



# Northampton Local Area Planning Committee

A meeting of the Northampton Local Area Planning Committee will be held at the The Jeffrey Room - The Guildhall, Northampton, NN1 1DE on Tuesday 10 January 2023 at 5.00 pm

## Agenda

1.	<b>Apologies for Absence and Appointment of Substitute Members</b>
2.	<b>Declarations of Interest</b> 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.	<b>Minutes</b> (Pages 5 - 34) To confirm the Minutes of the meetings of the Committee held on 2 <sup>nd</sup> August, 1 <sup>st</sup> November 2022 and 5 <sup>th</sup> December 2022.
4.	<b>Chair's Announcements</b> To receive communications from the Chair.
5.	<b>Deputations/Public Addresses</b>
6.	<b>List of Current Appeals/Enquiries</b> (Pages 35 - 36)
<b>Planning Applications</b>	
<b>7. Other Reports</b>	
a)	<b>WNN/2022/1072 Temporary Change of Use (2 years) from Car Park to Temporary Home for Northampton Market Stall Holders, with associated works.</b>

## 8. Applications for Determination

a) **Applications for Determination**

There are none.

## 9. Northamptonshire Partnership Homes Applications

- a) **WNN/2022/0828 Variation of Conditions 4, 22, 26, 27 and 32; and remove Conditions 12 and 31 of planning permission N/2016/0810 as amended by WNN/2021/0582 (Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing university buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 104 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 66 new dwellings together with access and parking) to replace approved plans; changes to housing mix, highway layout, landscaping, parking and vehicle access, vehicle charging point and pedestrian crossings (Major application where the Council has an interest in the land) University of Northampton Avenue Campus, St Georges Avenue (Pages 51 - 80)**

10. **Urgent Business**

The Chair to advise whether they have agreed to any items of urgent business being admitted to the agenda.

11. **Exclusion of Press and Public**

Should Members decide not to make a decision in public, they are recommended to resolve as follows:

“That under Section 100A of the Local Government Act 1972, the public and press be excluded from the meeting for the following item(s) of business on the grounds that, if the public and press were present, it would be likely that exempt information falling under the provisions of Schedule 12A, Part I, Paragraph(s) XXXXX would be disclosed to them, and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

Catherine Whitehead  
Proper Officer  
2 January 2023

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](mailto:democraticservices@westnorthants.gov.uk) prior to the start of the meeting.

### **Declarations of Interest**

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

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

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

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Tel: 07775036776

Email: [publicspeaking@westnorthants.gov.uk](mailto: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 2 August 2022 at 5.00 pm.

Present            Councillor Jamie Lane (Chair)  
                          Councillor Anna King (Vice-Chair)  
                          Councillor Muna Cali  
                          Councillor Paul Clark  
                          Councillor Raymond Connolly  
                          Councillor Sally Beardsworth  
                          Councillor Penelope Flavell

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

#### 14. **Apologies for Absence and Appointment of Substitute Members**

Apologies for absence were received from Councillors Choudary, Dyball, Russell, and Z Smith.

#### 15. **Declarations of Interest**

None advised.

#### 16. **Minutes**

The minutes of the meetings held on 7<sup>th</sup> June 2022 and 5<sup>th</sup> July 2022 were agreed and signed by the Chair.

#### 17. **Chair's Announcements**

There were no Chair's announcements on this occasion.

#### 18. **Deputations/Public Addresses**

##### **RESOLVED:**

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

**WNN/2021/0159**  
 Councillor Hallam  
 Irene Painter

Helen Reay  
Jennie Harris

**WNN/2022/0104**  
Councillor Purser  
Sally Stroman

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

The Development Management Team Leader submitted a List of Current Appeals and Inquiries and explained that at the time of writing the report, 4 decisions had been made by the Inspector. An application in respect of 21 Market Square was refused under delegated powers, with officers concluding that the proposal would look incongruous given its prominent position within the Conservation Area and proximity to listed buildings. The Inspector agreed with the officer's decision and stated that the application would have an unacceptable impact on heritage assets. An application in respect of a residential development for 8 flats on an existing car park on Hazelwood Road was not determined within the 8-week timescale; this was a resubmission that was similar to a previous application which was refused under delegated powers for reasons of design and scale, the impact on existing and proposed residential amenity and parking layout. The appeal was against non-determination of the application. The Inspector agreed with the officer's original reasons for refusal with the exception of impact on parking/highways and dismissed the appeal, finding that the proposal would fail to enhance and preserve the conservation area and would adversely impact on existing/proposed residential amenity. An appeal relating to 34 Abington Street was allowed by the Inspector; the retrospective application for an electric solid shutter and new shopfront was refused under delegated powers due to the impact on the character of the area and nearby Conservation Area and listed buildings on Fish Street. However the Inspector disagreed and concluded that the shop had a closer relationship with the retail character of properties on Abington Street, and considering the value of items stored in the shop window, despite not being perforated as required by the Council's shopfront guidance, on balance the shutters were appropriate for security reasons. The Inspector added that this permission should not be seen as precedence for approval of similar applications for solid shutters in the area.

Members discussed the report.

**RESOLVED:**

That the report be noted.

20. **WNN/2021/0159 - Demolition of existing dwelling at no 351 Kettering Road and replacement with part single, part two and part three storey extension to Rathgar Care Home together with parking and access alterations and associated works including alterations to boundary treatments. Rathgar Care Home, 349 Kettering Road**

The Development Management Team Leader presented the report which sought approval for the demolition of an existing dwelling and replacement with part single,

part 2, and part 3 storey extensions to Rathgar Care Home together with parking and access alterations and associated works, including alterations to the boundary treatments. The Committee heard that following deferral from 4th May 2022 Planning Committee, discussions had taken place with local residents in respect of parking, trees and refuse storage in particular and the applicant had advised that the scale of development and the number of bedrooms could not be further reduced, or the development would no longer be commercially viable. It was also explained that the design of the development was necessary to ensure that there was level access throughout the building. The existing access to the property would be widened to 6m; this was secured by a condition. 10 parking spaces would be provided, including 1 disabled space and 1 EV charging point; these provisions were also secured by a condition. It was noted that Highways had raised parking concerns, however the application had been assessed against the current parking provision of which there was an existing shortfall, and the parking provision would be doubled along with the number of rooms in the care home. This was taken into account by officers, along with the site's sustainable urban location. Refuse storage for 2 Euro bins was proposed to the rear of the property and 1, which would be used for clinical waste, was proposed to be kept at the front of the property. The trees bordering the application site and neighbouring property would be retained and certain windows on the upper floors of the side elevations would be obscure glazed to ensure no overlooking to the neighbouring property. The side extension would be set further back than the existing property and an additional storey added; due to the distance of any clear glazed windows from the neighbouring boundaries any overlooking was not considered sufficiently severe to warrant refusal. The principle of development was considered acceptable, the development would provide specialist accommodation and add to the Council's 5 year housing supply and contribute to an identified housing need. In respect of concerns around noise, it was noted that Environmental Health had raised no objections to the application subject to the submission of a construction management plan.

Councillor Hallam, in his capacity as a Ward Member for Boothville & Parklands, spoke against the application and thanked those that took part in talks following the application's deferment in May but noted that the only change was to retain the trees bordering the properties. He stated that the residents of the neighbouring property did not want commercial waste stored by their garden and said that the developer was "shoehorning" housing into a footprint that was too small.

Irene Painter, the owner of the neighbouring property, spoke against the application and highlighted comments that she made at the previous Planning Committee in relation to the trees and existing highways issues. She also stated that the planning officer agreed that the ambient atmosphere in the garden of her property would be damaged with bins at the rear of the care home and noted that a smaller care home nearby had more bins than were proposed for this development.

In response to a question, Mrs Painter confirmed that the proposed 2 storey extension would be 2-3m from her side patio door.

Helen Reay, a local resident, spoke against the application and voiced concerns around the scale of the proposal, the building extending beyond the existing building line, refuse storage, the lack of amenities and highways and parking issues. She

stated that too few changes had been made to the proposal following further consultation, that the neighbouring property would be severely overlooked by the development and noted that the Police had recommended that the bins be kept at the front of the property.

Jennie Harris, the agent on behalf of the applicant, spoke in favour of the application and commented that the development was an important contribution towards the current under-provision of care homes. She noted that the applicant had fulfilled its obligation to carry out further consultations, having done so on 10th May and 22nd June 2022. She advised that the scale of the proposal was needed to ensure that the development remained viable and noted that officers had found the proposal acceptable. She further noted that the proposal would contribute to the Council's 5-year housing supply and provide a number of employment opportunities.

In response to questions, Ms Harris confirmed that the portacabin that was onsite was not part of the application and would be removed in due course. The bin proposed to be kept at the front of the property would be used for clinical waste; there were 3 bins on the property currently, however 1 was not in use. Regarding parking, Ms Harris explained that the shortfall would be the same as it currently was. The parking spaces had been designed to allow for maximum manoeuvrability and cycle storage was also proposed; there was none on the site currently. A travel plan was also proposed as part of the application. Ms Harris confirmed that the waste would be collected by a private waste collector and not the Council's contractors. She explained that the application had been amended to provide 17 rooms; this was a reduction from 20 and could not go any lower due to viability constraints. All other options had been considered. A flat level was required throughout the development due to access to fire escapes.

Members discussed the application and made the following observations and comments:

- Highways and Police concerns had not been sufficiently addressed
- The application seemed like an overdevelopment and was not sympathetic to the neighbouring property
- The bins proposed to be kept at the rear of the property were in the wrong place, they should all be kept at the front.

There was no proposer to accept the officer recommendation.

Councillor King proposed and Councillor Beardsworth seconded that the application be refused against the officer recommendation for reasons of parking/highways impact, design, overdevelopment, impact on amenity and refuse storage. This was put to a vote and was unanimously declared carried.

**RESOLVED:**

That the application be **REFUSED** contrary to the officer recommendation on the grounds of parking/highways, impact, design, overdevelopment, impact on amenity, and refuse storage with delegated authority to the Chair and Assistant Director of Place and Economy to agree the detailed refusal reasons.



21. **WNN/2022/0104 - Change of use of single dwelling to 4 no. apartments (part retrospective), including top floor rear extension, single storey ground floor rear extension and expansion of basement, with new light well to rear and low level windows to front, additional internal alterations and rear external door. 46 Abington Avenue**

The Principal Planning Officer presented the report which sought approval for a change of use from single dwelling to 4 apartments including top floor rear extension to provide a bedroom, single storey ground floor rear extension to provide a bedroom and bathroom, expansion of the basement with new lightwell to the rear and low-level windows to the front, internal alterations and a rear external door. The application was part in retrospect as the property was already in use as 4 apartments, understood to have been in such use for a number of years. The existing application sought to regularise the use and provide improved internal accommodation for occupants. All of the apartments would have access to the rear garden where waste and cycle storage was proposed, and waste would be taken through communal access to the front of the property. All rooms exceeded national minimum space standards. Parking requirements remained the same as existing and the property sat within a sustainable location, close to public transport links and shopping facilities. The Principal Planning Officer confirmed that there was an update to Condition 2 of the report in respect of the correct approved plans.

Councillor Purser, in his capacity as a Ward Member for Abington & Phippsville, spoke against the application and commented that the basement apartment would be very dark, and that the sloping roof in the top floor apartment meant that comfortable living space would be smaller than the plans indicated. He had concerns with waste being brought through the house and highlighted existing issues with parking in the area. Councillor Purser believed the application to be an overdevelopment, despite some desirable qualities.

Sally Stroman, the agent on behalf of the applicant, spoke in favour of the application and commented that the property had been used as apartments for a number of years; the extensions were proposed to bring the apartments up to the required standard and the change of use to ensure that the apartments complied with planning requirements. Ms Stroman noted that there were no objections from local residents to the application.

In response to questions, Ms Stroman advised that the basement apartment was also partly on the ground floor and that the proposed waste arrangements were the same as they were currently.

The Principal Planning Officer confirmed that the 2nd storey apartment was in accordance with national space standards, even when taking the sloping roof into account.

Members discussed the report.

Councillor Clark proposed and Councillor King seconded that the officer recommendation be approved. The recommendation contained within the report was put to a vote and was 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 **and amendment to condition 2 (plans condition)**

Amended Condition 2:

The development hereby permitted shall be carried out in accordance with the following approved plans: N457-101C, N457-102, N457-001.

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

22. **WNN/2022/0152 - Conversion of First and Second Floors to 31no Apartments. 34 - 34A Gold Street**

The Principal Planning Officer presented the report which sought approval for the conversion of 1st and 2nd floor town centre units in the All Saints Conservation Area to 31 apartments. Limited external alterations were proposed with the ground floor retail unit would be retained, and new front access to the apartments provided, with the addition of 3 windows to the front at 2nd floor level and the insertion of new windows in the side elevations to provide light and outlook to the apartments. All the units met or exceeded national space standards and waste and cycle storage would be provided as part of the development. Following a noise assessment, glazed windows were proposed and secured by a condition. The application was supported by a Viability Assessment which had been independently assessed on behalf of the Council. The conclusions were that the development, whilst not being able to secure fully policy compliant developer contributions and affordable housing, could achieve a viable scheme with a contribution towards off-site affordable housing provision and contributions towards healthcare, off-site open space, construction training and the Council's monitoring fee to be secured by way of a Section 106 Legal Agreement.

Members discussed the report and commented that town centres were changing so should look to be used in a variety of ways.

Councillor Clark proposed and Councillor Connolly seconded that the officer recommendation be approved. The recommendation contained within the report was put to the vote and was carried with 6 votes for and 1 against.

