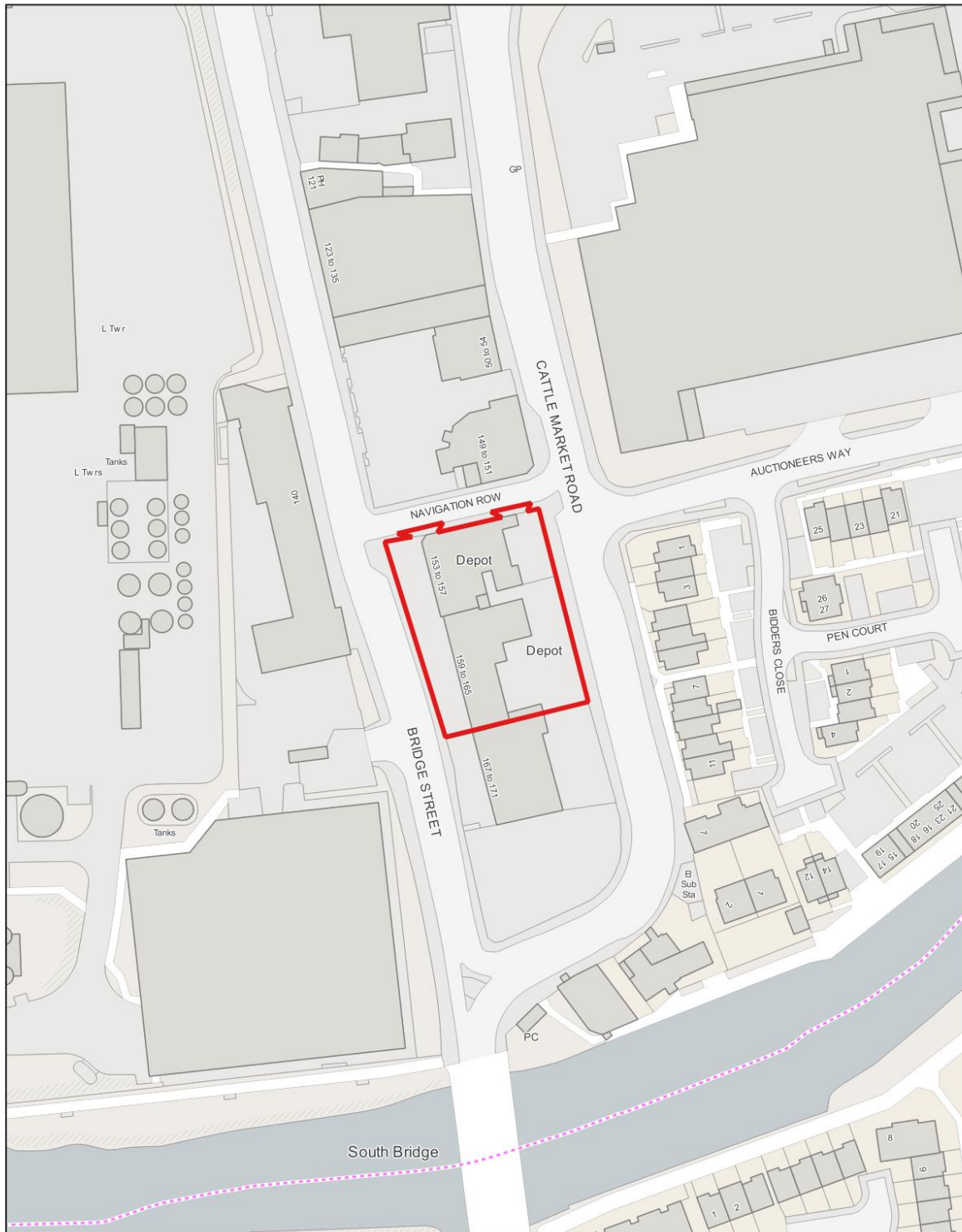
19. Above ground works on the Development hereby approved shall not commence until a scheme of sound insulation works has been submitted to and approved in writing by the Local Planning Authority. Such a scheme of works shall be capable of achieving the following indoor noise levels:

General Environmental noise ingress:

- Habitable rooms (daytime): LAeq,16 hour of 35dB (0700 to 2300 hours); and
 - Bedrooms (night-time): LAeq,8 hour of 30dB (2300 to 0700 hours) and LAFmax,5min of 45dB no more than 10 times a night (2300 to 0700 hours).
- Night-time entertainment noise ingress:
- Bedrooms (night-time): Night-time entertainment noise ingress shall not exceed any of the three site-specific entertainment noise criteria defined in Section 2.6 (Page 11) of the Sweco report “33-39 The Drapery, Northampton: Noise Impact Assessment Addendum”. These apply to noise from adjacent hospitality venues during the night-time.

The scheme of sound insulation works shall include a system of alternative acoustically treated ventilation to all habitable rooms where these indoor noise levels would otherwise be exceeded. The scheme of sound insulation shall also account for noise ingress through mechanical ventilation duct routes into habitable rooms where this would otherwise result in the above indoor noise levels being exceeded. The building shall not be occupied until the sound insulation works have been implemented in accordance with the approved scheme and shall thereafter be permanently retained.

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



Title: **153 - 165 Bridge Street**

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Date: 17-11-2022

Scale: 1:1,250 @A4

Drawn: M Johnson



Planning Committee Report

Committee Date: 5th December 2022

Application Number: N/2021/0226

Location: Campbell Works, Clarke Road, Northampton
NN1 4PW

Development: Construction of 5no new apartments above the Cube
Disability Day Centre

Applicant: Yuill Properties

Agent: APC, Architects, Planning Consultants

Case Officer: Nicky Scaife

Ward: Abington and Phippsville Unitary Ward

Referred by: Councillor B Purser

Reason for Referral: Overdevelopment, out of character & highway impacts

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

The application is for the construction of an additional storey above the existing ground floor day centre to provide 5 x 1-bedroom apartments.

Consultations

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

- Councillor Bob Purser

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

- Environmental Health

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

- Highways

25 letters of objection from 15 residents 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 impact on character of area
- Residential Amenity
- Highway impacts

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site comprises a 1½ storey building on a prominent corner of Clarke Road and Adnitt Road and is currently used as 'The Cube' disability centre which the submitted supporting documentation advises provides "modern welfare care service for adults with learning disabilities and autism". The building, a former garage and then tool hire shop, is of a red brick construction with large shop front style windows facing onto both Clarke Road and Adnitt Road and a fascia sign above. The main entrance to the building is on Clarke Road with a roller shutter garage door located towards one end of the building on Clarke Road. An electricity substation adjoins the eastern elevation of the building on Adnitt Road. Part of the rear of the site immediately borders the rear garden of No. 187 Adnitt Road, a residential property.
- 1.2 The surrounding area is predominantly residential comprising of mainly terraced properties with on-street parking. Properties on Clarke Road are predominantly 2-storey with the exception of the property on the opposing side of Clarke Road opposite which appears as a 3-storey building from the side elevation fronting Clarke Road due to the presence of rooms within the roof space.
- 1.3 Properties along Adnitt Road comprise predominantly of 2-storey terraced properties, but with a variation in character opposite the application site a comprising a 2/3 storey block of flats.

2 CONSTRAINTS

- 2.1 Article 4 Direction – HIMOs.

- 2.2 Abington Park Conservation Area is located some distance to the south east of the site beyond properties on Adnitt/Wantage Road and Roseholme Road and is not considered to be affected by the proposal.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposal is for the erection of an extension above the existing ground and internal mezzanine floor of the Cube Disability Day Centre to create 5 apartments. The agent has advised that it is the intention for the flats to be rented to users of the Cube to allow and support independent living however the client also seeks the flexibility for the units to also be made available to the open market. The ground floor would predominantly be retained as a day centre with an existing garage door altered to allow for access to the flats via an internal staircase with internal bin and cycle storage also provided.
- 3.2 The scheme as originally submitted proposed 4 x 1 bedroom/ 1 person apartments and 1 x 2-bedroom/ 3 person apartment. The scheme has subsequently been amended to 5 x 1-bedroom/ 1 person units.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2019/0740	Change of use from Tool Hire/Sales (Use Class A1) to Day Centre (Use Class D1)	Approved 2/08/19
N/2016/0449	Change of use from garage (Use Class B2) to mixed use including tool hire and sales	Approved 7/07/16
N/2015/0489	Change of use from garage/showroom (Sui Generis Use) into dance studio (Use Class D2) refused due to noise and disturbance and would result in significant parking congestion in the area.	29/06/15
N/2004/1204	Erection of 8 flats	Approved 18/10/04

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 Development Plan

The Development Plan in respect of this application comprises the West Northamptonshire Joint Core Strategy, which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Northampton Local Plan (1997) (saved policies).

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

- Policy SA – Presumption in Favour of Sustainable Development
- Policy S1 – The Distribution of Development
- Policy S3 – Scale and Distribution of Housing Development
- Policy S10 – Sustainable Development Principles
- Policy H1 – Housing Density and Mix and Type of Dwellings

Northampton Local Plan (1997)– Saved Policies

- Policy E20 – New Development – Design
- Policy H6 – Other Housing Development within primarily residential areas

5.3 Material Considerations

- **National Planning Policy Framework (NPPF)**

- Section 2 – Achieving Sustainable Development
- Section 5 – Delivering a sufficient supply of homes
- Section 12 – Achieving well-designed places

- **Northampton Local Plan Part 2 (2011-2029) (Emerging) (LLP2)**

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

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

- Policy 1 – Presumption in favour of sustainable development (*Significant Weight*)
- Policy 2 – Placemaking and 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)
- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

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

Consultee Name	Comment
Environmental Health	No objection subject to the following: Air Quality – development should meet Council's

	<p>adopted Low Emissions Strategy – Type 1 Mitigation – All gas-fired boilers to meet a minimum stand of <40 mgNOx/kWh</p> <p>Construction Noise – work on-site should not occur outside the following hours: Monday – Friday 7.30 a.m. – 18.00 p.m. Saturday 8.30 a.m. – 13.00 p.m. No work on Sundays & Bank Holidays.</p>
Highways	<p>Comments on original submission: Due to know pressure in the area for on-street parking and the expectation that the change of use could result in an increased level of parking demand on-street immediate to the site, especially after 6pm in an already congested area, advise that an on-street car parking beat survey is undertaken. Due to ongoing coronavirus situation, however, cannot accept transport data at present and LPA may therefore wish to consider the potential impact on local amenity.</p> <p>(No further comments received on subsequent amendments)</p>
Cllr Bob Purser	<p>Calls the application to Committee on grounds of overdevelopment, inadequate parking and scale of the development is out of keeping with the neighbouring properties.</p>

7 RESPONSE TO PUBLICITY

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

7.1 There have 25 objections from 15 residents on both the original submission and subsequent amendments the comments of whom are summarised as follows:

- Overlooking from balconies and windows into neighbouring properties
- Overlooking of gardens and impact on residential amenity
- Blocking light to existing houses
- Stairs to apartment will be directly next to front door – noise and disturbance – high footfall
- Overdevelopment
- Out of character with existing area
- Not in line with Nationally Described Space Standards
- Impact on existing parking issue in area / lack of parking provision
- ‘Clients and staff’ would not park on street during evenings’ – can’t condition
- If residents are clients of The Cube – will be likely receiving support/ care/ family/ visitors – how will parking be managed?
- Disruption to residents working from home from construction works
- Structural impact on neighbouring property
- Devalue property
- Noise pollution
- Impact of building materials, skips on a road already tight for parking

- How long will flats be for students of the Cube, what is in place to stop landlord getting private tenants?
- Provision for refuse storage?
- Current opening hours of The Cube not being adhered to – premises should only be open 8-18:00 Monday to Friday and 10am-2pm Saturday – detrimental to enjoyment of properties.
- Dependence on gas boilers should be considered.

8 APPRAISAL

Principle of Development

- 8.1 The NPPF, Policy SA of the JCS and emerging Policy 1 of the submitted LLP2 advise on a presumption in favour of sustainable development that accords with the policies of the development plan unless material considerations indicate otherwise. Policy S1 of the JCS seeks to locate new development primarily in and adjoining the principal urban area of Northampton.
- 8.2 The application site lies within the urban area in a residential area. As such new residential development is acceptable in principle, subject to the considerations set out below. It is also noted that a previous consent for development of the site for the erection of 8 flats was granted in 2004, albeit this consent has now expired. Furthermore, the residential development of the site would contribute, albeit on a small scale, to the Council's 5 year housing supply. This therefore weighs in favour of the proposal.

