

North Northamptonshire Planning Committee (North) 30th October 2024

Application Reference	NK/2023/0701
Case Officer	Louisa Johnson
Location	9 Montagu Street, Kettering
Development	Full Planning Permission: Addition of 3 no. additional floors together with change of use of first floor from snooker club to provide 24 no. apartments with PV solar panels to roof
Applicant	Messrs D & J Hughes Certain Security Limited
Agent	Mr M Kelly Muddy Dog Architects
Ward	Clover Hill Ward
Overall Expiry Date	11/03/2024
Agreed Extension of Time	31/10/2024

List of Appendices

Appendix A – Site Plan

All plans and documents can be viewed using the application reference number at
<https://www.kettering.gov.uk/planningApplication/search>

Scheme of Delegation

This application is brought before the Area Planning Committee because it falls outside of the Council's Scheme of Delegation as it is an application for major development and the Town Council has submitted a written objection that is contrary to the officer's recommendation and as the proposal has received more than 10 neighbour objections which constitute substantive material planning considerations. The Town Council's and 10 neighbour objections relate to substantive material planning considerations and the Chair and Vice Chair of the Committee agree that the objections received contain substantive material planning considerations determination of which cannot be resolved outside of a committee resolution.

1. Recommendation

1.1 It is recommended that:

- (a) planning permission be **GRANTED** subject to conditions listed in paragraph 11 of the report and subject to completion of an acceptable Section 106 agreement which secures appropriate planning obligations; and
- (b) should an acceptable Section 106 agreement securing appropriate planning obligations not be completed by 25 January 2025, or any further extension of time agreed in writing between the applicant and the Local Planning Authority, that it be delegated to the Executive Director of Place and Economy to **REFUSE** planning permission.

2. The Proposal

2.1 Full Planning Permission: Addition of 3 no. additional floors together with change of use of first floor from snooker club to provide 24 no. apartments with PV solar panels to roof.

2.2 The scheme has been amended at Officer request from the original scheme for 30 dwellings by reducing the number of dwellings to 24 and removing balconies and sun screens from the front elevation.

3. Site Description

3.1 The site is 9 Montagu Street, Kettering which comprises of a ground floor containing 5 retail units and a first floor occupied by the Cuetopia snooker lounge. The site is a 1950s or 1960s steel and concrete framed two storey building with a flat roof. The site is accessed via Montagu Street with a rear access onto St Andrews St for bins and services.

3.2 Site Constraints:

- Setting of Kettering Town Centre Conservation Area
- Setting of Listed Buildings
- Kettering Town Centre
- A Road
- Primary Shopping Frontage
- Edge of but not within Heritage Action Zone

4. Relevant Planning History

4.1 List all previous planning applications as follows:

Reference Number	Decision	Decision Date	10.3 Address	10.4 Notes
KET/1964/0423	APPROVED	23-07-64	Montagu Street Kettering Northamptonshire	Erection of new chimney stack 40ft in height
KET/1978/0184	APPROVED	21-04-78	Newland Street/ Montagu Street, Kettering Northamptonshire	Covering in existing open yard and changes in access doors to existing departmental stores
KET/1987/1241	APPROVED	03-03-88	Montagu House, Unit 9 Montagu Street, Kettering Northamptonshire	Shopfront sign and hanging sign under canopy
KET/1988/0368	REFUSED	13-06-88	Kettering Snooker Centre, Montagu House Montagu Street, Kettering Northamptonshire	Wooden hoarding
KET/1988/0815	APPROVED	01-08-88	Sportsworld Montagu Street KETTERING Northamptonshire	Facia sign and projecting sign
KET/1994/0699	REFUSED	12-01-95	9 MONTAGU STREET KETTERING	HOARDING
KET/2008/0630	APPROVED	03-09-08	Snooker Club 9 Montagu Street, Kettering Northamptonshire	Smoking shelter on roof
NK/2023/0701	PENDING	---	9 Montagu Street, Kettering Northamptonshire	Addition of 3 no. additional floors with change of use of first floor from snooker club to 24 no. apartments with PV solar panels to roof

5. Consultation Responses

A full copy of all comments received can be found on the Council's website at: <https://www.kettering.gov.uk/planningApplication/search>

The following properties were consulted on this application:

NBR Addresses
The Church Office Eden Street
16a, 21 The Eden Centre, 14, 18-20, 18, 22,24, 26, 28, 12a, 14a, 3-5, Exotic Dining 3-5, 2, 24a, 24b, 26a, 26b, 12, 16, 18a, 20a, 22a, 16a, 28-30

Site notices were erected on the 20/12/2023 and the 18/09/2024.

5.1 Parish / Town Council

Comments received 11/01/24:

Objection.

- The development removes a well-used and important community and leisure asset in the town centre. Policy 12, which sets out that conversion of empty units above shops to residential use is to be supported, does not apply in this instance.
- The development does not match the existing street scene; it overshadows the conservative club building and will lead to a loss of light to the premises on the other side of Montagu St. It is taller than the adjacent buildings to its west.
- It is not reasonable to rely on pay and display car parks to serve the development and the parking need it will generate; it is wrong to assume that residents will not own cars and will use buses or scooters; this is compounded by the very poor provision for cycle parking - see below.
- There is no lift to the first floor and the lift from the first floor upwards is not disabled accessible.
- There is no provision for affordable housing.
- There is no bio-diversity net gain shown
- Anglian Water's views on sewerage and drainage capacity should be established
- The form of heating is not specified – if heat pumps are to be used, then it is not clear what space has been provided for those.
- There is no noise and ventilation plan – this is a noisy street with lots of activity on it.
- The cycle storage arrangements are unsatisfactory.

- The waste storage and collection arrangements are unsatisfactory.
- The comments by the police and the NHS are endorsed.

Comments received 09/05/24 on amended 24-unit scheme:

- The Council wishes to maintain its original objection. The reduction in the number of proposed flats does not change the underlying reasons for the Council's continued objection to the scheme, on the grounds that
- The proposal involved the loss of an important draw into the town centre for leisure uses, including the potential loss of a drinking establishment, with no obvious replacement facility being available. The fact that this snooker club has produced two world champions, including one this month, is no small indicator of its reach and impact. It has high membership levels and remains a critical feature of the town's social life and achievement.
- The proposal does not enhance the street scene as set out in our earlier comments
- The detail of the application still leaves concerns about
 - a) Lack of on site parking and the additional pressure on town centre car parks
 - b) Given the large size of the flats, the opportunity to increase the number of residents of the block, without corresponding increases in waste storage, cycle storage, parking etc
 - c) Fire safety issues regarding battery storage
 - d) Access and security arrangements, as set out by the police, it is not clear how visitors and tradespeople can access the block.

Comments received 01/08/24:

Whilst noting the changes to bin storage which address one of the Council's earlier reasons for objection, the Council still wishes to maintain its objection to this development in its entirety.