**RESOLVED:**

That the application be **APPROVED IN PRINCIPLE** subject to the conditions and reasons as set out in the report and subject to the completion of a S106 Legal Agreement to secure the obligations as set out in the officer's report.

23. **Urgent Business**

There was no urgent business on this occasion.

The meeting closed at 6.38 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_

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**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 1 November 2022 at 5.00 pm.

Present           Councillor Jamie Lane (Chair)  
                      Councillor Anna King (Vice-Chair)  
                      Councillor Nazim Choudary  
                      Councillor Paul Clark  
                      Councillor Raymond Connolly  
                      Councillor Paul Dyball  
                      Councillor Cathrine Russell  
                      Councillor Zoe Smith

Apologies       Councillor Muna Cali  
for  
Absence:

Officers:         Artemis Christophi (Head of Planning Delivery)  
                      Shaun Robson (Development Manager)  
                      Nicky Scaife (Development Management Team Leader)  
                      Chris Weston (Principal Planning Officer)  
                      Samantha Taylor (Principal Planning Officer)  
                      Simon Aley (Locum Planning Solicitor)  
                      Ed Bostock (Democratic Services Officer)

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

An apology for absence was received from Councillor Cali.

**53. Declarations of Interest**

Councillor Z Smith advised of a per determination in respect of item 8b and would leave the room whilst the item was being determined.

**54. Minutes**

Officers were seeking legal clarification with regards to the minutes of the meeting held on 9<sup>th</sup> September; they would be brought to the following meeting.

The minutes of the meeting held on 4<sup>th</sup> October 2022 were agreed and signed by the Chair.

**55. Chair's Announcements**

In reference to item 7a, the Chair highlighted paragraph 4.2 of the report which stated that the application did not relate to the relocation of the market; this was subject to a separate application that would be determined at a future meeting.

56. **Deputations/Public Addresses**

**RESOLVED:**

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

**WNN/2022/0454**

Eamonn Fitzpatrick  
Clive Surman  
Jamie Chalmers

**WNN/2022/0397 & WNN/2022/0398**

Ian Catlin  
Marc Sawyer

**WNN/2022/0756**

Councillor Purser

**WNN/2022/0797**

Councillor Haque

**WNN/2022/0903**

Councillor Roberts  
Pat Dooley

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

No decisions had been reached by the Inspector at the time of publication. An update would be brought to the next meeting.

58. **WNN/2022/0454 - Public Realm Regeneration Scheme of the Market Square. The Market Square, Northampton**

The Principal Planning Officer presented the report which sought approval for improvement works to the Market Square, including the installation of a water feature, permanent above ground tiered seating, 18 permanent market stalls, tree planting, re-laying of cobbles, new paving and new lighting. There were no statutory objections, subject to conditions, and there were 7 letters of objection received, including from the Civic Society. 4 petitions had been submitted to the Council (not the LPA) in relation to the Market Square regeneration which were outlined in the report, these petitions had garnered approximately 10,000 signatures in total. Members' attention was drawn to the addendum which contained a further response from the Ecology Officer.

Eamonn Fitzpatrick, a market trader, addressed the Committee and spoke against the application. He advised he was representing 16,000 people that signed a petition. He believed that the Council saw the Market Square as an event space and suggested that public money was being wasted, noting that the proposed water feature would cost £700,000. He stated that traders had been consulted but not listened to. Mr Fitzpatrick further stated that existing antisocial behaviour issues would be exacerbated with the additional seating proposed.

In response to a question, Mr Fitzpatrick advised that the current water feature was a magnet for antisocial behaviour; it was subject to frequent vandalism and was not operational much of the time.

Clive Surman, on behalf of the Civic Society for Northampton, addressed the Committee and spoke against the application. He commented that the proposed layout was not appropriate given the key features of the Market Square. He believed that the proposed design, including the lighting, was too contemporary and would become dated in a relatively short time; a design such as the All Saints' Church portico would better suit the Market Square. Mr Surman also believed that the proposed trees would create shade in unwelcome areas and that the permanent stalls would reduce the overall flexibility of the Market Square.

In response to a question, Mr Surman advised that the Civic Society had also submitted comments to the plans for Market Walk. He stated that the 2 proposals should be looked at together.

Jamie Chalmers, the Project Manager for the Market Square redevelopment, addressed the Committee and spoke in favour of the application. He commented that extensive consultation had taken place to secure funding; the consultation had formed the design of the proposed development. Tree planting and green roofs on the fixed market stalls were a key feature of the proposal, and the hard surfacing had been carefully selected to match the surrounding buildings. The fixed market stalls would provide space for storage, and the pop-up stalls would be taken down each night. The proposed lighting would provide more uniform light across the entire Market Square.

In response to questions, Mr Chalmers advised that the water feature designer had delivered several other water features across the country. Regular safety checks would be undertaken, and spare parts would be readily available if they were needed; the plant room would be above ground for ease of access. The water would be recycled and regularly treated. He further advised that bi-monthly meetings had taken place with market traders, and the proposal incorporated as many of their suggestions and requirements as possible. The cleaning regime would be intensified following completion of the development. It was estimated that the water feature would cost approximately £20,000 per year to run. The Market Manager would be responsible for the storage of pop-up stalls; this would be tendered work, and anticipated management issues were currently being investigated. With regards to antisocial behaviour, Mr Chalmers advised that a lot of antisocial behaviour took place under the cover of the current market stalls; the removal of the new pop-up stalls each night would remove this issue. Additional CCTV was also proposed across the Market Square, and more people using the Market during the day would

provide passive surveillance. There were accessibility concerns regarding the use of the existing cobblestones; careful consideration was needed as to how best use these safely.

In response to questions, the Principal Planning Officer advised that a Category B tree to the south of the Market Square would be removed to allow the nearby Category A tree to flourish. He further noted that the Police had raised no objection to the application, subject to the addition of a condition relating to lighting.

Members discussed the report and made the following comments:

- The design was too modern and would suit somewhere like Milton Keynes better; the application did not make the most of Northampton's history.
- The Market Square may look dated in a relatively short time.
- The funding received was specifically for the regeneration of the Market Square.
- The cobbles were dangerous and in need of changing.
- Antisocial behaviour would not improve without improvements to the Market Square.
- Local people should have had more say in the design.

Councillor Lane proposed and Councillor Choudary seconded that the officer recommendation be approved. The recommendation contained within the report was put to a vote and declared carried with 9 votes for and 1 against.

**RESOLVED:**

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

59. **WNN/2022/0397 & WNN/2022/0398 - Listed Building consent and full planning for Demolition of 21-23 Bridge Street (front facade to be retained and repaired where possible) to create 43no affordable Apartments, Offices and Commercial Spaces, complete with bin and cycle storage provisions. Rear of 21-23 Bridge Street**

The Principal Planning Officer presented the report which sought listed building consent and full planning consent for the demolition of 21-23 Bridge Street to create 43 affordable apartments, offices, and commercial spaces, including cycle and waste storage. The front façade would be retained and repaired where possible. An application to convert the building into a hotel in 2017 was approved, however this consent had since expired. Members' attention was drawn to the addendum which contained an additional neighbour representation, an amendment to the recommendation and amended wording of Condition 27. It was noted that the closure of Bridge Street would require separate consent from the Local Highway Authority. With regards to concerns around night-time noise, it was noted that Environmental Health had raised no objections subject to conditions relating to noise assessments and mitigation measures.

Ian Catlin, the Director of neighbouring NBs nightclub, addressed the Committee and spoke against the application. He voiced concern around the apartment windows and



questioned whether they would be fixed closed and advised that the club's fire exit opened onto Angel Street and that it took deliveries from there; he had concern around its closure.

The Principal Planning Officer confirmed that windows on the proposed development would be subject to noise mitigation measures. He also advised that the club owners would be consulted on the Highways application to close the road which would be separate matter from the planning application. A construction management plan would also form part of any approval granted and secured by condition.

In response to questions, the Committee were informed that studio apartments were not a predominant feature of the development, and it was noted that there were no apartments at the Bridge Street or Angel Street fronts of the ground floor of the proposed development. All of the units would meet or exceed national space standards.

Members discussed the report and made the following comments:

- It was important that this long-vacant building be brought back into use, however this was not the most appropriate housing; better single-person accommodation was needed.
- Prospective residents would be aware that they would be living in close proximity to numerous bars and nightclubs.
- Generally, the positive aspects of the proposed development outweighed the negatives.

Councillor Clark proposed and Councillor King seconded that the officer recommendation in respect of application WNN/2022/0397 be agreed. The recommendation was put to a vote and declared carried with 9 votes for and 1 abstention.

Councillor Connolly proposed and Councillor Clark seconded that the officer recommendation in respect of application WNN/2022/0398 be agreed. The recommendation was put to a vote and declared carried with 9 votes for and 1 abstention.

**RESOLVED:**

WNN/2022/0397

That the application be **APPROVED IN PRINCIPLE** as per the Officer recommendation subject to completion of a S106 Agreement to secure the obligations as set out in the report and with an **amendment to Condition 27** as detailed in the Addendum.

WNN/2022/0398

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

Amended Condition 27

No development shall commence until a detailed and updated ecological report incorporating a detailed Bat survey shall be submitted to and approved by the Local Planning Authority. Once approved, all mitigation measure within the report shall be implemented in full.

Reason: In the interests of wildlife and nature conservation in accordance with Policy BN2 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

Councillor Z Smith left the room at this juncture, having advised of a predetermination in the following item.

60. **WNN/2022/0756 - Change of Use from House in Multiple Occupation for 6 occupants (Use Class C4) into House in Multiple Occupation for 7 occupants (Use Class Sui Generis). 218 Abington Avenue**

The Principal Planning Officer presented the report which sought approval for a change of use from HMO for 6 occupants to HMO to 7 occupants. No external alterations were proposed as part of the development.

Councillor Purser addressed the Committee and spoke against the application. He voiced concern around the cumulative impact of additional rooms in existing HMOs and stated that shared houses with en-suite facilities were preferable. He stated that the Council's sustainable transport policy was not working and that the Council had no ability to control vehicle use.

In response to questions, the Committee were informed that the property had 3 bathrooms; this exceeded the requirement set out in the HMO Supplementary Planning Document (SPD). It was also explained that the only subject for consideration was the additional bedroom since the property was an existing HMO; as such, the concentration of HMOs in the area was also not a matter for the Committee.

Members discussed the report and made the following comments:

- Piecemeal HMO room increases were not appropriate.
- 6 occupants were adequate.
- It was better that the landlord apply for planning permission than adding the additional room without the Council's consent.

Councillor Lane proposed and Councillor King seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared carried with 3 votes for, 3 against and 3 abstentions. Councillor Lane, as Chair, cast the deciding vote.

**RESOLVED:**

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

Councillor Z Smith re-joined the meeting.

61. **WNN/2022/0797 - Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 8 occupants. 48 Hazelwood Road**

The Principal Planning Officer presented the report which sought approval for a change of use from dwellinghouse to HMO for 8 occupants. No external alterations were proposed as part of the development and should the application be approved, the concentration of HMOs in a 50m radius would be 8.6%.

Councillor Haque, on behalf of Councillor Stone, addressed the committee and spoke against the application. He stated that the application was an overdevelopment and voiced concern around overlooking, waste issues, and increased pressure on services. He also stated that the development would undermine the physical appearance of the street and felt that the application did not support the Council's aim to provide a balanced mix of housing. Councillor Haque stated that there were unlicensed HMOs in the area that had not been taken into account.

Thomas Luff addressed the Committee and spoke against the application. He voiced concern around loss of privacy and stated that the application was an overdevelopment. He advised that only 3 properties on the street remained single dwellings. He believed that the harm the proposed development would cause outweighed any benefits.

In response to questions, the Committee heard that the existing terrace overlooked the neighbouring property; any overlooking would not increase should the application be approved and there was no material increase in harm. It was explained that retrospective applications, whilst it is a risk for the applicant, were legal.

Members discussed the report.

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

Councillor Beardsworth proposed and Councillor Russell seconded that the application be refused contrary to the officer recommendation on the grounds of the perceived impact on the Conservation Area, the perceived loss of privacy to neighbouring properties and the increased pressure on services. The proposal was put to a vote and declared carried with 10 votes for.

**RESOLVED:**

That the application be **REFUSED** contrary to the officer recommendation on the grounds of perceived impact on the Conservation Area, perceived loss of privacy to neighbouring properties and the increased pressure on services.

62. **WNN/2022/0903 - Change of use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 5 occupants, including conversion of garage to habitable room. 12 Henry Bird Court**

The Principal Planning Officer presented the report which sought approval for a change of use from dwellinghouse to HMO for 5 occupants, including the conversion of the garage to a habitable room. A condition was included which related to matching materials to be used on the garage. Since the property sat within Flood Zone 2, no bedrooms were proposed on the ground floor. An additional representation had been received from the agent which highlighted the controlled parking situation in the area.

Councillor E Roberts addressed the Committee and spoke against the application. She commented that the property was not designed to be an HMO and noted that 3 suspected illegal HMOs nearby were currently under investigation, which would take the concentration to 6%, and suggested that the concentration figures in the report were inaccurate and that the proposal was overdevelopment. Councillor E Roberts voiced concern around waste disposal issues and noted that the report did not contain any conditions relating to waste disposal and further noted that a parking beat survey had not been undertaken by the applicant.

Pat Dooley, the applicant's agent, addressed the Committee and spoke in favour of the application. He commented that the concentration of HMO's fell below the 10% threshold and advised that the garage as it was currently, was too small to be used by modern cars, so its removal would not result in the loss of a parking space. He advised that a nearby application, which was approved under delegated powers, was identical to this application. Mr Dooley advised that as many bathrooms as possible had been fitted into the proposal.