Design and Impact on Character of Area

- 8.3 Policy H1 and S10 of the JCS seek to ensure high quality design and that new development has regard to the existing character of the area. Emerging Policy 2 of the submitted LLP2 reflects these aims.
- 8.4 The existing building sits in a prominent position on the corner of Clarke Road and Adnitt Road. The appearance of the building is currently at odds with the predominant character of the surrounding area comprising mainly of 2-storey terraced properties, being a flat roof commercial building with large, glazed shop front style windows interspersed with red brick and a prominent yellow and dark grey fascia with signage wrapping round the building.
- 8.5 The proposed extension has been designed as a flat roof addition to the existing flat roof structure. Whilst the design of the proposed development increases the height and overall scale of the building further emphasising its presence in the street the existing ground floor brickwork would be rendered in white to reflect the character of immediately adjacent properties with the existing yellow banding around the building removed and the render extended up towards the retained dark grey fascia. The first floor would be in a brick slip to match the appearance of surrounding buildings with a dark grey parapet above. Upper floor windows are proposed to be dark grey upvc to match the existing ground floor windows and the existing roller shutter garage door would be removed to provide the entrance to the flats and entrance to the bin and bike store.
- 8.6 The scheme has been amended to simplify the appearance removing balcony details and aligning where possible upper floor fenestration with the existing ground floor and providing a subtle inset of parts of the building on the Clarke Road elevation to add some interest in appearance

- 8.7 The height of the building would be marginally above the existing ridge height of the adjoining property at No. 2 Clarke Road. However, the scheme has been amended to inset the first floor element of the building that adjoins No. 2 to avoid the visual prominence of a flat roof structure adjoining the pitched roof of this neighbouring property which would be particularly visible when travelling from north to south along Clarke Road. Whilst the building sits slightly higher than No. 2, there are slight variations in roof heights along Clarke Road of a similar height to that proposed such that it is not considered this marginal increase in height would adversely impact on the character of the area.
- 8.8 The proposal would provide some enhancement to the appearance of the existing ground floor and the design and appearance of the amended scheme overall is considered acceptable.

Residential Amenity

- 8.9 Saved Policy E20 of the Northampton Local Plan requires development to provide adequate standards of privacy, daylight and sunlight and Policy H1 of the JCS seeks to ensure new development has regard to living conditions for future residents. Policy 4 of the submitted LLP2 requires development to create a high standard of amenity for occupiers, including ensuring satisfactory outlook and visual amenity from within buildings and communal garden areas, taking account of the relationship with neighbouring buildings and the wider street scene. These policies reflect paragraph 130 of the NPPF which advises of the need to ensure that developments create places with a high standard of amenity for existing and future users.
- 8.10 Although not formally adopted in policy by the Council, the Nationally Described Space Standards are considered an appropriate tool to measure an acceptable level of amenity for proposed occupiers. In respect of 1-bedroom units for single person occupancy a minimum gross internal floor area (GIA) of 39m² is required (37m² if a shower room rather than bathroom is provided).
- 8.11 The amended scheme indicates that all 1-bedroom units (which all include shower rooms) would meet the required standards with internal floor areas ranging from 39.7m² to 43.2m². In addition, all the proposed units would be served by windows providing sufficient light and outlook to habitable rooms.
- 8.12 Sufficient internal refuse storage would be provided at ground floor level and would be required by condition.
- 8.13 Although the proposal provides no external amenity space for proposed occupiers and there is not the opportunity to do so, the application site is within walking distance of Abington Park providing the opportunity for recreation.
- 8.14 In respect of the impact on the amenity of existing occupiers, the scheme has been amended to remove external balconies. The revised scheme retains habitable room windows at first floor level which would face towards ground and first floor habitable room windows on existing properties on both Clarke Road and Adnitt Road. Concerns have been raised in respect of overlooking of these neighbouring properties, however, the proposed windows would be situated approximately 12m at the nearest point from the front elevation of the opposing properties increasing to approximately 18.3m to the side elevation of No. 177 Adnitt Road on the opposing corner. Whilst it is acknowledge the proposal introduces first floor windows where there are currently none on this part of Clarke Road, the proximity of front to front

elevations reflects the relationship between existing terraced properties along Clarke Road and in the surrounding area and as such, it is not considered that the proposal would lead to an unacceptable level of overlooking sufficient to justify refusal of the application on this basis. Properties on the opposing side of Adnitt Road are situated slightly further away at a minimum distance of approximately 16m.

- 8.15 In respect of loss of light, the application site is situated to the east of properties on the opposing side of Clarke Road. Whilst there would be the potential for some loss of morning sun to the front elevation of these properties the relationship is again similar to that of existing terraced properties in the area and as such it is not considered an objection could be upheld on this basis.
- 8.16 No 187 Adnitt Road is a 2-storey terraced dwelling situated to the east of the application site with habitable room windows facing towards the site and also located to the rear of the dwelling. The rear most part of the Cube building abuts the rear garden of No. 187 with an electricity sub-station extending along the remainder of this neighbouring boundary. The scheme has been amended to remove a first floor element that extended towards this neighbouring property to the rear of the site and also remove any windows on the rear elevation facing towards this neighbouring property. The proposed blank rear elevation of the extension would be situated beyond the existing electricity substation set further away from this neighbouring property. It is also noted that there was a previous consent, albeit in 2004 and now expired, for a residential development of 8 flats of the same height, albeit with a pitched roof which would have a similar impact to that proposed. As such, it is not considered there would be any significant adverse impact on the amenity of this neighbouring property.
- 8.17 It is considered overall that an appropriate level of amenity would be provided for proposed occupiers and that there would not be any significant or unacceptable harm to neighbouring occupiers.

Highway Matters

- 8.18 The former County and Borough Councils' (now both part of West Northamptonshire Council) Parking Standards provide guidance on the parking requirements for different use classes. In addition, Policy C2 of the JCS and Section 9 of the NPPF seeks to promote sustainable transport and modal shifts to non-car modes of travel. Furthermore, the guidance in the NPPF requires safe and suitable access for all developments and details that developments should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 8.19 The Northamptonshire Parking Standards advise that parking for proposed flat developments will be assessed on the merits of each application. The Highway Authority has advised that the proposal could result in an increased level of parking demand and although a parking beat survey is suggested, at the time of consultation due to coronavirus an informed assessment would be difficult. They advise that impact on amenity is considered in respect of highway matters. No further consultation has been carried out on subsequent amendments to the scheme which have related predominantly to design issues.
- 8.20 Parking within the vicinity of the site is on-street and unrestricted. In addition, the removal of the garage door to the existing property on Clarke Road would provide an additional on-street parking space.

- 8.21 The planning permission for the use of the premises as a Day Centre (N/2019/0740) has a condition restricting the opening hours of the premises to 08:00 to 18:00 Monday to Friday and 10:00 to 14:00 on Saturday. As such, vehicles associated with the use of the ground floor are unlikely to be present during evening periods or for the majority of the weekend when the need for residential parking is increased.
- 8.22 Whilst it is acknowledged the development has the potential to increase parking demand in the area the site is in a sustainable location in walking distance of local convenience stores and bus stops to the wider area on Wellingborough Road and Stimpson Avenue. In addition, bike storage as shown on the submitted plans would be required by condition.
- 8.23 On balance, and taking into account the above, it is not considered that it could be demonstrated that the impact on existing highway and parking conditions would be so severe that the application could be refused on this basis.

Other Matters

- 8.24 In respect of Environmental Health comments, the consideration of gas boilers is not a planning consideration. In view of the proximity of the development to residential properties it is considered appropriate to impose a condition in respect of construction management and hours in this instance.
- 8.25 Whilst concerns are noted in respect of the proximity of the stairs and bin storage the proposal would be subject to building regulations and appropriate protection against the passage of sound considered under Part E of the Building Regulations. It is also noted there is an existing bin store, albeit of a smaller scale situated in a similar location.
- 8.26 Impact on property values is not a material planning consideration. Structural impacts would be a civil matter.
- 8.27 No complaints have been received by the Planning Authority in respect of operation of the existing use outside of approved hours.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable and chargeable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development would contribute towards the provision of housing within the area and would not lead to an unacceptable impact on the character of the area, residential amenity or highway impacts. The proposal is therefore in conformity with the requirements of Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 and H6 of the Northampton Local Plan, Policies 1, 2, 4 and 14 of the emerging Northampton Local Plan Part 2 and the National Planning Policy Framework.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposal is recommended for approval subject to the following:
1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, N426-101 Rev E Proposed Plans, N426-102 Rev E Proposed Elevations.

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

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

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

4. The refuse storage shall be provided in accordance with the details shown on the approved plans prior to occupation of the development hereby permitted and retained thereafter.

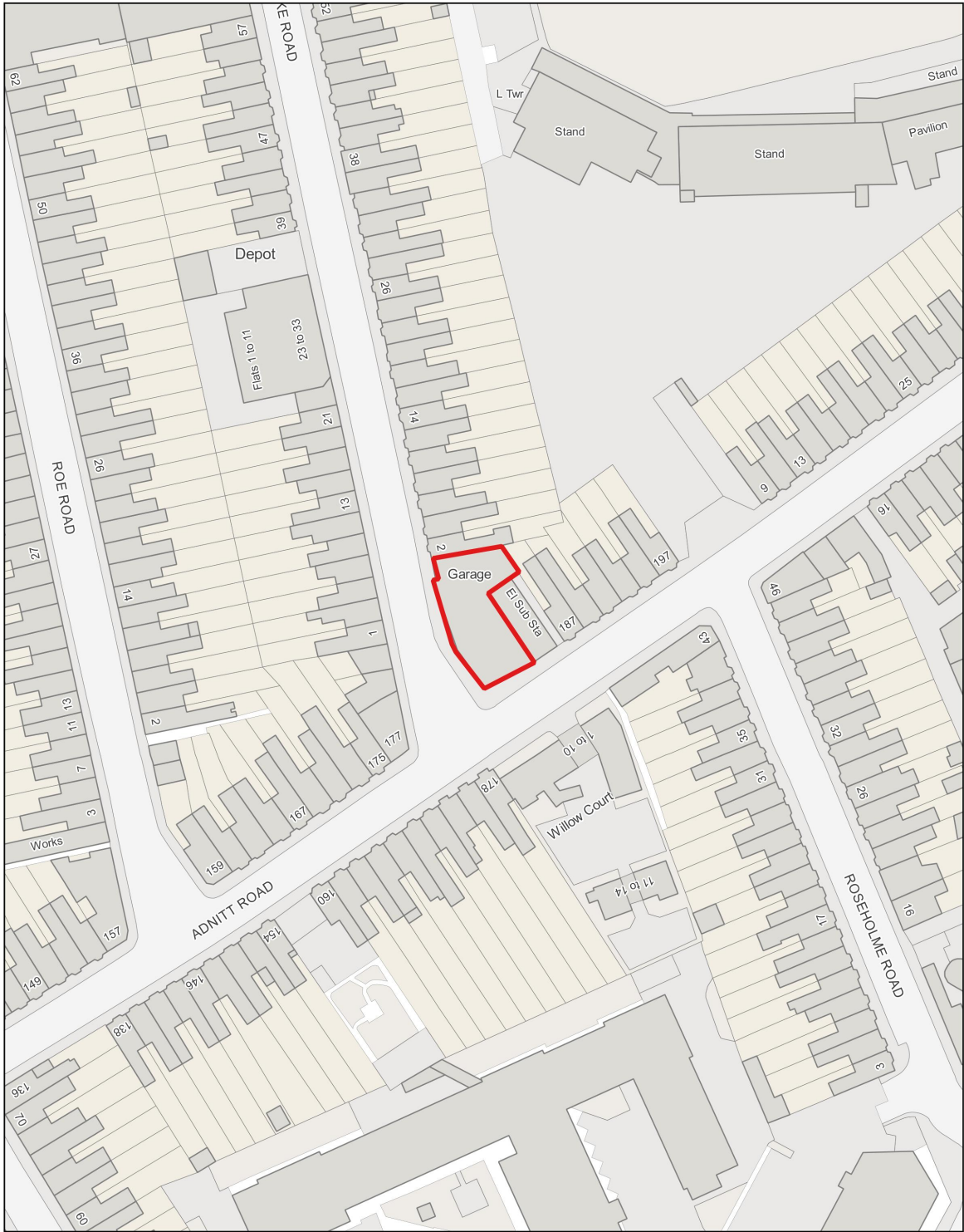
Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

5. The cycle storage shall be provided in accordance with the details shown on the approved plans prior to first occupation and retained thereafter.

Reason: In the interests of promoting sustainable development and to accord with the Council's Parking Standards Supplementary Planning Document.

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

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



West Northamptonshire Council

Title: **Campbell Works, Clarke Road**

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Date: 25-11-2022

Scale: 1:1,000 @A4

Drawn: M Johnson





Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/0730

Location: 7 Vernon Terrace, Northampton, NN1 5HE

Development: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants

Applicant: Marcam Management Ltd

Agent: Marcam Management Ltd

Case Officer: Kanchan Sharma

Ward: Abington and Phippsville Unitary Ward

Referred by: Councillor B Purser

Reason for Referral: Overdevelopment of the site, room sizes and impact on parking

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

Permission is sought for change of use from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for 4 occupants.