5.2 Neighbours / Responses to Publicity

- 134 number of letters have been received, 133 objections and 1 in support and one petition objecting with 1,327 signatures. The issues raised by the representations received are summarised below:
- Cuetopia is the only public snooker club in Kettering. It is well supported and has been at its current location for many years. Located in the centre of town it is

accessible for customers using foot traffic, private car users and public transport users.

- The club has over 6000 members and is a real community asset for the town of Kettering, accommodating a variety of generations.
- There is an ever decreasing number of leisure activities for residents, with this being one of very few that can be enjoyed: it has been in the town for over 30 years and is a thriving business that the town should be proud of.
- The proposal would result in the loss of a Public house which is contrary to policy.
- Putting flats in this location will be so out of place, the building would be an eyesore.
- It will be out of place, overshadowing the high street and neighbouring flats.
- Development should go to on old land in neighbouring areas that would be appropriate for flats and have highway access.
- The location is not viable for flats.
- There are enough flats etc in the area, we need shops.
- The applicant wishes to add extra height to the building which will look out of keeping with the existing area
- Developments on the same street have been completed in a much more sympathetic manner that maintained the classical facades of the buildings.
- While this building does not have any architectural significance in itself, any new developments should blend in with the surrounding area which the proposed development does not. It is crucial that any new construction respects the architectural character of the surroundings, an aspect overlooked by the current proposal.
- There is no available parking for residents or for deliveries to this building; causing significant traffic.
- The proposal would cause issues for access for emergency services.

- Eskdail Street has become a road to avoid due to traffic often at the traffic lights.
- The area is already challenged with limited parking and traffic issues.
- Introducing residential units in place of the club will intensify these problems, causing inconvenience and potential safety hazards for existing residents.
- Noise from construction
- This will put a strain on our local dentists, doctors, schools and Kettering General Hospital.
- The new flats would be located in an already overcrowded area of town
- Increased population density could lead to higher levels of noise and air pollution, adversely affecting the health and well-being of the community.
- Loss of shops and vital businesses.
- The infrastructure of that particular area of the town does not have the amenities to support such a proposal.
- Kettering high street is struggling to attract businesses to populate it, increasing housing and reducing the number of business premises dedicated to entertainment and recreation will not address this problem.
- Housing need must be met further from the centre of town with dedicated developments in which the infrastructure has been designed appropriately to support the additional burden created by new housing.
- Approving this application would have a significant and detrimental impact on the character of Kettering high street and the provision of necessary services by the council.
- The appropriateness of the proposed land use

- Unreasonable to add additional floors to old existing building on a busy one way, main throughfare due to disruption of work needed, Existing building has been there considerable time & should not be extended.
- Disruptions will be constant with deliveries, commuters and construction.
- Is the town centre road system going to be closed during construction? How will disabled people access the flats?
- There are a number of already abandoned buildings in the town that could be turned into flats without creating an eyesore and blocking the light onto the residences of Eden St nearby.
- There are already flats above the shops opposite who will be overlooked by the new development thus losing their privacy. The additional floors being added will also have a major impact on the amount of light available to them.
- Compliance with other controls, such as building regulations and The Party Wall Act.
- The apartments/flats will be good for the town as we are short of housing and it will enhance the look of the building. This will rejuvenate the town centre as residents will shop locally as most town centre residents for this type of accommodation will walk or cycle which is better for the environment.

Officer Note:

Matters in respect of compliance with Building Regulations and The Party Wall Act are covered under separate legislation and cannot be addressed here.

5.3 Local Highway Authority (LHA)

The parking requirements set out within the Northamptonshire Parking Standards (2016) are minimum requirements. The LPA must take a view as to what quantum of cycle parking the development should readily provide. Given the lack of car parking facilities but noting the town centre location of the site, the LHA would strongly encourage the minimum cycle parking requirement of 40 spaces is met. If this is not agreeable, then as a compromise a provision of 1 space per dwelling i.e. 30 spaces should be considered at the very least. All accesses to/from the cycle store should be a minimum 1.2m wide.

To encourage the use of public transport over private car given the lack of car parking and noting the number of bus stops in a suitable walking distance to the site, the LHA would strongly encourage the LPA secure a 4-week or one-month Megarider ticket for the local area, for a period of time as deemed reasonable, one per unit on first occupation via a suitably worded S106 agreement.

The proposals require at least 8 visitor car parking spaces at 0.25 spaces/dwelling. A number of car parks in good walking distance to the site have been identified

which the LHA would concur as being suitable for visitor parking, noting the restricted parking orders on Montagu Street and those surrounding the site.

Comments received 29/04/24 on amended 24 unit scheme:

- Cycle parking: The LHA strongly recommends increasing the minimum cycle parking requirement from 20 to 36 spaces. All accesses should be at least 1.2m wide. Cycle lifting solutions should be avoided if possible.
- Residential car parking: No residential car parking is proposed. The LHA suggests providing a 4-week or one-month Megarider ticket per unit to encourage public transport use.
- Visitor parking: At least 8 visitor parking spaces are required. Nearby public car parks are suggested for visitor parking, but these are not suitable for residential parking.

Comments received 26/07/24:

The LHA do not have any new comments to make based on the amended information. The other comments provided are a reiteration of previous comments and will not be repeated here for brevity.

5.4 Environmental Health

Comments received 10/01/24:

I recommend the following to protect the amenity for future occupants:

Insulation against external noise – Residential Informative: Building Regulations noise insulation

Comments received 23/04/24 on amended 24 unit scheme:

1. Air Quality & Noise Assessment (20240315) 31/03/2024
With regards to Air quality, I accept the recommendation to include ventilators, mechanical or passive in the development. If mechanical ventilators are used, then a noise report would be required to show that the motors from the ventilators do not cause noise that would be detrimental to the amenity. In order to discharge the Air quality condition, I would recommend that the developer provides a specification of the ventilator that they intend to use and details of any abatement techniques and mitigation of potential impacts for approval to the local planning authority.

Recommended conditions:
Noise Assessment

Comments received 24/04/24:

Recommended conditions:

Air Quality impact assessment

Environmental noise assessment and sound insulation and ventilation scheme

Comments received 16/07/24:

This section notes receipt of the submitted Air Quality & Noise Assessment (20240315) 31/03/2024. The submitted report does not show enough detail for it to be acceptable to this section. This section recommends that a resubmission be made with a report giving the following information:

Air Quality impact assessment

Environmental noise assessment and sound insulation and ventilation scheme

5.5 Historic England

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.

5.6 Lead Local Flood Authority

Comments received 09/01/24:

The LLFA has no comment to make.

Comments received 29/07/24 on amended 24 unit scheme:

The LLFA will not provide formal comments on this application and does not require any further information as the nature of this development is unlikely to impact upon surface water drainage.

Additional consents may need to be gained for this application through the appropriate statutory bodies such as Environment Agency, North Northamptonshire Highways, water and sewerage undertakers. This action lies with the applicant and is separate from LLFA consultation.

