



PLANNING AGENDA

Tuesday, 7 May 2019

The Jeffrey Room, The Guildhall, St. Giles
Square, Northampton, NN1 1DE

5:00 pm

Members of the Committee

Councillor: Brian Oldham (Chair), Jamie Lane (Deputy Chair)

Councillors: Alan Bottwood, Mary Markham, Matthew Golby, Andrew Killbride, Samuel Kilby-Shaw, Catherine Russell, Jane Birch, Nazim Choudary, Zoe Smith, Arthur McCutcheon and Dennis Meredith.

Chief Executive

George Candler

If you have any enquiries about this agenda please contact democraticservices@northampton.gov.uk or 01604 837722



PLANNING COMMITTEE

AGENDA

Meetings of the Planning Committee will take place at 5:00pm on 3rd July, 31st July, 4th September, 25th September, 23rd October, 20th November, 18th December 2018, and 22nd January, 19th February, 19th March, 16th April, 7th May, 4th June, 2nd July and 30th July 2019.

The Council permits public speaking at the Planning Committee as outlined below:

Who Can Speak At Planning Committee Meetings?

- Up to 2 people who wish to object and up to 2 people who wish to support an individual planning applications or any other matter on the public agenda.
- Any Ward Councillors who are not members of the Planning Committee. If both Ward Councillors sit on the Planning Committee, they may nominate a substitute Councillor to speak on their behalf.
- A representative of a Parish Council.

How Do I Arrange To Speak?

- Anyone wishing to speak (not including Ward Councillors who must let the Chair know before the start of the meeting) must have registered with the Council's Democratic Services section not later than midday on the day of the Committee.
NB: the Council operate a 'first come, first serve' policy and people not registered to speak will not be heard. If someone who has registered to speak does not attend the meeting their place may be relocated at the discretion of the Chair.

Methods of Registration:

- By telephone: 01604 837722
- In writing to: Northampton Borough Council, The Guildhall, St. Giles Square, Northampton , NN1 1DE, Democratic Services (Planning Committee)

by email to: democraticservices@northampton.gov.uk

When Do I Speak At The Meeting

- A Planning Officer may update the written committee report then those registered to speak will be invited to speak.
- Please note that the planning officer can summarise issues after all the speakers have been heard and before the matter is debated by the Planning Committee Members and a vote taken.

How Long Can I Speak For?

- All speakers are allowed to speak for a maximum of three minutes.

Other Important Notes

- Speakers are only allowed to make statements – they may not ask questions or enter into dialogue with Councillors, Officers or other speakers.
- Consideration of an application will not be delayed simply because someone who is registered to speak is not in attendance at the time the application is considered
- Confine your points to Planning issues: Don't refer to non-planning issues such as private property rights, moral issues, loss of views or effects on property values, which are not a material consideration on which the decision will be based.

- You are not allowed to circulate new information, plans, photographs etc that has not first been seen and agreed by the Planning Officers
- Extensive late representations, substantial changes, alterations to proposals etc. will not be automatically accepted, due to time constraints on Councillors and Officers to fully consider such changes during the Planning Committee Meeting.

NORTHAMPTON BOROUGH COUNCIL

PLANNING COMMITTEE

Your attendance is requested at a meeting to be held:
in The Jeffrey Room, The Guildhall, St. Giles Square, Northampton, NN1
1DE

on Tuesday, 7 May 2019

at 5:00 pm.

AGENDA

1. APOLOGIES

2. MINUTES

(Copy to follow)

3. DEPUTATIONS / PUBLIC ADDRESSES

4. DECLARATIONS OF INTEREST/PREDETERMINATION

**5. MATTERS OF URGENCY WHICH BY REASON OF SPECIAL
CIRCUMSTANCES THE CHAIR IS OF THE OPINION SHOULD BE
CONSIDERED**

6. LIST OF CURRENT APPEALS AND INQUIRIES

Report of Head of Planning (copy herewith)

7. OTHER REPORTS

8. NORTHAMPTONSHIRE COUNTY COUNCIL APPLICATIONS

9. NORTHAMPTON BOROUGH COUNCIL APPLICATIONS

10. ITEMS FOR DETERMINATION

**(A) N/2018/1474 - DEMOLITION OF EXISTING GARAGES AND
CONSTRUCTION OF 3NO NEW DWELLINGS WITH ASSOCIATED
PARKING. LOCK UP GARAGES, GRANGE ROAD**

**(B) N/2018/1587 - DEMOLITION OF ST JAMES WORKS FACTORY AND THE
CONSTRUCTION OF 20NO AFFORDABLE DWELLINGS AND
ASSOCIATED EXTERNAL WORKS AND ROAD. ST JAMES WORKS,
VICARAGE ROAD**

**(C) N/2018/1776 - DEMOLITION OF 4NO. GARAGES AND ERECTION OF 2
NEW BUILD DWELLINGS AND PARKING. LOCK UP GARAGES,
PADDOCK MILL COURT**

**(D) N/2019/0031 - DEMOLITION OF 10NO DOMESTIC GARAGES AND
CONSTRUCTION OF 3NO NEW BUILD DWELLINGS. LAND ADJACENT
TO 150 MAIDENCASTLE**

- (E) N/2019/0136 - DEMOLITION OF 15NO DOMESTIC GARAGES AND ERECTION OF 2NO NEW BUILD UNITS (BEHIND 64 AND 66 ST DAVIDS ROAD). LOCK UP GARAGES, ST DAVIDS ROAD**
- (F) N/2019/0143 - DEMOLITION OF 4NO DOMESTIC GARAGES AND ERECTION OF 1NO NEW BUILD BUNGALOW. LOCK UP GARAGES ADJACENT TO 8 OVERLEYS COURT**
- (G) N/2019/0201 - DEMOLITION OF 4NO DOMESTIC GARAGES AND ERECTION OF 1NO NEW BUILD BUNGALOW. LOCK UP GARAGES , MARSHLEYS COURT**
- (H) N/2019/0206 - INSTALLATION OF MESH PANEL BACKSTOP AND FENCES WITH TWO CONCRETE BLOCK DUG OUTS ADJACENT TO THE BASEBALL FIELD AT ST CRISPINS PARK. PLAYING FIELD ST CRISPIN, BERRYWOOD ROAD**
- (I) N/2019/0255 - DEMOLITION OF 26NO DOMESTIC GARAGES AND ERECTION OF 2NO NEW BUILD UNITS. GARAGE BLOCK, LIMEHURST CLOSE**
- (J) N/2019/0257 - DEMOLITION OF 27NO DOMESTIC GARAGES AND ERECTION OF 2NO NEW BUILD UNITS AND PARKING SPACES. LOCK UP GARAGES, NURSERY LANE**
- (K) N/2019/0271 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 4 OCCUPANTS. 69 DELAPRE STREET**
- (L) N/2019/0289 - SINGLE STOREY SIDE EXTENSION AND REBUILD OF UNSTABLE BOUNDARY SCREEN WALL. 24 TOLLGATE CLOSE**
- (M) N/2019/0350 - CHANGE OF USE FROM DWELLINGHOUSE (USE CLASS C3) TO HOUSE IN MULTIPLE OCCUPATION (USE CLASS C4) FOR 3 OCCUPANTS. 64 MILITARY ROAD**
- (N) N/2019/0388 - DEMOLITION OF 4NO DOMESTIC LOCK UP GARAGES AND CONSTRUCTION OF 1NO NEW BUILD DWELLING. LOCK UP GARAGES ADJACENT TO 4 PRENTICE COURT**
- (O) N/2019/0443 - NON MATERIAL AMENDMENT TO PLANNING PERMISSION N/2018/0322 (DEMOLITION OF EXISTING RESIDENTIAL UNIT, CONSTRUCTION OF TWO RESIDENTIAL UNITS WITH ASSOCIATED GARAGES, CONSTRUCTION OF EXTENSION TO EXISTING SELF-STORAGE (CLASS B8) FACILITY TO PROVIDE ADDITIONAL SELF-STORAGE (CLASS B8) ACCOMMODATION OVER BASEMENT, GROUND AND TWO UPPER FLOORS, PROVISION OF ASSOCIATED PLANT AND LANDSCAPING) TO ADD SMOKE SHAFTS IN THE BASEMENT, REMOVE SOME SELF-STORAGE DRIVE-UP UNITS, MINOR ADJUSTMENTS TO POSITIONING AND CONFIGURATION OF GARAGES, ADDITION OF 2NO PARKING SPACES, REDUCTION IN HEIGHT AND GLAZING OF BUNGALOW 1 AND REMOVAL OF ROOF LINK FROM EXISTING BUILDING TO EXTENSION. ACCESS STORAGE SOLUTIONS, TOLLGATE WAY**

11. ENFORCEMENT MATTERS

12. ITEMS FOR CONSULTATION

13. EXCLUSION OF PUBLIC AND PRESS

THE CHAIR TO MOVE:

“THAT THE PUBLIC AND PRESS BE EXCLUDED FROM THE REMAINDER OF THE MEETING ON THE GROUNDS THAT THERE IS LIKELY TO BE DISCLOSURE TO THEM OF SUCH CATEGORIES OF EXEMPT INFORMATION AS DEFINED BY SECTION 100(1) OF THE LOCAL GOVERNMENT ACT 1972 AS LISTED AGAINST SUCH ITEMS OF BUSINESS BY REFERENCE TO THE APPROPRIATE PARAGRAPH OF SCHEDULE 12A TO SUCH ACT.”

PHOTOGRAPHY AND AUDIO/VISUAL RECORDINGS OF MEETINGS

Anyone may record meetings of the Council, the Cabinet, any Committee or Sub-Committee of the Council through any audio, visual or written method to include taking photographs of meetings, filming meetings or making audio recordings of meetings. The Chair of the meeting shall have the discretion to revoke the permission in the event that the exercise of the permission is disturbing the conduct of the meeting in any way or when it is otherwise necessary due to the nature of the business being transacted at the meeting. Permission may only be exercised where the public have the right to attend the meeting; and if a meeting passes a motion to exclude the press and public, then in conjunction with this, all rights to record the meetings are removed.

Directorate: Regeneration, Enterprise and Planning

Head of Planning: Peter Baguley



List of Appeals and Determinations – 7th May 2019

Written Reps Procedure

Application No.	DEL/PC	Description	Decision
N/2017/1436 APP/V2825/W/18/3205543	DEL	Variation of Conditions 4 and 5 of Planning Permission N/2011/1222 (Variation of conditions of Planning Permission N/2011/0627) to extend hours of opening at Borjia Restaurant, Castilian Street	AWAITED
N/2017/1627 APP/V2825/W/18/3209974	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 58 London Road	ALLOWED
N/2017/1629 APP/V2825/W/18/3209979	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 60 London Road	ALLOWED
N/2018/0500 APP/V2825/W/18/3217452	DEL	Variation of condition 3 of N/2017/0998 (Change of use from Dwelling House (Use Class C3) to House In Multiple Occupation (Use Class C4) for 3 occupants)) to allow the increase of occupants to 4 at 56 St Leonards Road	AWAITED
N/2018/0516 APP/V2825/W/18/3206303	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 9-13 Drapery	AWAITED
N/2018/0517 APP/V2825/W/18/3206306	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 27 Drapery	AWAITED
N/2018/0518 APP/V2825/W/18/3206310	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 27 Market Square	AWAITED
N/2018/0519 APP/V2825/W/18/3206313	DEL	Prior Notification of installation of solar powered telephone kiosk outside of 7 Mercers Row	AWAITED
N/2018/0524 APP/V2825/W/18/3206316	DEL	Prior Notification of installation of solar powered telephone kiosk outside of Co-operative Bank, 59 Abington Street	AWAITED
N/2018/0526 APP/V2825/W/18/3206317	DEL	Prior Notification of installation of solar powered telephone kiosk outside of Sharpes, 1 Abington Street	AWAITED
N/2018/0835 APP/V2825/W/18/3219548	DEL	Addition of a rooftop extension to form two additional apartments at 20-22 St Giles Street	AWAITED
N/2018/0882 APP/V2825/W/18/3211519	DEL	Change of Use from House in Multiple Occupation (Use Class C4) to Residential Apartments (Use Class C3) with rear extension. Creation of 4no self contained 2-bedroom residential apartments at 36 Derngate	AWAITED
N/2018/0867 APP/V2825/W/18/3219101	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 144 Southampton Road	AWAITED
N/2018/1081 APP/V2825/W/18/3218104	DEL	New three bedroom detached house at 24 Lawson Crescent	AWAITED
N/2018/1125 APP/V2825/W/19/3222728	DEL	Demolition of 3no garages and erection of 2 storey one bedroom dwelling on Elizabeth Street (to the rear of 74 Lower Thrift Street)	AWAITED
N/2018/1318 APP/V2825/W/18/3219519	DEL	Retention of bay window in ground floor flat at 3 St Georges Place	AWAITED
N/2018/1333 APP/V2825/W/18/3219231	PC	Conversion of 59 Abington Avenue to a single dwelling (Class C3) and conversion of 61 Abington Avenue to house in multiple occupation (Class C4) for 5 occupants	ALLOWED
N/2018/1414 APP/V2825/W/19/3220930	DEL	Conversion of single dwelling to 4no apartments at 96 Semilong Road	AWAITED
N/2018/1433 APP/V2825/W/19/3221540	PC	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 13 Whitworth Road	AWAITED
N/2018/1493 APP/V2825/W/19/3221666	DEL	New two storey detached dwelling to the western side of No. 8 Grange Avenue with off street car parking to new and existing dwelling	AWAITED
N/2018/1499 APP/V2825/D/19/3223405	DEL	Proposed rear second floor dormer at 620 Wellingborough Road	AWAITED
N/2018/1500 APP/V2825/D/19/3225361	DEL	Dropped kerb and build driveway at 115 Booth Lane South	AWAITED
N/2018/1523 APP/V2825/D/19/3224574	DEL	Two storey extension with associated internal and external works (Re-submission of N/2018/0752) at 14 Camborne Close	AWAITED
N/2018/1570	DEL	Single storey rear extension to Day Centre at 123 Milton Street North	AWAITED

APP/V2825/W/19/3224302			
N/2018/1717 APP/V2825/W/19/3224666	DEL	Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants at 161 Euston Road	AWAITED
N/2018/1721 APP/V2825/D/19/3225498	DEL	Loft conversion with rear dormer and balcony (Retrospective) at 58 Whitworth Road	AWAITED
N/2019/0062 APP/V2825/D/19/3225451	DEL	Addition of parapet walls to existing extension (approved under Planning Permission N/2016/1078) (Retrospective) at 78 Lutterworth Road	AWAITED
Public Inquiry			
		None	
Hearings			
		None	
Enforcement Appeals			
		None	
Tree Preservation Order (TPO) Appeals			
		None	

The Address for Planning Appeals is:

Mr Brian Rowe, Room 301, The Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

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

Local Government (Access to Information) Act 1985

Background Papers

The Appeal Papers for the appeals listed

Author and Contact Officer:

Mrs Rita Bovey, Development Manager

Telephone 01604 837237

Planning and Regeneration

The Guildhall, St Giles Square,

Northampton, NN1 1DE



Addendum to Agenda Items Tuesday 7th May 2019

10. ITEMS FOR DETERMINATION

10a

N/2018/1474

Demolition of existing garages and construction of 3no new dwellings with associated parking

Lock Up Garages, Grange Road

No update.

10b

N/2018/1587

Demolition of St James Works factory and the construction of 20no affordable dwellings and associated external works and road

St James Works, Vicarage Road

No update.

10c

N/2018/1776

Demolition of 4no. garages and erection of 2 new build dwellings and parking

Lock Up Garages, Paddock Mill Court

No update.

10d

N/2019/0031

Demolition of 10no domestic garages and construction of 3no new build dwellings

Land adjacent to 150 Maidencastle

One additional letter has been received from an occupier of a neighbouring property who has previously commented on the application. The comments raised within this letter that have not previously been raised can be summarised as follows:

- Concern regarding cumulative impact of other applications within Maidencastle and the loss of parking (*There is no highway objection to this scheme as covered within paragraphs 6.4 and 7.14 of the committee report*).
- Overshadowing of neighbouring properties (*It is not considered that the proposal would result in unacceptable overshadowing of neighbouring properties and this is covered within paragraphs 7.5-7.11*).

10e

N/2019/0136

Demolition of 15no domestic garages and erection of 2no new build units (behind 64 and 66 St David's Road)

Lock Up Garages, St David's Road

No update.

10f

N/2019/0143

**Demolition of 4no domestic garages and erection of 1no new build bungalow
Lock up garages adjacent to 8 Overleys Court**

One additional letter has been received from an occupier of a neighbouring property who has previously commented on the application. The comments raised within this letter that have not previously been raised can be summarised as follows:

- Concern regarding crime to existing neighbours vehicles as a result of the proposal and having to park elsewhere (*This is not a material planning consideration in the assessment of this application*).

10g

N/2019/0201

**Demolition of 4no domestic garages and erection of 1no new build bungalow
Lock Up Garages, Marshleys Court**

No update.

10h

N/2019/0206

**Installation of mesh panel backstop and fences with two concrete block dug outs adjacent to the baseball field at St Crispins Park
Playing Field St Crispin, Berrywood Road**

Upton Parish Council - The Council strongly objects to the application on the basis that the area is a public open space and this extensive development would restrict other resident's use of the space. There will also be an anti-social impact on neighbouring residents and will cause a visual blight on the landscape. The Council is also concerned about possibility of and liability for accidents (*The issues raised are covered within the committee report*).

10i

N/2019/0255

**Demolition of 26no domestic garages and erection of 2no new build units
Garage Block, Limehurst Close**

No update.

10j

N/2019/0257

**Demolition of 27no domestic garages and erection of 2no new build units and parking spaces
Lock Up Garages, Nursery Lane**

Further comments received from the **Police Crime Prevention Design Adviser** stating that gates preventing vehicular access would not address concerns as access on foot would still be possible.

Officer Response:

This point is covered in the Committee Report in that it is considered that there is adequate surveillance from existing properties and a gated access would not be workable due to the fact that there are unallocated parking spaces to serve local residents.

10k

N/2019/0271

**Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 4 occupants
69 Delapre Street**

No update.

**10l
N/2019/0289
Single storey side extension and rebuild of unstable boundary screen wall
24 Tollgate Close**

No update.

**10m
N/2019/0350
Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants
64 Military Road**

No update.

**10n
N/2019/0388
Demolition of 4no domestic lock up garages and construction of 1no new build dwelling
Lock Up Garages Adjacent To 4 Prentice Court**

Paragraph 7.2 of the report refers to the protection of the retained Copper Beech. Following discussions with the Council's Arboricultural Officer that paragraph should read:

No objection in principle of the proposed development on purely arboricultural grounds, but if the development is to proceed a site-specific arboricultural method statement will be required that will set out how avoidable harm to the retained trees will be avoided.

Given the location of the proposed dwelling and the surrounding trees, the Arboricultural Officer is satisfied that the proposed Condition 10 covers the points raised in his comments and no additional condition is required.

**10o
N/2019/0443
Non Material Amendment to Planning Permission N/2018/0322 (Demolition of existing residential unit, construction of two residential units with associated garages, construction of extension to existing self-storage (Class B8) facility to provide additional self-storage (Class B8) accommodation over basement, ground and two upper floors, provision of associated plant and landscaping) to add smoke shafts in the basement, remove some self-storage drive-up units, minor adjustments to positioning and configuration of garages, addition of 2no parking spaces, reduction in height and glazing of bungalow 1, amendment to boundary treatment and removal of roof link from existing building to extension
Access Storage Solutions, Tollgate Way**

Subsequent to the completion of the Committee report, the applicant has also proposed a revision to the boundary treatment to one of the dwellings. It is proposed that this would be replaced by a wooden fence, similar in height to that previously approved, and comparable in appearance to the existing installation. As a consequence of these similarities, it is considered that this amendment is acceptable and can be considered to be a Non-Material Amendment.