Consultations

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

- Councillor Bob Purser

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

- Private Sector Housing
- Northamptonshire Police

Eight letters of objection have been received and a petition signed by 4 people.

Conclusion

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

The key issues arising from the application details are:

- Principle of development
- Concentration
- Standard of living conditions and neighbour amenity
- Highway safety

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application relates to a two storey, mid-terrace dwellinghouse. There is a two storey outrigger to the rear that has a single storey, lean-to element on the back. The property comprises of a living room, dining room, kitchen and WC on the ground floor with three bedrooms and a bathroom provided on the first floor. The property has an enclosed garden area to the rear and overlooks onto a public car park to the rear.
- 1.2 The site lies within a residential street of similar type properties and is within easy walking distance of the Local Centre on Wellingborough Road.

2 CONSTRAINTS

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

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 Planning permission is sought for change of use from dwellinghouse (Use Class C3) to a house in multiple occupation (Use Class C4) for 4 occupants.
- 3.2 The existing dining room would be converted into bedroom. The two existing bedrooms on the first floor would be retained and the bathroom would be converted into one bedroom. Initially proposed window on the side elevation has been removed and a new window has been proposed on the rear elevation to provide adequate ventilation and outlook for the potential users.
- 3.3 The living room on the ground floor would be retained.

4 RELEVANT PLANNING HISTORY

4.1 None.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

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

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

Northampton Local Plan 1997 (Saved Policies) (NLP1)

5.4 Given the age of the Northampton Local Plan the weight to be afforded to its policies is diminished, however the following policies are relevant to the application:

- Policy E20 – Design for new development
- Policy H30 – Multi-occupation within a single dwelling

Material Considerations

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

- **National Planning Policy Framework (NPPF)**

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

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

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

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

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

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

- Policy 1 – Presumption in favour of sustainable development (Significant weight)
- Policy 2 – Placemaking and Design (Moderate weight)
- Policy 4 – Amenity and layout (Moderate weight)
- Policy 6 – Health and wellbeing (Significant weight)
- Policy 7 – Flood risk and water management (Significant weight)
- Policy 15 – Delivering houses in multiple occupation (Significant weight)
- Policy 33 – Highway network and safety (Significant weight)
- Policy 35 – Parking standards (Significant weight)
- Residential Extensions and Alterations Design Guide 2011
- Northamptonshire County Parking Standards (November 2016)
- Northampton Parking Standards Supplementary Planning Document (November 2019)
- **Houses in Multiple Occupation Supplementary Planning Document (November 2019)**

5.6 The HMO SPD details that proposals for HMOs should:

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

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Local Highway Authority	-	No comments received
Private Sector Housing	No objection	The bedroom sizes are adequate. Suitable fire safety measures will need to be provided, with the level of fire protection to be determined by a separate fire safety assessment.
Northamptonshire Police	No objection	It is likely that residents of the HiMO would have to park some distance from the property because of a lack of available on-street parking. Further details for cycle storage should be asked for.
Northamptonshire Fire & Rescue Service	No objection	NFRS have no comments to make at this stage.
Cllr Bob Purser	Object	Please could I call this application into the Planning Committee on the grounds that it represents overdevelopment of this site and will add to parking problems in this area.

7 RESPONSE TO PUBLICITY

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

7.2 Eight representations and a petition signed by 4 people have been received, which raise objections to the proposed development. A summary of the comments received is provided as follows:

- Parking is already a problem, particularly in the evenings when it is difficult to find a space to park and resulting in unsafe parking practices such as double parking and parking on corners.
- There are too many flats in the area as it is. Overconcentration with additional HiMOs leading to a loss of local character.
- A number of properties in the street are being converted into flats.
- Existing HiMOs and flats place excess pressure on local infrastructure, particularly parking.
- Existing HiMOs create issues with refuse/litter and noise nuisance and are associated with antisocial behaviour, which places a strain on the local community.
- Loss of a family dwelling.
- Impact on society cohesion
- Impact on values.
- Overlooking and resulting in loss of privacy.
- There are existing illegal HiMOs
- Internal changes have been carried out already at the property.

7.3 No comments were received on amended plans.

8 APPRAISAL

Principle of Development

8.1 The conversion of the existing dwelling to a HiMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities.

8.2 Policy H5 of the West Northamptonshire Joint Core Strategy (WNJCS) allows for HiMOs where the proposal would not adversely impact on the character of the area and the amenity of residential areas. Policy 15 of the emerging Local Plan Part 2 allows for new HiMOs provided the proposal does not result in an over-concentration of this type of housing, adequate space is provided for the occupiers, appropriate provision is made for refuse, cycle storage and parking and ground floor bedrooms are protected from flood risk. The Council's Houses in Multiple Occupation Supplementary Planning Document also sets out a series of principles for determining planning applications for HiMOs.

8.3 The principle of development is therefore considered to be acceptable, subject to assessment of the application against the aforementioned policies and guidance as set out below.

Area concentration

8.4 The Houses in Multiple Occupation SPD sets out the Council's approach to managing the growth of HiMOs. Principle 1 of the SPD seeks to create, support and maintain a balanced, mixed and inclusive community and protect the neighbourhood and streetscene character. To help achieve this objective, it aims to avoid an over-concentration of similar uses in one locality and sets a maximum threshold of 10% of HiMOs within a 50m radius of any other HiMO (regardless of whether licensed or not). The SPD is up to date, having been adopted in November 2019, and it can therefore be afforded substantial weight in decision-making.

8.5 Policy 15 of the emerging Local Plan 2 relates to the delivery of HiMOs and reflects the HiMO SPD in terms of consideration of the concentration of HiMOs in a locality. It states that all planning applications for change of use from dwellinghouses to HiMOs will be supported provided that less than 10% of the dwellings within a 50m radius of the application site are houses in multiple occupation. There have not been any proposed main modifications to this policy as part of the Local Plan 2 examination process and it is considered to carry significant weight.

8.6 Council records indicate that there is only one existing licenced HiMOs within a 50m radius of the application site. Based on the methodology for the calculation of concentration as set out on the HiMO SPD, the proposed development would result in a HiMO concentration of 3.6% within a 50m radius of the application site. This calculation includes No.21 Vernon Terrace as a registered HiMO, and therefore represents a very robust assessment.

8.7 One of the representations received states that not all HiMOs in the street are shown on the HiMO register. There is no other evidence to suggest that there are any additional properties that should be included within the area concentration calculation for the proposal.

- 8.8 Given that the proposal is below the 10% threshold set out in the Council's adopted SPD in relation to the concentration of HiMOs, it is considered that the mixture of property types in this locality would maintain an acceptable balance. The application is therefore considered to accord with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy, Policy H30 of the Northampton Local Plan, Policy 15 of the emerging Local Plan Part 2, the HiMO SPD and the aims of the National Planning Policy Framework.

Size of the property and facilities for future occupiers

- 8.9 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HiMOs to be of sufficient size to accommodate the proposed use. The HiMO SPD seeks to ensure acceptable standards for a range of space and facilities and sets out minimum space standards for bedrooms, kitchens, living and dining space as well as a minimum number of bathroom facilities for the intended occupiers. Policy 15 of the emerging Local Plan 2 states that schemes should be compliant to the Council's existing space standards for houses in multiple occupation.
- 8.10 The property is considered to be of sufficient size to provide an acceptable standard of amenity for future occupiers having regard to the standards set out in the HiMO SPD.
- 8.11 All the bedrooms meets the minimum requirements for single occupancy. The size of the proposed kitchen facilities is adequate for a two storey property with the size of bedrooms proposed. The bathroom facilities also meet the required standards. Private Sector Housing have confirmed that the room sizes and facilities are adequate.
- 8.12 All habitable rooms as well as the kitchen would be served by windows which would afford adequate natural light, ventilation and an acceptable outlook.
- 8.13 The property would require a mandatory HMO licence and a condition restricting the use of the property to a maximum of 4 people would be necessary in the event of any approval to ensure that the size and level of facilities remained appropriate for the number of occupiers.

Highways/Parking

- 8.14 The property does not have any dedicated off-street parking space. The HiMO SPD sets out a starting point of one on-plot car parking space per bedroom. This is consistent with the standard specified in the Northamptonshire Parking Standards (September 2016) and the Parking Standards Supplementary Planning Document (November 2019). The Houses in Multiple Occupation SPD sets out that where limited or no parking provision is proposed, the developer must provide a parking beat survey. Should a parking beat survey reveal that there is insufficient on-street parking capacity, the application site should be within 400m of a bus stop with at least one bus every 30 minutes between 0700 and 1900 Mondays to Sundays and be located within 400m of facilities and services contained in a town centre, district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.15 No parking beat survey has been submitted with the application however the site is within a sustainable location, being within 400m of the Wellingborough Road and

Billing Road several bus stops that provide a regular service providing connections in different directions.

- 8.16 It is acknowledged that the area is heavily parked and residual parking capacity is likely to be very limited, especially in the evenings. This is confirmed by comments made within third party representations. It is also recognised that the proposal has the potential to increase parking demand over and above that generated by the existing three bedroom dwellinghouse and that the cumulative impact of other HiMO development and dwellings that have been converted to flats can have a significant impact on a local area.
- 8.17 Notwithstanding the above, the site is within a sustainable location and the concentration of HiMOs in this locality is within acceptable limits. As such, the application is in accordance with the HiMO SPD. Furthermore, previous planning applications for houses in multiple occupation within Northampton Borough have accepted that there is no evidence to support that all the residents would own cars. Under these previous applications, regard has been paid to recent appeal decisions where Planning Inspectors have consistently taken the view that where a site is close to local amenities and public transport and no or very limited parking is provided, considerable weight has been given to the sustainable location of the site. Indeed, some Inspectors have taken the view that proposed occupiers, in recognising the lack of parking provision and proximity to amenities, may choose the location for this purpose and not wish to have cars.
- 8.18 The HiMO SPD recommends that storage space should be provided which is accessible to cycle users. The Northamptonshire Parking Standards document (2016) indicates that for houses in multiple occupation, one cycle space should be provided per bedroom. Storage for 4 bicycles is indicated within the rear garden area. A condition would secure the details of the proposed cycle storage would be necessary to ensure that appropriate provision is made for the secure storage of bicycles. The provision of appropriate cycle storage would also help to mitigate the potential impact on parking.
- 8.19 In summary, whilst it is likely that some future occupiers would own a car, the site's sustainable location and the on-site availability of secure cycle storage are factors that would be anticipated to appeal to persons dependent upon sustainable modes of transportation. When also factoring in that the property's use as a single dwellinghouse would generate its own parking demands, it is considered that the parking arrangements for the development are acceptable. The application therefore accords with Policy H5 of the WNJCS, saved Policy H30 of the Northampton Local Plan, the NPPF and the HiMO SPD in so far as these policies and guidance indicate that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.

Refuse

- 8.20 HiMOs are required to provide suitable refuse storage. The submitted plan indicates an area to the rear of the dwelling that is to be used for bin storage and this is considered acceptable. Bins would need to be transferred through the building for collection, which is the same arrangement for the existing dwellinghouse.

Amenity

- 8.21 The proposal is for a residential use of the property. There is no evidence to demonstrate that the proposal would generate any specific adverse amenity

impacts, such as noise or anti-social behaviour, over and above those created by a conventional C3 dwellinghouse. Consequently, it is not considered that a refusal of planning permission, or the imposition of conditions in relation to amenity issues, could be justified.

Flooding

- 8.22 The site lies in Flood Zone 1 and is therefore classified as being at the lowest risk of flooding. As such, there are not any significant concerns with flooding to the proposed ground floor bedrooms.

Crime Prevention

- 8.23 Northamptonshire Police have raised a concern with residents being forced to park some distance away from the property because of the high demand for on-street parking. The Police have commented that vehicles not under direct supervision from the dwelling they relate to are far more vulnerable to vehicle crime and parking overcrowding can give rise to neighbour disputes. Whilst it is accepted that there may be instances where residents are forced to park some distance away from the property, this is no different to the established situation and it is not considered that this issue could be substantiated as a reason for refusal of planning permission. Northamptonshire Fire & Rescue Service have confirmed that they do not wish to raise any issues at this stage. Fire safety measures would be covered through a separate process outside of this planning application.

External Works

- 8.24 Some minor external alterations are proposed which involve replacing a first floor window in the rear elevation. The proposed works are very minor and would not have any significant impact on the appearance of the host building or the character of the surrounding area. A condition is recommended requiring the external materials to match the existing dwellinghouse.