5.7 Anglian Water

Comments received 23/04/24 on amended 24 unit scheme:

Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that an informative regarding this be included within your Notice should permission be granted.

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Broadholme Water Recycling Centre that will have available capacity for these flows.

Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Informatives –

Notification of intention to connect to the public sewer

Protection of existing assets

Building near to a public sewer

Site drainage details submitted not approved

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to lack of surface water hierarchy evidence and no strategy provided. We would therefore recommend that the applicant consults with Anglian Water.

Anglian Water would recommend the following planning condition:

Surface Water Disposal

5.8 Archaeology

The proposed development is not likely to affect any heritage assets directly, although it should be noted that Montague house abutting the proposed development is recorded as a Non-Designated Heritage Asset, as is No.7 Newland Street. These assets are not acknowledged in the supplied heritage statement. On balance however, I have no further comment on the proposals.

5.9 North Northamptonshire Council Development Management

Comments received 03/02/24:

This response follows the principal guidance in the adopted 'Creating Sustainable Communities - Planning Obligations Framework and Guidance Document (2015) (as amended)', which follows the tests of paragraph 57 of the National Planning Policy Framework (2023) and is therefore relevant to this planning application.

Education

Early Years Services

The current Department for Education (DfE) cost multipliers for Early Years Education are as follows:

Size of Dwelling	1 bed	2 bed	3 bed	4 bed	5+ bed
Cost per Unit	£0	£1,744	£2,791	£3,314	£2,616

Primary Education

The current Department for Education cost multipliers for Primary Education are:

Size of Dwelling	1 bed	2 bed	3 bed	4 bed	5+ bed
Cost per Unit	£0	£2,791	£4,360	£5,930	£7,325

Secondary Education

The current Department for Education cost multipliers for Secondary Education are:

Size of Dwelling	1 bed	2 bed	3 bed	4 bed	5+ bed
Cost per Unit	£0	£1,201	£4,563	£5,763	£10,806

Libraries

North Northamptonshire Council is the Library authority for the area in which the application site is situated. Where a new development will generate additional need and library space requirement, the library service requires contributions towards the costs of providing new, extended and/or improved library facilities to support the delivery of growth.

The following outlines the cost per dwelling type based on the expected numbers of residents for each type of unit:

Size of Dwelling	1 bed	2 bed	3 bed	4+ bed
Cost per unit	£109	£176	£239	£270

Digital Infrastructure

To help boost fibre broadband connectivity to new developments, a Informative is proposed for inclusion in any decision notice, should permission be granted in relation to this application.

Comments received 20/12/23:

Objection for reasons below:

The development is required to provide 30% of all dwellings as affordable housing on site. Among the affordable housing, the tenure mix should be 70% for rent. This should now include 25% provided as First Homes.

Based on the above proposed mix, and our needs evidence the following mix is required to meet the affordable housing requirement.

6 x 1b apartments for rent

3 x 2b apartments as low-cost home ownership

Comments received 25/04/24 on amended 24 unit scheme:

Objection for reasons below:

The development is required to provide 30% of all dwellings as affordable housing on site. Based on an intended total of 24 dwellings this would equate to 7 units. Among the affordable housing, the tenure mix should be 75% for rent and 25% provided as First Homes.

Based on the above proposed mix, and our needs evidence the following mix would be required to meet the affordable housing requirement:

5 x 1b apartments for rent

2 x 2b apartments as First Homes

Officer comment: The housing team have stated an objection in their responses but have suggested an affordable housing provision to be secured as planning obligations through a s106 agreement in the event that members are minded to grant planning permission.

5.11 NHS Integrated Care Board
Comments received 22/12/23:

The Northamptonshire Integrated Care Board (NICB) can confirm there will not be sufficient capacity in the local primary healthcare system to absorb the anticipated increase in demand created by the proposed new housing development of 30 apartments, at 9 Montagu Street, Kettering. Practices in the local area are already at the limit of their capacity and the increase in population could push practices to the point that they are no longer able to accept new patients. If this were to be the case, it could result in the population brought to the area by the new housing development experiencing difficulties accessing primary care health services. Therefore, the ICB and NHSE are seeking a financial contribution towards infrastructure support to ensure the new population has access to good quality primary health care services.

The Practice (s) in closest proximity to the proposed development is/are Eskdaill Medical, Weavers Medical Centre, Dryland Surgery, Linden Medical Centre and Headlands Surgery therefore it is reasonable to assume this/these Practice (s) will be most affected by the increase in population and will need to develop existing premises to accommodate the new growth. The cost per sqm has been identified by a quantity surveyor experienced in health care projects. Financial Contribution Requested Based on the number of dwellings proposed the figure requested is £20,861

5.12 Waste Services

Comments received 18/12/23:

The developer in this case proposes private residential waste collection but is in no position to guarantee into perpetuity that the council will be never be requested to provide a collection. At any time the managing agent for the property could decide they no longer wish to use a private collection service and require the council to provide a collection. Therefore, the developer must meet the council's specifications regarding the provision of waste collection and storage facilities and consideration should be given to the inclusion of a unilateral undertaking around the continued private collection of waste.

For a development totalling 30 individual flats there will be a requirement for 11 x 1100 euro bins. The bin storage area should allow room for filling and provide a clear space of 150mm between and around the containers. Enclosures, compounds or storage rooms for communal containers should be a minimum of 2m high. The enclosure should be well ventilated and have a paved impervious floor.

Comments received 15/07/24 on amended 24 unit scheme:
No additional comments.

5.13 Northamptonshire Police Crime Prevention

Comments received 08/01/24:

This area of Kettering has historically and still does suffer from incidences of robbery, burglary, theft from motor vehicles, theft of motor vehicles, criminal damage and issues of anti-social behaviour (ASB). Due to the location and nature of the site, designing out crime should be high on the list of sustainable priorities.

Further information is requested re doors and windows, cycle and bin stores, CCTV.

Comments received 03/05/24 on amended 24 unit scheme:

We are pleased to note the applicant's acceptance of the majority of our recommendations as confirmed within their 'Response to police comments' within the Security Statement and these should be secured by condition.

We are also willing to accept conditions for the following outstanding matters:

Full details of the proposed CCTV including its location, arcs of coverage, and how it is to be monitored and managed and incidents responded to.
Details of the hard landscaping including features to be installed in the courtyard and defensible personal strips adjacent to the flats.
Details of how the building will be managed, including who will enforce the no smoking rule within the courtyard and deal with any antisocial behaviour taking place. The maintenance regime be for any planting within the communal area.

Northamptonshire Fire and Rescue have provided the following comments:
There are doubts over the ability to reach all parts of the flats within 45m. Access to the furthest point of any building from the road should be no more than 45m. With regards to the bin stores and the exits out the back, they do not conform to sections 3.56, 3.57 and 3.58 of Approved Document B. If these conditions cannot be met, then as per the pre-planning guide, the recommendation would be for an installation of a fire suppression system.