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1474

LOCATION: Lock Up Garages, Grange Road

DESCRIPTION: Demolition of existing garages and construction of 3no new dwellings with associated parking

WARD: Eastfield Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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 principle of new dwellings is considered acceptable in a residential area and the proposal would contribute towards the Council's five year housing land supply. The proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The proposed development complies with the requirements of the National Planning Policy Framework, policies S1, S3, 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 seeks full planning permission for the demolition of a garage block and the erection of row of three 2 storey, 1-bed terraced houses. Four dedicated parking places would be provided to serve the new dwellings.

3 SITE DESCRIPTION

3.1 The application site consists of a garage block which borders onto existing rear gardens of properties fronting Honister Green, separated by timber fencing and brick walls.

3.2 The local area is predominantly residential and consists of primarily two storey dwellings with reasonably long rear gardens. The area is not in a Conservation Area and is in a low risk flood zone 1. There are two trees at the entrance to the application site.

4 PLANNING HISTORY

4.1 None relevant.

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), 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:

Section 2 - Achieving sustainable development
Section 5 - Delivering a sufficient supply of homes
Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

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 S3 - The Scale and Distribution of Housing Development
Policy S10 - Sustainable Development Principles
Policy H1 - Housing Design, Density and Mix
Policy BN3 - Trees
Policy BN9 - Planning and 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

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Public Protection (NBC)** – No objections subject to a condition requiring action in the event of unexpected contamination being found.
- 6.2 **Highway Authority (NCC)** – Concerns were initially raised for impact on the existing refuse collection system. Additional information was submitted during the course of the application, which was found to be acceptable.
- 6.3 **Northamptonshire Police** – No objection in principle, advice has been given in relation to the compliance to the secure by design.
- 6.4 **3 neighbour objections** received on following grounds:
 - Impact on Parking
 - No spaces for home owners to park during the construction process
 - Access for refuse/ general access issues
 - Security concerns and boundary treatment issues
 - Concern over loss of garage
 - Conflict with nearby commercial uses/ traffic
 - Noise and pollution
 - Impact from construction traffic
 - Impact on quality of life of residents

7 APPRAISAL

- 7.1 The main issues for consideration are the principle of new residential development, impact on the character of the surrounding area, impact on adjacent occupiers and proposed residential amenity, security and highway conditions.

Principle of residential development

- 7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 Saved Policy H6 of the Northampton Local Plan allows for residential development in such residential locations providing that the development is in keeping with the character of the area and does not result in an over-intensive development of the site.
- 7.4 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

Layout and design

- 7.5 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.
- 7.6 The application site comprises a garage block in a residential area. The demolition of these garages and redevelopment of the site would not result in the loss of residential garden land. The proposed new dwellings would reflect the scale and massing of neighbouring residential properties and would be appropriate development in the streetscene.
- 7.7 Any permission would be subject to a materials condition to ensure that appropriate external appearance could be achieved. Due to the degree of site coverage, it is not considered that over-development would occur.
- 7.8 It is considered that the proposed design and appearance of the new dwellings would be in keeping with the character of the local area and would comply with the guidance outlined in NPPF, policy H1 of JCS and saved policy E20 of the Northampton Local Plan.

Residential amenity

- 7.9 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the section 12 of the NPPF, all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.10 The application site is surrounded by residential properties on all sides. The proposed new dwellings would sit at approximately 20m separation distances from nearby properties. It is considered that the relationships and separation are acceptable and would not have adverse impact on the residential amenity of the neighbouring properties, in terms of overlooking, loss of outlook, light and overbearing. Therefore, the proposal would comply with the saved policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the advice contained in the NPPF.
- 7.11 In terms of the amenities for future occupiers of the new dwellings, all habitable rooms would be served by windows and adequate level of daylight and outlook. In addition, a landscape strip is proposed to the frontage and on the sides of plot nos.1 and 3 to provide a green buffer. The submitted plans also detail provision for bins and bicycles to be stored in the rear garden. As such, subject to conditions, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the dwellings.

Parking and highway safety

- 7.12 The proposal includes 4 parking spaces to serve the new dwellings. The Parking Standards seek 1 parking space per 1-bed dwelling for the proposed development. Therefore, the scheme would exceed the Parking Standards, with one visitor space also provided to serve the dwellings.
- 7.13 The development would also benefit from a generous manoeuvring area to the parking area. A condition has been recommended to layout the parking area prior to the first occupation of the new dwellings.
- 7.14 The Highway Authority originally did have some concerns about the impact of the proposal on the existing and the proposed refuse collection system. Additional information was submitted for the tracking of refuse vehicles and was found to be acceptable.
- 7.15 Concerns have been raised by the local residents in relation to parking issues in the area. The applicant has advised that three different parking areas have been provided in the wider area as demonstrated on drawing number (P)03 Rev G.

- 7.16 It is considered that the proposed development is acceptable and would not cause undue impact on highway safety.

Trees

- 7.17 The supporting Tree Survey and Arboricultural Report describes that there are two trees at the entrance to the site. These trees would not be affected by the proposed works and there would be no ground works closer to the root protection area of these trees. Therefore, it is not considered that the proposed works would have any adverse impact on the existing trees.

Land Contamination

- 7.18 The Council's Environmental Health Officers recommend that a standard land contamination condition be secured which would be agreed by condition. This accords with Policies S10 and BN9 of the Joint Core Strategy.

Other considerations

- 7.19 Crime Prevention Officer has not raised any concerns about the proposed development.
- 7.20 Concerns were raised by local residents about impacts of the construction process on the living conditions of neighbouring properties. While this is noted, it is worth remembering that this will be for a temporary period only. While there may be some concerns over the loss of the existing garages, these are in a poor state of repair and the proposal would improve the appearance of the area and regenerate previously developed land. Alternative parking spaces would be provided by NPH.

8 CONCLUSION

- 8.1 To conclude, the application site is in an existing residential area within the built up area of Northampton and the principle of development is therefore acceptable, contributing to the 5 Year Land Supply. It is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. Subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits.
- 8.2 The proposal would comply with the requirements of the National Planning Policy Framework, Policies S1, S3, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan and Policies H1 and H2 of the Growing Together Neighbourhood Plan.
- 8.3 Therefore, it is recommended that planning permission is granted subject to conditions below.

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 G, (P) 04 Rev A, (P) 05 Rev A, SCH-001, (P) 06 Rev B.

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

3. The external materials for the dwellings hereby approved shall be implemented in accordance with the details on the Drawing no. SCH-001 and approved details as listed below:

- a. Bricks: Type EX2 (IBSTOCK Trafford Multi-rustic warm tone)
- b. Roof tiles: Type R2 (Artificial clay appearance)
- c. Rainwater goods: Type RW2 (Marley Plumbing in white)
- d. Windows: Type W1 (uPVC in white frame)
- e. Doors: Type D1 (uPVC door in white frame)

Reason: In the interests of visual amenity and to ensure that the development would harmonise with its surroundings in accordance with Policy E20 of the Northampton Local plan.

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

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

5. The external boundaries of the site shall be constructed in accordance with the approved plan prior to the occupation of the dwellings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

6. 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 outbuildings shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

7. All planting, seeding or turfing comprised in the approved details of landscaping 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.

8. The parking spaces and manoeuvring area together as shown on approved plans shall be constructed prior to the occupation of the buildings hereby approved and retained thereafter.

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.

9. The bin storage areas shall be implemented in accordance with the details on the approved plans prior to first occupation of development and retained thereafter.

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

10 BACKGROUND PAPERS

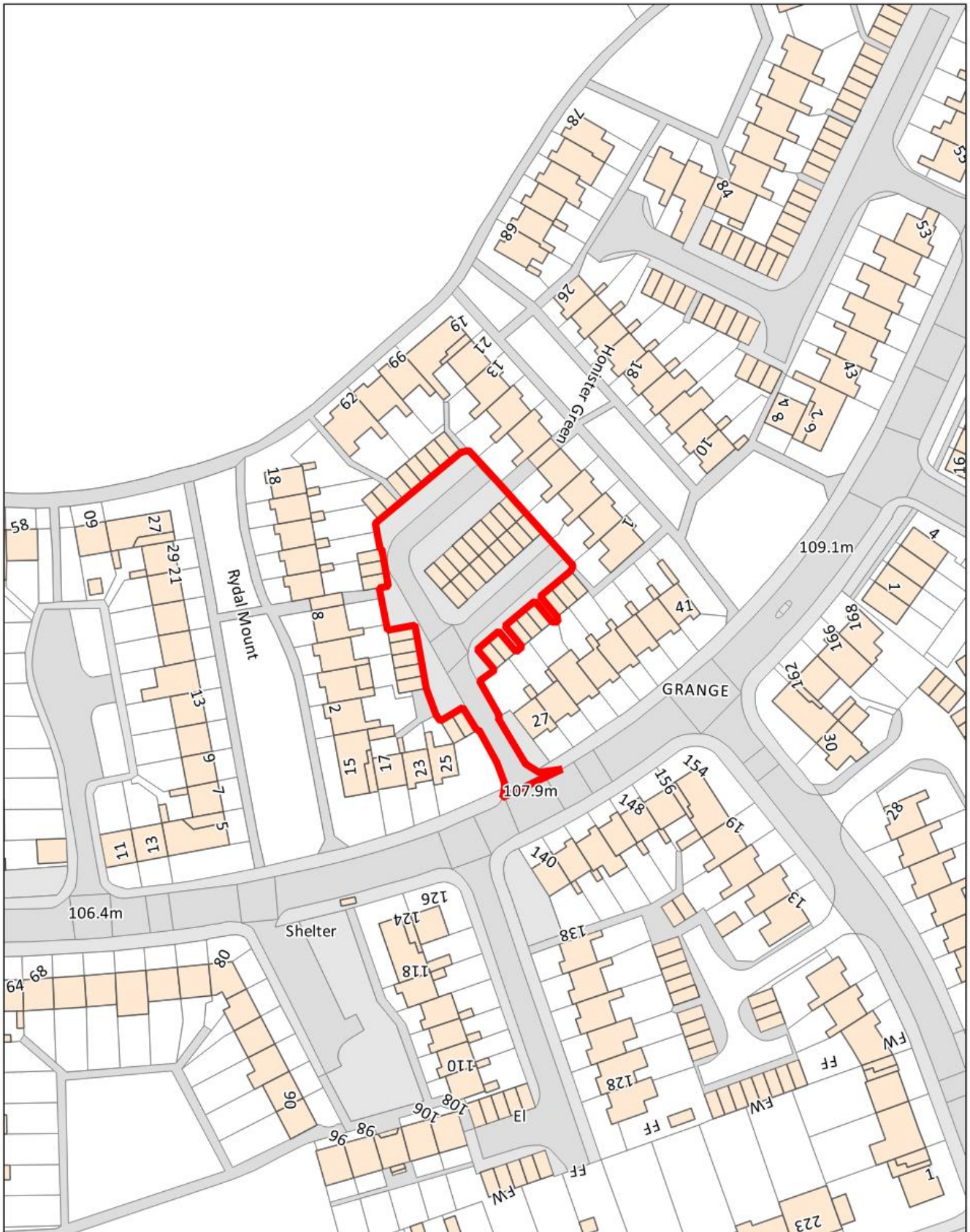
10.1 N/2018/1474.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 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, Grange Road**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by:



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1587

LOCATION: St James Works, Vicarage Road

DESCRIPTION: Demolition of St James Works factory and the construction of 20no affordable dwellings and associated external works and road

WARD: Spencer Ward

APPLICANT: Waterloo Housing Group Ltd
AGENT: Morton Wykes Kramer Ltd

REFERRED BY: Head of Planning
REASON: Major Application requiring S106 Agreement

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 **APPROVAL IN PRINCIPLE** subject to the completion of a S106 Agreement to secure:

- i) 100% on-site affordable housing;
- ii) Part contributions toward primary education; and
- iii) The Council's monitoring fee, subject to the Head of Planning being satisfied the monitoring fee is necessary and of an appropriate scale.

1.2 The conditions as set out below and for the following reason:

The proposed development would bring about regeneration of a brownfield site and contribute to the Council's five year housing land supply, providing much needed affordable housing. As part of a balanced assessment, it is considered acceptable subject to conditions and a Section 106 legal agreement. Therefore, no objections are raised to the proposal with regards to the National Planning Policy Framework; Policies S1, S3, S10, C2, H1, H2, H4, BN7 and BN9 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

1.3 It is also recommended that in the event of the Section 106 Legal Agreement not being completed within three calendar months of this Committee meeting, in addition to being able to grant planning permission as recommended above, the Head of Planning be given delegated authority to either refuse or finally dispose of the application (at his discretion) on account that the necessary mitigation measures have not been secured in order to make the proposal acceptable in line with

the requirements of Policies INF1 and INF2 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The applicant seeks planning permission to redevelop the site to create 20 dwellings. The composition of the development would be 7 two-bedroom and 9 three-bedroom houses, and 4 two-bedroom maisonettes. All of the dwellings would be two storeys, some with dormers in the roof.
- 2.2 A total of 37 car parking spaces would be provided on site. A new access to the site would be provided from Vicarage Road.
- 2.3 Bin and cycle storage structures would be provided for the maisonettes. A substation has also been proposed to serve the development.

3 SITE DESCRIPTION

- 3.1 The application site was originally occupied by an industrial unit. Following fire damage some years ago, part of the building on site was demolished. Part of the boundary walls remain on site fronting Vicarage Road and Baring Road, and the forecourt has been used for car storage. The site's existing accesses are from both Baring Road and the corner of Vicarage Road.
- 3.2 The site is bounded by the St James Primary School to the northwest, Baring Road and residential properties to the northeast, Vicarage Road and other residential properties to the southeast. An existing industrial unit lies to the southern corner of the site and has been known as the Piano Warehouse. To the west are other residential properties.

4 PLANNING HISTORY

- 4.1 N/2000/0132 Planning permission was granted in April 2000 for the use of the building for car breaker business.
- 4.2 N/2018/1654 Prior Notification for the demolition of St James Works factory was approved on 24th January 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), 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.
Section 5 - Housing Supply
Section 8 - Promoting healthy and safe communities.
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land

Section 12 - Achieving well-designed places
Paragraph 148 - Planning system should support the transition to a low carbon future.
Paragraph 163 - Ensuring development does not increase flood risk
Paragraph 165 - Incorporating sustainable drainage systems in major developments
Section 12 - Achieving well designed places
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

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 S3 - Scale and Distribution of Housing Development
Policy S10 - Sustainable Development Principles
Policy C2 - New Developments
Policy H1 - Housing Density and Mix and Type of Dwellings
Policy H2 - Affordable Housing
Policy H4 - Sustainable Housing
Policy BN7 - Flood Risk
Policy BN9 - Pollution control
Policy INF1 - Approach to Infrastructure Delivery
Policy INF2 - Contributions to Infrastructure Requirements

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

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Lead Local flood Authority** – having reviewed the submitted information, raised no objection to the proposal, subject to the imposition of planning conditions in relation to surface water drainage.
- 6.2 **Northamptonshire Police Crime Prevention Advisor** – no objection; the final revised plans incorporate the advice from the Crime Prevention Advisor. The bike store/bin store should be secured with a 5 lever lock.
- 6.3 **Northamptonshire County Council Development Management** – requested contributions in relation to primary education, fire hydrants, libraries and broadband.
- 6.4 **Environment Agency** – no object to the proposal and recommended planning conditions to be imposed in relation to potential land contamination.
- 6.5 **Councillor Gareth Eales** – residents are happy that longstanding eyesore is to be developed. So long as highways give due consideration to any preventative measures that can be implemented to

prevent dangerous parking and if the developer can see if additional parking could be made within the site plans, would like to support the application.

- 6.6 **Northamptonshire County Council Highways** – technical comments submitted for the original proposal. Formal comments on the revised scheme are awaited and will be reported to the Committee via the addendum.
- 6.7 **Construction Future** – a financial contribution is requested for construction training.
- 6.8 **Anglian Water** – no objections and recommended conditions and informatives in relation to surface and foul water drainage.
- 6.9 **NBC Environmental Health** – no objections to the application and recommended planning conditions in relation to land contamination, noise impact, gas boiler and electric charging points.
- 6.10 **NBC Housing Strategy** – Support the application.

7 APPRAISAL

Principle of the Development

- 7.1 The application site is identified in the Northampton Local Plan as a residential area. However, the building on site was previously used by various commercial operators including paper recycling and also a car breaker. These could be considered as non-conforming uses within a residential area. The building was damaged by fire and part of the fabric was subsequently removed. As a consequence, it is considered appropriate to consider alternative land uses for the site. Due to the prevailing residential character of the surrounding area, it is considered that the development of the site for residential accommodation is appropriate.
- 7.2 In addition, weight should be given to the fact that the Council cannot currently demonstrate a five year housing land supply. The development would therefore make a contribution to address this need. The proposed development would result in the satisfactory reuse of a previously developed site within the existing urban area, which would contribute to the overall delivery of a sustainable form of development.
- 7.3 The applicant has confirmed that 100% affordable dwellings would be provided on site. This would be secured by way of a S106 agreement.
- 7.4 The development comprises two and three bedroom family dwellings as well as two bedroom maisonettes. The mixture of housing types would conform with the requirements of the NPPF in terms of creating a varied form of development that meets the future needs of the community.

Design, layout and impact on neighbouring properties

- 7.5 The proposed dwellings are mainly two storeys in height, apart from plots 5, 6, 7, 8, 10, 11, 18, 19 and 20 which would have dormers in the front roof slopes to add interest. The dwellings would be finished in bricks with smooth render. Some of them would include feature gables and arched brick details above doorways and windows to reflect the local character of the area. It is considered that the proposed height and scale of the development are in keeping with the type and form of dwellings in the nearby streets.
- 7.6 The design and layout of the dwellings would ensure that the future residents of the development would have a satisfactory level of light, outlook and privacy. This would ensure conformity with the requirements of national and local planning policies and result in residents of the development having a satisfactory level of amenity. In addition, suitable sized garden spaces have been provided for all the houses, which is considered to be necessary given the provision of family accommodation as part of the development. In addition, suitable boundary treatments would be provided to enhance security of the site and to ensure privacy of private spaces.

- 7.7 Due to the siting and layout of the development, sufficient separation distances would be maintained between the new dwellings and existing properties to prevent any undue loss of light, outlook and privacy. No objections have been received from any local residents on the proposal.
- 7.8 It is appreciated that the construction process has the potential to have some impacts on neighbouring properties in terms of noise and other activities. In order to counteract this, a condition would secure the submission, and agreement, of a Construction Environment Management Plan. This would cover, but not be limited to, hours in which construction works would take place, the routing of construction traffic and strategies to control noise and dust.
- 7.9 Bearing in mind the poor state of the existing site, the proposed redevelopment scheme would bring much improved streetscene of the area and bring significant benefits and improvements to visual amenity of the area.

Highways

- 7.10 Access to the site would be via Vicarage Road and the access road would take the form of a cul-de-sac. A total of 37 car parking spaces including one visitor space would be provided. There is a shortfall of three spaces as compared with the County Parking Standards. However, there is no parking restrictions on Vicarage Road and Baring Road and it is considered that the proposed level of provision is acceptable.
- 7.11 The car parking spaces are located in positions that would ensure that they benefit from sufficient natural surveillance in order to ensure that they are safe and secure, which will serve to deter anti-social behaviour, whilst also encouraging their use. The Crime Prevention Advisor has no objection to the application.
- 7.12 The layout of the scheme has been revised following comments from the Local Highway Authority (LHA). However, formal comments are still awaited and will be reported to the Committee via the addendum.