Property Values

- 8.25 Concerns have been made by the local residents about the impact on the property values, however, impact on property value is not a material planning consideration and as such cannot be used to assess the current planning application.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development would not lead to an unacceptable concentration of HiMOs within the locality and would not adversely affect the character of the local area and streetscene. Furthermore, the development would not have any significant and demonstrable adverse impact on highway safety or result in any undue detriment to the amenity of neighbouring property. The property is of sufficient size to accommodate the level of occupancy as proposed.
- 10.2 The proposed development would be in accordance with the aims and objectives of the National Planning Policy Framework, Policies H1, H5, and S10 of the West

Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, Policy 15 of the emerging Local Plan Part 2 and the Council's Houses in Multiple Occupation SPD.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The proposed development is recommended for approval subject to the conditions listed below (and any amendments to those conditions as deemed necessary):

Time Limit

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

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

Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plan: Proposed Floor Plans, Proposed Rear Elevation, Block Plan, site Location Plan, Cycle Storage Details, Refuse and recycling Storage Details

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

Occupancy

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

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

Refuse Storage

4. The refuse storage shall be provided as shown on the approved plan prior to the first use of the property hereby permitted and retained thereafter.

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

Cycle Storage

5. The cycle storage shall be provided as shown on the approved plan prior to the first use of the property hereby permitted and retained thereafter.

Reason: To promote sustainable modes of transport and in the interests of crime prevention and to accord with Policies H1, H5 and S10 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

Materials

6. The facing materials used for the proposed alteration to the first floor window in the rear elevation shall in all respects match the materials found on the existing dwellinghouse.

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

Basement

7. The basement room shall be used as storage room only and shall be maintained as such for the duration of the use hereby permitted and shall not be used as a bedroom at any time.

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



**West
Northamptonshire
Council**

Title: **7 Vernon Terrace**

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Date: 17-11-2022

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Drawn: M Johnson



Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/0826

Location: Clarke telecom, Wisteria Way/ Billing Road East, Northampton

Development: Retention of 20m high telecommunications column with associated antennas and replacement of 1no meter cabinet and ancillary works (amendment to scheme approved under planning permission WNN/2021/0687)

Applicant: Cornerstone Ltd

Agent: Galliford Try Telecoms

Case Officer: Jonathan Moore

Ward: Riverside Park Unitary Ward

Referred by: Assistant Director of Place and Economy

Reason for Referral: Significant public interest and previous site history

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITION as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

Planning permission is sought for the retention of 20m high telecommunications column with associated antennas and replacement of 1no metre cabinet and ancillary works (amendment to scheme approved under planning permission WNN/2021/0687)

Consultations:

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

Tree Officer
Ecology Officer
Environmental Health
Highways

9 letters of objection have been received to the proposal (see below).

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Impact on appearance and character of area
- Neighbour amenity
- Highways
- Impact on trees
- Ecology
- Health issues
- Other issues

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 on an existing grass verge adjacent to Billing Road East close to the junction with Wisteria Way and located within an established residential area. The site lies adjacent to a mini roundabout in a prominent location on the street.
- 1.2 The pole is adjacent to a belt of existing trees separating the development from the nearest adjacent properties, Nos. 1, 3 and 5 Wisteria Way to the immediate south east. On the opposite side of the Billing Road East to the north are residential dwellings well over 30 metres away to their main elevations. The nearest residential curtilage to the south west, No. 2 Wisteria Way is over 20m away.

2 CONSTRAINTS

- 2.1 None

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The mast is a monopole design. The proposal has been submitted as a full application rather than a submission under the prior notification process as the width of the mast is marginally over a third wider than the existing mast.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
WNN/2021/0687	Remove existing 12.5m pole and install	February 2022

	replacement 20m pole to support 3no. antennas and ancillary equipment thereto including 6no. RRH units and 2no. dishes'	APPROVED
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5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

West Northamptonshire Joint Core Strategy (Local Plan Part 1)

- 5.3 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- Policy S10 Sustainable Development Principles
 - Policy BN2 Biodiversity
 - Policy BN3 Trees

Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.4 The relevant policies are:
- E20- Design of new development

Material Considerations

- 5.5 Below is a list of the relevant Material Planning Considerations:

- **National Planning Policy Framework (NPPF)**

Paragraph 114 - Advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being. Decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections.

Paragraph 115 - The number of radio and electronic communications masts, and the sites for such installations, should be kept to a minimum consistent with the needs of consumers, the efficient operation of the network and providing reasonable capacity for future expansion. Use of existing masts, buildings and other structures for new electronic communications capability (including wireless) should be encouraged. Where new sites are required

(such as for new 5G networks, or for connected transport and smart city applications), equipment should be sympathetically designed where possible.

Paragraph 130- Requires consideration of high quality design in planning applications and of effect on residential amenity

- **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 2 Place making and design (Moderate weight)
- Policy 4 Amenity (Moderate weight)
- Policy 36 – Electronic Communications Networks

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
Tree Officer	Will unlikely have lasting impact on existing trees at junction of Wisteria Way and Billing Road East therefore raise no objections
Ecology	Not materially different from previous application therefore no comments to make
Environmental Health	The “ICNIRP Declaration” certifies that the site is designed to be in full compliance with the requirements of the radio frequency (RF) guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP) for public exposure, as expressed in the EU Council recommendation of July 1999, and the subsequent update in 2020. No further comments to make
Highways	No comments to make

7 RESPONSE TO PUBLICITY

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

7.1 There have been 9 letters of objections received on the following grounds:

- Impact on health

- Lack of resident consultation
- Errors on planning forms
- ICNIRP regs out of date
- Site selection process dubious
- Not a replacement mast
- Lack of screening
- Impact on trees
- Impacts on ecology and bats
- Impact on local environment
- Better to upgrade fibre optic
- Noise from equipment
- Poor siting
- Plans misleading
- Out of keeping with street scene and street furniture
- Visual intrusion and domination
- Economic benefits relates to business only
- Profit driven
- Impact on children's safety/ school
- Impact on highways
- Poor application of policy
- Impact on property value
- No need
- Traffic and parking issues from construction

8 APPRAISAL

Main issues

- 8.1 The main issues to consider are the principle of development, impact on the appearance and character of the area, economic and social benefits, neighbour amenity highway safety, impact on trees and ecology.

Background to the application

- 8.2 Members will recall that a planning application for a replacement mast was considered at committee in February under reference WNN/2021/0687 and approved subject to conditions. Following complaints from residents that this mast was being erected in the wrong position in June 2022 the Council's Planning Enforcement Team requested a retrospective planning application to regularise the development hence the current submission which is 1.5m away from the approved position and 5m from the previous mast that existing on site.

Principle of Development

- 8.3 The NPPF advises at Paragraph 114 that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being and that planning decisions should support the expansion of electronic communications networks, including next generation mobile technology (such as 5G) and full fibre broadband connections. Paragraph 115 advises that the number of masts should be kept to a minimum consistent with consumer needs encouraging the use of existing masts. Where new sites are required, such as for 5G networks, equipment should be sympathetically designed where possible.
- 8.4 Emerging Policy 36 of the submitted Local Plan Part 2, whilst predominantly aimed at provision of electronic communication networks for new development, recognises the

need for improved mobile connectivity including increasing 4G and enabling 5G access. Improvement in the communications network are critical to continued economic development in Northampton and are also important in supporting new ways of working such as home working.

- 8.5 The principle of the installation of a mast is considered to be in accordance with policy aims to provide a high quality and reliable communications network.

Site selection and applicant's justification

- 8.6 The applicant has previously advised that the local area which surrounds Billing Road East currently has a poor signal strength. The base station is located almost central to the area which was why this site was selected. Alternative base station sites have been looked into in the local area however, there are no other base station sites which could provide a suitable alternative to be upgraded. The applicant advises that community consultation has also been undertaken with local Councillors. Abington Vale School and Northampton Schools for Boys on Billing Road on these applications.

Impact on the appearance and character of the area and street scene

- 8.7 The National Planning Policy Framework Paragraph 130 states; Planning decisions should ensure that developments:
- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - are visually attractive as a result of good architecture, layout and appropriate and effective;
 - are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- 8.8 Policy S10 of the Joint Core Strategy and Policy E20 of the Local Plan require high standards of design. Policy 2 of the emerging Local Plan Part 2 states that development should be designed to promote and contribute to good placemaking through high quality, innovative and sustainable design which encourages the creation of a strong, locally distinctive sense of place.
- 8.9 The proposed pole at 20m high would be considerably larger than existing street lighting columns within the vicinity of the site. The slim line appearance would blend in with other street equipment which are of similar profile and the existing trees provide some element of screening to the existing mast and help soften the visual impact of built form with a backdrop when viewed from Billing Road East and Wisteria Way to the south, albeit the mast would protrude above the tree screen.
- 8.10 The proposal involves a mast that has been designed with the aim of achieving a balance between minimising visual impact and achieving the technical requirements needed by the operator. It is necessary for the height of the structure to ensure that interference is avoided and that the structure is able to support the 5G antenna and other apparatus. In order to reduce clutter, a condition is recommended that no mast be erected within 4m of the approved so that the applicant cannot implement two separate planning approvals.

Effect on amenity of neighbours

- 8.11 The site is some distance to the nearest residential properties the closest to the south east being on Wisteria Way and separated by existing planting acting as a partial screen though the mast is higher than these features. Given significant separation of properties opposite on Billing Road at over 30 metres away, the effect would be limited in terms of loss of outlook and visual intrusion. On balance, it is not considered the increased visual impact in comparison to the existing mast which is already visible to the nearest residential properties is sufficient to warrant refusal of the application.

Highway safety

- 8.12 The proposal is for a mast on a grass verge with existing telecommunications equipment installed on site. The proposal would not lead to any increased encroachment on the footway and the Highway Authority raise no objection to the proposal.

Impact on existing trees

- 8.13 Some local residents are concerned that the proposal may affect the adjacent trees. The Council's Tree Officer has no objection given that the proposal would be clear of the surrounding tree canopies and the proposal accords with Policy BN3 of the Joint Core Strategy. Furthermore the trees adjacent are not protected by preservation orders or in a conservation area.

Ecology

- 8.14 Some local residents had objected on the basis that there may be bats roosting in the adjacent trees. The Council's Ecologist has no objection and comments that the biodiversity impacts are likely to be negligible. This accords with Policy BN2 of the Joint Core Strategy and aims of the NPPF.

Health issues

- 8.15 The supporting information advises the proposal is designed and constructed in compliance with the precautionary ICNIRP on the public exposure guidelines as adopted in EU Council Recommendation on the limitation of exposure of the general public to electromagnetic fields. These guidelines have been set following a thorough review of the science and take into consideration both thermal and nonthermal effects. They protect all members of the public 24 hours a day. In addition, precautionary measures have been taken into account when setting relevant guideline limits for the public (i.e. in the UK a safety factor of 50 times is applied to the public exposure guideline)
- 8.16 An ICNIRP certificate is enclosed with the application in accordance with planning requirements which has been reviewed by Environmental Health who raise no objections.

Other issues

- 8.17 Concerns have been raised in respect of noise impacts arising from the proposed mast. Environmental Health raised no objection in this regard. Concerns have been raised regarding lack of neighbour notification. Neighbour notification letters were sent to occupiers in the immediate vicinity of the site and a site notice posted in accordance with statutory requirements.

- 8.18 Concerns have been raised regarding impact on property value and that the proposal is profit motivated. These are not a material planning consideration.

9 FINANCIAL CONSIDERATIONS

- 9.1 CIL is not payable as there would be no creation of any floor space and the development is not retail or residential in nature

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal is considered acceptable in principle and though prominently sited when considered against other material considerations is considered satisfactory in terms of effect on residential amenity, highway safety, ecology and effect on trees.