Comments received 25/07/24:

Northamptonshire Police has no comments to make on the proposed amendments and would refer you to our comments dated 03 May 2024 which remain relevant.

6. Relevant Planning Policies and Considerations

6.1 Statutory Duty

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

6.2 National Policy

National Planning Policy Framework (NPPF) (2023)

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding, and coastal change
16. Conserving and enhancing the historic environment

6.3 North Northamptonshire Joint Core Strategy (JCS) (2016)

Policy 1. Presumption in favour of sustainable development

Policy 2. Historic environment

Policy 4. Biodiversity

Policy 5. Water environment, Resources and Flood Risk Management

Policy 6. Development on brownfield land and land affected by contamination

Policy 7. Community Services and Facilities

Policy 8. Place shaping

Policy 9. Sustainable buildings
Policy 10. Provision of infrastructure
Policy 12. Town centres and town centre uses
Policy 28. Housing requirements
Policy 29. Distribution of new homes
Policy 30. Housing mix and tenure

6.5 Kettering Town Centre Area Action Plan (KTCAAP):

Policy 1. Regeneration Priorities
Policy 2. Urban Quarters, Urban Codes and Development Principles
Policy 3. Primary Shopping Area (Primary and Secondary Frontages) and the Evening Economy
Policy 5. Culture, Tourism and Leisure
Policy 6. Residential
Policy 12. Heritage Conservation
Policy 14. Flood and surface water management
Policy 15. The Shopping Quarter

6.6 Other Relevant Documents

Kettering Town Centre Delivery Plan
Kettering Conservation Area Review (March 2007)

7. Evaluation

The key issues for consideration are:

Principle of Development
Visual Impact, Heritage and Crime Prevention
Impact on Residential Amenity
Highway Matters
Waste Management
Biodiversity
Energy Efficiency and Sustainable Design
Flood Risk and Drainage
Affordable Housing

Planning Obligations: Community Infrastructure

7.1 Principle of Development

7.1.1 The application site is a site within the Kettering town centre with commercial uses on the ground floor and a snooker hall on the upper floor.

- 7.1.2 Paragraph 60 of the National Planning Policy Framework (NPPF) states that to support the Government's objective of significantly increasing the supply of homes it is important that a sufficient amount of varied land can come forward where it is needed to meet the housing needs of specific groups.
- 7.1.3 Paragraph 123 of the NPPF maintains that local planning authorities should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 7.1.4 Paragraph 69 of the NPPF and Policy 28 of the North Northamptonshire Joint Core Strategy require a 5-year housing land supply be maintained. The Council currently has a 6.69 year land supply.
- 7.1.5 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for this site comprises the adopted North Northamptonshire Joint Core Strategy together with the Kettering Town Centre Area Action Plan and the Kettering Site Specific Part 2 Local Plan.
- 7.1.6 Policy 1 of the North Northamptonshire Joint Core Strategy requires development that improves the economic, social and environmental conditions in the area meeting the challenges of climate change and protecting and enhancing the provision of ecosystems services. Policies 11 and 29 of the North Northamptonshire Joint Core Strategy direct most development to existing urban areas and indicate that Kettering as a Growth Town will be the focus for infrastructure investment and higher order facilities to support all elements of development.
- 7.1.7 Policy 6 of the JCS, also encourages *the reuse of suitable previously developed land and buildings within urban areas* particularly where the development of under-utilised land and buildings is involved.
- 7.1.8 Policy 7 of the North Northamptonshire Joint Core Strategy requires the safeguarding of existing community services and facilities, providing a series of criteria to assess related applications. These criteria include references to safeguarding facilities unless it can be demonstrated that viability and need are not of concern.
- 7.1.9 Policy 8 of the North Northamptonshire Joint Core Strategy (NNJCS) is supportive of new residential development provided there is no adverse impact on character and appearance, residential amenity, and the highway network.
- 7.1.10 The site is within the primary shopping area and forms part of the Shopping Quarter as defined within policy 2 of the Kettering Town Centre Area Action Plan

(KTCAAP). Policy 3 of the KTCAAP identifies the site as being located within the primary shopping frontage. Importantly policy 3 states that the use of upper floors in the primary shopping area is encouraged where the proposed use, including residential, would complement the retail focus. Policy 15 of the KTCAPP states the shopping quarter will be a focus for new retail development that maintains and enhances the vitality, viability and attractiveness of Kettering town centre.

- 7.1.11 Policy 5 of the KTCAAP details the approach to culture, tourism and leisure proposals within the plan area noting that proposals to diversify the leisure offer will be encouraged. There are no policies within the KTCAAP which seek to retain leisure uses.
- 7.1.12 Due to the site's location within the Town Centre it is also necessary to test the 'in principle' acceptability of the proposal against Town Centre policies of the Development Plan. Policy 12 of the JCS seeks to support town centre vitality and viability and, amongst other ways this is achieved in its part (a) by '*securing and maintaining a vibrant mix of retail, employment...and supporting the provision of additional residential uses on appropriate sites including the re-use of vacant space above shops*'. The ground floor of the site is occupied by five commercial units, the commercial units would be retained as existing. The first floor of the site is in use as a snooker hall, the proposal would result in the loss of the current snooker hall premises and this is discussed below.
- 7.1.13 The proposal would result in the loss of the current snooker hall premises, which is a private facility and would be considered to provide a sports facility. It has been argued by objectors that the snooker hall is a A4 public house, whilst the site does have a bar it is considered that this would be ancillary to the snooker hall use, which falls within use class E(d) of the Town and Country Planning (Use Classes) Order 1987 (as amended), which refers to indoor sport, recreation and fitness uses.
- 7.1.14 The applicant has submitted a statement 'Tenancy Report' NK/2023/0701/08 which states that the applicant is working with the tenant / owner of the snooker hall business to locate alternative premises for the business. Namely the empty Argos store at 7 Newlands St which is a short distance away from the site. The applicant also states that the lease for the Snooker Hall has expired and that the occupant will need to move out regardless, the tenant of the snooker hall disputes this. However, it is considered that consideration of the status of the lease falls outside the LPA's remit and so this is not considered further here.
- 7.1.15 The applicant states that the facility will be relocated and therefore the applicant considers that development would comply with Policy 7 of the JCS. In contrast, the owner of the snooker hall disputes this stating that the Argos premises is not appropriate for use as a snooker hall without structural changes and significant investment and it would result in a significant increase in rent, after a rent-free period.

