

PLANNING COMMITTEE: 7th July 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0541

LOCATION: Lock Up Garages, Cardigan Close

DESCRIPTION: Variation of Condition 2 of Planning Permission N/2019/0387 (Demolition of 18no domestic lock up garages and construction of 2no new build units) to amend units position

WARD: Spencer Ward

APPLICANT: Northampton Partnership Homes
AGENT: Mr Jaspal Mond

REFERRED BY: Director of Planning and Sustainability
REASON: Council owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL** subject to the conditions as set out below and for the following reason:

The proposal would contribute towards the Council's five year housing land supply and, as part of a balanced assessment, it is considered to be acceptable. As such, subject to conditions, no objections are raised with regards to the requirements of the National Planning Policy Framework, Policies S1, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

- 2.1 The application proposes a variation to permission N/2019/0387 to amend the position of the proposed dwellings by shifting the building 3 metres to the south-west. This is due to a sewer easement under the site. No alterations to the design or layout of the properties are proposed.
- 2.2 Application N/2019/0387, granted permission by the Planning Committee on 4th June 2019, for the demolition of 18 existing garages and the erection of a pair of semi-detached bungalows. The approved building was approximately 18 metres wide, 9 metres deep, and had a ridge height of 4.8 metres.

3 SITE DESCRIPTION

- 3.1 The application site comprises a gated garage court located with a residential area. The site is located on the north-western side of Cardigan Close and comprises two rows of garages. Due to the gated nature of the site, no parking is currently provided in this location.

4 PLANNING HISTORY

- 4.1 N/2019/0387 - Demolition of 18no domestic lock up garages and construction of 2no new build units – Approved 5th June 2019.

5 PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014), and the Northampton Local Plan (1997) saved policies.

5.2 National Policies

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

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

Paragraph 60 - Housing needed for different groups in the community.

Paragraph 127 - Create places with a high standard of amenity for existing and future users.

Section 8 - Promoting healthy and safe communities.

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places.

5.3 West Northamptonshire Joint Core Strategy (2014)

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:

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles.

Policy H1 - Housing

Policy BN9 - Planning for Pollution Control

5.4 Northampton Local Plan 1997 (Saved Policies)

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 policy is material to this application:

Policy E20 - New Development (Design)

5.5 Supplementary Planning Documents

Northampton Parking SPD (2019)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NCC Highways** – No comment to make on application.
- 6.2 **NBC Public Protection** – No comment on amendment.
- 6.3 **NBC Trees** – No comment to make on application.
- 6.4 **Northamptonshire Police** – Amendment does not address exposed rear fence lines and unobserved rear parking space. Rear fence lines should be supplemented with trellis topping and rear gate should be lockable from both sides.
- 6.5 1 neighbour letter has been received commenting that it is hoped the bungalows will be greatly appreciated.

7 APPRAISAL

Principle of development

- 7.1 The application site is in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 It is also the case that the Council cannot presently demonstrate a five year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Design

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place great importance on the quality of design of new developments and is in conformity with the NPPF which advises that planning should always seek to secure high quality design. The application site comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.
- 7.4 The application proposes a pair of semi-detached bungalows which are positioned to continue on from an existing terrace of bungalows. Within the original approval, the bungalows continued the existing row. It is now proposed to step the bungalows to the south-east, such that they fall slightly out of line with the existing bungalow row. Whilst not continuing the exact line of the existing bungalows, it is considered that the re-positioned layout would not have a detrimental impact upon the character and appearance of the street scene, and remain in appearance as a continuation of the terrace row. It is considered that the proposed dwellings would complement the existing character of the area and improve the character and appearance of the street scene through the removal of disused garages and the introduction of complimentary housing.