In response to questions, the Committee heard that the proposed living/kitchen area was 24m<sup>2</sup> which exceeded the minimum requirements. Conditions relating to waste and cycle storage were included.

Members discussed the report and commented that the parking situation was an area of concern.

Councillor Lane proposed and Councillor King seconded that the officer recommendation be agreed. The recommendation was put to a vote and declared lost, with 3 votes for, 4 against and 3 abstentions.

Councillor Flavell proposed that the application be refused due to loss of parking.

**RESOLVED:**

That the application be **REFUSED** contrary to the officer recommendation on the grounds of the loss of parking and impact on amenity.

63. **Urgent Business**

None advised.

The meeting closed at 7.52 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_

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**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 Monday 5 December 2022 at 5.00 pm.

Present            Councillor Jamie Lane (Chair)  
                      Councillor Anna King (Vice-Chair)  
                      Councillor Muna Cali  
                      Councillor Nazim Choudary  
                      Councillor Paul Clark  
                      Councillor Raymond Connolly  
                      Councillor Paul Dyball  
                      Councillor Cathrine Russell  
                      Councillor Zoe Smith  
                      Councillor Sally Beardsworth  
                      Councillor Penelope Flavell

Officers:            Artemis Christophi (Head of Planning Delivery)  
                      Shaun Robson (Development Manager)  
                      Nicky Scaife (Development Management Team Leader)  
                      Jonathan Moore (Senior Planning Officer)  
                      Chris Wentworth (Principal Planning Officer)  
                      Samantha Taylor (Principal Planning Officer)  
                      Theresa Boyd (Planning Solicitor)  
                      Ed Bostock (Democratic Services Officer)

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

Councillor King would be arriving late.

**65. Declarations of Interest**

Councillor Z Smith advised of a predetermination in respect of item 8d and stated that she would leave the room whilst the item was under discussion. She also advised of a personal interest in respect of item 8c due to the application being within her ward but advised of no predetermination.

**66. Minutes**

The minutes of the meeting held on 5<sup>th</sup> November 2022 were awaiting legal sign-off and would be brought to the next meeting.

The minutes of the meeting held on 6<sup>th</sup> September 2022 were agreed and signed by the Chair.

67. **Chair's Announcements**

There were no Chair's announcements.

68. **Deputations/Public Addresses**

**RESOLVED**

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

**WNN/2022/1072**

John Howsam

**N/2020/1474**

Councillor Stone  
Gary Burlison

**N/2020/1497**

Councillor Stone

**N/2021/0226**

Councillor Purser

**WNN/2022/0730**

Councillor Purser  
Mark Evans

**WNN/2022/0826**

Roger Bullimore-Smith

**WNN/2022/0861**

Chris Parr

**WNN/2022/1115**

Councillor Davenport

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

The Development Management Team Leader presented a List of Current Appeals and Inquiries and advised that 2 decisions had been reached by the Inspector. An application relating to 161 Euston Road had been refused under delegated powers due to there being a proposed ground floor bedroom when the property sat within Flood Zone 2, and an application relating to 253 Billing Road East was refused under delegated powers due to the proposal not being in keeping with, and its impact on the existing property. In both cases, the Inspector agreed with the officer decisions and dismissed the appeals.



**RESOLVED:**

That the report be noted.

70. **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**

The Principal Planning Officer presented the report to the Committee which sought approval for a change of use from car park to temporary home for Northampton Market Stall Holders, with associated works. Members' attention was drawn to the addendum which contained an update from the Environment Agency: their objection had been removed following the submission of a Flood Risk Assessment and subject to an additional Condition (11).

Councillor Dyball joined the meeting at this juncture and took no part in the debate and did not vote on the item.

John Howsam addressed the Committee and spoke against the application. He stated that due to the loss of 117 parking spaces, he calculated that the Council would lose £730,000 in parking charges in 2 years and £260,000 in rental income in the same period. He noted that 15,000 people had signed a petition opposing the plans and that discussions should take place with market traders to come up with new plans. Mr Howsam believed that people would not travel to the market's new location.

In response to questions, the Committee heard that deliveries to the new location would take place before and after the market was open for business, and that a market management plan would be in place to ensure the smoothness of operations. Toilets would be provided onsite and there was level access to Bridge Street and St Peter's Walk. It was noted that the cost implications were not a material consideration; this was a matter that had been considered by the Cabinet.

Members made the following comments:

- There was concern around people not wanting to travel from the bus station.
- There was concern around safety and equalities impacts, disabled access, etc.
- Members had to support residents as well as the Council.

Councillor Lane proposed and Councillor Connolly seconded that the officer recommendation be agreed. The recommendation contained within the report was put to a vote and declared lost with 3 votes for, 5 votes against and 1 abstention.

Members were advised that equality and the previously submitted petition to Council were not material considerations. They were further advised that a condition could be added which required details of disabled toilet facilities. Harm to the area was also not a valid reason for refusal since the change of use was temporary.

Following the discussion, it was proposed by Councillor Z Smith and seconded by Councillor Cali that the application be deferred to a future meeting. The vote was carried with 7 votes for and 2 against.

**RESOLVED:**

That the application be **DEFERRED** to a future meeting.

Councillor King joined the meeting at this juncture and advised of no declarations of interest.

71. **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**

The Principal Planning Officer advised that since items 8a and 8b were adjacent and very similar applications by the same applicant, he would deliver his presentation on both applications under this item. He then presented the reports to the Committee which sought outline approval for the construction of up to 6-storey buildings to provide up to 112 and 66 1, 2, and 3-bedroom flats and apartments, commercial development and associated ancillary works. 41 and 38 parking spaces were proposed for the respective developments and amenity space would be provided. Objections to the applications had been received from various conservation groups and it was explained that following the submission of a viability assessment, the schemes would not be viable if they were to provide any affordable housing.

The Chair invited Councillor Stone to speak and allowed her 6 minutes to make a statement as she had registered to speak on items 8a and 8b.

Councillor Stone, in her capacity as a Ward Councillor, addressed the Committee and spoke against the application. She commented that whilst she was happy that the scheme had been amended somewhat, it still did not support the Council's vision for cohesive communities and a clean and green town. This area of the town centre did not have the infrastructure for what could be an additional 470 people and no contributions by the applicant would be made to support local services. Councillor Stone also noted that the proposed developments would sit between 2 busy roads and that the town centre already suffered from poor air quality.

Gary Burlison, owner of the Malt Shovel Tavern, addressed the Committee and spoke against the application. He commented that the developments would have a major effect on his business and that all of the light would be lost from the garden and the upstairs accommodation. He also voiced concern around the foundation of a 6-storey building and how it may affect the pub, and around the residential waste storage that would be next to his boundary wall.

In response to questions, the Committee heard that construction of the new party wall would be managed through the construction management plan. The applications were recommended for approval on the basis that the pub would continue to operate

as it was, and noise mitigation measures would be put in place throughout the developments.

Members made the following comments:

- The variety of buildings along Bridge Street were being lost.
- Some were concerned about additional housing without any additional infrastructure support.
- There was not enough detail around sustainability.
- The town centre was full and had poor air quality.
- The area was already run down; regeneration was preferable to what was there currently.
- The proposals did not meet the policy requirements set out in the Housing Strategy.

N/2020/1474

Councillor Connolly proposed and Councillor King seconded that the recommendations contained within the reports be agreed. The recommendations were put to the vote and declared lost with 4 votes for, 6 votes against and 1 abstention.

**RESOLVED:**

That the application be **REFUSED** due to the impact on the setting of the Conservation Area, overdevelopment, and scale.

72. **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**

The presentation and debate for this application took place during the previous item.

Councillor Connolly proposed and Councillor King seconded that the recommendations contained within the reports be approved. The recommendations were put to the vote and declared lost with 4 votes for, 6 votes against and 1 abstention.

**RESOLVED:**

That the application be **REFUSED** due to the impact on the setting of the Conservation Area, overdevelopment, and scale.

73. **N/2021/0226 - Construction of 5no new apartments above the Cube Disability Day Centre. Campbell Works, Clarke Road**

The Development Management Team Leader presented the report to the Committee which sought approval for the construction of 5 apartments above the Cube Disability Day Centre. The ground floor garage would be removed to provide an entrance to the apartments and waste and cycle storage would also be provided. All of the units would meet national minimum space standards and there would be no windows on the neighbour-facing wall. While there were some overlooking concerns, the proposal would not result in any additional overlooking than already existed elsewhere on the street. It was explained that the parking impact was not significant enough to warrant refusal of the application. Members' attention was drawn to the addendum which contained additional comments from the applicant.

Councillor Purser, in his capacity as a Ward Councillor, addressed the Committee and spoke against the application. He stated that the proposal was an overdevelopment, and that the area was already congested and could not cope with additional vehicles. He felt that the lack of a Highways report was concerning.

In response to questions, the Committee heard that the applicant ran the day centre below the application site and intended to house people with additional needs, however the proposal was assessed as standard units.

Members made comments as follows:

- There was no residual parking in the area.
- People with additional needs may not drive but may have frequent driving visitors.

Councillor Choudary proposed and Councillor King seconded that the officer recommendation be agreed. The recommendation contained within the report was put to the vote and declared carried with 9 votes for and 2 abstentions.

**RESOLVED:**

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

Councillor Z Smith left the room, having advised of a predetermination in the following item.

74. **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**

The Senior Planning Officer presented the report to the Committee which sought approval for a change of use from dwellinghouse to HMO for 4 occupants. All rooms would exceed national minimum space standards, and should the application be approved, the concentration of HMOs in a 50m radius would be 3.6%. A condition was included to ensure that the basement was not used as a habitable room at any time. Members' attention was drawn to the addendum which contained comments

from the Local Highway Authority and amendments to the wording of Conditions 4 and 5.

Councillor Purser, in his capacity as a Ward Councillor, addressed the Committee and spoke against the application. He commented that parking was congested in the area, and that the use of the term “sustainable location” in the report was a misnomer, since people living in town centre locations still used cars. He also stated that the loss of a family home was detrimental to the community.

Mark Evans, the applicant, addressed the Committee and spoke in favour of the application. He advised that he owned several successful HMOs in the town. All planning criteria had been met and the proposed HMO was in an area with low existing HMO concentration. Mr Evans further advised that the lettings agent that managed the house would carry out monthly inspections of the property and that the agent would be available to neighbours 24 hours a day, every day.

In response to questions, Mr Evans explained that car usage for an HMO was generally lower than for a family home, and that he liked to rent his properties to groups of people who knew each other as it was a more cohesive arrangement.

Members discussed the report.

Councillor Clark proposed and Councillor Connolly seconded that the officer recommendation be agreed. The recommendation contained within the report was put to a vote and declared carried with 7 votes for, 2 against and 1 abstention.

#### **RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report and **amended Conditions 4 and 5** as set out in the addendum.

#### Amended Condition 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.

#### Amended Condition 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.

Councillor Z Smith re-joined the meeting at this juncture.

75. **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**

The Senior Planning Officer presented the report to the Committee which sought approval for the retention of a 20m high telecommunications column with associated antennas, and the replacement of a meter cabinet and ancillary works. Members' attention was drawn to the addendum which contained an additional condition to be added should the application be approved.

Roger Bullimore-Smith, a local resident, addressed the Committee and spoke against the application. He commented that he was objecting to the process; he believed that the applicant had no intention of installing the column in its original location.

In response to questions, the Committee heard that Environmental Health had received no complaints regarding the column, and that its new location was due to the discovery of underground cables in its original location. It was noted that enforcement had taken place following resident calls to the Council; Planning Enforcement officers were on site the following day to serve the applicant with a notice to urgently regularise the development.

Members made comments as follows:

- The circumstances were unfortunate, but the column was necessary.
- Better communication with local residents would have caused less friction.

Councillor Choudary proposed and Councillor Z Smith seconded that the officer recommendation be agreed. The recommendation contained within the report was put to a vote and declared carried with 8 votes for, 1 against and 2 abstentions.

**RESOLVED:**

That the application be **APPROVED** subject to the conditions and reasons as set out in the report, and **additional condition contained in the addendum**.

Additional Condition

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.

Councillors Choudary and Flavell left the meeting.

76. **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**

The Principal Planning Officer presented the report to the Committee which sought approval for a change of use from retail units to 12 affordable apartments, including waste and cycle storage. Members' attention was drawn to the addendum which contained a correction to the report which removed the requirement for a Section 106 Legal Agreement and a revised officer recommendation.

Chris Parr, Major Works Manager for Northampton Partnership Homes (NPH), addressed the Committee and spoke in favour of the application. He commented that a number of the proposed units would be fully disabled accessible, and that the development would provide a higher number of parking spaces than were required.

In response to questions, Mr Parr advised that the site was on a main bus route along Bedford Road to the town centre.

Members commented that the proposed development was of high quality and was much needed in the town.

Councillor Beardsworth proposed and Councillor Cali seconded that the officer recommendation be agreed. The recommendation contained within the report was put to a vote and declared carried with 9 votes for.

**RESOLVED:**

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

Amended 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.

77. **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 Harbourough Road North and erection of 14no. dwellings) for detailed house types and landscaping for the development of 14no units. Hillside Ranch, 1A Harbourough Road North**

The Principal Planning Officer presented the report to the Committee which sought reserved matters approval in relation to outline application N/2019/1247, for the construction of 14 dwellings and associated works.

In response to questions, the Committee were informed that the number of dwellings had been agreed at the outline application stage, and that details of bird and bat boxes would form part of a later application.