- 7.1.16 Policy 7 and its supporting text do not define community services and facilities other than within paragraph 3.77 where it states that *Community services and facilities (sometimes referred to as Community assets) are those that provide for the health and wellbeing, social, educational, spiritual, recreational, leisure and cultural needs of the community.* Greater detail is set out at paragraph 3.80 regarding open space, sports, arts and culture and recreation which cross reference to the North Northamptonshire Strategic Sports Facilities Framework, local more detailed sports facilities strategies and The Cultural Investment Framework, all of which make no reference to snooker or snooker hall provision. It is therefore unclear as to whether the policy is intended to relate to commercial indoor leisure uses, such as a snooker club.
- 7.1.17 The number of objections and petition on the application, as detailed in section 5 of this report, demonstrates that the snooker hall is highly valued by many within the community and its potential loss or relocation a significant concern for those who continue to use the facility. The use as a snooker hall itself falls within use class E(d) of the Use Classes Order 1987 (as amended) which was substantially amended in September 2020 such that a wide range of uses encompassed within use class E can be flexibly interchanged without requiring planning permission. This includes:
- Class E(a): Retail (e.g., shops selling goods).
 - Class E(b): Food and drink (e.g., cafes, restaurants).
 - Class E(d): Indoor sport, recreation, or fitness (e.g., gyms).
 - Class E(g): Offices, research and development or industrial processes
- 7.1.18 While Policy 7 does not explicitly address private commercial indoor leisure activities, the applicant's expressed intention to support the relocation of the snooker hall demonstrates alignment with its overarching objectives. However, the current proposal falls short of fully satisfying Policy 7's criteria, particularly the requirement for relocation and enhancement of the facility, due to the inherent uncertainty surrounding these plans. Furthermore, the site has not been actively marketed for a period of twelve months. Moreover, the flexibility afforded by recent amendments to the Use Classes Order introduces an element of commercial discretion for the applicant, who retains ultimate control over the premises. Consequently, the long-term preservation of the snooker hall, independent of any broader redevelopment scheme, hinges on a commercial decision by the applicant and cannot be guaranteed through planning legislation.
- 7.1.19 The current use of the land and loss of a former sports facility has been considered, notably policy 7 of the JCS and policy 5 of the KTCAAP. National and local policy supports the reuse of previously developed land in sustainable locations; this land is "brownfield" and can be considered sustainably located and KTCAAP encourages residential use of upper floors where the proposed use would complement the retail focus of the Shopping Quarter

7.1.20 Taking account of the above, the principle of development for this proposal is therefore consistent with the policies set out above subject to the satisfaction of other the development plan criteria and material considerations.

7.2 **Visual Impact, Heritage and Crime Prevention**

7.2.1 Policy 8 (d) of the JCS consistent with Chapter 12 of the NPPF seeks development to respond to a site's wider context and local character. Policy 12 of the KTCAAP requires new development to preserve or enhance the existing historic environment.

7.2.2 As the site is located within the setting of a Conservation Area (including views from it), but outside the designated Conservation Area, the proposal falls to be considered under Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

7.2.3 In addition the site is located within the notional setting (including views from them) of a Grade II Listed Building at 25 Montagu Street the Conservative Club. 1 Silver Street and The Fuller Baptist Church. Whilst not listed, Montague house abutting the proposed development and 7 Newland Street are recorded as Non-Designated Heritage Assets. As such the proposal falls to be considered under Section 66 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which sets out the duty of Local Planning Authorities (when considering whether to grant planning permission for development which affects a listed building or its setting) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.2.4 The site is a 1950s or 1960s steel and concrete framed two storey building with a flat roof, which is outside the conservation area and reflective of development from this era, which does not have a significant historical merit. The building is not referenced in the Kettering Conservation Area Appraisal and therefore sits outside of the designated Conservation Area.

7.2.5 Policy 2 of the JCS and Policy 12 of the KTCAAP, consistent with Chapter 16 of the NPPF seek development to protect, preserve and where appropriate enhance a heritage asset and/or its setting.

7.2.6 The application was accompanied by a brief, but acceptably proportionate Heritage assessment within the application's Planning Statement which acknowledged and discussed the proposal in the context of the affected heritage assets.

7.2.7 Grade II Listed Building at 25 Montagu Street the Conservative Club is approximately 11m from the site, the Grade II Listed 1 Silver Street is approximately 39m from the site and the Fuller Baptist Church is approximately

76m from the site. The Heritage assessment briefly discusses the listed buildings and conservation area.

- 7.2.8 The proposal involves the demolition of the first floor of the existing building except for the lift shaft, the ground floor would be retained. The proposal is to erect a superstructure above and carried on the ground floor, the structure would be three storeys to the front elevation on Montagu Street (including the ground floor) and four or five storeys to the rear (including the ground floor). The scheme has been amended from the original submission to remove balconies and sun screens from the front elevation on Montagu Street. The façade of the building will be a mix of render and zinc cladding.
- 7.2.9 The Heritage statement concluded that overall, the scheme would preserve the setting of the conservation area and the heritage assets within the vicinity.
- 7.2.10 Having visited the site it is considered that the impact on the Conservative club would be acceptable due to intervening buildings and its limited height. The distance to the other listed building is sufficient to mitigate any impact.
- 7.2.11 As such the proposal is considered to have successfully integrated within the streetscape and whilst the proposal would change the way the site is experienced within the setting of nearby heritage assets, it is considered that this would not be unduly harmful. In the interests of visual amenity conditions should be attached requiring full details of new external finishes such as the external doors.
- 7.2.12 Policy 8 e) iv) and v) of the NNJCS seek development to design out crime and anti-social behaviour creating safe environments benefiting from natural surveillance, defensible spaces, and other security measures; and proportionate and appropriate community and fire safety measures.
- 7.2.13 The Police's Crime Prevention Officer provided various comments to enhance the safety of the development and reduce anti-social behaviour and crime through amendments to the layout of the scheme. The applicant has provided a statement 'Response to police comments' accepting most of the Police's recommendations, some matters are outstanding but can be dealt with via condition:
- Full details of the proposed CCTV.
 - Details of the hard landscaping including features to be installed in the courtyard and defensible personal strips adjacent to the flats.
 - Details of how the building will be managed.
- 7.2.14 Northamptonshire Fire and Rescue provided comments regarding fire safety and the bin store, these raised concerns regarding whether all parts of the flats would be within 45m of the road and location and construction of bin stores, refuse chutes etc. The applicant has advised that the bin store would be built to the standards required by Approved Document B (Building Regulations covering fire safety). The

applicant has not provided details of this at this stage. Therefore, it is recommended that conditions requiring details of the bin stores, refuse chutes etc are attached together with a condition requiring the installation of a fire suppression system.

- 7.2.15 The development would thereby preserve the character and appearance of the area and nearby heritage assets and adequately addresses the use, amount and layout of the scheme and impact of the layout on crime prevention and fire safety.

7.3 Impact on Residential Amenity

- 7.3.1 The NNJCS in Policy 8 (e), consistent with Chapter 12 (para. 127(f)) of the NPPF, states that development should protect the amenity of all future and surrounding users of land and buildings. This matter shall be dealt with in two parts; (1) impact on neighbouring occupiers; and (2) impact on future occupiers.

