



Planning Committee Report

Committee Date: 4th October 2022

Application Number: WNN/2022/0625

Location: The Old House at Home, 214 - 216 Wellingborough Road, Northampton

Development: Ground floor single storey rear extension to enlarge toilet area, first floor rear extension to create larger dining area with balcony and amendment to existing rear fire escape stair and side access gates

Applicant: ONGP Ltd

Agent: LMR Designs

Case Officer: Kanchan Sharma

Ward: Abington and Phippsville Unitary Ward

Referred By: Councillor D Stone

Reason for: Overdevelopment, community balance, impact on local services and population churn

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

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

Proposal

The application proposes a number of extensions and alterations to the existing public house, The Old House.

Consultations

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

- Cllr Zoe Smith
- Cllr Andre Gonzalez De Savage

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

- Environmental Health

7 letters of objection have been received and 1 letter of support have been received.

Conclusion

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

The key issues arising from the application details are:

- Principle of Development
- Impact on character
- Residential Amenity

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

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

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1 The application site is an established pub, The Old House on the Wellingborough Road. The application property is established over the three floors and have some staff accommodation.
- 1.2 There are flatted developments/ residential blocks to the rear of the pub, which are separated by a public footpath.

2. CONSTRAINTS

- 2.1 None Relevant.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The current application seeks planning permission for Ground floor single storey rear extension to enlarge toilet area, first floor rear extension to create larger dining area with balcony and amendment to existing rear fire escape stair and side access gates. The staff accommodation has been removed from the second floor to provide an enlarged kitchen.
- 3.2 The proposal would result in an additional dining area on the first floor and improved staircase and improvised internal layout.

4. RELEVANT PLANNING HISTORY

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

5. RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

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

Development Plan

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

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

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

Northampton Local Plan 1997 (Saved Policies) (NLP1)

- 5.4 The relevant policies of the NLP1 are:
- E20 – Design for new development

Material Considerations

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

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

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

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

Section 6 – Building a strong and competitive economy

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Design

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

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

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

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

6. RESPONSE TO CONSULTATION

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

| Consultee Name | Position | Comment |
|-------------------------------|--------------|--|
| Cllr Zoe Smith | Object | likely to affect residential amenity and may exacerbate existing issues with anti-social behaviour |
| Environmental Health Officer | No objection | No Objection subject to recommended conditions for kitchen extraction unit and balcony use. |
| Cllr Andre Gonzalez De Savage | Object | Concerned with the plans for expansion of the premises over the existing development and use of have already been breached. I believe that enforcement action must be taken against the occupiers of the property in question, noise disturbance and litter and general loss of amenities at |

7. RESPONSE TO PUBLICITY

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

7.1 There were 7 objections, 1 observation and 1 support letter raising the following comments:

- Impact on privacy
- Existing noise and social problems resulting from the pub would be exaggerated.
- Impact on nearby residential properties
- Concern over refuse and fly-tipping
- Impact on neighbour amenity
- Contrary to policy
- Would encourage vandalism
- Out of character with area
- Noise from emptying of the bottles.
- Late night music and noise from the pub would be exaggerated.

8. APPRAISAL

Principle of Development

8.1 The application site is an existing pub so the principle of development of site as pub is not being considered here. The proposed works, alterations and extensions at the pub would be considered for its impact on the appearance of the host building any impact on the street scene or wider area and the impact on the amenities of adjoining occupiers, as well as highway and parking implications. As such the principle of development is acceptable subject to the impact on character and residential amenity.

Impact on Character of Area

8.2 The proposed works would be sited towards the rear of the building and would not be visible in the streetscene from Wellingborough Road but the works would be partly visible from the residential area to the rear; however the works would be carried out in matching materials. As such subject to matching materials condition except for the orangery, the work would not have any adverse impact on the character of the area. The proposed works would have an acceptable impact and would comply with the policy E20 of the Northampton Local Plan and advice contained in NPPF.

Impact on the amenities of adjoining occupiers

8.3 The proposed ground floor extension would be a small addition to the existing footprint to provide ancillary facilities for the pub. The first floor extension would infill in between the existing structures and would not extend past the existing structure. The proposed balcony would be created over the existing ground floor roof and as such would be screened by 1.8m high obscure glazed railing.

8.4 The use of additional space would potentially have an impact on adjoining residents; however, it can be noted that the whole outside space to the rear is

included within the lawful use as a pub and therefore has been used for seating. However, a condition has been recommended to submit Noise Management Plan to secure the amenity of the residential properties to the rear.

- 8.5 The proposed works would shift the existing commercial kitchen to the second floor. Environmental Health have concerns over noise and odour. Conditions to deal with this are therefore proposed. Further conditions to restrict the use of the proposed balcony have been recommended to avoid any undue impact on the neighbouring amenity.
- 8.6 Subject to the aforementioned conditions, it is not considered that the proposal would have any adverse impact on the amenity of the neighbouring residential units.

Parking and highway considerations

- 8.7 The proposal would result in marginal increase in the floor space. Moreover, application site is located in the Local Centre with a parade of retail and non-retail units. As such proposal would not result in any adverse impact on the highway safety.

Other matters

Noise and opening hours

- 8.8 The application site is an existing pub, and the opening hours of the pub cannot be regulated under the current applications. Similarly, the noise from emptying of the bottles cannot be regulated under the current application because the pub has been running at the site historically without any restrictions for opening hours or delivery or tipping out. Any conditions to do so would be unreasonable and not justified and would fail the 6 tests outlined in the Paragraph 55 of the National Planning Policy Framework that makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the 6 tests: necessary; relevant to planning; relevant to the development to be permitted; enforceable; precise; and reasonable in all other respects.

9. FINANCIAL CONSIDERATIONS

- 9.1 The development is not CIL liable.

10. PLANNING BALANCE AND CONCLUSION

- 10.1 The proposal is considered acceptable. The proposal would continue to provide a community facility to serve the local residents. Subject to conditions, it is considered to have an acceptable impact on the appearance and character of the host building and wider area, neighbour amenity, highway safety. The Proposed development would comply with the advice contained in the NPPF, policy S10, BN9 of the West Northamptonshire Joint Core Strategy, saved policy E20 of the Northampton Local Plan and policies, 1, 2, 4 and 6 of the emerging Northampton Local Plan Part 2.

11. CONDITIONS

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

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

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 022-021-001 Existing, 022-021-002 revA Proposals, 022-021-003 Location Plan

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

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

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

4. Prior to the commencement of development, details for the kitchen extraction unit and the scheme for the collection, treatment and dispersal of cooking smells and fumes shall be submitted to and approved in writing by the Local Planning Authority and the approved scheme shall have been implemented prior to the premises being used for the permitted purpose and retained thereafter.

Reason: In the interests of the amenity of the surrounding locality and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

5. No external televisions, amps or speakers should be located in the approved balcony area and any doors serving the external balcony area shall not be propped open at any time. The area shall not be used by patrons between the hours of 23:00pm and 08:00am on any given day.

In the interest of residential amenity with regard to odour, fume and noise in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031

6. Prior to the use of the approved development, a noise management scheme shall be submitted to the Local Planning Authority for approval in writing to demonstrate how noise will be effectively controlled and managed, so as not cause nuisance and to protect residential amenity. The approved noise management plan shall be implemented at all times when the external licensable area is in use.

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



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