11 RECOMMENDATION / CONDITIONS AND REASONS

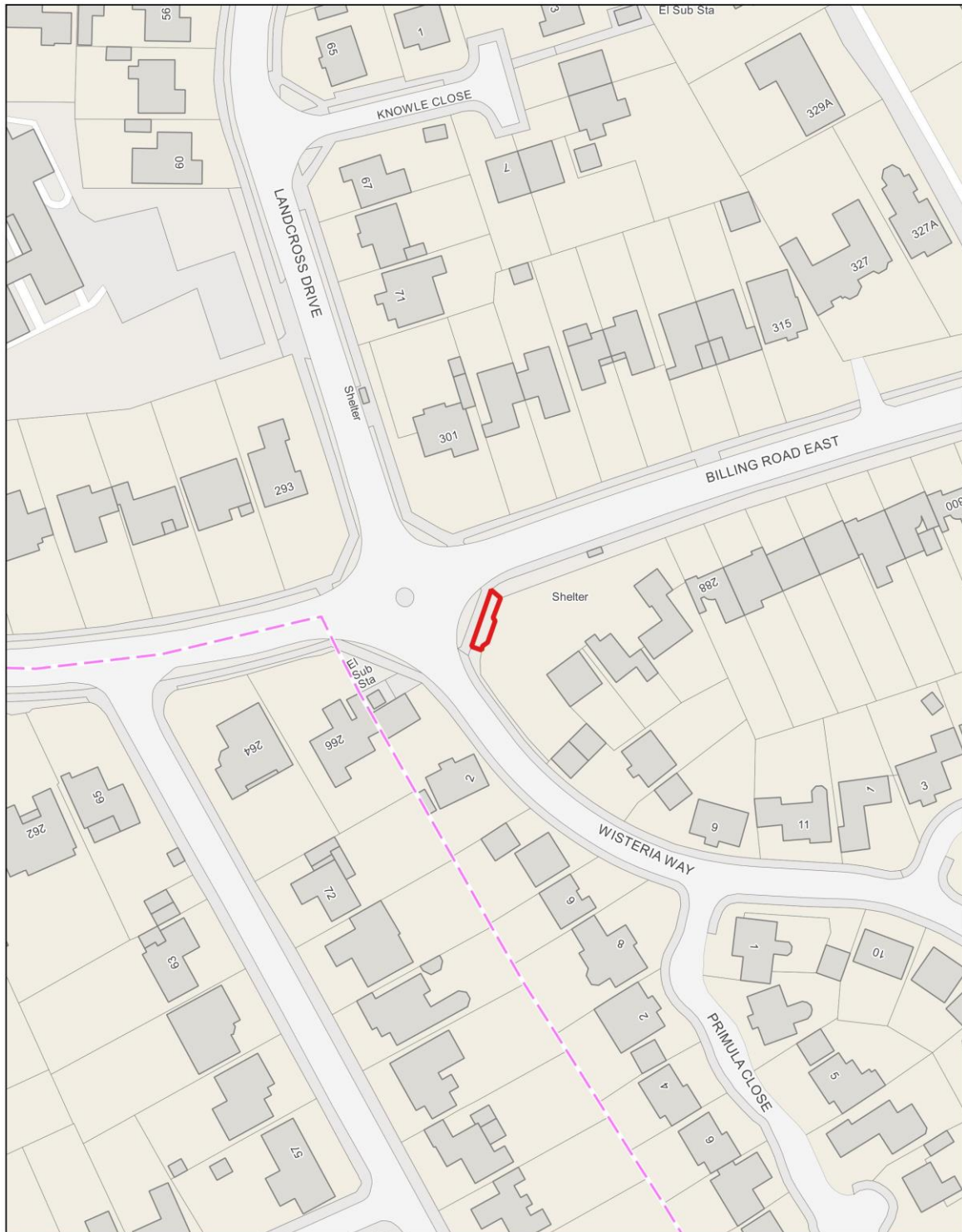
- 11.1 Detailed recommendation here and full list of conditions and reasons here

1. No mast shall be installed within four metres of the mast approved under reference WNN/2022/0826 without planning permission, unless it is to replace the existing mast and is sited with the relevant permitted development rights.

Reason: To prevent two separate planning permissions being implemented in close proximity, in the interests of visual amenity to comply with Policy S10 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan



Planning Committee Report



Title: **AWisteria Way/Billing Road East**

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Date: 17-11-2022

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Drawn: M Johnson

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Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/0861

Location: Riverside House , Bedford Road, Northampton, NN1 5NX

Development: Change of Use from Existing Renal Units (Use Class E) to 12no Affordable Apartments (Use Class C3) including Bin Storage and Cycle Storage

Applicant: Northampton Partnership Homes

Agent: LMR Designs

Case Officer: Samantha Taylor

Ward: Delapre and Rushmere Unitary Ward

Referred by:

Reason for Referral:

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: 'APPROVAL IN PRINCIPLE' 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:

- Early Years Education of £40,964
- Library Facilities of £2,045

Proposal

The application seeks full planning permission to convert the ground floor of Riverside House to 12no. residential apartments. The proposal retains the existing bin store, cycle storage and plant rooms.

Consultations

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

- Northamptonshire Crime Prevention Advisor, Environmental Protection, Anglian Water, Ecology, West Northamptonshire Development Management and Archaeology

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted

Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

The key issues arising from the application details are:

- Principle of Development
- Impact on the Character of the Area
- Highway Safety
- Impact on Residential Amenity

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site forms the ground floor to Riverside House, a six storey building on the periphery of the town centre. The ground floor has a healthcare use, with the upper floors previously been used for offices and more prior approval was not required for residential conversion under application N/2019/1420. Essentially, this means that the offices could be converted to residential apartments, without seeking full planning permission, using the office to residential conversion permitted development rights.
- 1.2 The surrounding land uses are varied, with a combination of commercial properties, hospital, University buildings, public open space and some residential accommodation.

2 CONSTRAINTS

- 2.1 There are no site specific constraints related to this proposal.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposed development includes the change of use of the ground floor of Riverside House, which is currently within a healthcare use, to 12no. residential apartments. The proposal includes the retention of the existing cycle store, bin store and plant rooms. The accommodation provided includes 11no. two bedroom units and 1no. 1 bed unit. The existing parking provision is to be retained. Other than blanking panels to the large windows, to reduce the number/area of opening, no other external changes to the building are proposed.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2017/0753	Hybrid application comprising outline planning permission for development of	Approved

	up to 400 units of nurses/student accommodation in up to three	
N/2018/0136	Prior notification of change of use from Offices (Use Class B1a) to 192 Studio Apartments (Use Class C3)	Approved
N/2018/0865	Outline planning application with all matters reserved for the development of up to 400 units of nurses/student accommodation	Approved
N/2018/0247	Prior notification of change of use from Offices (Use Class B1a) to Residential comprising 60no. Units	Approved

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

- 5.3 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- BN7 – Flood Risk
 - BN9 – Pollution Measures
 - H1 – Housing
 - S10 – Sustainable Development Principles

Northampton Local Plan 1997 (Saved Policies) (NLP1)

The relevant policies of the Northampton Local Plan 1997 (Saved Policies) are:

- Policy S10 – Sustainable Development
- Policy BN7 – Flood Risk and Management
- **Northampton Central Area Action Plan (CAAP) (2013) – Policies**
- **Neighbourhood Development Plans - Policies**

Material Considerations

- National Planning Policy Framework (NPPF)
Section 6 – Building a strong, competitive economy

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 and Design – *Moderate Weight*.
- Policy 4 – Amenity and Layout – *Moderate Weight*.
- Policy 9 – Regeneration opportunities in the central area.
- Policy 13 – Residential and other residential led allocations – *Significant Weight*.
- Policy 14 – Type and Mix of Housing – *Moderate Weight*.
- Policy 31 – Protection and enhancements of designated and non-designated heritage assets.
- Policy 35 – Parking Standards – *Significant Weight*.
- Northampton Central Area Action Plan
 - 1 – Promoting Design Excellence
 - 2 – Tall Buildings
- Northampton Parking Standards Supplementary Planning Document
- Northamptonshire Parking Standards
- Planning Out Crime in Northamptonshire SPG 2004

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Northamptonshire Crime Prevention Advisor	Comments	Request for information regarding the operation of the building and reception area. Request for apartments to be fitted with specialist doors, bike storage should be lockable/restrict access. Consideration of postal deliveries needed
Environmental Protection	Comments	Request for a noise and air quality assessment, notes that mitigation

		measures would be required, suggested conditions Conditions recommended in regards to noise mitigation, construction management plan, land contamination. Details of operational plant, secure bike storage and electric vehicle charging points needed.
Anglian Water	No Objection	Recommends a condition securing on-site foul water drainage works
Ecology	No comments	
West Northamptonshire Development Management	Comments	Request for financial contributions towards Early Years Education of £40,964 and Library Facilities of £2,045.
Archaeology	No comments	Of no heritage significance

7 RESPONSE TO PUBLICITY

- 7.1 No third party and neighbour response have been received at the time of writing this report.

8 APPRAISAL

Principle of Development

- 8.1 The principle of residential development on the site has been established through the earlier grant of prior approval for the conversion of the upper 5 floors from offices to residential and planning permission for residential development on the car park to the rear of the site. The planning history for the site is set out in Section 4 above.
- 8.2 The application seeks to convert the ground floor of the building, currently within a healthcare use, to residential. The principle of this change of use is acceptable, subject to other material considerations.

Impact on Character of Area

- 8.3 The area does not have an overall strong character, with a range of uses and building types/designs. Riverside House is prominent, due to its location adjacent to a A428, a main route into Northampton Town Centre and its 6 storey height. The building is L-shaped in form, with two wings to the building and a strong, almost brutalist character, finished with pebble-dash concrete, regular window details and strong, straight lines.
- 8.4 The ground floor has a simpler finish than the upper floors being finished with polished concrete and a more functional appearance with large, retail like windows and openings, in response to the existing public activity at ground floor level. The site provides parking at ground floor. There is a change in land levels, rising from the A428 towards the rear of the site.
- 8.5 The proposed development does not require any extensions or substantial alterations to the ground floor of Riverside House. The proposal does require the installation of blanking panels to the existing large window openings. The existing building does contain similar features with what appears to be reflective or black film to some of the

ground floor windows. As such, the proposed development would have a similar appearance to the existing.

- 8.6 The proposed floorplans show that the development would include the provision of 1no. one bedroom properties and 11no. two bedroom properties. This arrangement is considered to be an improvement to the prior notification application for the upper floors, which shows the provision of studio apartments.
- 8.7 Overall, subject to the finishing details of the blanking panels, the proposed alterations are considered not to cause harm to the character and appearance of the existing building or the surrounding area. A condition securing details of the finish to the blanking panels for the windows forms part of this recommendation. The development is considered to accord with policy S10 of the Joint Core Strategy.

Impact on Highway Safety

- 8.8 The application site is located within close proximity to the town centre and areas of public open space, therefore, it is considered that it is situated within a highly sustainable location. The potential parking and traffic generation for the existing lawful use must be taken into account. As such, it is considered that proposed development not have a significant adverse impact upon the highway system.
- 8.9 The previous prior approval applications for the conversion of the upper floors to residential development, included 192 apartments was considered acceptable on highway safety grounds. The current proposal is for 12no. apartments. The resultant highway movements are considered not to result in severe harm above the existing commitment through the prior approval applications or existing use.
- 8.10 There is some parking provided around the site at ground floor level. Given the highly sustainable location of the site and the relatively modest increase of 12no. apartments, the proposal is considered not to give rise to severe harm to highway safety as a result of insufficient parking.
- 8.11 Cycle storage is provided on the ground floor and accessed via the interior of the building. This is already provided within the healthcare facility as shown on the approved plans and would remain. Whilst it is noted that requests for details of the cycle store are provided, as the existing facilities will be utilised, it is considered unnecessary to impose a condition.
- 8.12 Policy S10 of the JCS considers the principles of sustainable development and the NPPF seeks consideration of the implications of traffic as part of new development proposals. It is considered that the proposal adequately addresses the highway implications in accordance with this policy.

Residential Amenity

- 8.13 There are no existing residential properties adjacent to the site.
- 8.14 The provision of blanking panels to some of the ground floor windows will create privacy and restrict views into the apartment from the public realm. The proposed development is considered not to result in unacceptable harm to the amenity of future residents through harm to privacy.
- 8.15 The request for a noise and air quality assessment from the Environmental Protection Officer is noted. Whilst there are neighbouring commercial uses such as car

dealerships and garages. However, consideration has previously been given to these matters under the preceding office to residential prior notification applications on the site, with no objections raised. As such, whilst the comments of Environmental Protection are noted, it is considered that a full noise and air quality assessment cannot be requested in regards to the current proposal.

- 8.16 It is noted that the Environmental Protection Officer has requested a full land contamination assessment and strategy, prior to the commencement of works. However, as the proposal does not require any external changes and it is considered that the conversion would require relative minor internal interventions, a full site contamination study and scheme is considered unreasonable. However, it is considered reasonable, in the order to protect the amenity of future occupiers and the surrounding commercial operations to impose a condition requiring the submission of a site contamination assessment and remediation strategy, should any unforeseen contamination be identified during construction. In the interests of the amenity of future occupiers.
- 8.17 As the proposed development is situated within an existing building which required operational plant to circulate heat/air and that the plant rooms are to be retained, as shown on the floor plans, it is considered reasonable to impose a condition securing details of any additional operational plant that may be required. This would include details of any mitigation required, should the provision of additional plant be necessary.
- 8.18 Each of the proposed units would accord with the nationally described space standards, with each room having windows to provide an outlook.
- 8.19 Overall, the proposed development is considered to have an acceptable impact on the amenity of existing commercial premises and future occupiers.

Other Matters

- 8.20 It is noted that a condition securing electric vehicle charging point details has been requested from the Environmental Protection officer. However, as the parking provision is to remain as existing, and there are not alterations to this, it is considered unreasonable to request the installation of charging points.
- 8.21 Riverside House is situated within Flood Zone 1, the lowest risk of flooding and the very low risk groundwater flood area. In addition, the existing building benefits from drainage and whilst a condition securing foul drainage details has been requested from Anglian Water, in this case, as the proposal is a conversion of the existing building only, it is considered unreasonable to request a foul wate drainage scheme.
- 8.22 The existing bin store for the building, as shown on the existing ground floor plans will be retained as bin storage for the proposed residential apartments.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable, however, as no additional floorspace is proposed, there would be no CIL payment for this development.
- 9.2 West Northamptonshire Development Management have requested financial contributions towards Early Years Education of £40,964 and Library Facilities of £2,045. It is considered reasonable and necessary to secure these contributions through a S.106 agreement.