7.3.2 *Impact on neighbouring occupiers*

The site adjoins the Eden Centre at no. 21 to the east, Montagu House which consists of flats to the west, to the rear (north) the site would be adjacent to 3-5, 6 and 7 Newland Street (which has an extant permission for 8 flats) and the front southern elevation of the site would front onto Montagu Street. To the rear of the site are 27 St Andrews Street and properties on Eden Street.

- 7.3.3 The proposed building would be approximately 1.5m higher than Montagu house which has no windows in the side elevation facing the site. The proposal would be on the same footprint as the existing building due to the site constraints, given this and the orientation of the building the proposal would be unlikely to have a significant detrimental impact on Montagu House subject to appropriate acoustic and noise conditions.

- 7.3.4 The site shares a boundary with Eden Centre 21 Montagu Street, which is a single storey commercial building. Given this it is considered that the proposal would be unlikely to have a significant detrimental impact on the Eden Centre subject to appropriate acoustic and noise conditions.

- 7.3.5 To the rear the site shares boundaries with 3-5, 6 and 7 Newland Street; no. 3-5 has two storeys and is commercial in nature, the three storey 6 and 7 Newland Street is currently a vacant commercial unit on the ground floor and has an extant permission for 8 flats on the upper floors.

- 7.3.6 It is considered that the proposal would be unlikely to have a detrimental impact on 3-5 Newland Street, subject to appropriate acoustic and noise conditions. The proposal would be approximately 21m between the elevations of the site and 6-7 Newlands street which is considered to be adequate separation. Therefore, it is considered that the proposal would be unlikely to have a significant detrimental

impact on 6-7 Newland Street and the approved residential scheme subject to appropriate acoustic and noise conditions.

- 7.3.7 To the rear of the site are 27 St Andrews Street which is 38m away and properties on Eden Street the closest of which is 38m away. Given this separation distance it is considered that the proposal would be unlikely to have a detrimental impact on properties on St Andrews St and Eden St.
- 7.3.8 The site faces 16, 16a, 18-20, 22, 24 and 26 Montagu Street. Some of these properties have flats above, these properties are on the opposite side of the road approximately 10m away. Objections have been raised regarding the proposal overshadowing these properties and causing a loss of light and privacy. It is considered that the separation distance at 10m is similar to that on other parts of Montagu Street and surrounding areas and is adequate to mitigate any overlooking. The site is north of these properties and the path of travel of the sun is such that the proposal would not cast significant shadow over these properties. Given this it is considered that the proposal would be unlikely to have a detrimental impact on 16, 16a, 18-20, 22, 24 and 26 Montagu Street by reason of loss of light or overlooking.
- 7.3.9 Therefore it is considered that the proposal would not have a detrimental impact on neighbouring properties subject to conditions in accordance with policy 8 of the NNJCS.
- 7.3.10 Impact on future occupiers
Policy 8 e(i) of the NNJCS requires that development does not result in an unacceptable impact on the amenities of neighbouring properties, by reason of noise, vibration, pollution, loss of light or overlooking. Policy 30 of the NNJCS requires new dwellings to meet the Technical Housing Standards – nationally described space standards as a minimum.
- 7.3.11 The proposal is for 14 no. one bed apartments and 10 no. two bed apartments the proposed dwellings meet the minimum floorspace standard required for a dwelling of their size. The development provides appropriate levels of daylight via the windows serving each room; Eight x one bed flats and 4 x two bed flats would have private balconies, the other properties would not have private amenity space. This is not unusual for flats in the town centre and is considered to be acceptable.
- 7.3.12 Therefore the proposed dwellings comply with the requirements of the Technical Housing Standards – nationally described space standards, March 2015. The proposal would be acceptable in terms of the amenity of future occupiers and in accordance with policies 8 and 30 of the NNJCS. It is noted that the development does not provide an elevator from the ground floor due to space constraints, an elevator is provided at first floor and above. This would limit disabled access, however residential developments without elevators are not uncommon in the town centre.

- 7.3.13 On the matter of noise and air quality, an Air Quality and Noise Assessment 20240315 has been submitted. The report confirms that the site may be adversely affected by traffic fumes and that traffic noise. In addition, the potential for an adverse impact from entertainment noise may require further investigation particularly with respect to the night-time period (23:00hrs-04:00hrs).
- 7.3.14 Therefore the EHO has recommended conditions securing an environmental noise assessment and sound insulation and ventilation scheme and an assessment of the overall air quality, subject to these conditions the proposal is considered to be acceptable in terms of noise and air quality in accordance with policy 8 of the NNJCS.

7.4 Highway Matters

- 7.4.1 Policy 8(b) of the NNJCS, in line with Section 9 of the NPPF, focuses on highway safety by aiming to provide adequate access and parking while encouraging sustainable transportation options for developments. A key aspect of this policy is prioritising the needs of pedestrians, cyclists, and public transport users, while ensuring safe movement for all modes of transport.
- 7.4.2 Policy 6 of the KTCAAP states that:
'Low or zero parking residential developments may be acceptable on sites in close proximity to services, amenities and public transport where it can demonstrate that sustainable travel alternatives (walking, cycling and public transport) are accessible and integrated into travel plans. All residential development will provide a minimum of 1 secure cycle storage space per unit.'
- 7.4.3 According to the Northamptonshire Parking Standards (2016) the site requires 34 car parking spaces and 24 cycle parking spaces. The proposal does not provide any car parking provision; however, the proposal does provide 20 cycle parking spaces.
- 7.4.4 The site is located in the town centre within 210m of a main transport hub, retail shops and within walking distance of the train station and two large grocery stores. Therefore, it is considered that the site is in a sustainable location and that zero parking provision is acceptable in this location.
- 7.4.5 As such, subject to conditions securing the provision of the cycle storage the proposal conforms to Policy 8 of the North Northamptonshire Joint Core Strategy in accordance with Local Highway Authority standards.

7.5 Waste Management

- 7.5.1 The proposed bin store has been sited to the ground floor with access to Eden Street for emptying, it provides 9 x 1100 Euro bins and 24 x 240l paper bins which

is adequate for the number of flats. Due to the size of the bins these will need to be wheeled directly out of the store by refuse collectors and emptied directly outside the bin store.

- 7.5.2 Therefore subject to the conditions securing the bin store, details of the bin store doors and a refuse collection scheme it is considered that the proposal is acceptable in terms of bin storage and collection in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

7.6 **Biodiversity**

- 7.6.1 Policy 4 of the North Northamptonshire Joint Core Strategy, consistent with Policy 15 of the National Planning Policy Framework seeks to provide a net gain in biodiversity through new development.

- 7.6.2 The site is a commercial site with no evidence of greenery, trees, or shrubs on the site.

- 7.6.3 The application was valid on 11/12/2023 prior to the mandatory date for Biodiversity Net Gain on major sites and therefore a biodiversity net gain report has not been required in this case.