Drainage and Contamination

- 7.13 The site is not within an area associated with high flood risk, however, it is necessary to ensure that the construction of the development does not increase flood risk with on site or elsewhere. Appropriate planning conditions would be imposed to make sure that both adequate surface and foul drainage are provided. The Environment Agency, Anglian Water and the Lead Local Flood Authority have no objection to the application, subject to conditions and informatives.
- 7.14 As the site was previously occupied by various commercial/industrial uses, appropriate conditions would be imposed to ensure that any potential contamination of the site would be adequately remediated.

Legal Agreement

- 7.15 Ordinarily for developments of this scale, a Section 106 Agreement to secure various items of mitigation would be entered into, such as contributions towards primary school provision, open space and construction workers training. In this case however, the applicant has supplied a viability appraisal, which demonstrates that owing to the abnormal costs associated with the bringing forward of this site, combined with a diminished level of financial returns, there would be insufficient funds to pay for such mitigation in their entirety. It is understood that the primary reason for the latter point is that the developer is intending to occupy the entirety of the development on affordable tenures, which reduces the potential level of profit.
- 7.16 It is therefore incumbent upon Local Planning Authorities to balance the harm arising from the diminished level of mitigation against the benefits of the proposal. In this case, it is considered that as this proposal would remove a non-conforming land use, deliver additional houses within

Northampton (bearing in mind that the site is not currently included within the current housing land supply calculations), and would deliver housing on much needed affordable tenures. On that basis, it is considered that the benefits of bringing the site forward for affordable housing are significant. Given this conclusion, it is therefore considered necessary and reasonable that a legal agreement secure the entire development for occupation on affordable tenures in perpetuity.

- 7.17 Notwithstanding the preceding conclusion, there are limited funds available for off-site mitigation, and it is recommended that the legal agreement secure these for primary education provision.
- 7.18 Whilst it is noted that the County Council also requested financial contributions towards the provision of the library service and fire hydrants, it is considered that there is insufficient policy justification to request such contributions and, with reference to the statutory legal tests for securing legal obligation, cannot be supported, notwithstanding the viability issues as highlighted previously. Such a conclusion is consistent with previous decisions made by the Council.
- 7.18 Overall, subject to a legal agreement to secure the aforementioned 100% affordable housing and education contributions it is considered that the scheme is acceptable.

Other Matters

- 7.19 Due to the site's layout and the viability of the scheme, it is not considered that electric charging points could be requested in this instance, in order to make sure that the proposal would come forward which would bring much needed housing and significant improvement to the area.

8 CONCLUSION

- 8.1 It is considered that the proposed development represents a much welcomed regeneration of this brownfield site in a residential area. The proposed development would assist in delivering much needed additional affordable housing within the Northampton area. It is considered that as the proposal would not unduly impact on the surrounding area and that the impacts of the development could be mitigated, the proposal is compliant with the requirements of national and local planning policies.

9 CONDITIONS

- 9.1 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 enclosed approved plans schedule.

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

3. Notwithstanding the details as submitted, full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be first submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no extensions or other form of enlargement to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site and to safeguard residential amenity in accordance with Policy E20 of the Northampton Local Plan.

5. The development hereby permitted shall be carried out in accordance with the details of proposed ground levels and finished floor levels shown on drawing number 5675 WMS ZZ XX DRC 39001-S3-P6.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

6. The maisonettes bin store shown on the plans hereby approved shall be constructed prior to the first occupation of the permitted maisonette properties and retained thereafter.

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

7. The maisonette bicycle shelter shown on the plans hereby approved shall be installed prior to the first occupation of the permitted maisonettes and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the National Planning Policy Framework.

8. Prior to the commencement of development a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Enclosure of phase or sub-phase development sites;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- The safe means of access of construction traffic to the site;
- Routing agreement for construction traffic; and
- The hours in which deliveries and construction works would take place.

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

9. The car parking and manoeuvring spaces as shown on drawing 5675 MWK 0000 DR A 0004 S4 shall be fully implemented prior to the first occupation of the development and retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

10. No development apart from demolition shall take place until there has been submitted to and approved in writing by the Local Planning Authority a details scheme of hard and soft landscaping for the site.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with the National Planning Policy Framework.

11. All planting, seeding or turfing as shown on the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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 the National Planning Policy Framework.

12. Notwithstanding the details submitted, full details of the surface treatments to all access, paths and roadways shall be submitted to, and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of highway and pedestrian safety, in accordance with the requirements of the National Planning Policy Framework.

13. No above ground work shall take place until full details of the surface water drainage scheme for the site, based on the approved Drainage Strategy ref. 5675-WMS-ZZ-XX-REP-C-39201-S8-P2-Drainage_Strategy prepared by Williams Saunders consultants dated 13th March 2019 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- i) Details (i.e. designs, diameters, invert and cover levels, gradients, dimensions) of all elements of the proposed drainage system, to include pipes, inspection chambers, outfalls/inlets and attenuation structures (if required);
- ii) Details of the drainage system are to be accompanied by full and appropriately cross-referenced supporting calculations;
- iii) Cross sections and manufacturers hydraulic curves for all control chambers and flow control devices; and
- iv) BRE 365 infiltration test results.

Reason: To reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

14. No above ground work shall take place until a detailed scheme for the ownership and maintenance for every element of the surface water drainage system proposed on the site has been submitted to and approved in writing by the Local Planning Authority and the maintenance plan shall be carried out in full thereafter. Details are required of the organisation or body responsible for vesting and maintenance of individual aspects of the drainage system. The maintenance and/or adoption proposal for every element of the surface water drainage system proposed on the site should be considered for the lifetime of the development and a maintenance schedule setting out which assets need to be maintained, at what intervals and what method is to be used including details of expected design life of all assets with a schedule of when replacement assets may be required, should be submitted. A maintenance schedule should be accompanied by a site plan to include access points, maintenance access easements and outfalls. Maintenance operational areas to be identified and shown on the plans, to ensure there is room to gain access to the asset, maintain it with appropriate plant and then handle any arising's generated from the site.

Reason: To ensure maintenance of drainage systems associated with the development and to reduce the risk of flooding both on and off site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

15. No occupation shall take place until the Verification Report for the installed surface water drainage system for the site to be submitted in writing by a suitably qualified independent drainage

engineer and approved the Local Planning Authority prior to occupation of the site based on the approved Drainage Strategy ref. 5675-WMS-ZZ-XX-REP-C-39201-S8-P2-Drainage_Strategy prepared by Williams Saunders consultants dated 13th March 2019. These shall include:

- i) Any departure from the agreed design is keeping with the approved principles;
- ii) Any As-Built Drawings and accompanying photos;
- iii) Results of any Performance Testing undertaken as a part of the application process (if required/necessary); and
- iv) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges.

Reason: To ensure the installed surface water drainage system is satisfactory and in accordance with the approved reports for the development site in accordance with the National Planning Policy Framework and Policy BN7 of the West Northamptonshire Joint Core Strategy.

16. No development shall commence until a remediation strategy to deal with the risks associated with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following components:

- i) A preliminary risk assessment which has identified:
 - All previous uses;
 - Potential contaminants associated with those uses;
 - A conceptual model of the site indicating sources, pathways and receptors; and
 - Potentially unacceptable risks arising from contamination at the site.
- ii) A site investigation scheme, based on i) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- iii) The results of the site investigation and the details risk assessment referred to in ii) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- iv) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in iii) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution in line with the National Planning Policy Framework. This is a pre-commencement condition to ensure timely submission of details.

17. Prior to the occupation of the development hereby permitted a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

Reason: To ensure that the site does not pose any further risk to human health or the water environment in line with the National Planning Policy Framework.

18. If during development, contamination not previously identified is found to be present at the site then no further development shall be carried out (unless otherwise agreed in writing by the Local Planning Authority) until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources in line with the National Planning Policy Framework.

19. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with the National Planning Policy Framework.

20. Prior to the commencement of construction works on site above slab levels, a scheme for achieving the noise levels contained within BS8233:2014 (or any standard revoking and replacing that standard with or without modification) with regards to the dwellings hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before the occupation of the dwellings hereby approved.

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

21. Full details of all proposed external facing materials shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

10 BACKGROUND PAPERS

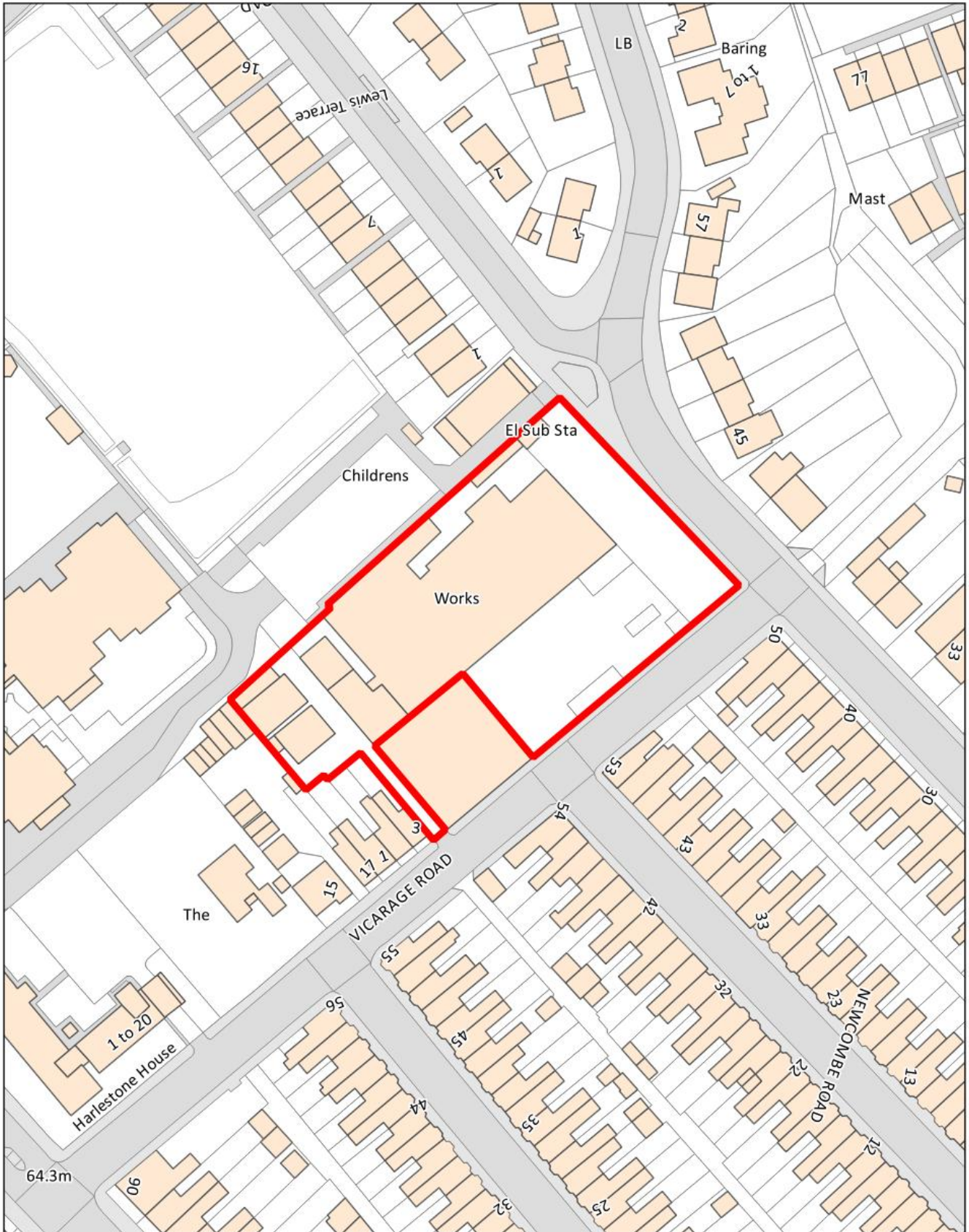
10.1 N/2018/1587.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 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: **St James Works, Vicarage Road**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1776

LOCATION: Lock Up Garages, Paddock Mill Court

DESCRIPTION: Demolition of 4no. garages and erection of 2 new build dwellings and parking

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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, S3, S10, H1, and BN3 of the West Northamptonshire Joint Core Strategy, and Saved Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of four existing garages and the erection of two dwellings with associated parking.
- 2.2 Each dwelling would have a width of 5.8 metres and a depth of 9 metres. The maximum ridge height of the dwellings is 8 metres.
- 2.3 The application includes the creation of 9 parking spaces, 4 provided for the new dwellings and 5 parking spaces for existing residents and visitors.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court and grassed areas that are located within a residential area. The site is located on the western end of Paddock Mill Court and comprises a row of four garages with open parking for approximately 8 vehicles, and two areas of existing grassed land.

4 PLANNING HISTORY

- 4.1 None.

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 S3 – Scale and Distribution of Housing Development

Policy S10 - Sustainable Development Principles

Policy H1 – Housing

Policy BN3 – Tree Protection

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

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Suggest conditions on contaminated land, vehicle charging points, and boilers, and an informative on construction noise.
- 6.2 **Northamptonshire Police** – No formal objection. Recommend sheds moved away from boundary lines as they can be used as point of entry. Sheds should have no windows and be secured with a solid secure silver rated hasp/staple and padlock. The perimeter fence should be heightened by the use of a trellis topping. All new doors and windows should be Building Regulations compliant.
- 6.3 **NBC Arboricultural Officer** – An arboricultural method statement is required detailing how the possibility of damage to the retained trees' roots will be assessed, and what actions will be proposed as a consequence of that investigation. This should be required through condition.
- 6.4 **NCC Highways** – Proposal would reduce the extent of the highway. Some highway land will need to be changed, some stopped up and some dedicated as highway. Minimum of 500mm separation with low barrier should be retained between parking space (north-east) and highway footpath to prevent doors opening onto the highway footpath.
- 6.5 1 neighbour letter has been received. The concerns raised can be summarised as follows:
 - Current high parking levels may be increased by proposal.
 - Room for bin collection vehicles and delivery vans must be taken into consideration.

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 proposed semi-detached properties would be located to the northern side of Paddock Mill Court, positioned slightly set back from the front elevations of the neighbouring terrace row to the west (numbers 41-43) and forward (south) of the neighbouring terrace row to the east (numbers 44-48). The proposed semi-detached properties have been positioned to appear as a step in the building line between the two existing rows of terraces, and it is considered that this position would complement the character and appearance of the street scene. The proposed semi-detached properties would be two storey with gable end roofs to complement the existing character and appearance of the area.

- 7.5 The proposal also includes the removal of two sections of existing grassed land to form 9 parking spaces. It is considered that the creation of parking spaces within these areas would not appear out of character with the street scene, with these continuing on from existing parking areas.

Amenity

- 7.6 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.
- 7.7 The application site is bordered by the blank side elevation of 43 Paddock Mill Court to the west, and the blank side elevation of 44 Paddock Mill Court to the east. To the north of the site is a wide strip of open space and to the south of the site the parking area and road. With the proposed dwellings being positioned between two existing blocks of terraces with blank side elevations, it is not considered that there would be an unacceptable impact upon neighbouring amenity in terms of loss of privacy, loss of light or overshadowing.
- 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 Concern was raised in a neighbour letter as to the impact of the development on parking and bin and lorry movements in the area.
- 7.10 The Northamptonshire County Council Parking Standards seek 2 on plot parking space per dwelling for 3 bedroom properties. The proposal provides 2 3xbedroom properties, and 9 parking spaces. 4 parking spaces are to be allocated to the proposed dwellings, and 5 parking spaces provided for communal parking by existing residents and visitors. The proposal also provides 1 shed per property, which could be used for bicycle storage.
- 7.11 The application site as existing provides 4 garages and 8 outside parking spaces. 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 8. The proposal provides 5 unallocated replacement parking spaces, a net decrease of 3 parking spaces.
- 7.12 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection to the reduction in parking. Concern was raised by the County Council Highways Department as to the extent of the highway and the retention of a buffer between the parking space and the highway pavement, and the submitted plans have been amended to address these concerns. In line with this, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.

Other considerations

- 7.13 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.14 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and an informative on construction hours. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in an air quality management area such that it is not considered that it would reasonable to condition the boilers to be installed in the new properties. With respect to construction hours, the proposal is only for a

small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.

- 7.15 The Northamptonshire Police raised no formal objection to the scheme, however it was recommended that the proposed sheds be moved away from the boundary, have no windows, and are secured with solid secure silver rated hasp/staple and padlock. Details on the proposed sheds are recommended through condition. It was also suggested that the boundary fence have a flimsy trellis topping, and again details on the boundary treatment is requested through condition. An informative is suggested advising of the Northamptonshire Police comments on security.
- 7.16 The Arboricultural Officer requests a condition requiring the submission of an arboricultural method statement detailing how the possibility of damage to the retained trees' roots will be assessed, and what actions will be proposed as a consequence of that investigation.

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 C, (P)04, (P)05, (P)06 Rev C.

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 C 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 C 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 window shall be installed at first floor level in the side elevations (east and west) of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

10. 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.