Members discussed the report.

Councillor Clark proposed and Councillor Connolly seconded that the officer recommendation be agreed. The recommendation contained within the report was put to a vote and declared carried with 9 votes for.

**RESOLVED:**

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

78. **WNN/2022/1078 - Additional storey to form 11no Apartments. 31 Abington Square**

The Principal Planning Officer presented the report to the Committee which sought approval for the construction of an additional storey to form 11 apartments. A similar application for 14 apartments was approved in 2015; the apartments did not meet national minimum space standards and the consent had since fallen away. It was noted that Condition 6 was removed and replaced by Condition 5.

In response to a question, it was advised that the number of apartments provided fell below the required number to secure affordable housing.

Members made the following comments:

- This was the second, almost identical application by the applicant; if the 2 applications had been submitted as 1, the applicant would have been required to provide an element of affordable housing.

Councillor Connolly proposed and Councillor Lane seconded that the officer recommendation be agreed. The recommendation contained within the report was put to a vote and declared carried with 5 votes for and 4 abstentions.

**RESOLVED:**

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

79. **WNN/2022/1115 - Ground and first floor side extension. 39 Berkeley Close**

The Senior Planning Officer presented the report which sought refusal of an application for the construction of a ground and first floor side extension.

Councillor Davenport, in her capacity as Ward Councillor, addressed the Committee and spoke in favour of the application. She commented that the proposal was significantly different to previous applications and that the change had reduced the



mass of the proposal. The additional bedroom would be used for a family member who was the owner's full-time carer.

In response to questions, the Committee heard that the proposal would result in a cramped appearance and close the visual gap between it and the neighbouring property, which was a repeated feature along the street. It was noted that there had been 1 neighbour objection on overdevelopment grounds.

Members made comments as follows:

- Other properties on the street had similar extensions.
- Overdevelopment changed the appearance of a street and could set a precedent.
- Members were sympathetic to the applicant's situation

The Head of Planning Delivery advised that personal circumstances were not a material consideration for the Committee and noted that the applicant had not appealed any of the previous refusals. She also noted that applications were judged on their own merits.

Councillor Z Smith proposed and Councillor Lane seconded that the officer recommendation be agreed. The recommendation contained within the report was put to a vote and declared lost with 2 votes for, 5 against and 2 abstentions.

The Head of Planning Delivery advised that a condition be added to ensure that the property could not be sub-divided in the future.

Councillor Connolly proposed and Councillor Cali seconded that the application be approved contrary to the officer recommendation. The proposal was put to a vote and declared carried with 9 votes for.

**RESOLVED:**

That the application be **APPROVED** contrary to the officer recommendation.

80. **Urgent Business**

There was no urgent business on this occasion.

The meeting closed at 7.45 pm

Chair: \_\_\_\_\_

Date: \_\_\_\_\_

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Planning Service – Northampton Area

Assistant Director for Planning: Colin Walker



**West  
Northamptonshire  
Council**

### List of Appeals and Determinations – 10th January 2022

#### Written Reps Procedure

Application No.	DEL/PC	Description	Decision
<b>N/2021/0161</b> APP/W2845/W/22/3303335	DEL	Erection of detached dwelling at Land Opposite 1 Farmhouse Lane, 1 Wootton Hill Farm	<b>AWAITED</b>
<b>WNN/2021/0843</b> APP/W2845/W/22/3301150	DEL	Two storey side and single storey rear extension and new patio areas at 18 Hillcrest Avenue (Non Determination)	<b>DISMISSED</b>
<b>WNN/2021/1170</b> APP/W2845/D/22/3302819	DEL	Two storey side and rear extensions and two storey front extension at 4 Casterbridge Court	<b>AWAITED</b>
<b>WNN/2022/0261</b> APP/W2845/W/22/3301918	DEL	Installation of dropped kerb at 567 Harlestone Road	<b>AWAITED</b>
<b>WNN/2022/0341</b> APP/W2845/W/22/3300411	DEL	New detached motorcycle store to front of dwelling at 10 Cumberland Close	<b>DISMISSED</b>
<b>WNN/2022/0499</b> APP/V2825/D/22/3304961	DEL	New balcony to rear (Retrospective) at 46 Eastern Avenue South	<b>AWAITED</b>
<b>WNN/2022/0579</b> APP/W2845/W/22/3304357	DEL	Placement of tables and chairs outside on pavement with retractable awning	<b>AWAITED</b>

#### Public Inquiry

None

#### Hearings

None

#### Enforcement Appeals

None

#### Tree Preservation Order (TPO) Appeals

<b>WNN/2022/0510</b> 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)	<b>AWAITED</b>
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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

**Application Number:** WNN/2022/1072

**Location:** Commercial Street Car Park Surface N B C, Commercial Street, Northampton

**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:** Head of Planning Delivery

**Reason for Referral:** The Council is the applicant

**Committee Date:** 10<sup>th</sup> January 2023

## EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

The application was considered by Members at Committee on 5<sup>th</sup> December 2022 and deferred for further consideration.

An Addendum providing an update to the previous Committee report is in the paragraphs preceding the 'Main Report' below.

**RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS** as set out below with delegated authority to the Head of Planning Delivery 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 **no objections** to the application:

- Conservation
- Anglian Water
- Environment Agency
- 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.**

## ADDENDUM

1.1 The application was presented to Members at Planning Committee on 5<sup>th</sup> December 2022 with an officer recommendation for approval subject to a variety of planning conditions as outlined in Section 12 below of this report. Members voted against the officer recommendation to approve and deferred the application for further consideration.

1.2 During the consideration of the application at Committee, Members raised concerns regarding the following points:

- Wider town centre accessibility to the proposed site with concerns raised regarding level access from the existing Market Square location and the bus station.
- Lack of public toilets and disabled public access toilets on the proposed site.
- Servicing of the site – How would market vehicles access the site without adversely impacting the existing car park and public highway?

- 1.3 Following the deferral of the application by Committee, there has subsequently been further discussion with the applicant to seek clarification on the above matters as detailed below.
- 1.4 A plan has been provided, appended to this report, to show Members pedestrian accessibility from various points in the Town Centre to the proposed site. Officers have noted that there are pedestrian access routes from the existing Market Square location. 6 no. of these are step free and 1 no. has steps. The site is located approx. 6-7 min walk from the southern entrance to Market Square where it meets Abington Street and also from the bus station. There is a level change from these points to the proposed site of approx. 60ft (i.e. downhill). Therefore, officers consider that the proposed site is accessible to all users.
- 1.5 It is noted that there are currently no public toilets on the existing Market Square however there are public toilets within the vicinity, the nearest being located on Abington Street and within the Grosvenor Centre, the Guildhall and the Bus Station. The concerns raised by Members at the previous committee have been noted and, whilst not a planning consideration, the applicant has advised that they would be willing to install an accessible toilet for use during market opening hours.
- 1.6 In respect of access for service vehicles, the access and egress to the car park from the existing highway networks 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 submitted Design and Access Statement advises that a perimeter steel powder coated fence will be erected on the south and west of the site with the north and east of the space protected by existing boundary treatments. Two 4m vehicle access/egress gates will be constructed within the fence with pedestrian access gates adjacent.
- 1.7 The statement advises that operating times for the market trading in this location will be 9am-3:30pm, Monday to Saturday with market traders being able to set up from 6:30am with clearly defined access routes into and out of the occupied space. External deliveries will be permitted until 10am but must do so from a designated loading area that will be clearly defined and must not obstruct vehicle or pedestrian access. Council operatives would be on site at various times during the day to ensure the smooth operation of the market and associated activities.
- 1.8 In addition to the above information, it is considered relevant to highlight to Members details submitted within the Design and Access Statement to Members relevant to the proposed location of the temporary market.
- 1.9 The submitted Design and Access Statement advises that "it will not be possible to maintain the market on the square during delivery of the proposed works due to the extent of works proposed". This includes an increase in vehicle movements, regular access for construction traffic and space on the market square for provision of welfare facilities, and storage materials in addition to a requirement for ongoing archaeological mitigation and monitoring works. "For safety, most of the square will be fenced off from public use" whilst ensuring access to existing businesses.
- 1.10 The Design and Access Statement further details the options considered by the Council along with market traders in respect of how to ensure the market is retained. The options considered were as follows:
  - *Retrain traders on existing Market Square & phase delivery around them.*

Option discounted due to significant costs of project, practical issues in providing a safe environment whilst implementing a major regeneration project and insufficient space.

- *Move market to multiple locations on Wood Hill and Abington Street.*  
No one location on these sites will accommodate all the market traders and the market would have to be scattered across these locations to accommodate delivery routes. In addition, funding has been secured to regenerate Abington Street with works planned to be carried out in conjunction with the Market Square.
- *Move market to vacant unit in Grosvenor Centre and locate food concessions in Wood Hill.*  
The creation of an indoor market was not favoured by traders. Option not selected for this reason and concerns about cost and delivery.
- *Move market to Commercial Street carpark.*  
Simplest option from planning, management and cost perspective. Carpark is owned by WNC; space to accommodate the whole market in one location and clearly visible from surrounding area. Easily accessible to car drivers and pedestrians and users of public transport.

## **MAIN REPORT**

### **2 APPLICATION SITE AND LOCALITY**

- 2.1 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.
- 2.2 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.

### **3 CONSTRAINTS**

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

### **4 DESCRIPTION OF PROPOSED DEVELOPMENT**

- 4.1 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.
- 4.2 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.

### **5 RELEVANT PLANNING HISTORY**

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



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

## **6 RELEVANT PLANNING POLICY AND GUIDANCE**

### **Statutory Duty**

- 6.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 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**

- 6.3 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 15<sup>th</sup> 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)**

- 6.4 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)**

- 6.5 The relevant policies of the Northampton Local Plan 1997 (Saved Policies) (NLP1) are:
- E20 – New Development.

#### **Northampton Central Area Action Plan (CAAP) (2013)**

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

## 7 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	Comments	No objection subject to the development being carried out in accordance with the submitted Flood Risk Assessment and a condition requiring the market stalls and equipment are fixed/ anchored to the ground and flood resilient.
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.	

## 8 RESPONSES TO PUBLICITY

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

8.1 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.

## 9 APPRAISAL

### Principle of Development

9.1 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

9.2 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.

9.3 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

- 9.4 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.
- 9.5 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

- 9.6 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.
- 9.7 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

- 9.8 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.

- 9.9 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.
- 9.10 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

- 9.11 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.
- 9.12 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

- 9.13 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.
- 9.14 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.

## **10 FINANCIAL CONSIDERATIONS**

10.1 The proposal is not CIL liable.

## **11 PLANNING BALANCE AND CONCLUSION**

11.1 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.

## **12 RECOMMENDATION**

12.1 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.

Drainage

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.

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**West  
Northamptonshire  
Council**

Title: **Commercial Street Surface car park**

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Date: 17-11-2022

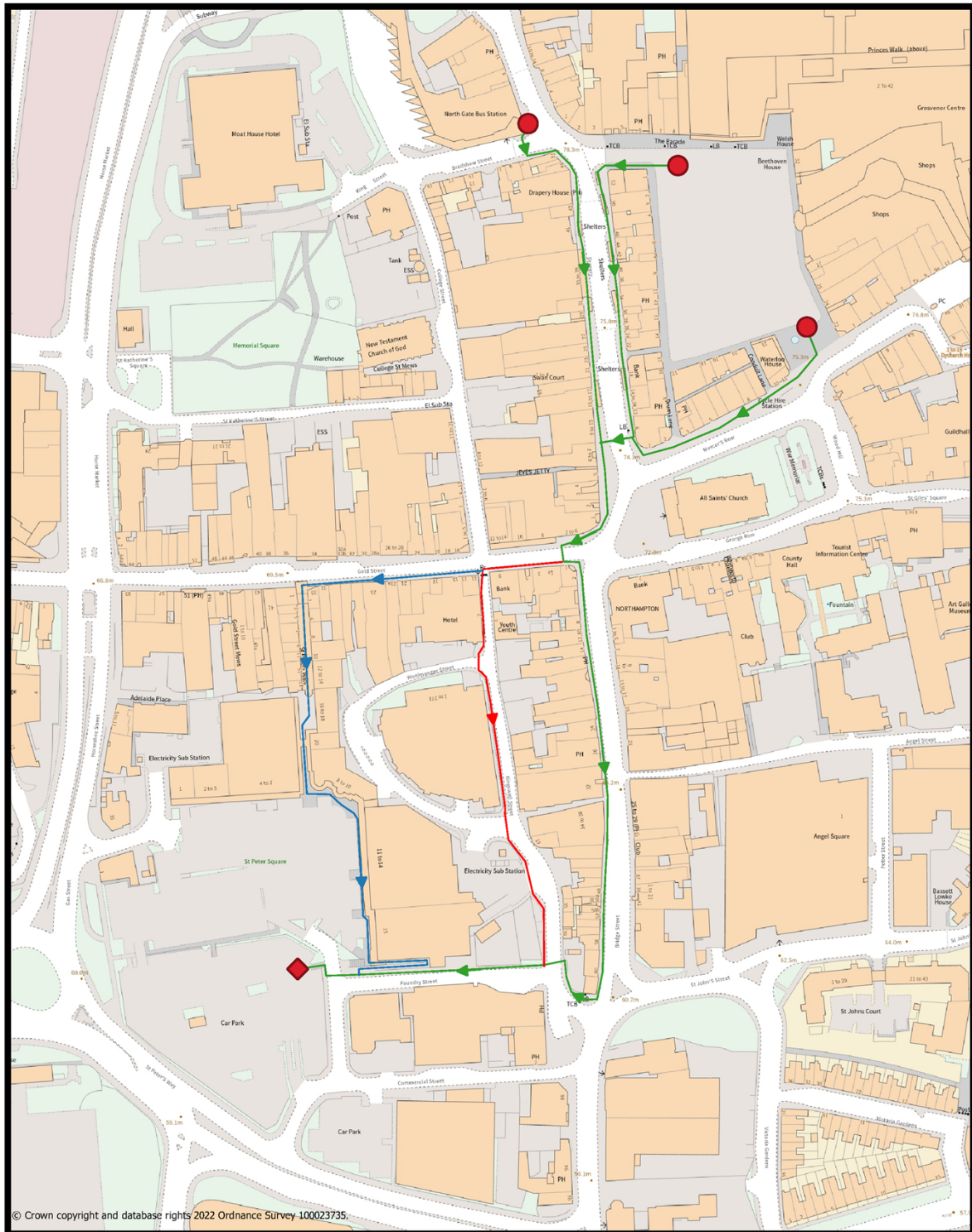
Scale: 1:1,250 @A4

Drawn: M Johnson



## TITLE Market re-location - Walking Bus routes

Print Date: 2022-12-12T15:35:20.442





# Planning Committee Report

**Committee Date:** 10<sup>th</sup> January 2023

**Application Number:** WNN/2022/0828

**Location:** University Of Northampton Avenue Campus , St Georges Avenue, Northampton

**Development:** Variation of Conditions 4, 22, 26, 27 and 32; and remove Conditions 12 and 31 of planning permission N/2016/0810 as amended by WNN/2021/0582 (Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing university buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 104 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 66 new dwellings together with access and parking) to replace approved plans; changes to housing mix, highway layout, landscaping, parking and vehicle access, vehicle charging point and pedestrian crossings