- 7.6.4 Given the location of the site, which has minimal opportunities for landscaping and biodiversity the proposal is considered to be acceptable. As such the proposal is considered to be in accordance with Policy 4 of the North Northamptonshire Joint Core Strategy and Policy 15 of the National Planning Policy Framework.

7.7 **Energy Efficiency and Sustainable Design**

- 7.7.1 Policy 9 of the North Northamptonshire Joint Core requires new development to incorporate measures to ensure high standards of resource and energy efficiency and reduction in carbon emissions. This includes measures which limit water use to no more than 105 litres/person/day.

- 7.7.2 No details have been submitted and as such a condition securing water efficiency is required.

7.8 **Flood Risk and Drainage**

- 7.8.1 The site is not located near a main watercourse and as such there is no reason to believe that the proposal would give rise to flooding issues. The Lead Local Flood

Authority has confirmed that due to the nature of the development which does not affect the ground floor (other than internal changes), the proposal would not have an impact on surface water flooding and therefore they have no objections to the proposals in accordance with Policy 5 of the North Northamptonshire Joint Core Strategy and Policy 14 of the Kettering Town Centre Area Action Plan.

7.9 Affordable Housing Provision

- 7.9.1 NNJCS Policy 30, consistent with Chapter 6 of the NPPF, states that to deliver sustainable residential communities, a balanced mix of housing tenures and types should be provided. An identified need for 30% affordable housing will be expected in growth town and market town locations.
- 7.9.2 The amended application proposes 24 dwellings, and as per the housing policy requirement we will be requiring a 30% affordable housing provision to be secured via a S.106. The Council's Housing Strategy team have advised that 7 dwellings would be required and that the provision should be split into 5 x 1b apartments for affordable rent and 2 x 2b apartments as First Homes.
- 7.9.3 It is considered therefore the revised proposals conform to the requirements of Policy 30 of the NNJCS, are acceptable in this respect and will be secured as planning obligations through a s106 agreement should this application be approved by the Planning Committee.

7.10 Planning Obligations: Community Infrastructure

- 7.10.1 In accordance with Policy 10 of the NNJCS the proposed development would be expected to off-set and mitigate its impact on local services and infrastructure by making a financial contribution through a Section 106 legal agreement. The requests from responsible stakeholders are detailed above in section 4 with the level of contribution required based on the tariff tables and the number and mix of units. The contributions for primary education will be adjusted to reflect the lower quantum of units now proposed.
- 7.10.2 The NHS Integrated Care Board commented on the original scheme for 30 flats on the 22/12/23. No further comments have been provided regarding the amended scheme for 24 flats, despite two further re-consultations and attempts to contact them. As no revised figures and information have been provided, the contribution does not meet the statutory legal tests and therefore we cannot include NHS contributions in the S.106 agreement.
- 7.10.3 The contributions proposed, are towards improving the provision of affordable housing, education contribution, library facilities and travel cards, and are considered to be necessary to make the development acceptable in planning terms,

directly related to the development and fairly and reasonably related in scale and kind to the development.

- 7.10.4 In the event that the Planning Committee resolves to approve the application issuing of the permission would be subject to securing an acceptable Section 106 agreement on this basis.

8. Other Matters

- 8.1 None

9. Conclusion / Planning Balance

- 9.1 In light of the above the proposal is considered to be in accordance with Development Plan Policies. There are no other material considerations or arguments that would justify coming to a different conclusion. As such this application is recommended to the Planning Committee for approval subject to the attached conditions and an acceptable Section 106 agreement being secured.

10. Recommendation

- 10.1 That members of the Planning Committee approve the recommendation set out in paragraph 1 of the report.

11. Conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.
REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended) and to prevent an accumulation of unimplemented planning permissions.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans and details listed below.
REASON: In the interest of securing an appropriate form of development in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.
3. No development above building slab level shall commence on site until details of the types and colours of all external facing and roofing materials to be used, together with samples, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.
REASON: Details of materials are necessary in the interests of the visual amenities of the area in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

4. No development above slab level shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied.

REASON: Details of materials are necessary in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

5. No development above slab level shall commence on site until a scheme of hard landscaping which shall specify features to be installed in the courtyard and defensible personal strips adjacent to the flats, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented and shall be retained as approved thereafter.

REASON: In the interests of crime prevention and security in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

6. Prior to first occupation of the development building a scheme of landscaping within the courtyard which shall specify species, planting sizes, spacing and numbers of trees and shrubs to be planted and any existing trees to be retained shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the occupation of the building, unless these works are carried out earlier. Any newly approved trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: To improve the appearance of the site in the interests of visual amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

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

REASON: Details are required prior to the commencement of development because demolition and construction management occurs early in the construction process and in the interests of safeguarding highway safety and residential amenity in accordance with Policy 8 of the Northamptonshire Joint Core Strategy

8. Works audible at the site boundary will not exceed the following times unless with the written permission of the Local Planning Authority or Environmental Health. Monday to Friday 08.00 to 18.00 hrs, Saturday 08.30 to 13.30 and at no time whatsoever on Sundays or Public/Bank Holidays. This includes deliveries to the site and any work undertaken by contractors and sub contractors.

REASON: In the interests of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

9. In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to

the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policies 6 and 8 of the North Northamptonshire Joint Core Strategy.

10. Prior to the commencement of the development, an assessment of the overall air quality impact affecting the development which includes the following components, shall be submitted to and be approved in writing by the Local Planning Authority

- i. An appropriate air quality screening assessment,
- ii. Where the screening assessment indicates it appropriate, a full air quality impact assessment including heating and power generating proposals, emissions from existing road and rail transport activities and vehicles movements associated with the development and the concentrations of pollutants of concern at sensitive receptors
- iii. Details of any abatement techniques and mitigation of potential impacts

Any abatement techniques and mitigation measures identified shall be carried out in accordance with the approved details and retained as such thereafter unless varied with the express written approval of the Local Planning Authority.

Prior to first occupation of the development, verification that the approved abatement techniques and mitigation techniques to address the impact of poor air quality has been implemented and is fully operational, shall be submitted to and be approved in writing by the Local Planning Authority.

REASON: To protect people's health and the environment from adverse effects of air pollution in the interests of residential amenity and public health in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

11. Prior to the commencement of the development, an environmental noise assessment shall be submitted to and be approved in writing by the Local Planning Authority.

The environmental noise assessment shall include the impact of any transportation noise, noise from people on the street and be carried out whilst any premises and/or activities in the vicinity that are likely to have an adverse effect on noise levels are operating. In addition, it shall include predicted noise levels for any relevant premises which may not currently be operating, and plant and equipment which will form part of the development, octave band analysis and all assumptions made (e.g. glazing and façade areas, commercial / residential separation).

REASON : To ensure the creation of a satisfactory environment free from intrusive levels of noise, avoid conflicts with existing business that may generate some noise, and to comply with advice in the National Planning Policy Framework, Planning Practice Guidance on Noise, and Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

12. Prior to the commencement of the development a sound insulation and ventilation scheme shall be submitted to and be approved in writing by the Local Planning Authority.