11. Prior to the commencement of the development hereby approved an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include details of how possible damage to the tree roots will be assessed, and what actions will be proposed as a consequence of this investigation. The development shall be undertaken in full accordance with the details approved.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

INFORMATIVE:

The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

10 BACKGROUND PAPER

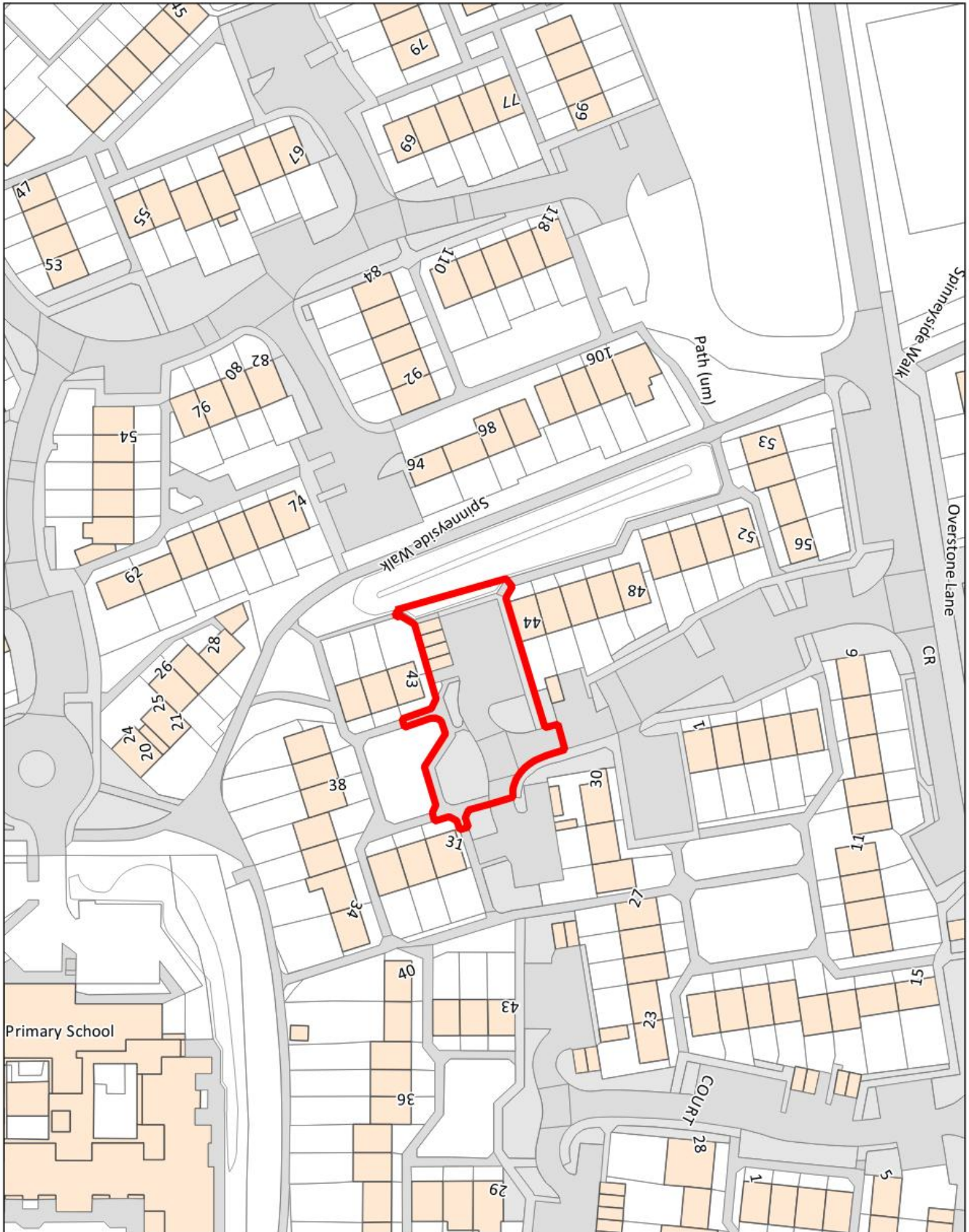
10.1 N/2018/1776.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 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, Paddock Mill Court**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0031

LOCATION: Land adjacent to 150 Maidencastle

DESCRIPTION: Demolition of 10no domestic garages and construction of 3no new build dwellings

WARD: Rectory Farm Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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, S3, 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 seeks full planning permission for the demolition of ten existing garages and the erection of a terrace of three new dwellings with associated parking.

2.2 Each dwelling would have a width of 4.8 metres and a depth of 7.65 metres. The proposed dwellings are located on a sloping site and the ridge line is stepped to accommodate this. The maximum ridge height of the dwellings is 7.8 metres.

2.3 The application includes the creation of 7 parking spaces, 3 provided for the new dwellings and 4 parking spaces for existing residents and visitors.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court that is located within a residential area. The site is located on the northern side of Maidencastle and comprises a row of 10 garages alongside open parking for approximately 7 vehicles. There is a change in levels, with site levels dropping to the west.

4 PLANNING HISTORY

- 4.1 None.

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 S3 – Scale and Distribution of Housing 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

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection. Suggest conditions on contaminated land, vehicle charging points, and boilers, and an informative on construction noise.
- 6.2 **Northamptonshire Police** – No formal objection. Recommend sheds moved away from boundary lines as they can be used as point of entry. Sheds should have no windows and be secured with a solid secure silver rated hasp/staple and padlock. The rear fence line should be heightened by the use of a flimsy trellis topping. The planting adjacent the fence should be defensive in nature. All new doors and windows should be Building Regulations compliant.
- 6.3 **NBC Arboricultural Officer** - No objection provided that the arboricultural control measures specified within the Tree Survey and Arboricultural Impact Assessment Report are implemented and maintained throughout the development (verbal).
- 6.4 **NCC Highways** – No objection to amended scheme. Advised that section of land to front of house by parking spaces should be either verge or pavement. (*Officer Comment: Following these comments the application has been amended to alter this section of land to verge*).
- 6.5 2 neighbour letters have been received, one of observation and one objection. The concerns raised can be summarised as follows:
- Site is used for parking and there is not enough parking spaces for nearby residents – question where people will park.
 - Noise from development would disrupt and be stressful for neighbours.
 - Dwellings would overlook and result in a loss of privacy to neighbouring properties.
 - Loss of view of basketball courts from neighbouring properties – can't keep eye on their children from property.

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 proposed row of terraces would be positioned fronting Maidencastle and stepped to accommodate the changing site levels. A proposed street scene plan has been provided which

demonstrates that the new dwellings would be set below the existing dwellings to the east. The section of Maidencastle within which this application falls is characterised by rows of terraces with stepping ridge lines and gable ends. The proposed row of terraces conforms with this existing characteristic and as such is considered acceptable in design terms.

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 is bordered by the side elevation of 150 Maidencastle to the east, and the rear elevations of 141 – 149 Maidencastle to the west. To the north is an open space multi sports ball area and to the south is the street of Maidencastle.
- 7.7 With regards to 150 Maidencastle, the submitted plans indicate that the front elevation of the proposed terrace row would be positioned further to the north than the terrace row within which 150 Maidencastle falls. In line with this, the rear elevation of the proposed terrace row would project past the rear elevation of 150 Maidencastle. Whilst projecting past the rear elevation of this neighbouring property, a separation distance of over 5 metres is retained between the side wall of 150 Maidencastle and the proposed terrace row, and 150 Maidencastle is set higher due to changing land levels. This separation, alongside the changing land levels, ensures that the proposed row would not result in unacceptable loss of light or overshadowing, or appear unacceptably overbearing, to the occupiers of no. 150. Whilst the proposal would include one window at ground floor level facing east, this would not result in a loss of privacy due to existing boundary screening in place.
- 7.8 With regards to 141-149 Maidencastle to the west, a separation distance in excess of 21 metres is retained between the side elevation of the terrace row and the rear elevations of 141-149 Maidencastle. With the provision of this separation distance, it is not considered that the proposal would have an unacceptable impact upon the neighbouring amenity of 141-149 Maidencastle. One window is proposed at ground floor on the western elevation facing the rear elevations of 141-149 Maidencastle. Whilst facing these properties, the proposed window offers views over the car parking and road and then towards the boundary fencing of properties at 141-149 Maidencastle. With the window not offering a direct view into neighbouring properties and being set approximately 15 metres from the boundary fences, it is not considered that this window would result in overlooking of neighbouring properties.
- 7.9 Concern was also raised within a neighbour letter that the proposal would result in unacceptable noise impact upon neighbouring properties. The proposal is for three residential dwellings and as such any noise would be of a domestic nature. It is not considered that the introduction of three dwellings in this location would result in an unacceptable noise impact upon neighbouring properties. Any temporary noise impact during construction works would not be a material planning consideration in the assessment of this application.
- 7.10 In line with the above, it is considered that the proposal would not have an unacceptable impact upon neighbouring amenity.
- 7.11 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

- 7.12 The Northamptonshire County Council Parking Standards seek 1 on plot parking space per dwelling for 1 bedroom properties. The proposal provides 3 1xbedroom properties, and 7 parking spaces. 3 parking spaces are to be allocated to the proposed dwellings, and 4 parking spaces

provided for communal parking by existing residents and visitors. The proposal also provides 1 shed per property, which could be used for bicycle storage.

- 7.13 The application site as existing provides 10 garages and 7 outside parking spaces. 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 7. The proposal provides 4 unallocated replacement parking spaces, a net decrease of 3 parking spaces.
- 7.14 Northamptonshire County Council Highways Department have been consulted on this application have raised no objection. In line with this, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.

Other considerations

- 7.15 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.16 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and an informative on construction hours. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in an air quality management area such that it is not considered that it would reasonable to condition the boilers to be installed in the new properties. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.
- 7.17 The Northamptonshire Police raised no formal objection to the scheme, however it was recommended that the proposed sheds be moved away from the boundary, have no windows, and are secured with solid secure silver rated hasp/staple and padlock. Details on the proposed sheds are recommended through condition. It was also suggested that the boundary fence have a flimsy trellis topping, and again details on the boundary treatment is requested through condition. An informative is suggested advising of the Northamptonshire Police comments on security.
- 7.18 The Arboricultural Officer raises no objection to the proposal subject to compliance with the recommendations of the Tree Survey and Arboricultural Impact Assessment Report. This will be conditioned.

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 C, (P)04, (P)05 Rev A, (P)06 Rev C.

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 C 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 C 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 window shall be installed at first floor level in the side elevations (east and west) of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

10. 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.

11. The development hereby approved shall be undertaken in full accordance with the findings of the 'Tree Survey and Arboricultural Impact Assessment Report' 18101_3_Fv1 by MacIntyre Trees, dated December 2018.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

INFORMATIVE:

The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

10 BACKGROUND PAPER

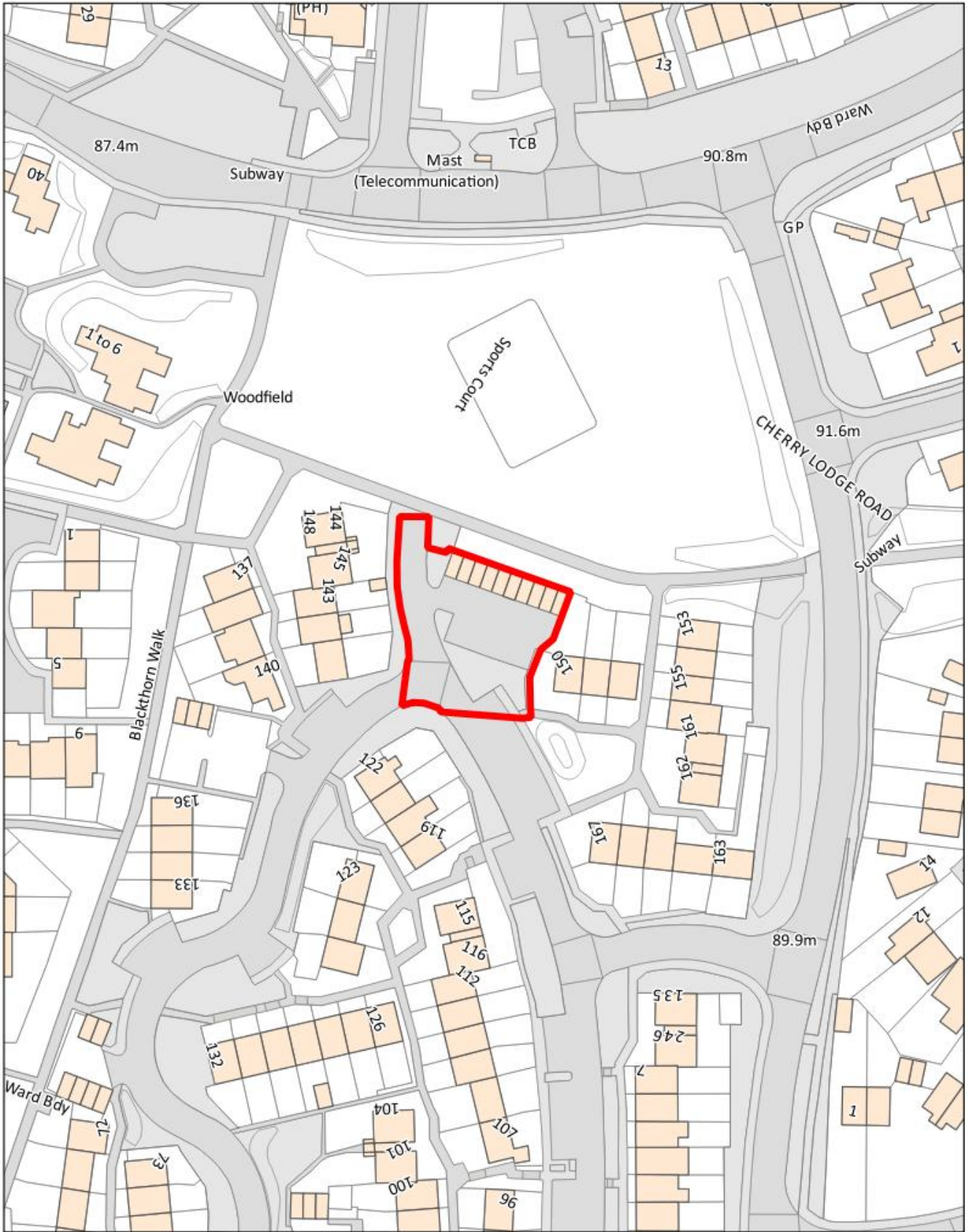
- 10.1 N/2019/0031.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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: **Land adjacent to 150 Maidencastle**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0136

LOCATION: Lock Up Garages, St Davids Road

DESCRIPTION: Demolition of 15no domestic garages and erection of 2no new build units (behind 64 and 66 St Davids Road)

WARD: St Davids Ward

APPLICANT: Northampton Partnerships Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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 proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's housing land supply. The proposed development would therefore comply with Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The proposal is for the demolition of two blocks comprising 15 garages in total and the construction of a pair of semi-detached one bedroom two storey houses.
- 2.2 A total of 4 parking spaces would be provided to serve the development. Access is via the current access from St David's Road.

3 SITE DESCRIPTION

- 3.1 The site consists of two blocks of garages on a backland site. The neighbouring dwellings surrounding the site are two storey houses of traditional design.

4 PLANNING HISTORY

- 4.1 None.

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:

Section 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
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 S3 – Scale and Distribution of Housing Development
Policy S10 - Sustainable Development Principles
Policy H1 - Housing
Policy BN3 - Tree Protection

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

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Environmental Health** – Recommend conditions requiring a desktop study and the remediation of any contamination found and advisory notes to the applicant regarding construction times and the provision of charging points for electric vehicles and low emission boilers.
- 6.2 **Police Crime Prevention Design Adviser** – Not acceptable as the dwellings will not address the street. In order to safeguard the security of the plots the development should be protected by inward opening automatic gates.
- 6.3 **Arboricultural Officer** – No comment to make.
- 6.4 **Local Highway Authority** – No comments to make.
- 6.5 Representations received from the occupiers of two nearby dwellings, making the following points in summary:
- House would be overlooked by new dwellings.
 - Security would be compromised if the garages are removed.
 - Concerned about safety during building work.
 - Not suitable or safe due to narrow access.

7 APPRAISAL

- 7.1 The main issues for consideration are principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity and highway conditions.

Principle of residential development

- 7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land, having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

Layout and design

- 7.4 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 this is in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.5 The application site comprises a former garages court in a residential area. The demolition of these garages and redevelopment of the site would not result in the loss of residential garden land and would comprise the re-use of brownfield land which is encouraged under the NPPF.
- 7.6 The proposal is for the construction of two semi-detached houses following the demolition of garages on the site. These would be accessed via the same access as the garages, between two existing houses.

- 7.7 The proposed dwellings would not, therefore, be visible from the highway other than glimpsed views through the entrance. However, where seen it is considered that the dwellings would be in keeping with the street scene.

Residential amenity

- 7.8 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.9 In terms of the residential amenities of neighbours, the proposed dwellings would be located to the rear of dwellings on St David's Road, facing towards the rear of number 66. The first floor windows facing this property are 13m from the boundary of the rear garden and at least 24m from the rear windows of this neighbour. This is considered to be sufficient to prevent any harmful overlooking impact.
- 7.10 To the side elevation no first floor windows are proposed. The ground floor does have side facing windows but these are secondary windows and would be screened from the neighbouring gardens by the boundary treatment.
- 7.11 To the rear, the first floor windows serve the bathroom and landing, rather than habitable rooms. These windows can, therefore, be obscure glazed and this will prevent overlooking to the rear, which would otherwise affect the gardens of properties at 51 and 53 Queensland Gardens, due to the short rear gardens of the proposed dwellings. The separation to these houses is 22m, meaning there would not be an unduly overbearing impact from the proposed building.
- 7.12 In terms of the amenities for future occupiers of the new dwellings, the internal layout provides a good level of amenity and all rooms would be served by windows with adequate levels of daylight and outlook.
- 7.13 The proposed rear garden areas would be 76 and 82 square metres in area, including land to the sides of the houses, which would be useable. Whilst this is smaller than some neighbouring properties it is considered that this would still provide a good level of amenity.
- 7.14 The comments from the Crime Prevention Officer are noted. As the site would be used solely by the future occupants of the dwellings, an access gate has been proposed to ensure that security could be maintained for the site. A planning condition has been proposed requiring full details of such gate to be provided.

Parking and highway safety

- 7.15 The proposed development would benefit from 4 car parking spaces to the front, which would serve these dwellings as well as existing residents of and visitors to the area. The Parking Standards require 1 space per 1 bed dwelling, the standard is therefore exceeded for the proposed development.
- 7.16 Whilst the existing garages would be lost, they are not in very good condition and reportedly not well used. It is considered that the impact of this would therefore be limited. The removal of the garage would also improve security of the area.

Other Matters

- 7.17 Reference is made in the comments from Environmental Health to a requirement for electric vehicle charging points and low emission boilers. However, there is no policy requirement to require such items. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations.

8 CONCLUSION

- 8.1 The proposed development is acceptable in principle and would provide a good standard of accommodation for future occupants whilst having no adverse impact on the amenities of adjoining occupiers. The proposal is therefore in line with the NPPF and the Development Plan Policy.

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: 30629 (P) 02 B, 30629 (P) 04, 30629 (P) 05, 30629 (P) 06 A.

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

- 3) Details of all proposed external facing materials shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local plan.

- 4) The parking spaces and manoeuvring area together as shown on approved plans shall be constructed prior to the occupation of the buildings hereby approved and retained thereafter.

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.

- 5) No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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..

- 6) 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 additional windows shall be installed in the side elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

- 7) 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 outbuildings shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local plan.

- 8) The external boundaries of the site shall be constructed in accordance with the approved plan prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

- 9) Prior to the first occupation of any of the dwellings hereby permitted, the vehicular shall be fitted with automatic electronic gates. The details of which shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include the method of hanging the gates and the associated closing mechanisms. The approved scheme shall be retained thereafter.

Reason: In the interests of highway safety, the free flow of traffic and residential amenity in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- 10) The first floor rear windows to both dwellings shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent as may be agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

Reason: To safeguard the privacy of the adjoining properties in accordance with Policy E20 of the Northampton Local Plan.