**Applicant:** Northampton Partnership Homes

**Agent:** Simply Planning Limited

**Case Officer:** Adam Walker

**Ward:** St. George Unitary Ward

**Referred By:** Head of Planning Delivery

**Reason for Referral:** In the interest of transparency as the application site is owned by the Council

## **EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION**

**RECOMMENDATION:** APPROVE THE VARIATION AND REMOVAL OF CONDITIONS, SUBJECT TO CONDITIONS AND SECURING A DEED OF VARIATION TO THE ORIGINAL SECTION 106 AGREEMENT, with delegated authority to the Head of Planning Delivery to approve any amendments to the recommended conditions as deemed necessary.

## Proposal

The application is seeking to make some minor material changes to an approved scheme that involves the redevelopment of a former university building to residential use.

## Consultations

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

- Archaeological Advisor
- Conservation Section
- Ecology Advisor
- Environmental Health
- Environment Agency
- National Highways
- Sport England
- Police Crime Prevention Design Adviser

The following consultees have made **comments** on the application:

- Local Highway Authority
- Historic England
- NHS Clinical Commissioning Group

Four representations have been received raising concerns and questions.

## 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:

- The scale and nature of the proposed changes
- The impact of the proposed changes on the housing mix
- The impact of the proposed changes on heritage and design
- The impact of the proposed changes on residential amenity
- The impact of the proposed changes on 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 part of the University of Northampton's former Avenue Campus, which lies approximately one mile to the north of the town centre.
- 1.2 The site comprises of the Maidwell building, which consists of a large rectangular shaped building set around a central landscaped courtyard. The building fronts onto St Georges Avenue and is a mixture of 2 to 4 storeys in height with a varied material palette. The building was erected in the early 1930s, with additions made in the 1960s. There is a fairly significant change in levels across the Maidwell site, with the site dropping in level by approximately 5.5m from St George's Avenue towards the north.
- 1.3 The remainder of the Avenue Campus site lies to the north and west of the Maidwell Building and this land has planning permission to be redeveloped for 104 dwellings. To the east of the site is the Newton building, which is Grade II listed within education use and is within the applicant's ownership. Towards the south of the site is The Racecourse. There is residential development within the wider vicinity alongside a couple of schools.

### **2 CONSTRAINTS**

- 2.1 The Maidwell building is deemed to be a non-designated heritage asset. The building also lies within the Kingsley Conservation Area.
- 2.2 To the front of the Maidwell building are several trees that are protected by virtue of them being within a Conservation Area.

### **3 DESCRIPTION OF PROPOSED DEVELOPMENT**

#### *Background*

- 3.1 The application is seeking to vary and remove conditions on planning permission N/2016/0810, as amended by application WNN/2021/0582.
- 3.2 Application N/2016/0810 was a hybrid application for up to 170 new dwellings on the former University of Northampton Avenue Campus site. It included a full application for the redevelopment of the Maidwell building to provide 58 new dwellings and an outline application for the demolition and conversion of existing university buildings and the erection of new buildings to provide up to 112 residential units along with associated car parking, landscaping and open space.
- 3.3 Following the approval of application N/2016/0810, a non-material amendment to the description of development was approved under application reference WNN/2021/0582. This amended the description of the approved development to make a minor change to the number of dwellings allowed under the full permission and the outline permission. The description of development was amended to increase the number of dwellings under the full permission from 58 to 66 dwellings and a corresponding reduction in the maximum number of units permitted under the outline permission from 112 to 104. The total quantum of development across the former university campus remains as originally approved (170 dwellings).

- 3.4 A reserved matters application relating to the outline permission was approved by the Northampton Area Committee in October 2022 (WNN/2021/0927). That approved the detailed design for 104 dwellings comprising of a combination of new build and conversion.
- 3.5 The current application is seeking to make changes to the Maidwell building, which is the subject of full planning permission under application reference N/2016/0810. The existing permission involves the partial demolition, conversion and extension of the Maidwell Building to provide 58 new dwellings.
- 3.6 Under the approved scheme, the northern (front) and southern (rear) wings of the building are to be demolished along with parts of the eastern and western (side) wings. The remainder of the eastern and western wings would be retained and converted, with an extension added to the rear of the western wing. Two new infill residential terraces would be formed in place of the northern wing, separated by a new access road off St Georges Avenue that would provide direct access into a large parking area serving the development.

#### *The Proposals*

- 3.7 The applicant (Northampton Partnership Homes) is seeking to make some changes to the consented scheme. A summary of the key changes is provided below:
- Increased retention of the existing building. The entire western wing of the building would now be retained as well as an existing extension to the eastern wing.
  - Omission of the central access road. This also allows for the creation of a continuous terrace between the retained eastern and western wings.
  - Provision of landscaped amenity space within a central courtyard.
  - Increase in the number of dwellings from 58 to 66, in line with the non-material amendment approved under application reference WNN/2021/0582, and changes to the overall housing mix.
  - Design alterations to both the approved new and retained facades.
  - Pedestrian level entry points from St Georges Avenue to the south terrace.
  - Introduction of a detached substation and plant enclosure to the north-east of the site.
  - Reduction in car parking spaces from 129 to 119 (including 10% wheelchair accessible parking).
  - Adjustment to the boundary around the Maidwell building relative to the outline part of the site
- 3.8 The application is also seeking to remove and vary certain conditions on the original permission which are impacted by the proposed changes to the development. These are:
- Variation of condition 22 (new and altered vehicle accesses), condition 27 (car parking layout) and condition 32 (bin stores)

The original permission required the vehicle accesses, car parking layout and bin stores to be provided in accordance with the approved plans. The application is therefore seeking to amend these conditions so that they reflect the plans as currently proposed.

- Removal of condition 12 (pedestrian crossing)

Condition 12 requires a detailed scheme for the relocation of the existing pedestrian crossing to the frontage of the site. It is no longer necessary to relocate the existing pedestrian crossing because the central access road has been omitted. The pedestrian crossing is to remain in its existing position and as such the applicant is seeking the removal of condition 12.

- 3.9 As part of this application, the applicant has also submitted information which seeks to address the requirements of two conditions on the original permission which require the submission of details for electric vehicle charging provision (condition 26) and cycle storage (condition 31). It is therefore proposed to vary these two conditions to reflect the submitted details.

#### 4 RELEVANT PLANNING HISTORY

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

Application Ref.	Proposal	Decision
N/2016/0810	Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing University buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 112 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 58 new dwellings together with access and parking	Approved 19/03/21
WNN/2021/0582	Non-Material Amendment to Planning Permission N/2016/0810 to amend the description of development to read:  "Hybrid application for up to 170 new dwellings in total including outline application for the demolition and conversion of existing university buildings and the erection of new buildings to provide residential accommodation (Use Class C3) of up to 104 units and associated car parking (including reconfiguration of Newton Building car park), landscaping and open space (all matters reserved except access) and full application for the part demolition, conversion and extension of the Maidwell Building to provide 66 new dwellings together with access and parking."	Approved 27/04/22
WNN/2021/0927	Reserved Matters Application (Appearance, Landscaping, Layout and Scale of Development)	Approved 07/10/22

	pursuant to Outline Planning Permission N/2016/0810 for 104no houses and flats, comprising 55no new build two and three storey houses, 48no family sized flats within the retained and converted Bassett-Lowke Building and conversion of the retained Quinton Building into a three bed family home	
WNN/2022/0443	Prior Approval for the Demolition of the Portfolio Innovation Centre, Isham Studios Building, Students Union Building, Walgrave Building, Heyford Building and Maidwell Building North Wing	Refused 30/06/22 on the grounds that part of the site fell within a CA and as such the Prior Approval process cannot be used
WNN/2021/0760	Prior Approval for the demolition of the Portfolio Innovation Centre, Isham Studios Building, Students Union Building, Walgrave Building and the Heyford Building	Granted 21/10/21
N/2020/1553	Change of Use of Newton Building from Educational (Use Class F1) to Offices and Learning and Non-Residential Institutions (Sui Generis Use)	Approved 19/03/2021

## 5 RELEVANT PLANNING POLICY AND GUIDANCE

### Statutory Duty

- 5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

### Development Plan

- 5.4 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15<sup>th</sup> 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) – Policies**

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

SA - Presumption in Favour of Sustainable Development  
S1 - The Distribution of Development  
S3 - Scale and Distribution of Housing Development  
S10 - Sustainable Development Principles  
H1 - Housing Density and Mix and Type of Dwellings  
BN1 - Green Infrastructure Connections  
BN2 - Biodiversity  
BN5 - The Historic Environment and Landscape  
BN7 - Flood Risk  
BN9 - Planning for Pollution Control

### **Northampton Local Plan 1997 (Saved Policies)**

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

E20 - New Development (design)  
E26 - Conservation Areas  
H14 - Residential Development, Open Space and Children's Play Facilities

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

- 5.7 The Local Plan was submitted to the Planning Inspectorate for examination in February 2021. As part of the examination in public, hearings chaired by Government-appointed Planning Inspectors took place in November 2021. The Planning Inspectors have indicated that the plan is capable of being found sound subject to main modifications being made.
- 5.8 Consultation on main modifications took place in July and August 2022. In November and December 2022, consultation on further main modifications took place to address issues relating to two specific sites. Accordingly, the policies in the emerging plan are material considerations in the determination of planning applications and significant weight is attached to all of the policies - with the exception of Policies 41 and 43.
- 5.9 The relevant emerging policies are set out below.

Policy 1 – Presumption for sustainable development  
Policy 2 – Placemaking and Design  
Policy 4 – Amenity and layout  
Policy 5 – Carbon reduction, community energy networks, sustainable design and construction, and water use  
Policy 6 – Health and wellbeing  
Policy 7 – Flood risk and water management  
Policy 13 – Residential and other residential led allocations  
Policy 14 – Type and mix of housing  
Policy 28 – Providing Open Spaces  
Policy 29 – Supporting and enhancing Biodiversity

- Policy 31 – Protection and enhancements of designated and non-designated heritage assets
- Policy 32 – Designing Sustainable Transport and Travel
- Policy 33 – Highway network and safety
- Policy 35 – Parking standards

**National Policies**

5.10 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 5 - Housing Supply
- Section 8 - Promoting healthy and safe communities.
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well designed places
- Section 14 - Meeting the challenge of climate change and flooding
- Section 15 - Conserving and enhancing the natural environment
- Section 16 - Conserving and enhancing the historic environment

**Material Considerations**

5.11 The following documents are material considerations in the assessment of the application:

- Northampton Parking Standards Supplementary Planning Document (2019)
- Northamptonshire County Parking Standards (2016)
- Planning Out Crime in Northamptonshire Supplementary Planning Guidance (2004)
- Biodiversity Supplementary Planning Document for Northamptonshire (2015)
- Kingsley Conservation Area Appraisal and Management Plan (2009)

**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.

<b>Consultee Name</b>	<b>Position</b>	<b>Comment</b>
Local Highway Authority (LHA)	Comment	The minimum parking provision has not been met and this will likely lead to overflow parking affecting the surrounding area. You may want to consider how this overspill parking will impact upon the existing residential amenity.
National Highways	No objection	No objection
Conservation Section	No objection	No objection, subject to a condition regarding the detailed design of the

		windows.
Environmental Protection	No objection	<p>The conclusions of the submitted Noise Assessment and associated Overheating Report are accepted. Further details of the air source heat pump arrangement and the acoustic louvre and ventilation provision for the building facades should be provided once they have been installed/selected.</p> <p>Condition 26 (electric vehicle charging): Provision for 17 EV charge points is shown. The development should accord with the requirements of the Council's adopted Parking SPD and Low Emission Strategy for the type of development proposed.</p> <p>Condition 31 (Cycle storage): The submitted information is sufficient to satisfy condition 31.</p>
Environment Agency	No objection	No objection.
Ecology Advisor	No objection	No comments to make on the proposed changes.
Archaeological Advisor	No objection	<p>Welcome the intention to retain more of the existing buildings. The Maidwell Building has already been satisfactorily recorded and no further archaeological work is required.</p>
Historic England	No objection	<p>Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers.</p>
Northamptonshire Police	No objection	<p>No objection to the proposals. Security and lighting conditions (numbers 33 and 34) on the original permission remain relevant. Advice has previously been provided to the developer on the lighting of the inner courtyard, design and construction of the bike stores, choice of soft landscaping in terms of trees and other crime prevention measures to do with door and window security.</p>
Sport England	No objection	No comment on the basis that