The sound insulation and ventilation scheme shall include the specification and acoustic data sheets for glazed areas of the development and any complementary acoustic ventilation scheme, and be designed to achieve the following internal noise levels:

- i. Not exceeding 30dB LAeq(1 hour) and not exceeding NR 25 in bedrooms for any hour between 23.00 and 07.00,
- ii. Not exceeding 35dB LAeq(1 hour) and not exceeding NR 30 for bedrooms and living rooms for any hour between 07.00 and 23.00,
- iii. Not normally more than 45dB L_{Amax}(1 min) in bedrooms (measured with F time weighting) between the hours of 23.00 and 07.00,
- iv. Not more than 50dB LAeq(1 hour) for garden areas (including garden areas associated with residential homes or similar properties).

Where there are residential premises above, below or adjacent to the proposed development, details of the party walls & ceilings / floors between the proposed development & the surrounding residents or other noise sensitive receptors shall be included within the sound insulation and ventilation scheme which shall detail measures to prevent the transmission of noise & vibration through the building structure together with the third octave band analysis of the maximum internal noise levels that the improved party walls & ceilings / floors may accommodate.

Prior to first occupation of the development, evidence that the approved sound insulation and ventilation scheme has been implemented and is fully operational shall be submitted to and be approved in writing by the Local Planning Authority.

The approved sound insulation and ventilation scheme shall be carried out in accordance with the approved details and retained as such thereafter unless varied with the express written approval of the Local Planning Authority.

REASON: To ensure the creation of a satisfactory environment free from intrusive levels of noise, avoid conflicts with existing business that may generate some noise, and to comply with advice in the National Planning Policy Framework, Planning Practice Guidance on Noise, and Policy 8 of the North Northamptonshire Joint Core Strategy 2011-2031.

13. No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No

hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

REASON: To ensure adequate management of surface water in accordance with Policies 5 and 8 of the North Northamptonshire Joint Core Strategy.

14. Prior to the first occupation of the development hereby approved, refuse storage and collection facilities shall be made available for use. The refuse storage area shall be in a separate room not connected to any habitable area. These facilities shall be retained at all times thereafter, unless otherwise agreed in writing with the Local Planning Authority.

REASON: In the interest of public health and safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

15. Prior to the occupation of any of the dwellings hereby approved the cycle store as shown on the approved plans, shall be provided. The development shall not be carried out other than in accordance with the approved details and such provision shall be retained thereafter and kept available for such purposes.

REASON: In the interests of highway safety in accordance with policy 8 of the North Northamptonshire Joint Core Strategy.

16. Prior to commencement of development a scheme and timetable detailing the provision of fire hydrants (where required by Northamptonshire Fire and Rescue Service), fire suppression / sprinkler systems and their associated infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The fire hydrants, fire suppression / sprinkler systems and associated infrastructure shall thereafter be provided in accordance with the approved scheme and timetable and retained as such thereafter.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to tackle any property fire in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

17. Prior to the first occupation of the development hereby approved, full details of the proposed CCTV including its location, arcs of coverage, and how it is to be monitored and managed and incidents responded to has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented and shall be retained as approved thereafter.

REASON: In the interests of crime prevention and security in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

18. Prior to the first occupation of the development hereby approved, full details of the management of the building including dealing with antisocial behaviour has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved scheme has been fully implemented and shall be retained as approved thereafter.

REASON: In the interests of crime prevention and security in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

19. The development shall be carried out in accordance with the details set out in the Security Statement NK/2023/0701/09 received on 22/03/2024 and shall be retained as approved thereafter.

REASON: In the interests of crime prevention and security in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

20. The dwellings hereby approved shall incorporate measures to limit water use to no more than 105 litres per person per day within the home and external water use of no more than 5 litres per day in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations (2015).

REASON: To ensure that the development complies with Policy 9 of the North Northamptonshire Joint Core Strategy.

21. There shall be no external illumination on the site at any time other than in accordance with a detailed scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of the impact of the lighting on the vertical facades of sensitive properties and the measures necessary to reduce the impact. Any external lighting shall be operated in accordance with the approved details at all times.

REASON: In the interest of safeguarding residential amenity in accordance with Policy 8 of the North Northamptonshire Joint Core Strategy.

12. Informatives

Positive/Proactive - amendments
Building Regulations consent required
Demolition of the existing building
Contains pre commencement conditions
Planning Obligation
Party Wall Etc. Act
Radon - Protection of Dwellings Informative
Working hours for construction sites
Demolition and Construction Management Plan
Fibre - Majors
AWS Protection of existing assets
AWS Building near to a public sewer
AWS Site drainage

List of plans

The plans and documents, some of which may have been subsequently referenced by the LPA, are set out below and form the basis for this decision:

Title	NK Ref.	Agent's Ref	Received Date	Status
Drainage Strategy	NK/2023/0701/02		13.11.23	Approved
Flood risk assessment	NK/2023/0701/03		13.11.23	Approved
Transport Policy	NK/2023/0701/05		13.11.23	Approved
Waste Policy	NK/2023/0701/06		13.11.23	Approved
Security Statement	NK/2023/0701/09		22.03.24	Approved
Northants Police MD response	NK/2023/0701/10		31.03.24	Approved
Location plan; existing block plan; proposed block plan		A00208-001C	27.11.23	Approved
Proposed ground floor plan		A0028 012D	26.06.24	Approved
Proposed first floor plan		A00208-13C	14.03.24	Approved
Proposed second floor plan		A00208 014D	31.03.24	Approved
Proposed third floor plan		A00208 015D	31.03.24	Approved
Proposed fourth floor plan/roof space		A00208-16C	14.03.24	Approved
Proposed roof plan		A00208-17A	14.03.24	Approved
Proposed South Block – Elevations A + B		A00208 020E	26.06.24	Approved
Proposed elevation A with sun shields removed and proposed elevation G		A00208-023B	14.03.24	Approved
Proposed North Block – C + D		A00208-021F	14.03.24	Approved
Proposed Elevations E & F		A00208-022D	14.03.24	Approved
Existing and proposed streetscape		A00208-030C	14.03.24	Approved
Proposed upper floor apartment south row 2 bedroom option		A00208 045-	31.03.24	Approved

Existing ground floor plan		A00208-002B	27.11.23	For information
Existing first floor plan		A00208-003B	27.11.23	For information
Existing elevations		A00208-005C	05.12.23	For information
Design & Access statement	NK/2023/0701/01		13.11.23	For information
Heritage Statement	NK/2023/0701/07		05.12.23	For information
Tenancy Report	NK/2023/0701/08		22.03.24	For information
Air Quality and Noise Assessment		20240315	31.03.24	For information
Vent Axia Lo-Carbon PoziDry Compact Pro specs	NK/2023/0701/11		31.03.24	For information