- 11) All planting, seeding or turfing comprised in the approved details of landscaping as shown on the approved plans 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 Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

10 BACKGROUND PAPERS

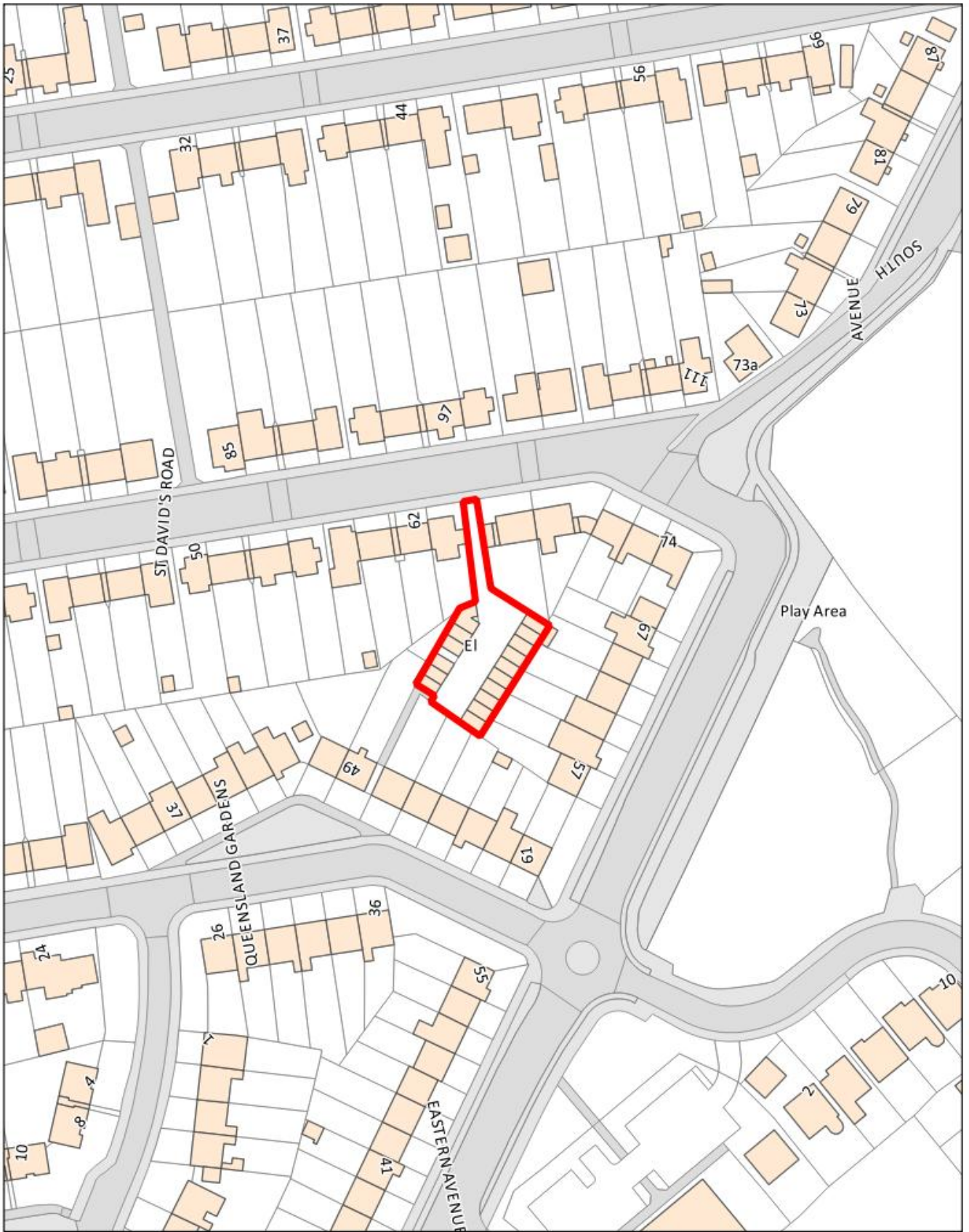
- 10.1 Application file N/2019/0255.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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, St Davids Road**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0143

LOCATION: Lock up garages adjacent to 8 Overleys Court

DESCRIPTION: Demolition of 4no domestic garages and erection of 1no new build bungalow

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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, S3, 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 seeks full planning permission for the demolition of four existing garages and the erection of a bungalow with associated parking. During the course of the application the design of the bungalow has been amended from a hipped roof to a pitched roof with gable ends to the north and south. The proposed bungalow has also been re-positioned slightly to the west to overcome NCC Highway concerns through the provision of a footpath, and a footpath has been retained to the south of the site in response to neighbour concerns.
- 2.2 The proposed bungalow would have a width of 9 metres, a depth of 8.7 metres and a height of 4.9 metres.

- 2.3 The application includes the creation of 4 parking spaces, 1 provided for the new dwelling and 3 parking spaces for existing residents and visitors.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court that is located within a residential area. The site is located on the western side of Overleys Court and comprises a row of four garages alongside open parking for approximately 5 vehicles.

4 PLANNING HISTORY

- 4.1 None.

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 S3 - Scale and Distribution of Housing 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

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Public Protection** – No objection – suggest conditions relating to contamination, low emissions, and construction noise.
- 6.2 **Northamptonshire Police** – No objection. The following recommendations will reduce opportunities for crime: the rear fence line should be trellis topped to reduce opportunities for climbing; the shed should be moved away from the side boundary where it might be used as a climbing aid; the shed should have no windows and be secured with either a 5 lever mortice lock or a solid secure silver standard hasp, staple and padlock; all doors and windows meeting the requirements of Building Regulations should be 3rd party accredited products.
- 6.3 **NCC Highways** – Observation that the footway needs to extend across the front of the parking spaces (*Following these comments the plans have been amended to include this*).
- 6.4 15 neighbour letters have been received, 9 of these being from two properties, objecting to the application. The comments received can be summarised as follows:
- Parking layout unclear and request context on plans.
 - Question how parking spaces can be accessed.
 - Existing parking issues in area – proposal results in reduction in parking.
 - Loss of access to garden gates, side of properties, rear of properties.
 - Loss of turning head for refuse lorry and emergency vehicles.
 - Construction works will take up few parking spaces available.
 - Impact on people working night shifts from construction work (*This is not a material planning consideration*).
 - Planning application causes anxiety to people (*This is not a material planning consideration*).
 - Devalues neighbouring properties (*This is not a material planning consideration*).
 - Request loss of mound outside application site (*This is not a material planning consideration in the assessment of this application*).

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 garages 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 proposed detached bungalow would be positioned to the end of an existing terrace row which is characterised by two and three storey elements. Whilst the proposal is for a bungalow, which is not characteristic of the area, it is considered that the proposed bungalow would be suitable for this constrained site. The proposed bungalow utilises a pitched roof to complement the existing terrace row to which it would fall adjacent. In line with this, it is considered that the proposed dwelling would be acceptable in design terms.

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 is bordered by the rear elevations 13-16 Overleys Court to the north, and the side elevation of 8 Overleys Court to the south. To the west is Goldings Road, and to the east is Overleys Court.
- 7.7 The proposal is for a single storey bungalow, positioned 13.5 metres from the rear elevations of 13-16 Overleys Court. With the proposal being single storey, and a sufficient separation distance being retained, it is not considered that there would be an unacceptable impact upon the amenity of neighbouring properties to the north. The proposed bungalow falls in line with the front and rear elevations of 8 Overleys Court to the south, and as such there would not be an unacceptable impact upon the neighbouring amenity of this property.
- 7.8 The proposed bungalow includes windows within the northern and southern elevations. Whilst facing neighbouring properties, adequate boundary screening would ensure that these windows do not have a view into neighbouring properties. A condition is recommended requiring details on boundary treatments.
- 7.9 It is also the case that the proposed dwelling is provided with good sized rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers are provided.

Parking and highway safety

- 7.10 The Northamptonshire County Council Parking Standards seek 1 on plot parking spaces for 1 bedroom properties. The proposal provides 4 parking spaces. 1 parking space is to be allocated to the proposed dwelling, and 3 parking spaces provided for communal parking by existing residents and visitors. The proposal also provides 1 shed which could be used for bicycle storage.
- 7.11 The application site as existing provides 4 garages and 5 outside parking spaces. 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 5. The proposal provides 3 unallocated replacement parking spaces and as such there would be a reduction in parking provision of 2 parking spaces.
- 7.12 Northamptonshire County Council Highways department have been consulted on this application and no objection to the reduction in parking has been received. Whilst neighbour letters raise concern that the car park is often full, it is the case that there are no on street parking restrictions and further garage courts are available in the area. With no highway objection to the scheme, the proposed reduction in parking provision on this site must be considered acceptable in highway safety terms.
- 7.13 Concern was raised in a neighbour letter that the proposal would result in the loss of the turning head for refuse lorry and emergency vehicles and that the parking spaces may not be accessible.

Northamptonshire County Council Highways department have been consulted on the application and have not raised any concerns with the proposal other than an observation that the footway should be continued in front of the parking spaces, which the plans have been amended to provide. As such it must be considered that the development would not have an unacceptable impact upon refuse lorry and emergency vehicle turning abilities over that current.

Other considerations

- 7.14 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.15 In addition, the Environmental Health Officer suggests the inclusion of advisory notes relating to electric vehicle charging points, boilers, and construction hours. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in an air quality management area such that it is not considered that it would be reasonable to condition the boiler to be installed in the new property. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.
- 7.16 The Northamptonshire Police raised no formal objection to the scheme, however it was recommended that the proposed rear boundary fence have additional trellis topping, the shed be secure, and doors and windows should reach Building Regulation standards. A condition is attached requiring details of boundary fencing and the shed, and an informative is suggested advising of the Northamptonshire Police comments on security.
- 7.17 A neighbour letter raised concern that emergency services would no longer be able to access the rear of the neighbouring dwellings, and to the loss of rear access points. The submitted plans include a footpath along the northern edge of the site to allow the retention of access to these gates. Concern was also raised as to the loss of access to the side elevation of no. 8 Overleys Court for maintenance. The requirement for maintenance access would be a private matter for discussion between the applicant and occupier of no. 8 Overleys Court. The proposed plans have been amended to retain a footpath to the southern side of the site to allow continued access to the side gate at no. 8 Overleys Court.
- 7.18 A neighbour letter raised concern that construction traffic would take up all the available parking during construction works. The temporary reduction in parking during construction works is not a material planning consideration in the assessment of this application. Concern was also raised within a neighbour letter that the construction works would impact upon neighbours who work night shifts. The temporary disturbance during construction works is not a material planning consideration in the assessment of this planning application.
- 7.19 A neighbour letter raised concerns that the submitted plans were unclear and more context was needed. It is considered that the submitted plans provide a full and accurate demonstration of what is proposed on site and that no further plans are required to make a full assessment of the proposal.

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, albeit on a small scale, 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 Rev A, (P)02 Rev A, (P)03 Rev E, (P)04, (P)05 Rev B, (P)06 Rev D.

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

3. No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval.

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. Any site investigation found to be required under Contaminated Land Condition 3 shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval.

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.

5. All remedial works found to be required under Contaminated Land Condition 4 shall be fully implemented in accordance with the approved method statement and phasing programme. Confirmation of the full implementation of the scheme and validation report(s) shall be submitted to the Local Planning Authority within 2 weeks of completion (or within 2 weeks of completion of each respective phase).

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.

6. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 4 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Contaminated Land Condition 4, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Contaminated Land Condition 5.

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.

7. Prior to the construction of the new dwelling 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.

8. Notwithstanding the submitted details, prior to the construction of the new dwelling 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 dwelling 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.

9. All planting, seeding or turfing shown on approved drawing numbers (P)03 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.

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

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

11. 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 dwelling 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.

12. The new parking spaces shown on approved plan (P)03 Rev D 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.

INFORMATIVE:

The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

10 BACKGROUND PAPER

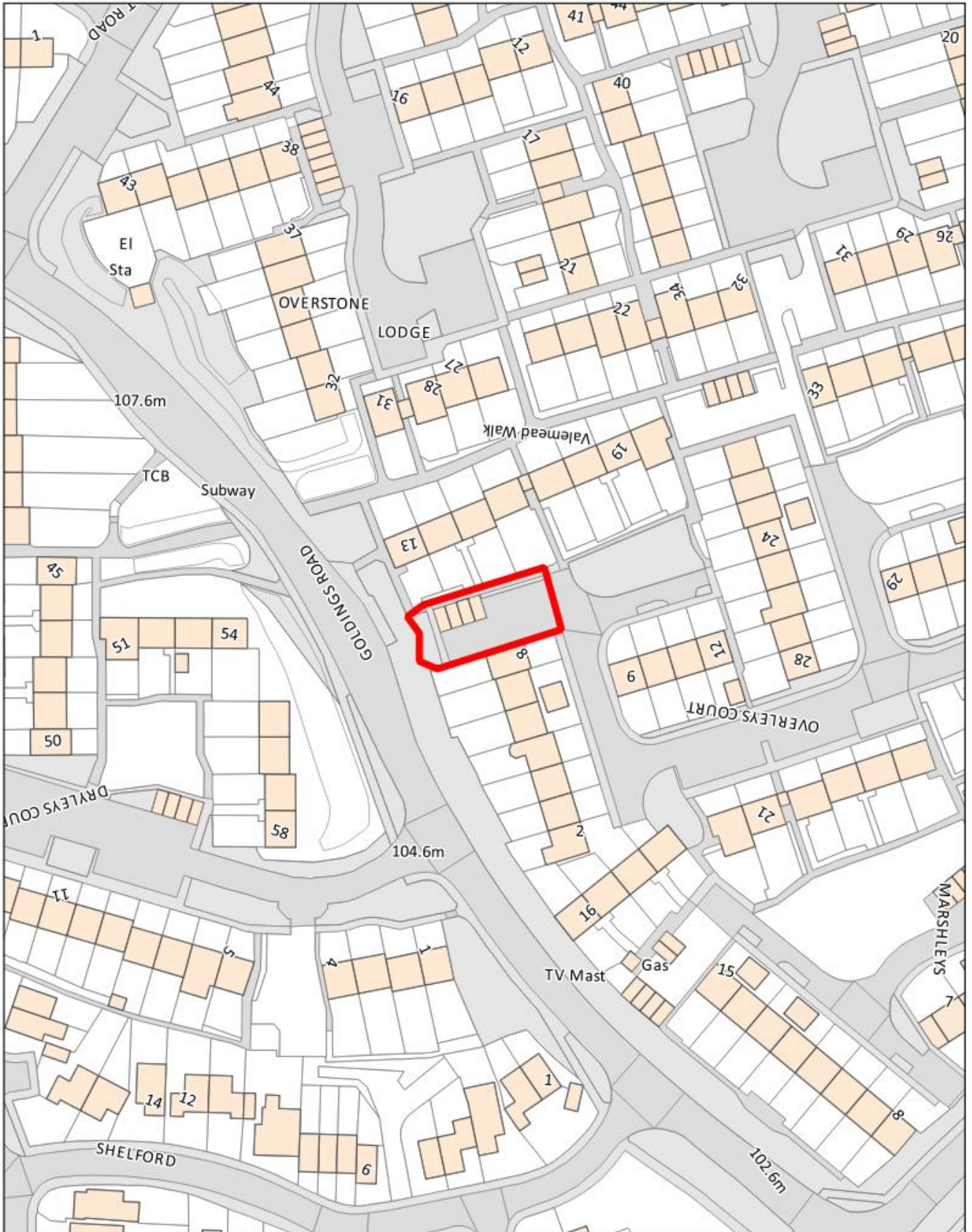
10.1 N/2019/0143.

11 LEGAL IMPLICATIONS

11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

12.1 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 Overleys Court**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0201

LOCATION: Lock Up Garages, Marshleys Court

DESCRIPTION: Demolition of 4no domestic garages and erection of 1no new build bungalow

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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, S3, 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 seeks full planning permission for the demolition of four existing disused garages and the erection of a bungalow with associated parking. The proposed bungalow would have a width of 9.2 metres, a depth of 9 metres and a height of 4.8 metres.

3 SITE DESCRIPTION

3.1 The application site comprises a derelict garage court that is located within a residential area. The site is located on the northern side of Marshleys Court and comprises a row of four garages, all of which are boarded up.

4 PLANNING HISTORY

4.1 None.

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 S3 - Scale and Distribution of Housing 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

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **NBC Public Protection** – No objection – suggest conditions relating to contamination, low emissions, and construction noise.

- 6.2 **NBC Arboricultural Officer** – No objection – protective fencing and ground protection measures on tree removal and protection plan should be implemented on site.
- 6.3 **NCC Highways** – Observation that as site is adjacent a footpath a solid barrier should be provided (not planting) such as a low wall, to prevent doors opening onto the footpath.
- 6.4 **Northamptonshire Police** – No objection – recommend car parking is under surveillance from living room, all new doors and windows comply with ADQ of Building Regulations and shed is of solid construction, fence topped with trellis topping.
- 6.5 1 neighbour letter has been received objecting to the application and expressing concerns about parking issues in area.

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 garages 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 proposed detached bungalow would be positioned behind two storey terraced properties facing Leyside Court (east) and Overleys Court (north). Opposite the site on Marshleys Court is a further terrace row of two storey properties. To the west is green space. Whilst the proposal is for a bungalow, which is not characteristic of the area, it is considered that the proposed bungalow would be suitable for this constrained site. The proposed bungalow utilises a hipped roof to minimise the impact upon the street scene. In line with this, it is considered that the proposed dwelling would be acceptable in design terms.

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 is bordered by the rear gardens of residential properties to the north and east. A distance of approximately 16 metres is retained between the proposed bungalow and the rear elevation of both 28 Leyside Court to the east, and 25 Overleys Court to the north. It is considered that this separation distance, alongside the use of a bungalow with a hipped roof, ensures that the proposal would not result in an unacceptable loss of light, overshadowing, loss of privacy or appear overbearing to neighbouring properties.

- 7.7 It is also the case that the proposed dwelling is provided with good sized rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers are provided.

Parking and highway safety

- 7.8 The Northamptonshire County Council Parking Standards seek 1 on plot parking spaces for 1 bedroom properties. The proposal provides 2 parking spaces for the proposed bungalow.
- 7.9 The application site as existing provides 4 derelict garages. 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 nil.
- 7.10 Northamptonshire County Council Highways department have been consulted on this application and raise no objection. Whilst neighbour letters raise concerns with parking issues in the area, it is not considered that the loss of 4 derelict garages and the provision of a bungalow with parking will impact upon this.
- 7.11 Northamptonshire County Council Highways department raised an observation that a low wall should be provided between the proposed parking spaces and the footpath. The submitted plans have been amended to include a 1.1 metre high boundary wall adjacent the footpath to overcome Highway concerns.

Other considerations

- 7.12 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.13 In addition, the Environmental Health Officer suggests the inclusion of advisory notes relating to electric vehicle charging points, boilers, and construction hours. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations and the site is not in an air quality management area such that it is not considered that it would be reasonable to condition the boiler to be installed in the new property. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction site should they arise.
- 7.14 The Northamptonshire Police raised no formal objection to the scheme, however it was recommended that the proposed sheds be moved away from the boundary, have no windows, and are secured with solid secure silver rated hasp/staple and padlock. Details on the proposed sheds are recommended through condition. It was also suggested that the boundary fence have a trellis topping, and again details on the boundary treatment is requested through condition. An informative is suggested advising of the Northamptonshire Police comments on security. Northamptonshire Police also suggested re-configuring the internal layout to allow a side window overlooking the car parking. Whilst the proposal does not include a window overlooking the proposed car parking, this is not considered to amount to reason for refusal for the application.

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, albeit on a small scale, 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)02, (P)03 Rev B, (P)04, (P)05, (P)06 Rev A.

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 in writing 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 development and neighbouring land are minimised.

4. Prior to the construction of the new dwelling 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 dwelling 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 dwelling 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 A 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. Prior to first occupation of the dwelling hereby approved, full details of the shed shall be submitted to and approved in writing by the Local Planning Authority. The approved shed shall be provided on site in full accordance with the submitted details prior to first occupation of the dwelling hereby approved.

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

11. 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 dwelling 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.

12. The arboricultural control measures specified within the Tree Survey and Arboricultural Impact Assessment Report by MacIntyre Trees Arboricultural Consultancy reference 18104.1_Fv1 and Tree Removal and Protection Plan 18104.1 Drawing 2 shall be implemented on site prior to any demolition or building works commencing on site and shall be retained on site at all times throughout the development.

Reason: To prevent harm to the retained trees in accordance with BN3 of the West Northamptonshire Joint Core Strategy.