		N/2016/0810 Condition 6 (noise) is retained and the Council's Environmental Health Officer being satisfied with the findings of the WBM planning noise report relating to the Maidwell Building and the sports pitches.
NHS Northamptonshire CCG	-	A financial contribution is sought towards healthcare infrastructure provision.
Construction Futures	-	No comments received
Northamptonshire Fire and Rescue Service	-	No comments received
Anglian Water	-	No comments received
Refuse (Veolia)	-	No comments received
Northampton Town Council	-	No comments received
Semilong Trinity Neighbourhood Forum	-	No comments received
Ward Councillors	-	No comments received

## 7 RESPONSE TO PUBLICITY

7.1 Four representations have been received in response to the publicity of the application. A summary of the comments is provided as follows:

- The development of the Maidwell building looks impressive but there are concerns that future occupiers may create issues with graffiti, rubbish, drugs and other crime.
- Who will manage the site? Who will be responsible for the up keep of the soft landscaping?
- Support the provision of new houses and the sensitive redevelopment of the site however the proposal will cause a huge amount of disturbance to the area in terms of noise, light and general pollution.
- A neighbouring property on St Georges Avenue has no driveway and park their car on the road. It is the only house without a drive or side access and a rear access and driveway should be provided to this neighbouring property. This would also enable this neighbouring property to be part of the new community.
- The vehicle access to the development will result in an increase in light pollution to nearby properties on Trinity Avenue. Request measures to mitigate this.
- Clarification sought on what the proposal is for.

**8 APPRAISAL**

Principle of Development

- 8.1 Northampton Partnership Homes are the applicant and are redeveloping the former University of Northampton Avenue Campus site for affordable housing. The Maidwell building forms part of the overall site and the applicant is seeking to make a series of changes to this element of the scheme.
- 8.2 The application is submitted under Section 73 of the Town and Country Planning Act 1990 and seeks to vary and remove certain conditions attached to planning permission N/2016/0810. In determining this type of application, it is the scale and nature of the proposed changes to the scheme along with the effect of those changes that fall to be considered. Matters relating to the general principle of development are not relevant. The assessment rests upon whether or not the proposed changes result in a development that is substantially different from the one that has been approved.
- 8.3 An assessment of the proposed changes is provided within the remainder of this appraisal.

Housing mix

- 8.4 The proposal provides an increase in the quantum of development from 58 to 66 dwellings within the redeveloped Maidwell building. This reflects the previously consented amendment to how the 170 dwellings approved across the whole of the site would be split. This change to the quantum of development is therefore accepted.
- 8.5 The proposal also involves a change to the approved dwelling mix. A comparison between the approved and proposed development is provided in the table below.

Bed Spaces	1 bed	2 bed	3 bed	4 bed	5 bed	6 bed	Total
Original Housing Mix							
	17	28	5	6	2	0	58
Proposed Housing Mix							
	3	24	18	11	1	9	66

- 8.6 As can be seen from the table above, there is a substantial reduction of 1 bed units and greater provision of medium to large units. The alteration to the dwelling mix would also increase the number of bed spaces and so there would be some intensification of the residential use. Nevertheless, officers are of the opinion that the proposed amendment to the dwelling mix would not substantially alter the scale and nature of the approved development and this change falls within the scope of a Section 73 application.
- 8.7 The proposal would provide a variety of unit types to meet the needs of different households and would therefore be in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy (WNJCS) Policy 14 of the emerging Local Plan Part 2. By way of context, the remainder of the development would provide a further 112 dwellings across a combination of 2 bed properties (37.5%), 3 bed properties (39.5%) and 4 bed properties (23%).

- 8.8 Two of the properties are shown to meet Building Regulations M4(3) standards (wheelchair user dwellings).

#### Heritage and design

- 8.9 The main changes affecting the design of the development stem from the retention of a much greater proportion of the existing building and the omission of the central access road. The latter allows for an unbroken terrace to be formed between the retained eastern and western wings of the building and facilitates the provision of an area of communal amenity space at the rear.
- 8.10 The original scheme involved the demolition of much of the western wing of the building and a new four storey extension. It is now proposed to largely retain the western wing in its current form and convert the existing space. In doing so, it has enabled the provision of additional units. This part of the development would provide a mixture of flats and duplex units. The duplexes would be housed within the existing 'sawtooth' part of the building facing onto the central courtyard and would have their own 'sunken' front gardens and private entrances accessible from the courtyard.
- 8.11 The amended scheme also includes the retention of an existing extension to the eastern wing of the building, which would be converted into two flats.
- 8.12 Officers welcome the retention of more of the existing building from a heritage and sustainability standpoint. Keeping more of the original historic building would have a positive impact on the non-designated heritage asset itself as well as the character and appearance of the Kingsley Conservation Area. Furthermore, converting more of the existing building envelope represents a more efficient use of resources, with less of the embodied energy within the building being lost.
- 8.13 The approved development has two terraces fronting onto St Georges Avenue set between retained elements of the east and west wings. The terraces are arranged over 5 storeys and separated by a new access road off St Georges Avenue. The proposal omits the central access road to create a continuous terrace between the retained east and west wings of the Maidwell building. The proposed terrace is also 5 storeys and both schemes include lower level ('sunken') gardens to the southern elevation. The proposal incorporates flatted development plus 6 duplex apartments on the lower ground/ground floor.
- 8.14 A continuous terrace to the site frontage honours the original architectural intent of this part of the site and this is therefore welcomed in heritage terms. The general scale and form of the proposed southern terrace is very similar to the approved terraces and would not be any higher than the consented scheme.
- 8.15 The revised scheme involves design amendments to both the retained facades and new build elements. These include changes to the positioning and proportions of windows within the new build and changes to the design of the windows within the parts of the existing building that were originally proposed to be retained. Triple glazing is proposed throughout. The proposed material palette remains broadly the same as the approved scheme, although how materials are used across the development has altered.
- 8.16 The Conservation Section raises no objection to these design amendments, subject to a condition requiring approval of the detailed design of the windows (including

materials). A condition requiring approval of samples of the proposed external walling materials is also recommended.

- 8.17 The layout of the courtyard is proposed to be amended. The approved scheme provides a large parking court dissected by the new access road. The proposal seeks to replan this area and introduce a central communal amenity area that would provide landscaped open space incorporating some formal play provision. The main car park would be located within the northern part of the site but with some parking spaces provided to the south and east of the central open space. New tree planting is included as part of both schemes, including to the northern boundary adjacent to the main spine road. An external plant room is proposed within the north eastern corner of the site.
- 8.18 The redesigned courtyard creates a more attractive and multifunctional environment that would benefit future residents of the development through the provision of shared amenity space. This aspect of the proposal is therefore considered to result in a betterment (the impact on parking is considered separately later in this appraisal).
- 8.19 Overall, the scale and nature of the proposed amendments to the layout and design of the development would not fundamentally alter the original scheme and there are several benefits to the proposed design changes that would result in a more sympathetic and sustainable form of development. Furthermore, the proposed changes would not materially alter the impact on the setting of the adjacent Grade II listed building (Newton building) and issues relating to archaeology have previously been addressed through the discharge of condition 9.

#### Residential amenity

- 8.20 The dwellings would meet or exceed the Government's nationally described space standard based on the floor areas and the number of bedrooms within each unit. The properties would be served by windows that would provide adequate natural light and outlook. In this regard the proposal would provide acceptable living conditions for the future occupiers.
- 8.21 The relationship between windows within the development combined with the internal layout of this part of the site are such that an acceptable level of privacy would be provided for the future occupiers. Furthermore, the relationship between the redeveloped Maidwell building and the remainder of the new development on the former campus site was recently assessed under reserved matters application WNN/2021/0927 and found to be acceptable.
- 8.22 The nearest existing residential properties outside of the former campus site lie towards the south west on St Georges Avenue. In comparison to the approved development, it is not considered that the amended scheme would have any materially greater impact on the amenities of these neighbouring properties.
- 8.23 The application is supported by a noise report along with an accompanying overheating report. The main source of noise affecting the development is road noise on St Georges Avenue, which would principally affect the southern façade of the building. The noise report also considers noise from the proposed air source heat pump and proposes mitigation measures. The overheating report considers the need for natural ventilation/comfort cooling via open windows and the associated implications on noise.

- 8.24 Environmental Protection have advised that the proposed building envelope construction and facade treatments along with the attenuation package for the new plant are acceptable, subject to further details of the air source heat pump arrangement and the acoustic louvre and ventilation provision for the building facades. Environmental Protection have recommended that noise testing is undertaken in relation to the installed plant to ensure that it is commensurate with the agreed rating level requirements and that certification is provided that the selected glazing/ventilation configuration meets the required sound reduction criteria for each facade as outlined within the noise report. Additionally, it is recommended that future occupiers are provided with suitable guidance in relation to managing overheating and associated risks via daytime and night-time control of open windows for those units that have been identified to be subject to potential overheating issues.
- 8.25 On the basis of the advice from Environmental Protection, officers are satisfied that future occupiers would not be significantly adversely affected by noise or overheating issues – subject to conditions.
- 8.26 The amended scheme does not give rise to any new or significant concerns with regards to residential amenity issues. Acceptable living conditions would be provided for the future residents and the revised scheme would not have any materially greater impact on adjacent property. In this regard the effect of the proposed changes would not be substantially different to the original development.

#### Highway matters

##### *Access*

- 8.27 The proposal would omit the approved access directly into the Maidwell part of the site from St Georges Avenue, partly because of the difficulty in providing a road that would meet adoptable standards. The sole access for the development would therefore be via the access to the east of the Maidwell building that was approved under the original application. This access connects into the new spine road within the wider development site and is to serve all but one of the 112 dwellings that have been approved on the remainder of the former campus site. The use of this access for almost the entirety of the overall development is considered acceptable and would not significantly alter the nature of the originally approved development in highway terms. In light of this, condition 12 – which relates to the relocation of the existing pedestrian crossing to the site frontage – becomes superfluous and can therefore be removed. Additionally, condition 22, which relates to the vehicle access to the development, can be amended to reflect the submitted plans.

##### *Parking*

- 8.28 The proposed parking strategy is to provide a total of 119 parking spaces for the 66 units as proposed within the Maidwell part of the development, which is equivalent to 1.8 spaces per unit.
- 8.29 The approved scheme provides a total of 129 parking spaces for the 58 approved units, which equates to 2.2 spaces per unit.
- 8.30 The submission seeks to justify the proposed level of parking on the basis of the sustainable location of the site, including its accessibility to public transport connections. Furthermore, based on the applicant's experience of delivering affordable housing developments and the parking requirements of its tenants, the applicant considers that the proposal strikes an appropriate balance between parking



levels and delivering a high quality development that incorporates usable amenity space and is not overly dominated by car parking. The applicant goes on to highlight that parking provision is also augmented by suitable bicycle storage facilities.

- 8.31 The Local Highway Authority (LHA) has been consulted and have commented that the proposal does not meet minimum parking standards and that the level of parking provision will likely lead to overflow parking affecting the residential amenity of the surrounding area.
- 8.32 The proposal would reduce the amount of parking provision whilst at the same time increasing the total number of units as well as the overall number of bed spaces. Nevertheless, it is noteworthy that the LHA has not raised any objection on highway safety grounds and the identified impact associated with the potential for overspill parking relates to residential amenity.
- 8.33 Officers consider that there is reasonable justification for accepting the proposed level of parking and, on balance, the revised proposal would not result in a substantially different scheme to the one that was originally approved having regard to the likely parking impacts of the development. It is therefore recommended that condition 27, which relates to the car parking layout, is amended to reflect the plans as submitted with this application.

#### Landscaping

- 8.34 There are trees running along the frontage of the site and the original permission allows for the removal of some of these trees. The revised proposal allows for a greater proportion of these existing trees to be retained and it is now proposed to remove just 3 of them, all of which were due for removal under the original permission.
- 8.35 The removal of the trees to the north of the site has previously been approved.
- 8.36 An illustrative landscape masterplan has been submitted which shows new tree planting and other soft landscaping is to be provided across the site, including to the site frontage, within the courtyard and to the car park boundaries. This landscaping also provides opportunities for ecological mitigation and enhancement. A condition requiring detailed scheme for the soft landscaping of the site, including the layout of the open space, is recommended. It is also recommended that details of the hard surfacing are secured through that condition.
- 8.37 It is also considered necessary to include a condition to secure a section of pedestrian walkway towards the front of the site that will link into another section of walkway to the west of the Maidwell building that has been approved under reserved matters application WNN/2021/0927.

#### Conditions

- 8.38 Details for electric vehicle charging provision have been provided with the application in relation to condition 26 of the original permission. It is proposed to provide 17 charging points, which is based upon 1 charging point per duplex with private parking and 1 charging point per 10 spaces for the unallocated parking. The proposed electric charging provision accords with the Parking Standards SPD and is therefore considered acceptable. It is therefore recommended that condition 26 is varied to reflect the submitted details.