Amenity

- 7.5 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.6 The application site borders 1 Cardigan Close to the north-west. The side elevation of number 1 does not contain any windows. The re-positioning of the approved properties would result in the proposed building falling approximately 4.1 metres beyond the rear elevation of the neighbouring

bungalow. Whilst falling beyond the rear elevation of the neighbouring property, a separation of approximately 3.8 metres between the properties ensures that the proposal would not appear unacceptably dominating to this neighbouring property. It is not considered that there would be an unacceptable impact upon the occupier of number 1 as a result of the re-positioning of this property.

- 7.7 The proposed dwellings would be positioned approximately 23 metres from 12 and 14 Cardigan Close to the north-east, and approximately 27 metres from the rear elevations of 86 and 88 Dallington Road to the south-west. Due to these separation distances, it is not considered that there would be an unacceptable impact upon these neighbouring properties.
- 7.8 It is also the case that the proposed dwellings provide good size rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

Parking and highway safety

- 7.9 The Northamptonshire County Council Parking Standards seek 1 on plot parking space per dwelling for 1 bedroom properties. The proposal provides 2 1xbedroom properties and 3 parking spaces for the proposed dwellings. The proposal also provides sheds which could be used for bicycle storage.
- 7.10 The application site as existing comprises a gated disused garage court. The existing garages are not to a size that could be counted as providing existing parking spaces for the site, and as such the existing parking provision on the site must be assessed as 0.
- 7.11 Northamptonshire County Council Highways Department have been consulted on this application and raise no comment. With the proposal not resulting in a reducing in parking and providing sufficient parking provision for the proposed dwellings, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.
- 7.12 Following the grant of application N/2019/0387 the Council has adopted a Parking SPD which requires the provision of 1 electric vehicle charging point per new dwelling. This will be required through condition.

Other considerations

- 7.13 The Northamptonshire Police raised concern as to the exposed rear boundary and request that trellis topping is used to the fencing. Condition 5 requests details of boundary fencing to be submitted to and approved by the Council.

8 CONCLUSION

- 8.1 To conclude, the site is in an existing housing area within the urban area of Northampton and the principle of residential development on the site is therefore acceptable under the development plan. The Council also cannot presently demonstrate a five year housing land supply and it is therefore necessary to assess the proposal against the presumption in favour of sustainable development. In this instance, the proposal would comply with the development plan and would contribute towards the Council's housing supply with associated social and economic benefits. Furthermore, no harm has been identified that would significantly and demonstrably outweigh the benefits. Therefore, it is recommended that planning permission is granted subject to conditions.

9 CONDITIONS

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: (P)01, (P)02, (P)03 Rev F, (P)04, (P)05, (P)06 Rev D.

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

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

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

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

5. Notwithstanding the submitted details, prior to the construction of the new dwellings hereby approved above ground floor slab level, full details of the method of the treatment of the external boundaries of the site together with any other means of enclosure to be erected within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the new dwellings hereby permitted.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory and safe standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

6. All planting, seeding or turfing shown on approved drawing numbers (P)03 Rev F and SCH-002 shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

7. The new parking spaces shown on approved plan (P)03 Rev F shall be constructed prior to the first occupation of the dwellings hereby approved and retained thereafter solely for the parking of vehicles.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the requirements of the National Planning Policy Framework.

8. Prior to first occupation of the dwellings hereby approved, full details of the sheds shall be submitted to and approved in writing by the Local Planning Authority. The approved sheds shall be provided on site in full accordance with the submitted details prior to first occupation of the dwellings hereby approved.

Reason: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or roof alteration/enlargement shall be erected to the dwellings hereby permitted.

Reason: In the interests of residential amenity and to prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan and Policy H1 of the West Northamptonshire Joint Core Strategy.

10. Full details of a minimum of 2 electric vehicle charging points (1 per unit) for the units hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the dwellings hereby permitted. 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.