- 9.3 The proposal includes the provision of 12no. apartments, as such, Policy H2 of the Joint Core Strategy is not engaged, as the trigger point of x dwellings is not achieved. Therefore, whilst the proposal seeks to provide affordable accommodation, the Local Planning Authority cannot secure this through a S.106 agreement.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed development, subject to conditions, would represent an appropriate land use that would support the continued viability and vitality of the town centre and would have a neutral impact on the character and appearance of the surrounding area and the amenity of future occupiers. The development is therefore in conformity with the requirements of the National Planning Policy Framework; Policies S10, S2, BN5, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Policies 1, 13 and 21 of the Northampton Central Area Action Plan and subject to a S.106 agreement to secure financial contributions as outlined above would represent appropriate development in this case.

11 RECOMMENDATION / CONDITIONS AND REASONS

APPROVAL IN PRINCIPLE' 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:

- Early Years Education of £40,964
- Library Facilities of £2,045

12 CONDITIONS

Time

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

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

Approved Plans

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

Location and Block Plan 022-035-009
Proposed Elevations 022-035-008
Proposed Ground Floor Plan (Corner Area and Lift Shafts) 022-035-006
Proposed Ground Floor Plan (North Wing) 022-035-005
Proposed Ground Floor Plan (West Wing) 022-035-004

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

Contamination

3. 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. A scheme for the mitigation of any unforeseen contamination should then be agreed with the Local Planning Authority and implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: Contaminated land investigation is required prior to the commencement of development to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy 11 of the NPPF and in the interest of safeguarding residential amenity and reducing pollution in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Noise

4. Should the proposed development require the installation of any additional operational plant, details of the plant required shall be first submitted to and approved in writing by the Local Planning Authority prior to its installation. The details should specify the sources of noise on the site whether from fixed plant or equipment or noise generated within the building and the provisions to be made for its control. The approved details shall be implemented prior to the occupation of the development permitted and retained thereafter.

Reason: To protect the amenities of nearby occupants from noise and vibration amenity in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

Material Details

5. Details of the proposed blanking panels to the windows shall be agreed in writing by the Local Planning Authority prior to their installation. They shall be fully installed 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 S10 of the West Northamptonshire Joint Core Strategy.

CEMP

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

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





Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/0913

Location: Hillside Ranch, 1A Harborough Road North, Northampton, NN2 8LS

Development: Reserved Matters Application (Appearance, Scale and Landscaping) pursuant to Outline Planning Permission N/2019/1247 (Outline Planning Application for the demolition of existing dwellings at 1A and 3 Harborough Road North and erection of 14no. dwellings) for detailed house types and landscaping for the development of 14no units

Applicant: Barfield Homes

Agent: APC Planning

Case Officer: Samantha Taylor

Ward: Kingsthorpe North Unitary Ward

Referred by: Assistant Director of Place and Economy

Reason for Referral: Major application

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT RESERVED MATTERS APPROVAL SUBJECT TO CONDITIONS as set out below with delegated authority to the Assistant Director for Place and Economy to approve any amendments to those conditions as deemed necessary.

Proposal

The application seeks reserved matters approval in relation to the original outline application N/2019/1247 for the construction of 14no dwellings and associated works. Reserved matters approval is sought in regard to appearance, scale and landscaping. Other matters such as the principle of development, access and layout have previously been approved or details secured via planning condition.

Consultations

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

- Environment Agency, Anglian Water, Highways England, Archaeology, Ecology, Kingsthorpe Parish Council and Northamptonshire Highways;

5 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
- Character of the Area
- Landscaping
- Impact on Amenity

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is located on the western side of Harborough Road North, served by a small access road which links Harborough Road North and Birch Barn Way. The site is positioned behind properties fronting Birch Barn Way, Harborough Road North and Jenner Crescent and to the west is bordered by Spring Park with access to this running along the northern site boundary. The surrounding character is predominantly residential, with two storey detached and semi-detached dwellings.

2 CONSTRAINTS

- 2.1 There are no relevant site constraints to the consideration of proposal.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application seeks reserved matters approval in relation to the original outline application N/2019/1247 for the construction of 14 no dwellings and associated works. Reserved matters approval is sought in regard to appearance, scale and landscaping. Other matters such as the principle of development, access and layout have previously been approved. The details to be secured via the imposed planning conditions are also relevant.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2019/1247	Outline Planning Application for the demolition of existing dwellings 1A and 2	Approved – Outline Planning

	Harborough Road North and the erection of 14no. dwellings. All matters reserved apart from access and layout	Permission
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5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

- 5.3 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- H1 – Housing Density & Mix & Type of Dwellings
 - S1 – The Distribution of Development
 - S3 – Scale and Distribution of Housing Development
 - S10 – Sustainable Development Principles
 - BN2 – Biodiversity
 - BN9 – Planning for Pollution Control

Northampton Local Plan (1997) (Saved Policies) (NLP1)

- 5.4 The relevant policies of the Northampton Local Plan (1997) (Saved Policies) are:
- E20 – Design of New Development

Material Considerations

- **National Planning Policy Framework (NPPF)**

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land
 Section 12 – Design

- **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 and Design – *Moderate Weight*.
- Policy 4 – Amenity and Layout – *Moderate Weight*.
- Policy 9 – Regeneration opportunities in the central area.
- Policy 13 – Residential and other residential led allocations – *Significant Weight*.
- Policy 14 – Type and Mix of Housing – *Moderate Weight*.
- Policy 31 – Protection and enhancements of designated and non-designated heritage assets.
- Policy 35 – Parking Standards – *Significant Weight*.

- **Residential Extensions and Alterations Design Guide SPD**
- **Northampton Parking Standards Supplementary Planning Document**
- **Northamptonshire Parking Standards**

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Environment Agency	No Comments	No comments on the application
Anglian Water	No Comments	No comments as drainage is not part of this application
Highways England	No Objection	No comments on the application
Archaeology	No Comments	No comments on the application
Ecology	No Objection	Plans appear fine, but would like to see the bird and bat box details that were submitted as a discharge of condition included on the reserved matters decision should approval be granted

Kingsthorpe Parish Council	Comments	Ask that the road access, additional traffic measures are required and boundary/fencing are considered as part of this application
Highways	No Objection	The submitted documents would not result in any material change from the permitted outline application. Additional cycle parking details needed.

7 RESPONSE TO PUBLICITY

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

7.1 There have 5 number of objections/letters of support raising the following comments:

- Objection to the principle of housing on the site;
- Site is overly cramped;
- Loss of privacy to neighbours;
- Loss of ecology;
- Loss of trees;
- Dust/noise during demolition/construction;
- Highway safety concerns regarding the volume of traffic and access to the site;
- Request for the reinstatement of a boundary with no. 3 Harborough Road;
- Concerns regarding the position of the boundary line with Jenner Close and the position of the hedge;

8 APPRAISAL

Principle of Development

- 8.1 The principle of the providing residential development on the site has been established through the earlier grant of outline permission (N/2019/1247) for 14no. residential dwellings. The approved details included the matters of access and layout. As such, the access arrangements into and within site as well as the positioning of dwellings, gardens, parking and general areas of landscaping have been approved.
- 8.2 These matters therefore, cannot be considered as part of this reserved matters application. The submitted details for appearance, scale and landscaping are matters which can be considered, as set out in the following assessment

Impact on the Character of the Area

- 8.3 The proposed development includes 2, 3 and 4 bedroom detached properties. Each dwelling, is similar in appearance to the others on the site. Each property comprises brick work at ground level, before render at first floor. Fenestration details include brick headers to the windows. There is 1no. 2 bedroom bungalow proposed, which proposes a lower level brick, to the base on the window before render above. Other than this property, each dwelling would be 2 storeys in height.
- 8.4 The proposed dwellings are relatively traditional simple in design, taking reference to their appearance from properties which are found locally within the area, such as those along Birch Barn Way, which use similar external materials and proportions. Properties within the area tend to be 2 storeys in height, with some bungalows

throughout the streetscene. The proposed dwellings would be in-keeping with the character and appearance of the local area.

- 8.5 A materials schedule has been provided in support of the application. This provides details of the specific buff brick, terracotta roof tiles, silicone white tender and uPVC door and windows finishes.
- 8.6 It is acknowledged that concerns have been raised by the public in regards to the layout of the site, being overly cramped and not in-keeping with the character of the area. The layout of the proposed development was considered acceptable and outline stage. In considering the layout of the development, in conjunction with the appearance and scale of the development, the proposal is considered not to appear overly cramped and would be in-keeping with the surrounding area.
- 8.7 The proposed appearance and scale of the dwellings, is considered to accord with the local character and is therefore considered acceptable.

Landscaping

- 8.8 The proposal includes details of the landscaping in the rear gardens, which shows that buff paving slabs around the property, to provide areas of hardstanding. The driveways serving each property will be constructed from a mixture of brindle and charcoal block paving to mark the parking spaces and pathways leading to the front door. Gardens walls consist largely of close boarded fencing with some areas of brick wall to Plot 13. The unadopted road into the site will be finished with tarmac.
- 8.9 The submitted site plan shows that the boundary treatments with properties along Harborough Road will remain as existing or where necessary, close boarded fencing will be used to provide boundary treatments.
- 8.10 The proposal shows that the existing hedgerows which are located around the wider site boundary will be retained and enhanced with native species. The submitted details show that a flowering lawn mix will be used on grassed areas within the development, such as front and rear gardens to each dwelling.
- 8.11 The submitted materials schedule provides details of the facing bricks for the garden wall, saxon buff paving slabs. A condition securing the landscaping details of the native hedgerow species is considered reasonable and necessary.
- 8.12 It is acknowledged that the proposal does include the loss of some trees and that neighbouring properties have raised concerns regarding their loss. At the time of being consulted on the outline application, concerns were not raised regarding the loss of trees by then Tree Officer and Ecology Officer. A condition on the earlier outline consent requires all works to be carried out with the details of the Arboricultural Report and Addendum Tree Survey report to ensure that retained trees are protected during construction and retained thereafter. This condition remains live and enforceable through the outline planning permission.
- 8.13 The site plan adequately shows the differing hard and soft landscaping treatments across the site as well as the retention and enhancement of hedgerows around the site boundary.

Impact on Amenity

- 8.14 At outline application stage, the layout approved was considered able to deliver a development that would have an acceptable impact upon the amenity of neighbouring properties. The separation distances between each of the proposed properties and any adjacent properties, are in excess of the required standards of 13m where there is a side to rear relationship and 21m where there is a rear to rear relationship.
- 8.15 In addition, windows within the development have been carefully considered such that each habitable room is served by at least 1 window, with outlooks over the front or rear garden spacing serving that property. Where a window is proposed in a side elevation this serves non-habitable space such as a bathroom, utility or hallway.
- 8.16 The proposed development would not result in unacceptable harm to the amenity of future or existing occupiers, within or adjacent to the site. As such, the proposal would accord with policy S10 of the West Northamptonshire Joint Core Strategy.

Other Matters

Loss of Ecology

- 8.17 It is noted that public representatives have raised concerns regarding the impact of developing the site on ecology and biodiversity, Consideration of providing residential development on the site and the impacts this would have on ecology were considered acceptable under the approved outline planning application. The Council's ecologist advised that bird and bat boxes and hedgehog routes that were proposed as part of the outline submission were acceptable. Additional details of the specific bird/bat boxes and hedgehog routes were secured under condition 22 of the outline consent. Therefore, subject to the approval of details in respect of Condition 22, no further details relating to ecological matters are required.
- 8.18 The comments of the ecologist are noted in regards to the bird/bat box details. As set out above, Condition 22 requires the submission of these details and therefore, it is not necessary to include an additional condition or approve these details through the reserved matters application.

Highway Safety

- 8.19 Objections have been received in regards to the impact of the proposed development on highway safety, due to the volume of traffic using the site, the site access and potential for other road users to use the site as a cut through. The matters of highway safety, including access and site layout were considered acceptable through the outline consent granted. As confirmed by the Highways Officer, the reserved matters details do not seek to vary the approved details. As such, there is no material change to the outline consent and therefore, the impact of the proposal on highway safety is considered acceptable.
- 8.20 The request for additional cycle parking details made by the Highways Officer is noted. However, Condition 10 of outline consent requires the approval of full details of cycle storage. As this condition secures full details, an additional condition through the reserved matters application is not required.

Construction Management

- 8.21 Within the objections made, concerns are raised regarding the potential for dust and noise pollution during the construction of the development. Condition 11 of the outline consent requires the submission of a Construction Environment Management Plan to ensure that unacceptable pollution is not experienced during construction. This condition sufficiently secures details to be approved in relation to construction management and no further details are required through this reserved matters application.