INFORMATIVE

1. The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

10 BACKGROUND PAPER

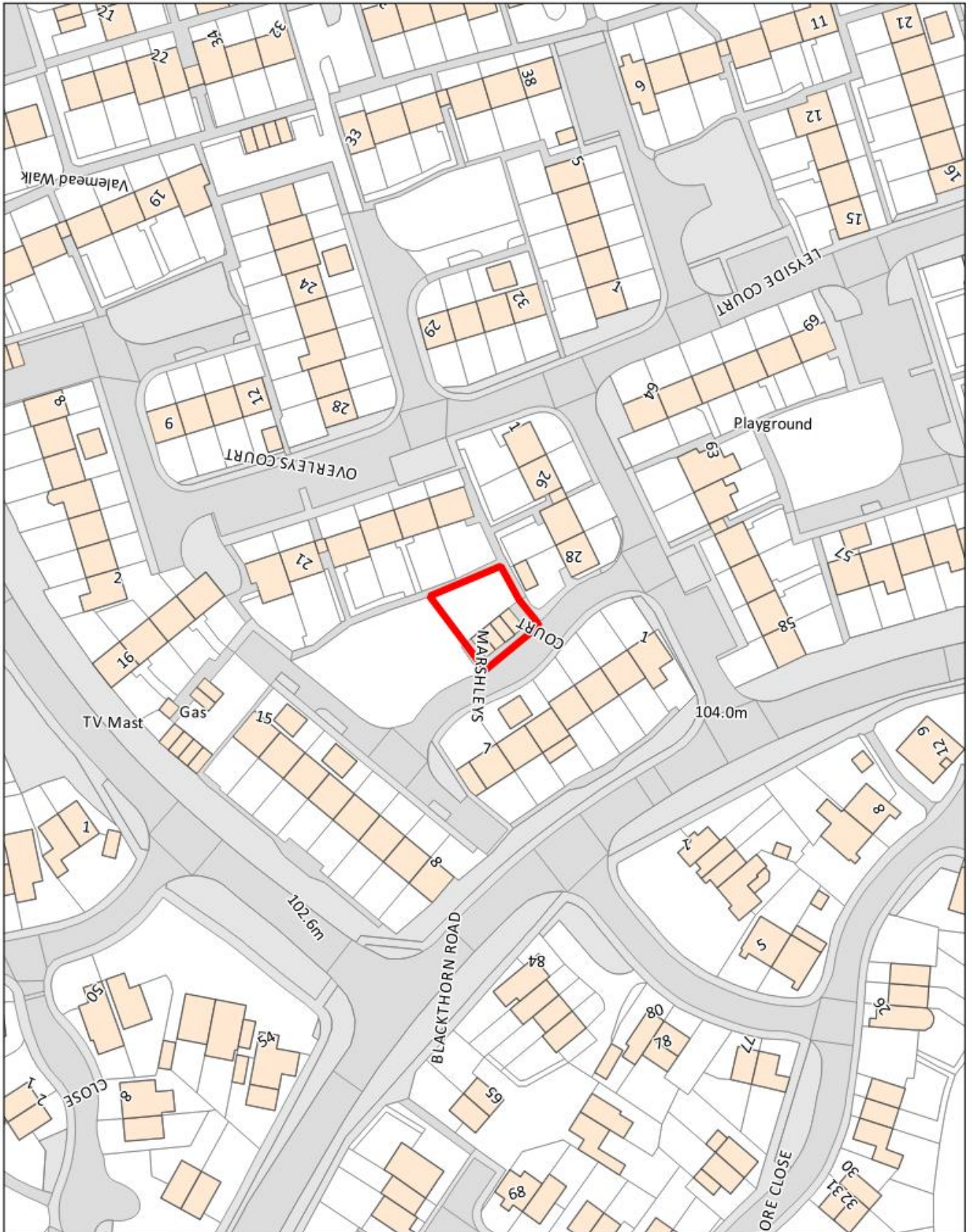
- 10.1 N/2019/0201.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 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, Marshleys Court**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0206

LOCATION: Playing Field St Crispin, Berrywood Road

DESCRIPTION: Installation of mesh panel backstop and fences with two concrete block dug outs adjacent to the baseball field at St Crispins Park

WARD: Upton Ward

APPLICANT: Mr Nick Russell
AGENT: N/A

REFERRED BY: Head of Planning
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 proposed fencing and dug-outs would provide for enhanced sports facilities whilst not resulting in undue adverse impact on the character and appearance of the Conservation Area or on the amenities of existing neighbouring residents. The proposal is therefore compliant with the National Planning Policy Framework, the requirements of Policies S10, RC2 and BN5 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The proposal is for the erection of permanent fencing and dug out facilities on the established baseball pitch in the playing fields. The fencing would vary in height, up to 5.125m but with the majority being 1.8m high. Two dug outs with protective enclosures are also proposed, these would be 13m in length and up to 2.4m above ground level. Drop down shutters would be fitted when the dug outs are not in use.

3 SITE DESCRIPTION

- 3.1 The site is part of a long established playing field which has been in use as a baseball pitch for 3 years. The site is adjacent to housing and the fencing would be located over 20m from the garden of the nearest houses, and up to 110m away from some of the houses facing the site.

4 PLANNING HISTORY

- 4.1 The development of the former St Crispin's hospital site for residential use was approved in outline under application reference N/1997/0566 on 12th November 2002. This included a requirement for the existing playing fields to be transferred to the Council.
- 4.2 In 2014 a variation to the S106 agreement was approved by the Planning Committee, to remove the obligation to provide a link road through the playing fields.
- 4.3 A new community centre was approved adjacent to the playing fields on 15th March 2016 under reference N/2015/0987. This includes changing facilities. The community centre has since been constructed and in operation.

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 Northampton Local Plan (1997) saved policies.

Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

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:

Section 8 – Promoting Healthy and Safe Communities.

Section 16 - Conserving and enhancing the historic environment.

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 S10 - Sustainable Development Principles
Policy RC2 - Community needs
Policy BN5 - Historic Environment and Landscape

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 policies are material to this application:

Policy E9 – Locally Important Landscape Areas
Policy E20 – New Development (Design)
Policy E26 – Development in Conservation Areas
Policy L26 – Leisure Proposals

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Residential Extensions and Alterations Design Guide SPD

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – No objection on conservation grounds. The baseball pitch is within part of the playing field on the former hospital grounds. The fencing and dug outs will have a neutral impact on the historic character of St Crispin’s Conservation Area.
- 6.2 **Environmental Health** - No objections to the proposal, no conditions would wish to add to any decision document.
- 6.3 **Duston Parish Council** - Duston Parish Council has serious concerns about this attracting anti-social behaviour, particularly in relation to the dug outs. This proposal is also large and therefore this will restrict the field use for other activities. It would also have an adverse visual impact on the field.
- 6.4 Representations received from the occupiers of 22 neighbouring and nearby properties (including 2 in support), as well as 10 with no full address given, making the following points in summary:
- Not necessary as portable equipment could be used, as done by other users of the fields.
 - Will not be used for half the year / limited number of games are played.
 - Public open space would no longer be freely available.
 - Will attract anti-social behaviour.
 - Would be an eyesore.
 - Pitch should be located further from houses.
 - May lead to demand for floodlighting.
 - Will increase traffic to the site.
 - If team becomes unviable the structures would remain and would have to be dealt with by the Council.
 - Support the proposal as will stop balls entering gardens.

7 APPRAISAL

Principle of the proposal

- 7.1 The proposal is associated with the current use of the pitch for baseball, a use which is consistent with the established use as a sports field. In principle, it is considered that the installation of these structures would be acceptable as this would enhance the usability of the space for this use and this would be in line with the objectives of Policy RC2 of the Joint Core Strategy.
- 7.2 The field is open and accessible to the public, however the structures would not prevent such access as they are not enclosing barriers and take up only a very small proportion of the overall space.

Visual impact including the impact on the Conservation Area.

- 7.3 Whilst acceptable in principle, it is also necessary to consider the potential adverse impacts of the proposal, particularly in visual terms.
- 7.4 The proposed fencing is, in part, over 5m in height. However, it would be located at a distance of over 100m from houses on Frank Large Walk facing out onto the site and would be at the far side of the field when viewed from public vantage points, such as St Crispin Drive. Whilst closer to houses on Southfield Road, the site is screened from these by existing mature trees.
- 7.5 In spite of the distance involved, the structures would still be visible. However, these would be seen for what they are, structures to support a sporting use of a sports pitch. Such features are not unusual on sports pitches and what is proposed can be compared to a multi-use games area or cricket nets, as may be seen elsewhere. As such it is not considered that this would be an incongruous feature and would not thereby have an undue visual impact.
- 7.6 The site is located within a conservation area, however it is distant from any historic features, the nearest being the Grade II listed Greek Orthodox Church at a distance of over 200m. The impact of this has been assessed in the Heritage Impact Assessment accompanying the application and it can be noted that the Conservation Officer has raised no objections. It is considered that any harm to the setting of heritage assets would be outweighed by the benefits of providing enhanced facilities for the public.

Impact on the amenities of adjoining and nearby residents

- 7.7 Other than in visual terms, as discussed above, impacts on residents would generally result from the use of the site. However, this is an existing established use of the land, dating back to its use in association with the St Crispins Hospital. Whilst the permanent nature of the structure may in theory allow for more intensive use, this could occur in any event.
- 7.8 Conversely, the construction of the structures would have the benefit of protecting nearby houses from the incursion of balls and would therefore enhance the safety of residents.

Other matters

- 7.9 Reference has been made by some objectors to the need for the development. Whilst it is considered that this would enhance the leisure facility, as a general principle the need or otherwise for a development is not an issue which can be taken into account in determining an application, only its impact.
- 7.10 Reference has also been made to the possibility of anti-social behaviour. In response to this, it can be noted that the dug-outs would be provided with security shutters and this would reduce the possibility of misuse.
- 7.11 Concerns have also been raised about the possibility of the site being floodlit in the future. This would have a potential adverse impact, however this is not currently proposed and would require a further application which would have to be considered on its merits.

8 CONCLUSION

- 8.1 The proposal would enhance the existing leisure use of the site whilst not having any undue adverse impact on the character and appearance of the Conservation Area, the setting of the nearby listed building or the amenities of nearby residential occupiers, either in visual terms or otherwise. The proposal is therefore in line with the principles of the NPPF and Development Plan Policy.

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: 6494 1001, 6494 1002, 6494 1003.

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

- (3) Details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

10 BACKGROUND PAPERS

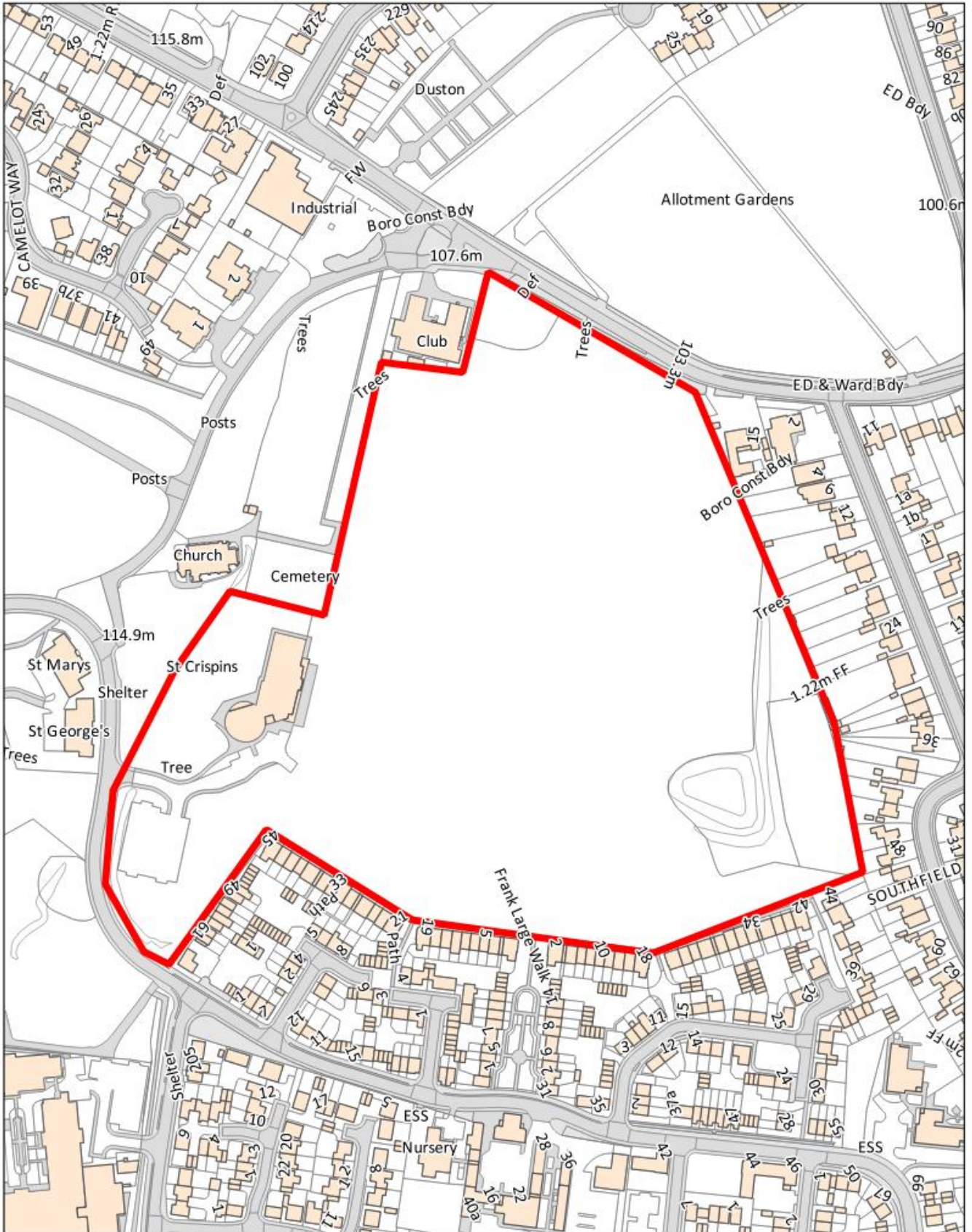
- 10.1 Application file N/2019/0206.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Playing Field St Crispin, Berrywood Rd**

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Date: 24-04-2019

Scale: 1:2,591

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0255

LOCATION: Garage Block, Limehurst Close

DESCRIPTION: Demolition of 26no domestic garages and erection of 2no new build units

WARD: New Duston Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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 proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's housing land supply. The proposed development would therefore comply with Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan, Policies OP1, H1, H3, H4 and BE1 of the Duston Neighbourhood Plan and the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The proposal is for the demolition of two blocks comprising 26 garages in total and the construction of a pair of semi-detached one bedroom bungalows.
- 2.2 A total of 8 parking spaces would be provided to serve the development.

3 SITE DESCRIPTION

- 3.1 The site consists of two blocks of garages. The neighbouring dwellings fronting Limehurst Close are bungalows whilst the other adjacent dwellings are two storey houses, the gardens of which back onto the site. To the rear are two storey houses also backing onto the site.

4 PLANNING HISTORY

- 4.1 None.

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), Northampton Local Plan (1997) saved policies, and the Duston Neighbourhood Plan.

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:

Section 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
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 S3 – Scale and Distribution of Housing Development
Policy S10 - Sustainable Development Principles
Policy H1 – Housing
BN3 – Tree Protection

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

5.5 Duston Neighbourhood Plan

At Full Council on 14th December 2015 Northampton Borough Council made the Duston Neighbourhood Plan. It now forms part of the Development Plan for Northampton.

The following policies are relevant to the determination of this proposal -

OP1 – Sustainable Development Principles
H1 – Development On Previously Developed Land

H3 – Meeting The Needs Of All Sectors Of The Population
H4 – Smaller Infill Sites – General Criteria
BE1 – Local Character Areas

5.6 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Health** – Suggest conditions for unexpected contamination, working hours, and the provision of charging points for electric vehicles and low emission boilers.
- 6.2 **Police Crime Prevention Design Adviser** – No objection to this application to demolish the garage block and create two new dwellings. They will address the street and the parking associated with them is readily visible from within the dwelling. All new doors and windows should meet the requirements of ADQ of Building Regulations and be 3rd party accredited.
- 6.3 **Arboricultural Officer** – There is unlikely to be any adverse impact upon the retained trees, although it would be useful to see a drawing that shows the alignment of and specification for protective barrier fence to the rear of Plot 1 to prevent encroachment in to the RPA of those trees in G1, and in Plot 2 to prevent encroachment over the RPA of T1.
- 6.4 **Local Highway Authority** – No comments to make.

7 **APPRAISAL**

- 7.1 The main issues for consideration are principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity and highway conditions.

Principle of residential development

- 7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

Layout and design

- 7.4 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 whilst Policy OP1 of the Duston Neighbourhood Plan calls for a high quality environment and states that development should not affect the character of the area, and this is in conformity with the NPPF which advises that planning should always seek to secure high quality design.

- 7.5 The application site comprises a former garage court in a residential area. The demolition of these garages and redevelopment of the site would not result in the loss of residential garden land and would comprise the re-use of brownfield land which is encouraged under the NPPF.
- 7.6 The proposal is for a pair of bungalows and the design of these bungalows is similar to those in the nearby area. It is considered, therefore, that the dwellings would be in keeping with the character of the area.

Residential amenity

- 7.7 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, Policy OP1 of the Duston Neighbourhood Plan and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.8 In terms of the residential amenities of neighbours, the proposal is for bungalows which would therefore limit their impact on neighbouring properties, with overlooking from the small side windows being prevented by the proposed boundary treatment. To the rear a separation of between 9 and 13 metres would be provided and the boundary treatment together with this separation distance would prevent any adverse impact.
- 7.9 In terms of the amenities for future occupiers of the new dwellings, the internal layout provides a good level of amenity and all rooms would be served by windows with adequate levels of daylight and outlook.
- 7.10 The proposed rear garden areas would be 96 and 140 square metres in area. This is larger than some neighbouring gardens and would provide a good level of amenity.

Parking and highway safety

- 7.11 The proposed development would benefit from 8 car parking spaces to the front, which would serve these dwellings as well as existing residents of and visitors to the area. The Parking Standards require 1 space per 1 bed dwelling, a standard which is met in full for the proposed development.
- 7.12 Whilst the existing garages would be lost, they are not in very good conditions and reportedly not well used. It is considered that the impact of this would therefore be limited. The Highway Authority has no objection to the proposal.

Other Matters

- 7.13 Reference is made in the comments from Environmental Health to a requirement for electric vehicle charging points and low emission boilers. However, there is no policy requirement to require such items. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations.

8 CONCLUSION

- 8.1 The proposed development is acceptable in principle and would provide a good standard of accommodation for future occupants whilst having no adverse impact on the amenities of adjoining occupiers. The proposal is therefore in line with the NPPF and the Development Plan Policy.

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: 30759 (P) 03, 30759 (P) 04, 30759 (P) 05, 30759 (P) 06.

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

- 3) Details of all proposed external facing materials shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local plan.

- 4) The parking spaces and manoeuvring area together as shown on approved plans shall be constructed prior to the occupation of the buildings hereby approved and retained thereafter.

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.

- 5) 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 development and neighbouring land are minimised in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 6) 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 additional windows shall be installed in the side elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

- 7) 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 dormers shall be erected to the dwellings hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local plan.