- 8.39 Details of the bin storage arrangements have been provided with the application, which reflect the scheme as amended. The submitted details are considered acceptable and it is therefore recommended that condition 32 is varied to reflect the submitted plans.
- 8.40 Details of cycle storage have also been provided in relation to condition 31 of the original permission. The submitted details are considered acceptable and it is therefore recommended that condition 31 is varied to reflect the submitted details.
- 8.41 Northamptonshire Police have been consulted and no objections have been raised. Conditions imposed on the original permission in relation to security measures and external lighting remain relevant.
- 8.42 Conditions relating to a construction management plan, detailed drainage design, contamination and highway matters also remain relevant and it is recommended that such conditions are reimposed.
- 8.43 The plans indicate an array of photovoltaic solar panels on the flat roof of the new terrace. A condition to secure the provision of the PV panels is recommended.

#### Representations

- 8.44 An officer response to the issues raised within the representations is provided as follows:

*The development of the Maidwell building looks impressive but there are concerns that future occupiers may create issues with graffiti, rubbish, drugs and other crime.*

**Officer Response:** Such assertions cannot be substantiated, and in any event, the character of future occupiers is not a material consideration.

*Who will manage the site? Who will be responsible for the up keep of the soft landscaping?*

**Officer Response:** Arrangements for the maintenance of open space across the development are covered within the Section 106 agreement associated with the original application.

*Support the provision of new houses and the sensitive redevelopment of the site however the proposal will cause a huge amount of disturbance to the area in terms of noise, light and general pollution.*

**Officer Response:** The principle of redeveloping the site for housing has already been established and this application is seeking to make some minor material amendments to the approved development. The revised scheme is not considered to give rise to any materially greater impact on noise, light or any other pollution.

*A neighbouring property on St Georges Avenue has no driveway and park their car on the road. It is the only house without a drive or side access and a rear access and driveway should be provided to this neighbouring property. This would also enable this neighbouring property to be part of the new community.*

**Officer Response:** There is no basis to require the developer to provide such facilities for this neighbouring property.

*The vehicle access to the development will result in an increase in light pollution to nearby properties on Trinity Avenue. Request measures to mitigate this.*

**Officer Response:** The access has already been approved. The access is separated from Trinity Avenue by the Newton building and its rear car park which provides a degree of physical separation. It is anticipated that the access road would be adopted and standard lighting for this type of road would be installed. Officers do not consider that this is likely to cause any significant light spill to properties on Trinity Avenue.

## **9 FINANCIAL CONSIDERATIONS**

- 9.1 Planning obligations were secured under the original application, with the level of contributions determined by a viability assessment. The obligations include financial contributions towards education and healthcare, but it was accepted that the development could not deliver any affordable housing. The viability of the development as now proposed has not been reappraised, but given the relatively limited scope of the changes, particularly in the context of the overall development, it is not considered necessary or reasonable to revisit matters of viability. What is more, whilst the original permission did not require any affordable housing, the development is to be provided by Northampton Partnership Homes as 100% affordable housing.
- 9.2 If this application is approved, it will be necessary to secure a deed of variation to the original Section 106 so that all the obligations within the original agreement also apply to the new planning permission.

## **10 PLANNING BALANCE AND CONCLUSION**

- 10.1 The scale and nature of the proposed changes to the consented scheme are such that they would not result in a development that is substantially different to the one that was originally approved and would not give rise to any significant adverse planning impacts over and above the development as approved. The proposal is therefore considered to be acceptable as a minor material amendment under Section 73 of the Town and Country Planning Act 1990.

## **11 RECOMMENDATION / CONDITIONS AND REASONS**

- 11.1 Approve subject to the following conditions:

### Time limit

1. The development hereby permitted shall be begun before 20<sup>th</sup> March 2026.

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

### Approved plans (for the part of the site subject to the full application)

2. Development within the land edged in red on submitted drawing 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan) shall be carried out in accordance with the following approved plans:
- MCW-ZZ-00-DR-A-0001 P02 (Location Plan)
  - 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan)
  - 0406-MCW-ZZ-B1-DR-A-0110 P15 (Proposed Level -1 Plan)
  - 0406-MCW-ZZ-00-DR-A-0111 P16 (Proposed Level 0 Plan)
  - 0406-MCW-ZZ-01-DR-A-0112 P15 (Proposed Level 1 Plan)

- 0406-MCW-ZZ-02-DR-A-0113 P14 (Proposed Level 2 Plan)
- 0406-MCW-ZZ-03-DR-A-0114 P15 (Proposed Level 3 Plan)
- 0406-MCW-ZZ-04-DR-A-0115 P15 (Proposed Level 4 Plan)
- 0406-MCW-ZZ-05-DR-A-0116 P16 (Proposed Roof Level)
- 0406-MCW-ZZ-ZZ-DR-A-0130 P07 (Proposed North and South Elevations)
- 0406-MCW-ZZ-ZZ-DR-A-0131 P08 (Proposed Courtyard Elevations)
- 0406-MCW-ZZ-ZZ-DR-A-0132 P07 (Proposed East and West Elevations)
- 0406-MCW-ZZ-ZZ-DR-A-0133 P05 (Proposed East and West Wing Elevations)
- 0406-MCW-ZZ-ZZ-DR-A-0150 P07 (Proposed East Wing Sections)
- 0406-MCW-ZZ-ZZ-DR-A-0151 P06 (Proposed West Wing Sections)
- 0406-MCW-ZZ-ZZ-DR-A-0152 P06 (Proposed New South Terrace Sections)
- 0406-MCW-ZZ-XX-DR-A-9000 P02 (External Enclosures)
- 0406-MCW-ZZ-XX-DI-A-0011-S2-P12 (Bin and Cycle Storage Provision Diagram)

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

Condition covering the part of the site that is subject to the outline application

3. Development on the part of the site that is subject to outline planning permission N/2016/0810 shall be provided in accordance with the details approved under Reserved Matters application WNN/2021/0927, including all conditions as imposed on that approval.

Reason: Planning permission N/2016/0810 is a hybrid permission and it is necessary to ensure that the Local Planning Authority retains control over development on the part of the site that is the subject of the outline permission.

Construction Environmental Management Plan

4. No development shall take place within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
  - i. Traffic management and signage during construction (including details of construction access, gates, tracking and routing to and from the site).
  - ii. Parking for site operatives and visitors.
  - iii. Storage areas for plant and materials.
  - iv. The erection and maintenance of security fencing/hoardings and lighting.
  - v. Welfare and other site facilities.
  - vi. Working hours and delivery times.
  - vii. Measures to control noise, vibration, dust and fumes during site preparation works and construction, including vehicle reversing alarms.
  - viii. Measures to prevent mud and other debris being deposited on the surrounding highway including details of wheel washing and road sweeping.
  - ix. A method statement for the demolition of the parts of the Maidwell building that are to be demolished, including measures to ensure the protection of the retained parts of the building.
  - x. Ecological mitigation measures in accordance with BS42020:2013:

The construction of the development shall be carried out in accordance with the approved CEMP at all times.

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 ensure details are agreed in a timely manner.

#### Contamination

5. No development shall take place within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02) until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include the following components:
- (a). A preliminary risk assessment which has identified:
    - all previous uses of the site
    - potential contaminants associated with those uses
    - a conceptual model of the site indicating sources, pathways and receptors; and
    - potentially unacceptable risks arising from contamination at the site.
  - (b). A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
  - (c). The results of the site investigation and the detailed risk assessment referred to in (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
  - (d). A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented in accordance with the approved details.

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, including the prevention of water pollution, in accordance with Policies BN7a and BN9 of the West Northamptonshire Joint Core Strategy and Policy 6 of the emerging Local Plan Part 2. This is a pre-commencement condition to ensure details are agreed in a timely manner.

#### Verification report for contamination

6. Prior to the occupation of any part of the development approved within the within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02), a contamination verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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, including the prevention of water pollution, in accordance with Policies BN7a and BN9

of the West Northamptonshire Joint Core Strategy and Policy 6 of the emerging Local Plan Part 2.

#### Unexpected contamination

7. If, during development, contamination not previously identified is found to be present within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02), then all development operations shall cease within the affected part of the site and the Local Planning Authority shall be notified within 2 working days. No further development shall be carried out within the affected part of the site until a remediation strategy detailing how the contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved and following completion of measures identified in the approved remediation strategy a Verification Report shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the effective investigation and remediation of contaminated land sites and in the interests of health and safety and the quality of the environment, including the prevention of water pollution, in accordance with Policies BN7a and BN9 of the West Northamptonshire Joint Core Strategy and Policy 6 of the emerging Local Plan Part 2.

#### Infiltration

8. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority.

Reason To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policies BN7a and BN9 of the West Northamptonshire Joint Core Strategy and Policy 7 of the emerging Local Plan Part 2.

#### Surface water phasing

9. The provision of surface water drainage within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02) shall be provided in accordance with drawing number 6569-SK-DPL01 Rev P1 (Phasing Plan) and associated Drainage Phasing Note (document reference 6569-DPN-001 rev – , dated 21 December 2021).

Reason: To reduce the risk of flooding both on and off site and ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policies BN7, BN7A and BN9 of the West Northamptonshire Joint Core Strategy and Policy 7 of the emerging Local Plan Part 2.

#### Detailed drainage design

10. No development shall take place in each surface water drainage phase as shown on drawing number 6569-SK-DPL01 Rev P1 (Phasing Plan) until full details of the surface water drainage scheme for that phase, based on the approved Flood Risk Assessment and Outline Drainage Strategy document no. 203299-RPT-058 rev 04 dated September 2020 prepared by Jacobs, has been submitted to and approved in writing by the Local Planning Authority. The schemes shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions) 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 WinDES modelling or similar with the details on proposed discharge rates, simulating storms through the whole drainage system, with results of critical storms, demonstrating that there is no surcharge in the system for the 1 in 1 year, no above ground flooding for the 1 in 30 year, and that any above-ground flooding for 1 in 200 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. These storms should also include an allowance for climate change.
- iii) Cross sections of control chambers and manufacturers hydraulic curves for all flow controls.

The surface water drainage shall be provided in accordance with the approved details relevant to that phase.

Reason: To reduce the risk of flooding both on and off site and ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in accordance with Policies BN7, BN7A and BN9 of the West Northamptonshire Joint Core Strategy and Policy 7 of the emerging Local Plan Part 2. This is a pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

#### Maintenance of surface water infrastructure

11. Prior to occupation of any dwelling within the approved surface water drainage phases, a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed within the relevant surface water drainage phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- i) Details of which organisation or body will be the main maintaining body where the area is multifunctional (e.g. open space containing SuDS), with evidence that the organisation/body has agreed to such adoption.
  - ii) A maintenance schedule setting out which assets are to be maintained, at what intervals and what method is to be used.
  - iii) A site plan including access points, maintenance access easements and outfalls.
  - iv) Plans identifying maintenance operational areas to ensure there is room to gain access to the asset, maintain it with appropriate plant, and then handle any arisings generated from the site.
  - v) Details of expected design life of all assets with a schedule of when replacement assets may be required.

The surface water drainage system shall be maintained in accordance with the approved detailed scheme at all times.

Reason: To ensure the future maintenance of drainage systems associated with the development in accordance with Policies BN7, BN7A and BN9 of the West Northamptonshire Joint Core Strategy and Policy 7 of the emerging Local Plan Part 2.

Verification report for surface water drainage

12. Prior to occupation of any dwelling within the approved surface water drainage phases, a Verification Report for the installed surface water drainage system within that phase shall be submitted to and approved in writing by the Local Planning Authority. The report shall include:
- i) Any departure from the agreed design is keeping with the approved principles
  - ii) Any As-Built Drawings and accompanying photos
  - iii) Results of any Performance Testing undertaken as a part of the application process (if required / necessary)
  - iv) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges.
  - v) CCTV Confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure the installed Surface Water Drainage System is satisfactory in accordance with Policies BN7, BN7a and BN9 of the West Northamptonshire Joint Core Strategy and Policy 7 of the emerging Local Plan Part 2.

Tree protection

13. An Arboricultural Method Statement (AMS) and Tree Protection Plan (TPP) detailing measures to protect the trees to be retained within the land edged in red on submitted drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan) shall be submitted to and approving in writing by the Local Planning Authority before any development works commence to the Maidwell building (including demolition). The scheme for the protection of trees shall be prepared in accordance with BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations, and shall refer to a retained tree's root protection area (RPA as defined in BS 5837) and to any work that may affect a retained tree above-ground. The AMS and TPP shall include details of:
- the impact that demolition may have (where appropriate)
  - the impact that the installation of services/utilities/drainage may have
  - the impact that construction may have
  - the impact that changes in level may have.

The development shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: To protect existing trees on the site that are proposed to be retained in the interests of visual amenity and biodiversity and to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN2 of the West Northamptonshire Joint Core Strategy, Policies 2 and 29a of the emerging Northampton Local Plan Part 2 and guidance contained within the National Planning Policy Framework.



### LEMP

14. Prior to the occupation of any dwelling within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02), a Landscape and Ecological Management Plan (LEMP) for the site shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include:
- a) Description and evaluation of features to be managed
  - b) Ecological trends and constraints on site that might influence management
  - c) Aims and objectives of management
  - d) Appropriate management options for achieving aims and objectives
  - e) Prescriptions for management actions
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period)
  - g) Details of the body or organisation responsible for implementation of the plan
  - h) Ongoing monitoring and remedial measures including details of the long-term management of the retained and new habitats within the site.

The development shall be implemented and maintained in accordance with the approved details thereafter.

Reason: In the interest of biodiversity and to secure a satisfactory standard of development in accordance with the requirements of Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy and Policies 29a and 29b of the emerging Local Plan Part 2.