Concerns Site Ownership

- 8.22 The applicant has been contacted regarding the concerns relating to the site ownership boundary with properties along Jenner Court. The applicant has confirmed that the site plan provided is correct. A new close boarded fence will be provided, with the trimmed and maintained hedgerow remaining within the applicant's ownership.

9 FINANCIAL CONSIDERATIONS

- 9.1 The development is CIL liable.
- 9.2 No other financial contributions were required under the outline planning permission N/2019/1247. No further s106 contributions are required in response to this application.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The details provided in respect of scale, appearance and landscaping are considered acceptable and would accord with policy S10 of the West Northamptonshire Joint Core Strategy and saved policy E20 of the Northampton Local Plan.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 The reserved matters application is recommended for approval subject to the following condition:

Landscaping

1. Prior to the occupation of the development, details of the native species hedgerow plantings 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 proposed hedgerow enhancement on the land.

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



Planning Committee Report



Title: **1A Harborough Road North**

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Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/1078

Location: 31 Abington Square, Northampton, NN1 4AE

Development: Additional storey to form 11no Apartments

Applicant: Asset Bricks

Agent: LMR Designs

Case Officer: Christopher Wentworth

Ward: Castle Unitary Ward

Referred by: Assistant Director of Place and Economy

Reason for Referral:

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.

Proposal

The development proposal seeks planning consent for the extension of the existing building to provide an additional storey (second storey) to provide 11 no. apartments. Access into the residential accommodation would be made from an access from the rear of the building. The proposal does not seek to provide any vehicle parking. Ground floor cycle storage spaces for residential purposes is proposed and dedicated residential refuse storage is proposed.

Consultations

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

- None

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

- Conservation Officer
- Development Management
- Construction Futures
- Anglian Water
- Highways
- Archaeology
- Environment Agency

- Environmental Health
- Northants Police
- Fire and Rescue
- Ecology

Zero letters of objection have been received and zero letters of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Impact upon Conservation Area
- Highway Safety
- Residential Amenity
- Visual Impact

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

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

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

- 1.1 The application site is located at 31 Abington Square which is positioned to the east of the town centre but within the CAAP area. The site is located within the Boot and Shoe conservation area.
- 1.2 To the south of the site lies Abington Square itself with commercial and residential uses and the public highway. To the north of the site is an open car park/yard area. To the west of the site is Chapel Place (highway) and two and three storey commercial buildings beyond. The building forms the western end of a parade of commercial properties. The building is two storeys in nature with a ground floor commercial use that fronts onto Abington Square and is a mid-20th century flat roof building that was previously used for office accommodation.

2 CONSTRAINTS

- 2.1 The application site is located within Northampton Town Centre (CAAP).
- 2.2 Boot and Shoe Conservation Area.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The development proposal seeks planning consent for the extension of the existing building to provide an additional storey (second storey) to provide 11 no. apartments. Access into the residential accommodation would be made from an access from the

rear of the building. The proposal does not seek to provide any vehicle parking. Ground floor cycle storage spaces for residential purposes is proposed and dedicated residential refuse storage is proposed.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
PN/2015/0010	Prior notification for a proposed change of use from office (use class B1) to 14 residential apartments.	Approved April 2015.
PN/2015/0056	Prior notification for a proposed change of use from Office (use class B1) to 15no residential apartments (use class C3) at first floor.	Approved October 2015.
WNN/2022/0713	11no apartments and associated refuse and cycle storage.	Approved October 2022.

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

Development Plan

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

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

- 5.4 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:
- Policy BN5 – Historic Environment
 - Policy BN9 – Pollution Control
 - Policy H1 – Housing
 - Policy H2 – Affordable Housing
 - Policy S10 – Sustainable Development Principles

Northampton Local Plan (1997) – Saved Policies

5.5 The relevant policies of the Northampton Local Plan (1997) – Saved Policies are:

- E20 – New Development

Northampton Central Area Action Plan (CAAP) (2013)

5.6 The relevant policies of the Northampton Central Area Action Plan (CAAP) are:

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

Material Considerations

- National Planning Policy Framework (NPPF)

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:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

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

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

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

- Policy 1 - Presumption in favour of sustainable development – Significant Weight
- Policy 2 – Placemaking and Design – Moderate Weight
- Policy 4 – Amenity and Layout – Moderate Weight
- Policy 8 – Supporting Northampton Town Centre's role – Significant Weight
- Policy 14 – Type and mix of housing – Moderate Weight

- Policy 21 – Residential development on upper floors – Significant Weight
- Policy 31 – Protection and enhancement of designated and non-designated heritage assets – Significant Weight.

- Northampton Parking Standards Supplementary Planning Document

- Northamptonshire Parking Standards

6 RESPONSES TO CONSULTATION

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

Consultee Name	Position	Comment
Conservation Officer	No objection.	The plans are more aligned visually with those permitted in 2015 and therefore there are no objections. I still have concerns with the unusual fenestration at first floor level but accept that this has already been approved.
Development Management	Comments.	Library contribution sought.
Anglian Water	No objection.	Foul water drainage condition.
Archaeology	No comments.	
Environment Agency	No comments	
Environmental Health	No objection.	Condition – Scheme for achieving the internal noise levels. Condition – Scheme of noise insulation. Condition – Construction Management Plan. Condition – Cycle storage.
Northants Police	Comments.	External doors should be security rated and post boxes should be external.
Fire and Rescue	Comments.	Fire safety matters to be addressed at Building Regulations stage.
Ecology	No comments.	
Construction Futures	No comments.	
Highways	Comments.	Sufficient levels of cycle storage are required.

7 RESPONSES TO PUBLICITY

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

8 APPRAISAL

Principle of Development

- 8.1 The proposed development would create an additional 11 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 contribute 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 along Abington Square, which is supported. For these reasons, the proposal is considered acceptable in principle.
- 8.2 The site has previously been the subject of a prior approval application for the creation of 14 no. apartments on the site in 2015 at 1st floor level. Whilst work commenced on these units the scheme was not completed and therefore the prior approval consent was never fully implemented and therefore lapsed. A subsequent application in 2022 sought consent for 11 no. apartments at first floor level which was approved in late 2022. Furthermore, planning consent was granted in 2015 for the creation of a second storey (rooftop extension) to create 14 no. apartments. Whilst approval was granted, the scheme was not implemented and therefore the planning consent has lapsed. The current planning application seeks to mirror the 2015 planning consent for the rooftop extension, albeit with a reduced number of units, (11 no. apartments).

Design and Appearance

- 8.3 The proposal seeks to add an additional storey to the existing building. The building itself has been the subject of a previous planning approval whereby the existing first floor level is to be refurbished with new windows and external treatments. The proposed extension would primarily be glazed with floor to ceiling windows when viewed from the front elevation (Abington Square) with a glazed balustrade with a front balcony area.
- 8.4 The proposed extension would be finished with anthracite grey cladding panels to the side and rear elevations and would mirror the appearance of a previously approved scheme in 2015 which was not implemented. The building is located within the Boot and Shoe Conservation Area and 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 character and appearance of the Boot and Shoe Conservation Area.
- 8.5 The Conservation Officer comments that the submitted plans are more aligned visually with those permitted in 2015 and therefore there are no objections raised on their part. Concerns are raised with the unusual fenestration at first floor level but accept that this has already been granted consent through a previous planning approval and does not form part of the current planning application.

Highway Matters

- 8.6 Owing to the sustainable location of the development, it is considered that the proposal would not result in any harm to the traffic system. 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. The Highway Authority have been consulted on the proposal and have raised no objections to the proposal other than to state that the onsite provision of 12 no. cycle storage spaces is insufficient as this would only cater for the previously approved first floor accommodation. As such, further provision is required. However, such matters can be addressed by planning condition. On this basis, it is considered that the proposal is acceptable addition in this regard.

Residential Amenity

- 8.7 The application site is located within Northampton Town Centre and is surrounded by a variety of commercial uses including retail and food and beverage outlets. Environmental Health have been consulted on the proposal and have requested the imposition of planning conditions to secure a scheme for achieving the internal noise levels, a scheme of noise insulation, a Construction Management Plan (CEMP) and the provision of Cycle storage. The provision of noise mitigation, CEMP and cycle storage conditions are considered appropriate in the context of a town centre location to ensure that residential amenity is secured.
- 8.8 The proposal would provide the main building entrance to the rear of the building from Chapel Place with access to all apartments from that entrance along with access to the internal refuse storage area and cycle storage area. The proposed scheme would also now be assessed in relation to the nationally described space standards which provides minimum space standards for overall residential unit sizes along with minimum bedrooms sizes. In this case all the proposed residential units would meet or exceed the minimum space standards for either 1 bed/1 person units (37sq.m or more) or 1 bed/2 person units (50sq.m or more) which is welcomed.
- 8.9 The outlook from the proposed residential units, specifically in relation to habitable rooms, would look over the front elevation to Abington Square, the side elevation facing over Chapel Place and to the rear elevation also looking over Chapel Place and car parking beyond. The outlook to each unit is considered sufficient and would offer sufficient natural light and a reasonable outlook over rooftops as expected within a town centre/urban environment.

Other Matters

- 8.10 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 and details for the refuse store/cycle store area. 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.
- 8.11 Northants Fire and Rescue have commented on the proposal and have stated that due to the distance of the second-floor apartments from Abington Square (Fire Appliances are unable to access Chapel Place, a dry riser would need to be installed. Such matters would be addressed under separate legislation and therefore would not form part of the current planning assessment.
- 8.12 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 foul water drainage.

9 FINANCIAL CONSIDERATIONS

9.1 The proposal is CIL liable.

10 PLANNING BALANCE AND CONCLUSION

10.1 The development represents an appropriate land use and would not have a significant adverse impact upon the highway system, neighbour amenity and the character and appearance of the surrounding area. Furthermore, the provision of new dwellings within a sustainable, town centre location, therefore meeting the aims of the CAAP and providing a required need in relation the authorities lack of 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

11.1 Approve, subject to conditions.

12. CONDITIONS

Time

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

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

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 022-060-103 Rev B, 022-060-102 Rev B, 022-030-104.

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

Drainage

3. Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To prevent environmental and amenity problems arising from flooding.

Refuse

4. The refuse storage details as shown on drawing reference 022-060-103 Rev B shall be implemented prior to the first occupation or bringing into use of the building hereby permitted and thereafter retained.

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

Noise

5. Prior to the occupation of the residential units a scheme for achieving the internal noise levels outlined in BS8233:2014 shall be submitted to and approved in writing by the Local Planning Authority. Once approved the scheme shall be implemented in full prior to first occupation of the residential units and thereafter maintained in the approved state.

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

6. Prior to first occupation of the approved accommodation a scheme of noise insulation of party wall construction between the ground floor non-residential uses and the first-floor residential units has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the first occupation of any of the approved residential units.

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

Access Details

7. Prior to first occupation a scheme for site security to include external mailboxes, door/access system and security details for communal facilities shall be submitted to and approved in writing by the local planning authority. Once approved, the scheme shall be implemented in full and retained thereafter.

Reason: To ensure appropriate residential amenity for future occupiers.

Bicycle Storage

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

Reason: To ensure the provision of adequate facilities in accordance with Policy C5 of the of the West Northamptonshire Joint Core Strategy.