- 8) All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with The National Planning Policy Framework.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

- 9) The external boundaries of the site shall be constructed in accordance with the approved plan prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

- 10) All planting, seeding or turfing comprised in the approved details of landscaping as shown on the approved plans 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 Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

10 BACKGROUND PAPERS

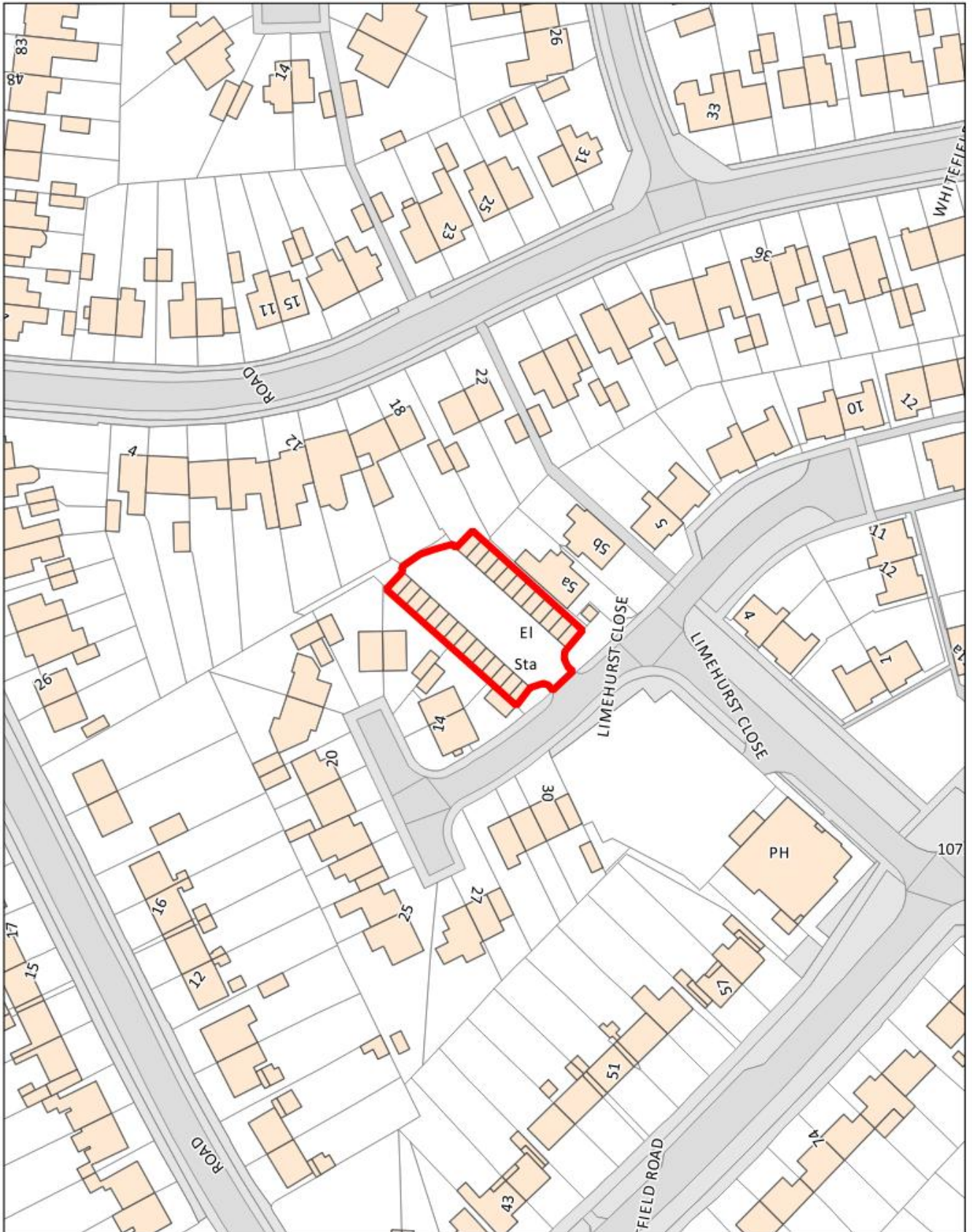
- 10.1 Application file N/2019/0255.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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: **Garage Block, Limehurst Close**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE:	7 th May 2019
DEPARTMENT:	Planning Service
HEAD OF PLANNING:	Peter Baguley
APPLICATION REF:	N/2019/0257
LOCATION:	Lock Up Garages, Nursery Lane
DESCRIPTION:	Demolition of 27no domestic garages and erection of 2no new build units and parking spaces
WARD:	St Davids Ward
APPLICANT:	Northampton Partnership Homes
AGENT:	Baily Garner LLP
REFERRED BY:	Head of Planning
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 proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's housing land supply. The proposed development would therefore comply with Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy, Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

2 THE PROPOSAL

- 2.1 The proposal is for the demolition of three blocks comprising 27 garages in total and the construction of a pair of semi-detached three bedroom houses.
- 2.2 A total of 8 parking spaces would be provided to serve the development and local residents.

3 SITE DESCRIPTION

- 3.1 The site consists of three blocks of garages. These are accessed from Nursery Lane and are located in a backland position surrounded by two storey housing.

4 PLANNING HISTORY

4.1 None.

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), Northampton Local Plan (1997) saved policies, and the Duston Neighbourhood Plan.

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:

Section 2 – Achieving sustainable development
Section 5 – Delivering a sufficient supply of homes
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 S3 - Scale and Distribution of Housing Development
Policy S10 - Sustainable Development Principles
Policy H1 - Housing
Policy BN3 - Tree Protection

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

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 **Environmental Health** – Suggest conditions for unexpected contamination, working hours, and the provision of charging points for electric vehicles and low emission boilers.

- 6.2 **Police Crime Prevention Design Adviser** – Not acceptable as the dwellings created will not address the street. They are not readily visible from passing pedestrians or traffic and as a result are contrary to the SPG on Planning out Crime. In order to safeguard the security of the plots the development should be protected by a pair of inward opening automatic gates set 5 metres from the edge of the highway.
- 6.3 **Arboricultural Officer** – The proposals included in the arboricultural report is competently argued, and the alignment of protective barrier fencing and ground protection measures is clearly illustrated upon the tree removal and protection plan. An arboricultural method statement should be produced that will demonstrate how the proposed development can proceed without causing harm to the retained trees.
- 6.4 **Local Highway Authority** – No comments to make.
- 6.5 One representation received from a neighbouring occupier expressing concern as to future access from the site to their garage.

7 APPRAISAL

- 7.1 The main issues for consideration are principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity and highway conditions.

Principle of residential development

- 7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.
- 7.3 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

Layout and design

- 7.4 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 are in conformity with the NPPF which advises that planning should always seek to secure high quality design.
- 7.5 The application site comprises a former garage court in a residential area. The demolition of these garages and redevelopment of the site would not result in the loss of residential garden land and would comprise the re-use of brownfield land which is encouraged under the NPPF.
- 7.6 The proposal is for two, two storey houses. These would be of a conventional design and would be in keeping with the general character of the area, although not readily visible from the street.

Residential amenity

- 7.7 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.

- 7.8 In terms of the residential amenities of neighbours, the dwellings would be located to the rear of houses on Nursery Lane, but would be 20m from the rear elevation of these dwellings and 10m from the boundary with their gardens, preventing any unacceptable overlooking. The front elevation would face to the rear of dwellings on Kingsland Gardens but would be separated from these by a distance of 26m, preventing any unacceptable overlooking. The side elevation would be over 20m from the rear of houses on Kingsland Avenue, preventing any visually dominant impact on these properties.
- 7.9 In terms of the amenities for future occupiers of the new dwellings, the internal layout provides a good level of amenity and all rooms would be served by windows with adequate levels of daylight and outlook.
- 7.10 The proposed rear garden areas would each be 55 square metres in area, which would provide a good level of amenity.
- 7.11 The Crime Prevention Officer raised concerns about the backland nature of the development. However, the application site is surrounded by existing dwellings including shared access to a private garage. There would be some level of surveillance from existing properties. On balance, it is considered that a gated access would not be workable bearing in mind shared access would be required to some of the parking spaces.

Parking and highway safety

- 7.12 The proposed development would benefit from 8 car parking spaces, which would be for the future occupants of the dwellings and existing residents of the area. The Parking Standards require 2 spaces per 3 bed dwelling, a standard which is exceeded. An existing garage on neighbouring land, accessed from the site, could still be accessed.
- 7.13 Whilst the existing garages on the site would be lost, they are not in very good condition and reportedly not well used. It is considered that the impact of this would therefore be limited.

Other Matters

- 7.14 Reference is made in the comments from Environmental Health to a requirement for electric vehicle charging points and low emission boilers. However, there is no policy requirement to require such items. Given the parking arrangements and scale of the development, it is considered that it would not be reasonable to seek such charging points in this instance. In addition, matters relating to the energy efficiency of buildings are addressed under the Building Regulations.

8 CONCLUSION

- 8.1 The proposed development is acceptable and would provide a good standard of accommodation for future occupants whilst having no adverse impact on the amenities of adjoining occupiers. 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.

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: 30628 (P) 03, 30628 (P) 04, 30628 (P) 05, 30628 (P) 06.

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

- 3) Details of all proposed external facing materials shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local plan.

- 4) The parking spaces and manoeuvring area together as shown on approved plans shall be constructed prior to the occupation of the buildings hereby approved and retained thereafter.

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.

- 5) 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 development and neighbouring land are minimised in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- 6) 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 additional windows shall be installed in the side elevations of the proposed development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

- 7) All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

- 8) The external boundaries of the site shall be constructed in accordance with the approved plan prior to the occupation of the buildings hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

- 9) All planting, seeding or turfing comprised in the approved details of landscaping as shown on the approved plans 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 Policy E20 of the Northampton local Plan and the National Planning Policy Framework.

- 10) 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 other form of enlargement including dormers to the dwellings hereby permitted shall take place.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

10 BACKGROUND PAPERS

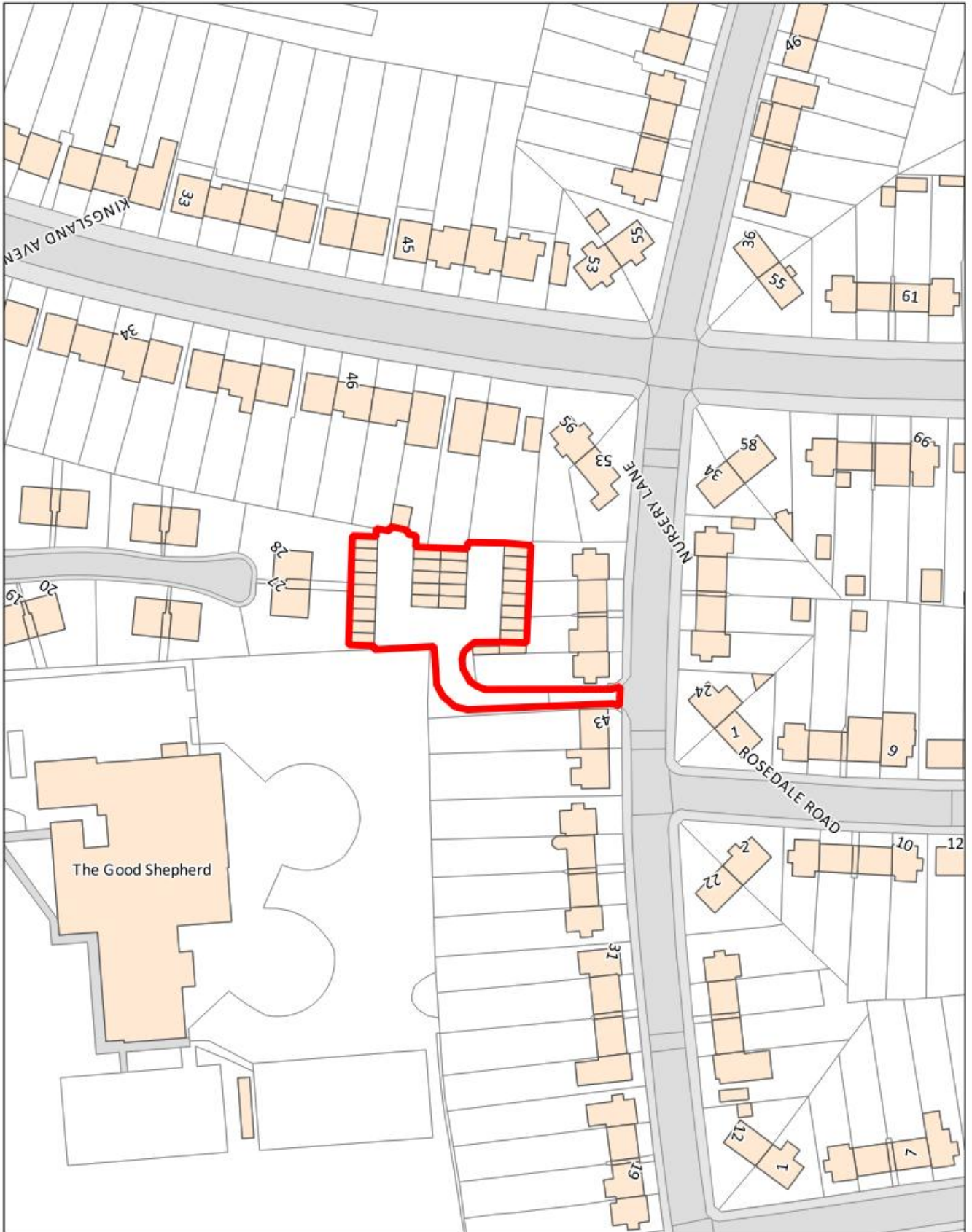
- 10.1 Application file N/2019/0257.

11 LEGAL IMPLICATIONS

- 11.1 The development is CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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, Nursery Lane**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0271

LOCATION: 69 Delapre Street

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

WARD: Delapre & Briar Ward

APPLICANT: Mr Wesley Boswell
AGENT: N/A

REFERRED BY: Councillor Emma Roberts
REASON: Concerned about parking and concentration of use

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development is considered acceptable as it would not result in an over concentration of similar uses within the vicinity of the site, would provide adequate facilities for future occupants and would not be at risk from flooding. Notwithstanding the existing lack of off road parking, the site is in a sustainable location close to Towcester Road and St Leonards Road, is closed to bus services and amenities and would provide adequate facilities for cycle storage and refuse storage. The proposal thereby complies with Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement (IPPS) and the aims and objectives of the National Planning Policy Framework.

2 THE PROPOSAL

2.1 Permission is sought to convert an existing family dwelling into a House in Multiple Occupation for 4 persons (Use Class C4). The proposal includes one ground floor bedroom, living room, conservatory, kitchen and utility room with three bedrooms above. There are no external works proposed.

3 SITE DESCRIPTION

- 3.1 The site consists of a terraced property located along a residential street of similar uses. The property has lounge, dining room, breakfast room and kitchen at ground floor with three bedrooms at first floor level including a bathroom. There is private amenity space to the rear enclosed on three sides. The property does not have a basement. The site is located in Flood Zone 1 (low risk) and is not in a conservation area. Parking is provided on street on an unrestricted basis along Delapre Street and other nearby side streets.

4 PLANNING HISTORY

- 4.1 No recent planning applications.

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.

6 National Policies

- 6.1 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:

Paragraph 72 - ensure a variety of homes meet needs of different groups.

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

6.2 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:

H1 - Housing Density, Mix and Type of Dwellings

H5 - Managing the existing Housing Stock

S10 - Sustainable Development Principles

BN7 - Flood Risk

6.3 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 policies are material to this application:

E20 New development (design)

H30 Houses in multiple occupation

6.4 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

6.5 Other Material Considerations

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole, by not resulting in a concentration of similar uses, a material change or adverse impact on the character of the area, or more than 15% of HIMOs within a 50metre radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- Promote use of public transport, cycling and walking and secure provision of adequate parking;
- Ensure provision of adequate storage for refuse and materials for recycling.

7 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 7.1 **Northamptonshire Highways (NCC)** there is sufficient residual on street parking in the area. No objection to the proposal on parking and highway safety grounds.
- 7.2 **Private Sector Housing (NBC)** no objection subject to comments taken on board relating to ventilation. Property is suitable for 4 occupants.
- 7.3 **Councillor E Roberts** Objects and calls in application for following reasons;
- Are already a large number of unauthorised HIMOs
 - Concern on parking congestion and highway safety
- 7.4 Two neighbour objections summarised as follows:
- Impact on community
 - Property is relatively small for 4 persons
 - Parking concerns

8 APPRAISAL

Principle of the development

- 8.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the Joint Core Strategy allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.

Area concentration

- 8.2 Council records evidence that there are three other HIMOs (out of 50 properties) within a 50m radius of the application site. The use of this property as a HIMO would equate to 6.15% concentration (4 out of 65) and would clearly fall within the 15% maximum threshold recommended by the Council's adopted Interim Planning Policy Statement in relation to HIMOs. It is considered therefore that there would still be a reasonable mixture of house types within the area.

Size of property and facilities for future occupiers

- 8.3 Policy H30 of the Local Plan, although dated, is in line with the aims of NPPF in respect of the provision of adequate amenity for proposed occupiers and requires HIMOs to be of sufficient size to accommodate the proposed use.
- 8.4 The property is considered to be of sufficient size, providing room sizes generally in accordance with the Council's IPPS. All bedrooms would be served by adequate outlook and light via existing

window openings. Private Sector Housing has advised that they will be satisfied with the proposed accommodation is suitable for 4 occupiers provided that there is adequate ventilation to the living room which can be secured by condition. This may involve some alterations to the windows in the existing conservatory which is acceptable to the applicant.

Flood Risk

- 8.5 The site lies in low risk Flood Zone (Zone 1) where there is limited risk from flooding to the proposed use.

Highways/Parking

- 8.6 The Interim Planning Policy Statement for HIMOs (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 8.7 The application property is located within easy walking distance to facilities in Towcester Road and St Leonards Road and is considered to be in a sustainable location. Within such areas, the IPPS recommends that storage space should be provided which is accessible to cycle users. Space is available to the rear of the house, and a condition is recommended requiring full details to be submitted for approval for secure cycle storage.
- 8.8 A further consideration in respect of parking is the Northamptonshire Parking Standards. This document was adopted in September 2016, after the IPPS. The Northamptonshire Parking Standards state that HIMO shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 4 parking spaces, which is an increase of 2 as compared to the existing use, as the parking requirement for a 3-bed dwelling is 2 spaces. It is considered that the proposal would not adversely impact on highway safety and traffic conditions. The Local Highway Authority raise no objections as there is spare parking capacity on street.

Refuse storage

- 8.9 There is sufficient space to the rear of the property for bin storage. A condition is to be recommended to agree the details of refuse storage for the property to ensure it is of an appropriate size and design.

Amenity

- 8.10 The proposed use falls within Use Class C4, which in effect categorises this as a residential use. There is no evidence to demonstrate that the proposal would generate adverse amenity impacts such as noise or anti-social behaviour over and above those created by a more conventional C3 dwelling.

9 CONCLUSION

- 9.1 The proposed development would not lead to an unacceptable concentration of HIMOs within the locality that would adversely affect the character of the local area, nor would the development have significant adverse impacts on neighbouring amenity or parking provision. The property is of sufficient size to accommodate the level of accommodation as proposed and would not impact adversely on flood risk. The proposed development would be in accordance with the requirements of Policies H1, H5, BN7 and S10 of the West Northamptonshire Joint Core Strategy, saved Policies E20 and H30 of the Northampton Local Plan, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the aims and objectives of the National Planning Policy Framework.

10 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: Location Plan, floor plans (proposed).

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

3) The maximum number of occupiers shall not exceed four at any one time.

Reason: In order to prevent over-development to accord with Policy H5 of the West Northamptonshire Joint Core Strategy and H30 of the Northampton Local Plan.

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

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework.

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

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework

6) Prior to the commencement of the use hereby approved, full details of the means of ventilation to the ground floor living room shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the first use of the building as a 4 person house in multiple occupation.