### Japanese Knotweed

15. Prior to the construction of any new dwelling within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02), a method statement including a timetable for the removal and disposal of Japanese Knotweed from the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of biodiversity and environmental protection and to accordance with Policies BN1 and BN2 of the West Northamptonshire Joint Core Strategy and Policy 29a of the emerging Local Plan Part 2.

### Vehicle access

16. Prior to the occupation of any dwelling within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02), the vehicle access for the development shall be provided in accordance with drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan).

Reason: In the interests of highway safety and to accord with Policy 33 of the emerging Northampton Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

### Highway surfacing

17. Full details of the proposed surface treatment of the approved roads, access, footpaths, parking areas and private drives for the development within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02),

shall be submitted to and approved in writing by the Local Planning Authority before any dwelling is occupied. The development shall be carried out in accordance with the approved details and retained as such.

Reason: To secure a satisfactory standard of development and in the interests of highway safety. This is to accord with Policy H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and Policies 2 and 33 of the emerging Northampton Local Plan.

#### Parking for Maidwell building development

18. Notwithstanding the requirements of condition 17, the car park for the Maidwell building shall be constructed and laid out in accordance with the details shown on drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan) before any dwelling within this part of the site is first occupied. The car park shall thereafter be retained as such.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or prejudice highway safety and to accord with Policy 33 of the emerging Northampton Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

#### Unadopted roads

19. In the event of any of the streets associated with the residential element of the development hereby permitted not being proposed for adoption as public highway, the following applies:
- a) Details of a site management company and associated management and maintenance methodology of the streets within the development, to operate in perpetuity, shall be submitted to the planning authority and agreed in writing prior to the commencement of development;
  - b) The streets will, in any event, be required to be laid out and constructed to adoptable standards to ensure safe and practical operation, prior to first occupation of any dwelling;
  - c) That prior to first occupation of any dwelling a legal undertaking is provided by the developer that the streets will not be put forward for adoption and will remain private in perpetuity; and,
  - d) That the streets will be identified as private through the use of appropriate private street name plates on the entrances to the development from the public highway (to be placed within the site).
  - e) Prior to commencement of development any vehicular access to the site from the public highway shall be implemented as standard vehicle crossovers.

Reason: For the avoidance of doubt and in interests of highway safety and to accord with Policy 33 of the emerging Northampton Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

#### Travel Plan

20. Prior to the occupation of any dwelling within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02), a Full Travel Plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The measures identified in the Travel Plan shall thereafter be carried out in accordance with a timetable to be included in the Travel Plan.

Reason: In the interests of promoting more sustainable means of travel in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy and the requirements of the National Planning Policy Framework.

#### Electric vehicle charging

21. The electric vehicle charging points as indicated on drawing number 0406-MCW-ZZ-XX-DI-A-0015-S2-P01 shall be provided before any dwelling to which the charging points relate is first occupied. The charging points shall thereafter be retained as such.

Reason: To facilitate the use of low emissions vehicles in the interests of mitigating climate change and to accord with Policy S10 of the West Northamptonshire Joint Core Strategy, the Northamptonshire Parking Standards Supplementary Planning Document and guidance contained within the National Planning Policy Framework.

#### Facing materials – Maidwell building

22. Prior to the commencement of any external works to the Maidwell building, full details of all new and replacement facing materials for this part of the development (including the external plant enclosure and all retaining walls) 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 and retained as such.

Reason: In the interests of visual amenity and to retain the significance of designated and non-designated heritage assets. This is to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies 2 and 31 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

#### Window design – Maidwell building

23. Prior to the commencement of any external works to the Maidwell building, design details (including materials specification) of all new and replacement windows and doors on this part of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained as such.

Reason: In the interests of visual amenity and to retain the significance of designated and non-designated heritage assets. This is to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN5 of the West Northamptonshire Joint Core Strategy, Policies 2 and 31 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

#### Landscaping – Maidwell building

24. A detailed scheme for the hard and soft landscaping of the site edged red on 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan) shall be submitted to and approved in writing by the Local Planning Authority before any dwelling within this part of the development is first occupied. The scheme shall be based upon drawing number 0406-TEP-ZZ-XX-DR-L-0001 P02 (Illustrative Landscape Masterplan).

The landscaping scheme shall make provision for a footway to the south western corner of the site that will link St Georges Avenue with the layout approved pursuant

to Reserved Matters application WNN/2021/0927 and indicated on approved drawing number 101-190AR/054E.

The hard landscaping so approved shall be provided before any dwelling within this part of the site is first occupied and retained as such. All planting, seeding or turfing comprised in the approved soft landscaping scheme shall be carried out in the first planting and seeding seasons following the first occupation of the dwellings and shall be maintained thereafter for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of the character and appearance of the locality and Conservation Area and the setting of the listed building in accordance with Policies H1, BN1, BN2, and BN5 of the West Northamptonshire Joint Core Strategy, Policies 2 and 31 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

#### Boundary treatment to front of Maidwell building

25. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification), no gates, fences, walls or any means of enclosure or similar structures other than approved pursuant to Condition 24 above shall be erected or constructed forward of the southern front elevations of the retained and extended parts of the Maidwell Building hereby permitted.

Reason: To ensure that the historic character of the open frontage of the site is maintained in accordance with Policies H1 and BN5 of the West Northamptonshire Joint Core Strategy.

#### Bin and cycle storage – Maidwell building

26. The bin and cycle storage facilities as shown on drawing number 0406-MCW-ZZ-XX-DI-A-0011-S2-P12 (Bin and Cycle Storage Provision Diagram) shall be provided prior to the occupation of any dwelling within the land edged in red on submitted drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan) and shall thereafter be retained as such.

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

#### External lighting – Maidwell building

27. Prior to the occupation of any dwelling within the land edged in red on submitted drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan), full details of all external lighting for this part of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and be fully implemented prior to the occupation of the dwellings and retained thereafter.

Reason: In the interests of amenity, heritage, crime prevention and biodiversity in accordance with Policies H1, S10, BN1, BN2 and BN5 of the West Northamptonshire Joint Core Strategy and Policies 2, 4 and 31 of the emerging Northampton Local Plan Part 2.

### Security measures – Maidwell building

28. Prior to the occupation of any dwelling within the land edged in red on submitted drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan), full details of security measures for this part of the development shall be submitted to and approved in writing by the Local Planning Authority. The details shall include access control, the security performance of doors and windows, and details of post boxes to serve the development. The development shall be carried out in accordance with the approved details and fully implemented prior to the occupation of the dwellings and retained thereafter.

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

### Noise from plant

29. Upon installation of the air source heat pump and any other external plant within the land edged in red on submitted drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan), an assessment to demonstrate that noise ratings at the nearest noise sensitive receptors meet the rating level requirements within the Noise Assessment prepared by WBM Acoustic Consultants, dated 2nd September 2022 (Project No: 5114 / Document: 0406-WBM-ZZ-XX-RP-AC-0003-S3-P02) when the plant is operational shall be submitted to and approved in writing by the Local Planning Authority before any noise affected dwelling is first occupied.

In the event that the rating level requirements have not been met, details of a scheme for further noise mitigation measures shall be submitted to and approved in writing by the Local Planning Authority before the dwellings comprising the nearest noise sensitive receptors are first occupied. The mitigation measures shall be provided before these dwellings are first occupied and noise testing information to certify compliance with the noise ratings shall be submitted to and approved in writing by the Local Planning Authority; such mitigation shall thereafter be retained.

Reason: In the interests of residential amenity and to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 4 and 6 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

### Glazing/ventilation

30. Notwithstanding the submitted information, details of the glazing/ventilation configuration for each façade of the residential development within the land edged in red on submitted drawing number 0406-MCW-ZZ-00-DR-A-0100 P11 (Proposed Site Plan) shall be submitted to and approved in writing by the Local Planning Authority before any dwelling in this part of the site is first occupied. The details shall include certification from the manufacturers that the products meet the required sound reduction criteria for each facade as outlined within the Noise Assessment prepared by WBM Acoustic Consultants, dated 2nd September 2022 (Project No: 5114 / Document: 0406-WBM-ZZ-XX-RP-AC-0003-S3-P02). The glazing shall be provided in accordance with the approved details and retained as such.

Reason: In the interests of residential amenity and to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN9 of the West Northamptonshire

Joint Core Strategy, Policies 4 and 6 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

#### Overheating

31. For the units potentially being affected by overheating, as identified within the Overheating Report prepared by Greengauge, dated 19th August 2022, Document: 0406-GRE-ZZ-XX-RP-ME-0005, the developer/landlord shall provide the occupiers of these units with guidance on managing overheating and associated risks via daytime and night-time control of open windows upon first occupation.

Reason: In the interests of residential amenity and to accord with Saved Policy E20 of the Northampton Local Plan, Policies S10 and BN9 of the West Northamptonshire Joint Core Strategy, Policies 4 and 6 of the emerging Local Plan Part 2 and guidance contained within the National Planning Policy Framework.

#### Photovoltaic panels

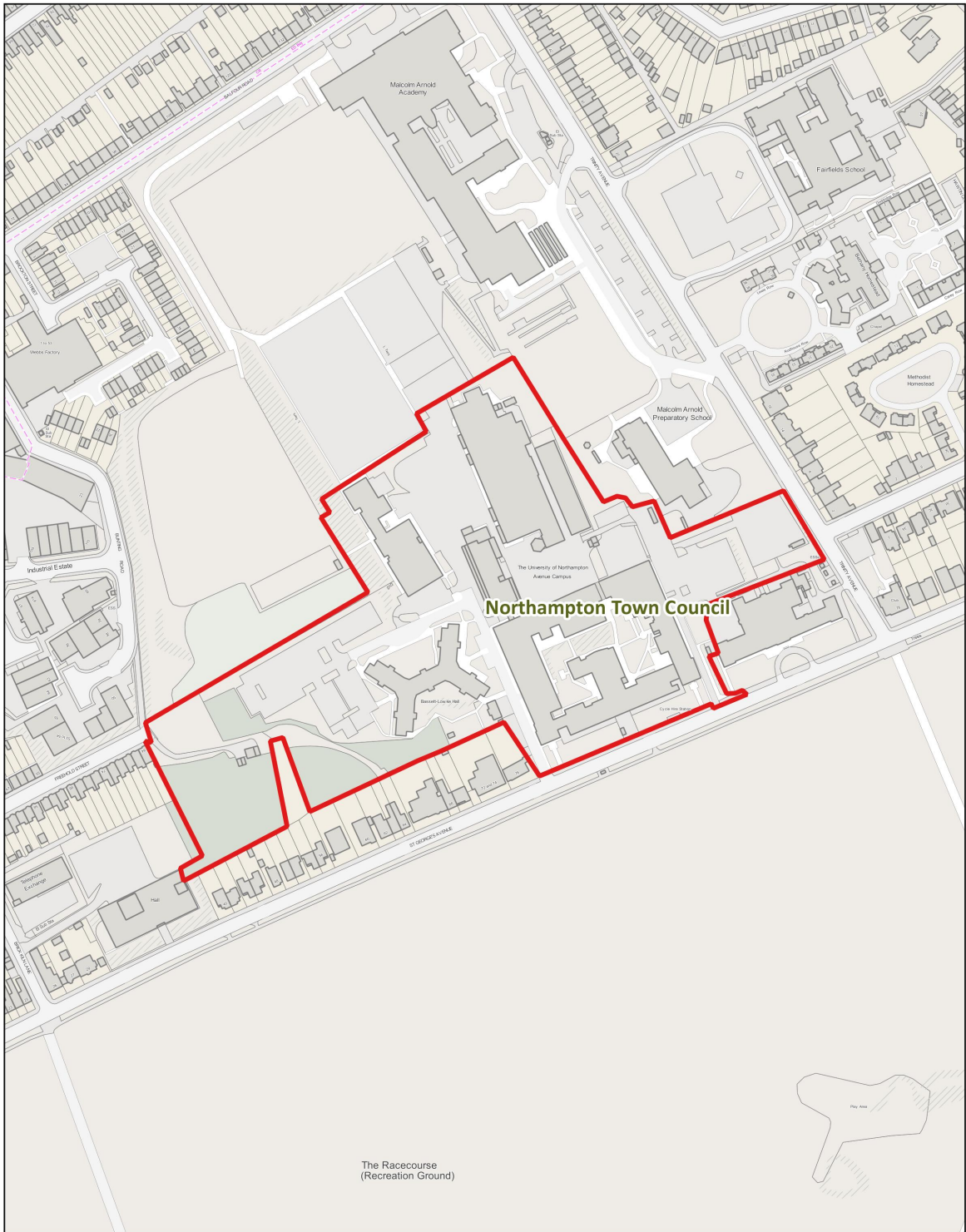
32. Details of the proposed photovoltaic solar panels on the roof of the Maidwell building shall be submitted to and approved in writing by the Local Planning Authority before any dwelling within this part of the site is first occupied. The photovoltaic solar panels so approved shall be provided before the development is first occupied and retained as such.


Reason: To promote sustainable energy generation and mitigate the impact of the development on climate change and to accord with Policies S10 and S11 of the West Northamptonshire Joint Core Strategy.

#### HiMO restriction

33. 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 (with or without modification), the approved dwellings within the land edged red on the submitted Location Plan (drawing number MCW-ZZ-00-DR-A-0001 P02) 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.



 <p><b>NORTHAMPTON</b> BOROUGH COUNCIL</p>	<p>Title: <b>St Georges Avenue</b></p>	<p>Date: 19-12-2022</p>
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