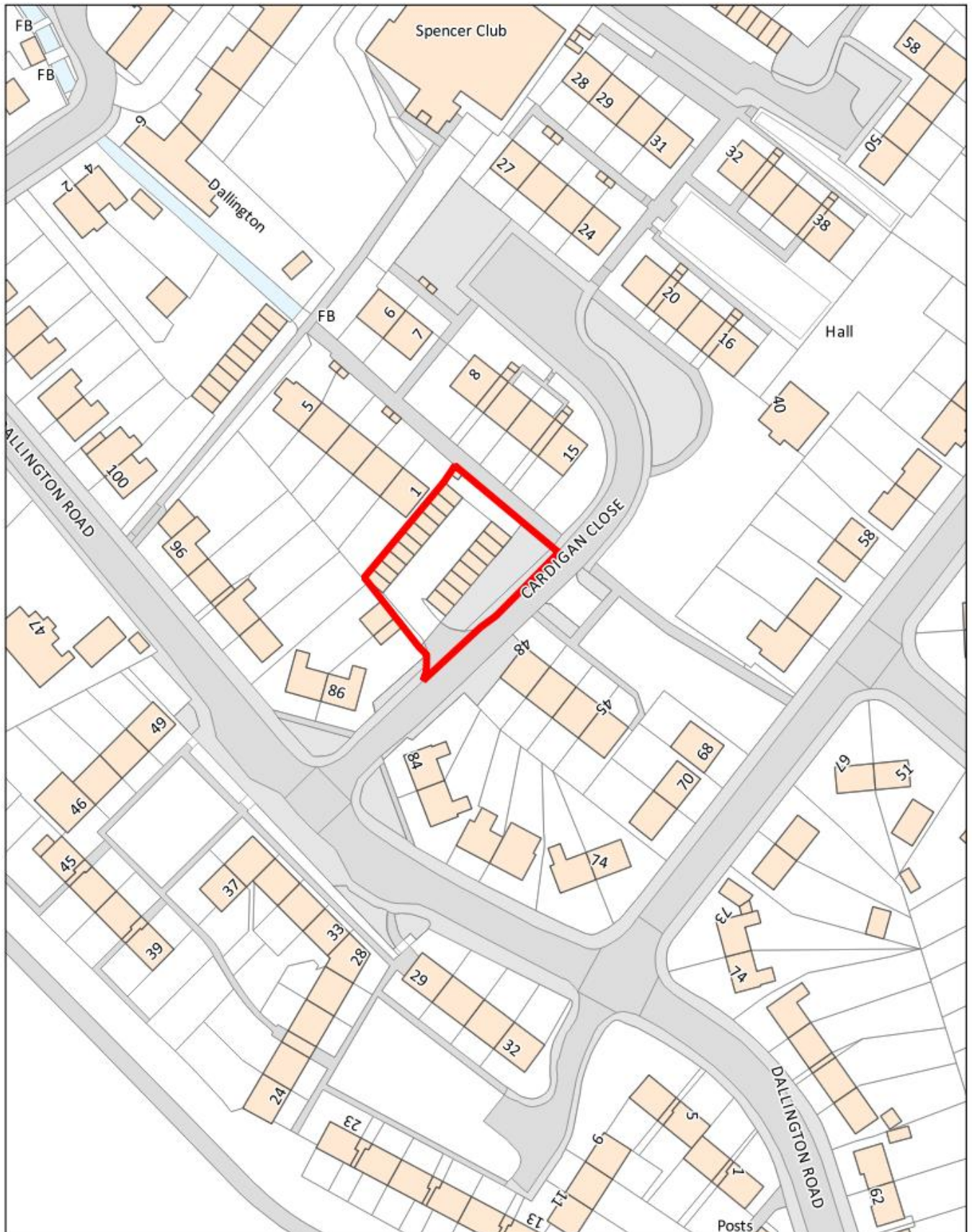
Reason: To ensure the provision of adequate facilities in accordance with the Northampton Parking Standards Supplementary Planning Document (2019).

10 LEGAL IMPLICATIONS

- 10.1 The development is CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

- 11.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **Lock-up garages at Cardigan Close**

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Date: 25-06-2020

Scale: 1:1,000

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