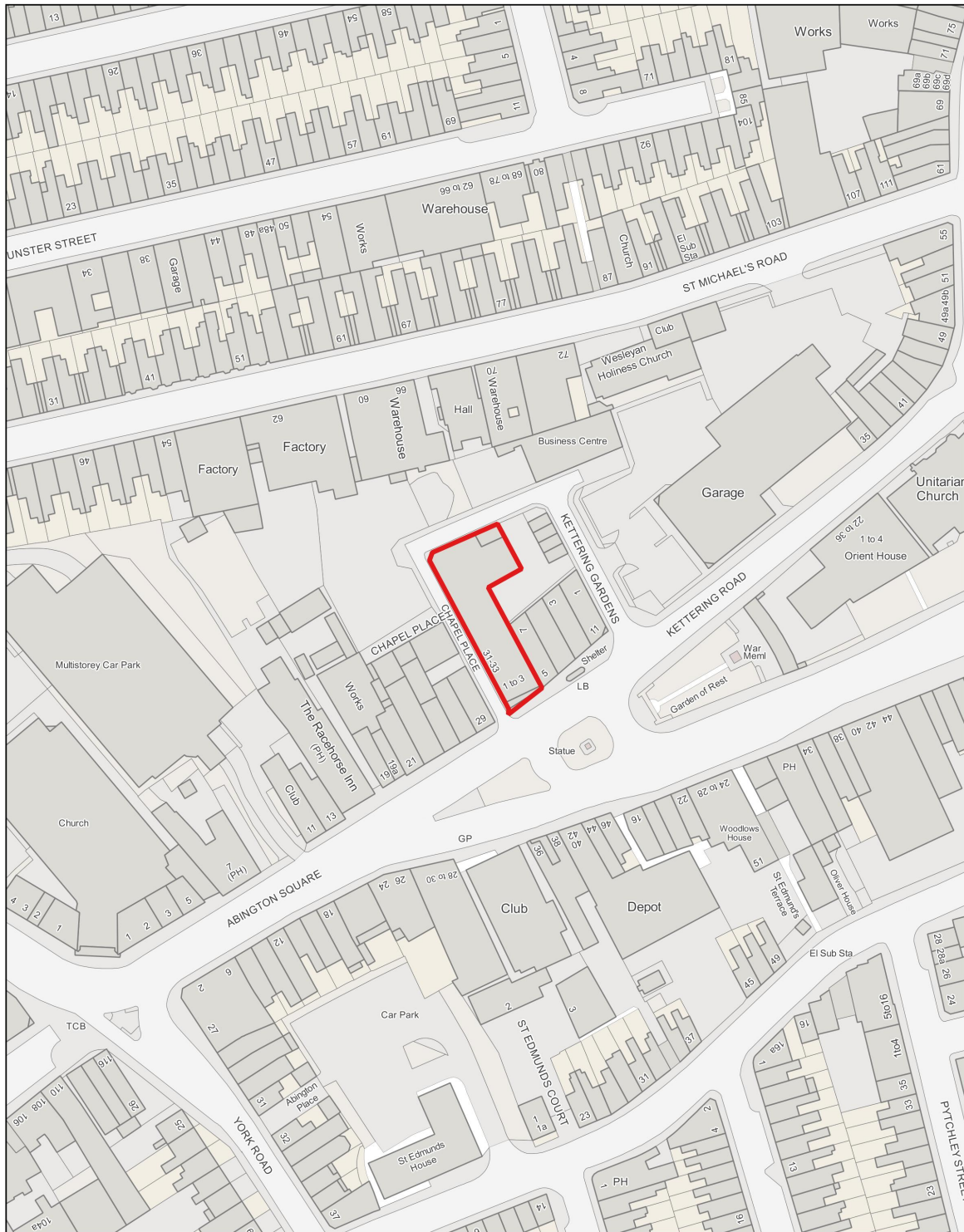
Materials

9. Prior to the construction of the development hereby approved, 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 not adversely impact upon the character and appearance of the Boot and Shoe Conservation Area.



Planning Committee Report



Title: **31 Abington Square**

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Planning Committee Report

Committee Date: 5th December 2022

Application Number: WNN/2022/1115

Location: 39 Berkeley Close, Northampton, NN1 5BJ

Development: Ground and first floor side extension

Applicant: Mrs Bibi Halam Hababi

Agent: Barry Waine Planning

Case Officer: Kanchan Sharma

Ward: Delapre and Rushmere Unitary Ward

Referred by: Councillor J Davenport

Reason for Referral: No reason provide or material planning justification

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: REFUSE PERMISSION.

Proposal

The current application seeks planning permission for ground and first floor side extension.

Consultations

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

- Cllr Julie Davenport

1 letter of objection has been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Impact on the character of the area
- Neighbouring amenity

The report looks into the key planning issues in detail, and Officers conclude that the

proposal is unacceptable for the following reasons.

1. Due to the scale and siting of the proposed extension it would form an incongruous and cramped form of development, detrimental to visual amenity and the character of the area. The proposal would be contrary to the advice contained in the NPPF, Policy S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H18 of the Northampton Local Plan and Policies 1, 2 and 3 of the emerging Local Plan Part II.

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 a detached dwelling that has undergone alterations and extensions in the past. This application property is located within an existing residential area.
- 1.2 Dwellings in the immediate vicinity, although of different designs, are typically of a small scale and are separated by a uniform distance. This separation distance contributes to creating a more open character and positively contributes to the quality of visual amenity.

2 CONSTRAINTS

- 2.1 None Relevant.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The proposed development seeks planning permission for a ground and first floor side elevation.
- 3.2 The current application is resubmission of previously refused application, which was of same footprint with a variation of gable ended roof on the side extension. However, the current application is same as originally refused application in 2009.

4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
WNN/2022/0357	Ground and first floor side extension	Refused
N/2009/0289	Proposed first floor extension above existing garage	Refused
N/1990/0021	Demolition of existing garage and erection of two storey extension.	Approved
N/2002/0649	Extension to form garage.	Approved
N/1990/0886	Conservatory	Approved

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5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

- Policy SA – Presumption in Favour of Sustainable Development
- Policy S10 – Sustainable Development Principles

Northampton Local Plan 1997 (Saved Policies)

- Policy E20 – Design
- Policy H18 – Extensions

Material Considerations

- 5.3 Below is a list of the relevant Material Planning Considerations

National Planning Policy Framework (NPPF)

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

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

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

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

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

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

- Policy 1: Presumption in favour of sustainable development (Significant weight)
- Policy 2: Placemaking and Design (Moderate weight)
- Policy 4: Amenity and layout (Moderate weight)

Northampton Central Area Action Plan (CAAP) (2013) - Policies

Neighbourhood Development Plans - Policies

Residential Extensions and Alterations Design Guide SPD

Northampton Parking Standards Supplementary Planning Document

Northamptonshire Parking Standards

6 RESPONSE TO CONSULTATION

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

Consultee Name	Position	Comment
Cllr Davenport		Supports the application and called-in the application for determination by committee.

7 RESPONSE TO PUBLICITY

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

7.1 There has been one objection raising the following comments:

- The property has undergone lots of extensions in the past and recently carried out extension within the permitted development.
- Proposal would be over development of the site and would be out of character.

8 APPRAISAL

Impact on character and appearance of the area

8.1 The proposed first floor side extension would be widely visible in the streetscene. Whilst it is proposed in matching materials, the cumulative mass and scale of the extension in addition to the extensions approved and built in the past on the application site.

8.2 The application property is located within an existing residential area. Dwellings in the immediate vicinity, although of different designs, are typically of a small scale and are separated by a uniform distance. This separation distance contributes to creating a more open character and positively contributes to the quality of visual amenity.

- 8.3 By reason of the large extension, combined with the existing two storey extension approved in 1990 would lead to a significant detrimental impact on the visual amenity of the locality by reason of the scale of the proposed extension. Furthermore, the cumulative impact of the proposed extension combined with the existing extension would erode the character of the area as the original breaks in the street's built form would have been removed. The dwelling's location near the head of a cul-de-sac gives the proposed extension a greater degree of prominence. The overall bulk and scale of the dwelling would be out of keeping in the area. Overall, the proposals would not respect the character of the area.
- 8.4 Moreover, the application site has a planning history and similar proposal, which was smaller than the proposal and was refused on the basis of its impact on the streetscene. Since then, development plans have changed as NPPF has been adopted that was updated in July 2021, JCS has been adopted and Northampton Residential Design Guide for alterations and extension was adopted in 2011. The merging local plan part II also emphasises on the good design. It is evident that the all the new plans adopted since the original refusal emphasises on good design.
- 8.5 Therefore, the current proposal is not acceptable and fail to comply with the aims and objectives of the Policy S10 of the Joint Core Strategy, Saved Policies E20 and H18 of the Northampton Local Plan, the Residential Extensions and Alterations Design Guide Supplementary Planning Document and advice given within the National Planning Policy Framework and policy 2 and 4 of the Northampton Local Plan Part 2.

Impact on residential amenity

- 8.6 The proposed side extension would sit adjacent to the blank elevation of the neighbouring property, no.38 . As such, it is considered the proposal would not have an unacceptable impact on the residential amenity of no.38. There are no residential properties directly to the rear of the site.
- 8.7 The proposal would not have any adverse impact on the amenity of neighbouring properties to the sides or to the rear and front.
- 8.8 Overall, the proposed extension would have an acceptable impact on the residential amenity of all neighbouring properties.

Highway's safety

- 8.9 Two on-plot parking spaces to the front to be retained. No parking restriction in the local area so as such, no highways safety concern.

FINANCIAL CONSIDERATIONS

- 8.10 The development is not CIL liable.

9 PLANNING BALANCE AND CONCLUSION

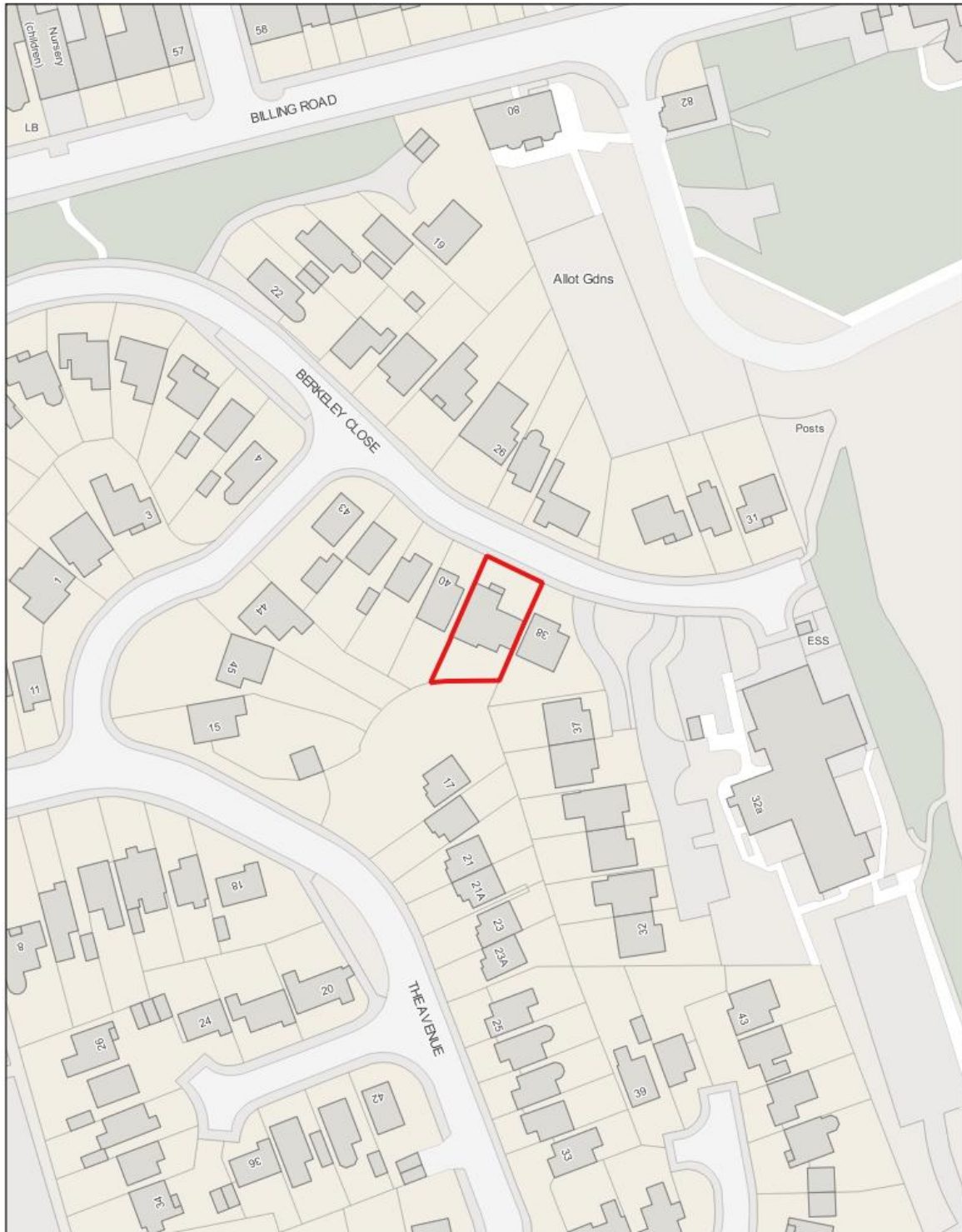
- 9.1 It is considered that the proposal would result in an unacceptable detrimental impact on the character of the area.
- 9.2 Due to its siting, scale, massing and design the proposed extension to the existing building, it is considered unacceptable and out of character with the surrounding area.

9.3 The appearance of an already extended property would not be compatible with the appearance of the host building in terms of its design, massing and external materials. The proposals therefore fail to comply with the aims and objectives of the Policy S10 of the Joint Core Strategy, Saved Policies E20 and H18 of the Northampton Local Plan, the Residential Extensions and Alterations Design Guide Supplementary Planning Document and advice given within the National Planning Policy Framework and policy 2 and 4 of the Northampton Local Plan Part 2.

10 RECOMMENDATION/REASONS FOR REFUSAL

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

1. Due to the scale and siting of the proposed extension it would form an incongruous and cramped form of development, detrimental to visual amenity and the character of the area. The proposal would be contrary to the advice contained in the NPPF, Policy S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H18 of the Northampton Local Plan and Policies 1, 2 and 3 of the emerging Local Plan Part II.



West Northamptonshire Council

Title: **39 Berkeley Close**

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