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

11 BACKGROUND PAPERS

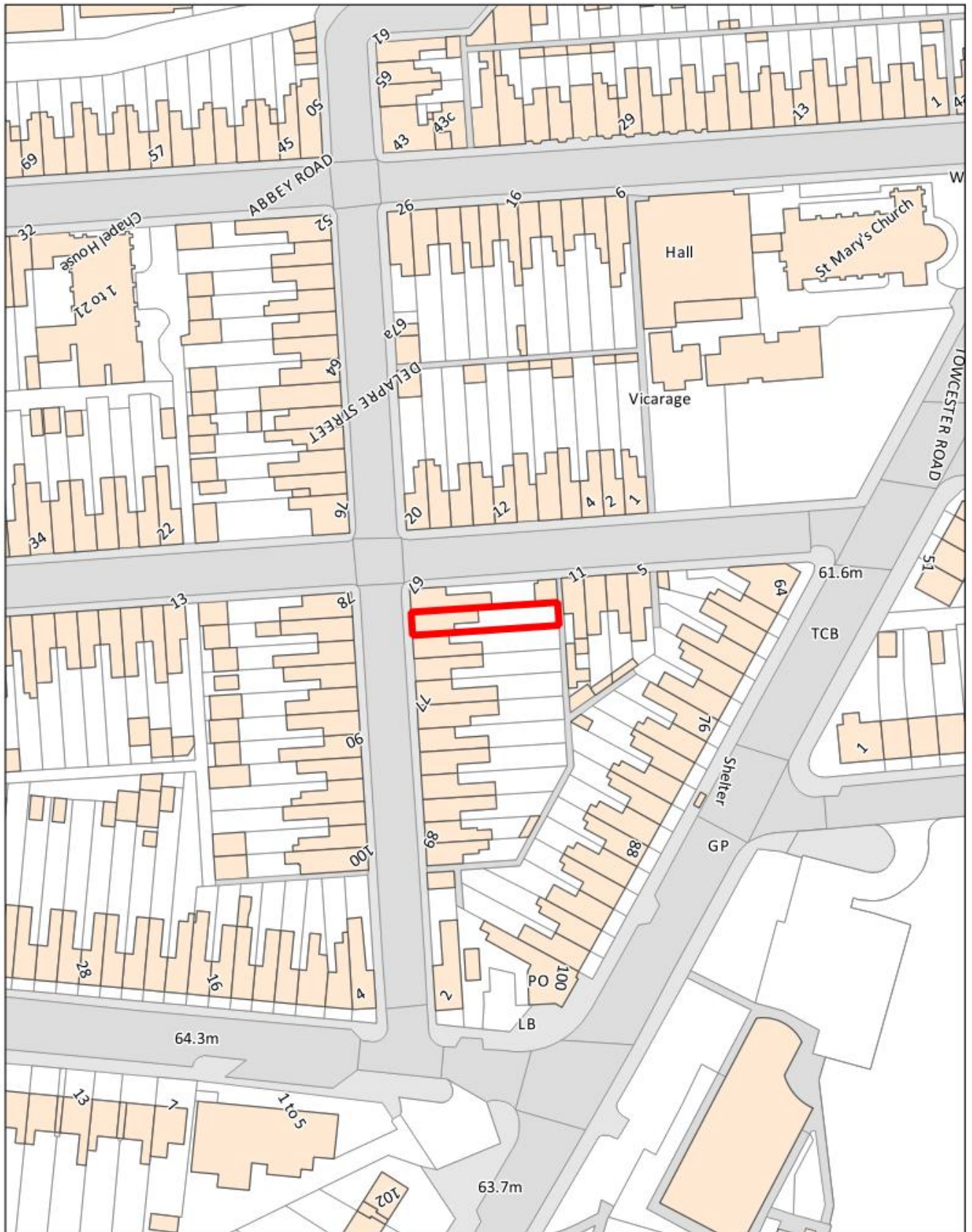
11.1 N/2019/0271

12 LEGAL IMPLICATIONS

12.1 The development is not CIL chargeable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

13.1 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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **69 Delapre Street**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0289

LOCATION: 24 Tollgate Close

DESCRIPTION: Single storey side extension and rebuild of unstable boundary screen wall

WARD: Kingsthorpe Ward

APPLICANT: Sefolli Development Ltd
AGENT: BHC Architects

REFERRED BY: Head of Planning
REASON: Applicant is a Council Member

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development would due to its siting, scale and design not have an undue detrimental impact on the appearance and character of the host building, wider area and neighbour amenity to comply with Policies E20 and H18 of the Northampton Local Plan, Policy S10 of the West Northamptonshire Joint Core Strategy, the Council's Residential Extension and Alteration Design Guide, the aims and objectives of the National Planning Policy.

2 THE PROPOSAL

- 2.1 The proposal is for a single storey side extension and rebuild the side boundary wall.
- 2.2 This extension would be located adjacent to the public footpath and project a maximum of 2.5m from the existing side elevation of the dwelling and measures 5.15m in length.
- 2.2 The proposal would have a pitched roof to match the existing dwelling that would measure 4m at its highest point.
- 2.3 The new boundary wall will include the installation of a gated entrance to the rear garden from the public footpath.

3 SITE DESCRIPTION

- 3.1 The application site consists of a modern two storey brick and cladding detached dwelling located on the corner of a quiet residential estate of similar style and size properties. The property benefits from a detached single garage and driveway with parking for two vehicles and access to the rear garden on either side of the property.
- 3.2 The property benefits from a small enclosed courtyard style rear garden with large patio area and raised grass and flower beds and is enclosed on all sides by a high boundary wall.

4 PLANNING HISTORY

- 4.1 N/2011/0219: Two storey rear extension. Approved

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 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 section is of particular relevance to this application:

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. Policy of particular relevance is:

Policy S10 – Sustainable Development Principles

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 policies are material to this application:

Policy E20 – New Development (Design)

Policy H18 – Extensions

5.5 Supplementary Planning Documents

Residential Extensions and Alterations Design Guide SPD

6 CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Councillor Sally Beardsworth** (Ward Councillor for Kingsthorpe) raised concerns regarding loss of amenity space for the occupiers of the application site.

7 APPRAISAL

Main issues

- 7.1 The main issues to consider are the design and impact on the appearance and character of the host building, wider area and the amenity of adjoining occupiers.

Impact on the street scene

- 7.2 Relevant planning policy requiring good design is contained within Policies E20 of the Northampton Local Plan and Policy S10 of the Joint Core Strategy. Policy H18 of the Local Plan relates specifically to domestic extensions/alterations. Guidance is also contained in the Council's Supplementary Planning Document on Residential Extensions (2011) which sets down design principles relating to domestic extensions recommending that extensions should be sympathetic to the existing house in terms of roof form, materials and proportions and side extensions should be sub-ordinate. Paragraph 127 of the NPPF also requires high standards of residential amenity for neighbouring occupiers.
- 7.3 The proposed single storey side extension and alterations to the boundary wall would be visible from Tollgate Close and surrounding area. There would be some visual impact although the proposed design, roof form and materials are considered in keeping with the host building. The proposed side extension would appear subordinate to the original house with a lower roof form and the appearance is considered to be acceptable. A condition is proposed requiring matching materials to ensure a satisfactory external appearance. This would comply with advice contained within the Council's guidance and the requirements of the above planning policy.

Impact on the amenities of adjoining occupiers

- 7.4 The proposed extension would have some visual impact to the occupiers of the surrounding properties due to its location and size. However, many of the properties in the locality are of varying sizes and shapes and as such, any potential impact cause by the proposal would be considered acceptable.
- 7.5 The proposed extension would not present any impact in terms of overlooking or loss of privacy as the application site sits on a lower ground level to that of the surrounding properties.

Other Matters

- 7.6 The comments from Councillor Beardsworth refer to a loss of amenity space for the occupiers of application site. On inspection of the site, it was noted that the rear garden is partially screened by the two storey rear extension erected in 2011. A calculation of the loss of rear amenity space saw that less than 10% would be lost as a result of the proposal which would be considered acceptable.

8 CONCLUSION

- 8.1 It is considered that the extension would not result in any undue adverse impact on the street scene or on the amenities of adjoining. The development is therefore in line with Development Plan Policy.

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 plan: 1:500 Site Plan, 03 and 04.

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

3. The external walls and roof of the extension 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 and Policy S10 of the West Northamptonshire Joint Core Strategy.

4. The boundary wall shall be constructed with materials of the same type, texture and colour as the external walls 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 and Policy S10 of the West Northamptonshire Joint Core Strategy.

10. BACKGROUND PAPERS

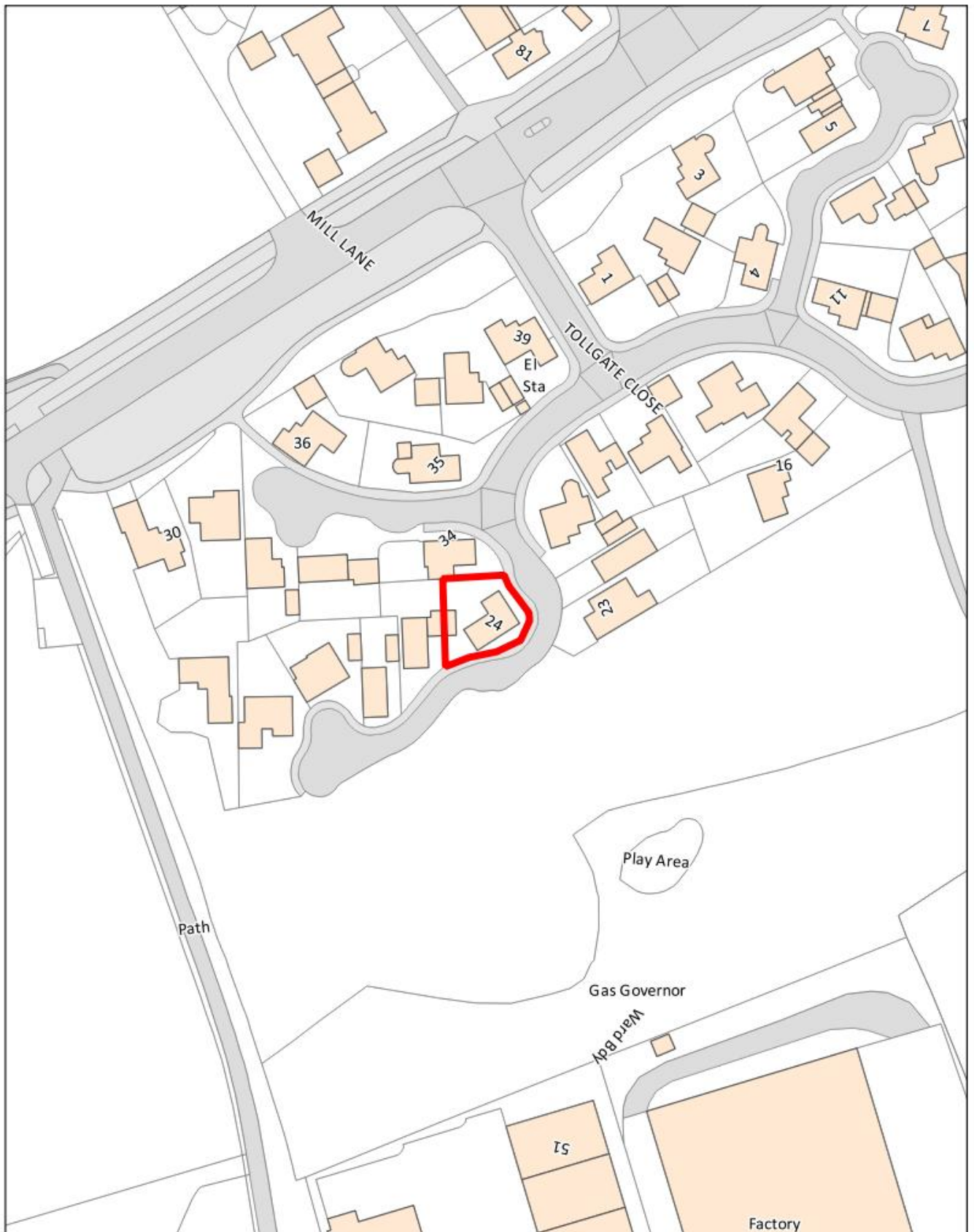
- 10.1 N/2019/0289

11. LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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: **24 Tollgate Close**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0350

LOCATION: 64 Military Road

DESCRIPTION: Change of Use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use Class C4) for 3 occupants

WARD: Castle Ward

APPLICANT: Mr Simon Phillips
AGENT: N/A

REFERRED BY: Councillor D Stone
REASON: Overdevelopment

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed development is considered acceptable without having an undue adverse impact on highway safety, residential amenity or flood risk and would not result in an overconcentration of similar uses to comply with Policies E20 and H30 of the Northampton Local Plan, Policies S10, H1 and H5 of the West Northamptonshire Joint Core Strategy, the Council's Houses in Multiple Occupation Interim Planning Policy Statement and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for a change of use of an existing 2 bedroom dwelling to a 3 person House in Multiple Occupation (HIMO). This is a revision of a previous approval for the same use at the same premises, with the layout having been amended.

3 SITE DESCRIPTION

3.1 The site comprises a terraced house within a street of similar properties. The house is situated within the Boot and Shoe Quarter Conservation Area.

4 PLANNING HISTORY

- 4.1 N/2019/0007 - Change of use from Dwellinghouse (Use Class C3) to House in Multiple Occupation (Use class C4) for 3 occupants – Approved 07/03/2019.

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 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:

Paragraph 17 seeks to secure high quality design and good standard of amenity for existing and proposed occupiers.

Paragraphs 49 has a presumption in favour of sustainable housing development.

Paragraph 50 seeks to deliver a wide choice of high quality homes to meet a wide range of differing housing needs.

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 H1 - Housing Density & Mix & Type of Dwellings

Policy H5 - Managing the Existing Housing Stock

Policy S10 - Sustainable Development Principles

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 policies are material to this application:

Policy E20 – Design

Policy H30 – Multi-occupation with a single dwelling

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

Houses in Multiple Occupation (HIMO) Interim Planning Policy Statement (IPPS) (November 2014)

Proposals for HIMOs should:

- Result in a balanced and mixed community and protect the physical character of the street and neighbourhood as a whole by not resulting in a concentration of similar uses; a material change or adverse impact on the character of the area; or more than 15% of HIMOs within a 50m radius.
- Secure the provision of adequate facilities, amenities and minimise flood risk;
- To secure provision of adequate parking whilst promoting sustainable travel movements;
- Ensure provision of adequate storage for refuse and materials for recycling.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – No objection on heritage grounds.
- 6.2 **Private Sector Housing** – Support the change of use to HIMO because the bedrooms, communal area and kitchen sizes are within the standard required.
- 6.3 **Local Highway Authority** – No comments received at the time of writing the report, any received will be reported by means of the addendum.
- 6.4 **Councillor D Stone** – Requests call in of the application on the grounds of over development and lack of balance in the locality.

7 APPRAISAL

Principle of the development

- 7.1 The conversion of the existing dwelling to a HIMO is considered to be in line with national policy requirements to deliver a wide choice of homes to create sustainable and mixed communities. Policy H5 of the JCS allows for HIMOs where the proposal would not adversely impact on the character of the area and amenity of residential areas.
- 7.2 It should be noted also that this is a resubmission and that the use of this property as a HIMO has previously been approved in March of this year. The current application proposes a revision of the internal layout of the building, as discussed further below. The principle of the use has already been established and the previous permission represents a fall-back position which could be implemented in the event that the current application was to be refused.

Concentration of HIMO uses in the area and character of the area

- 7.3 Records indicate that there are 4 existing HIMO uses within a 50m radius of the application site, giving a concentration of 5.6% including the proposed HIMO and therefore the proposal would not result in an over-concentration of such uses. In any event, as planning permission has already been granted for the change of use of this property to a HIMO, the level of concentration is not really material to the determination of this application because of the fall-back position.

Size of the property and facilities for future occupiers

- 7.4 All bedrooms, the living room, kitchen and bathroom are of sufficient size. The layout has been amended from the previous approval and now proposes, at ground floor, a communal room to the front of the house, with the kitchen behind and a bedroom in the rear wing. This is a variation from the previous layout which had a bedroom to the front, the communal room in the centre and the kitchen to the rear. This is a slight improvement for the majority of residents in terms of the layout, but does mean that the ground floor bedroom is smaller than previously proposed. However, all rooms still meet the criteria in the IPPS and either this layout or the previous approval would be acceptable.
- 7.5 Comments from Private Sector Housing indicate that this is an acceptable arrangement.

Flood Risk

- 7.6 In respect of flood risk, the site is located outside the areas at risk of flooding.

Highways / Parking

- 7.7 The Interim Planning Policy Statement for HIMO's (IPPS) sets out clearly that where limited or no parking provision is proposed, the site must be either within 400m of a bus stop, or within walking distance of a district centre, local centre or neighbourhood parade. Only outside such locations is parking required to be provided.
- 7.8 In this case the site is over 400m from the nearest bus stops on Barrack Road, but is a short walk from local shopping facilities in Bailiff Street and Barrack Road as well as being within a relatively short walk of the town centre. Whilst the criterion would not strictly speaking be met, it is considered that the premises are in a sustainable location.
- 7.9 The Northamptonshire Parking Standards state that HIMO's shall provide on plot parking at the ratio of one parking space per bedroom. The proposed development will produce a demand for 3 parking spaces, which is an increase of 1 compared to the requirements for the current 2 bedroom dwellinghouse use.
- 7.10 However, in practical terms it can be noted that the current use as a two bedroom dwelling could potentially result in three car driving adults being resident, meaning there would be no increase in demand for parking from the proposed use. Furthermore, there is no evidence to support that all 3 proposed residents would own cars.
- 7.11 Additionally, it can be noted that in previous appeal decisions, Inspectors have consistently taken the view that where a site is close to local amenities and no parking is provided, occupiers would choose the location for this reason and would be unlikely to wish to have cars. It would, therefore, be very difficult to sustain a refusal on the grounds of lack of parking provision or impact on parking availability in streets in the area.
- 7.12 No comments have been received from the Local Highway Authority (LHA) at the time of writing, and it can be noted that the LHA did not comment on the previous application, which was approved on the basis of being in a sustainable location. Any comments received will be reported to Committee by means of the addendum.
- 7.13 In accordance with the IPPS, a condition is proposed requiring the provision of secure cycle storage, precise details of which have not been included with the application.

Refuse Storage

- 7.14 The rear garden of the property already houses a refuse storage container and the dimensions of this have been specified. A condition requiring that this is provided as shown and retained is proposed.

8 CONCLUSION

- 8.1 The proposed change of use to a 3 person HIMO would not have any undue impact on the amenities of adjoining occupiers, would comply with the requirements of the Interim Planning Policy Statement on HIMO's, and would not result in an over concentration of HIMO's within the locality and would provide suitable accommodation for the number of occupants proposed. The proposal complies with the IPPS in relation to parking considerations and, in view of recent appeal decisions and the potential number of people that could occupy the property under the existing use, it would be difficult to uphold a refusal at appeal. The use has recently been approved for the same number of occupants, with a different internal layout and therefore the principle of the use is

established and the previous approval could be implemented as a fall-back position. The proposal is therefore recommended for approval.

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: Ground Floor Proposed, First Floor Proposed, Garden Area Proposed.

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

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

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

4. Provision for the storage of refuse and materials for recycling shall be made as shown on the approved plans prior to the first occupation of the premises as a house in multiple occupation and thereafter retained.

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

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

Reason: To ensure the provision of adequate facilities in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

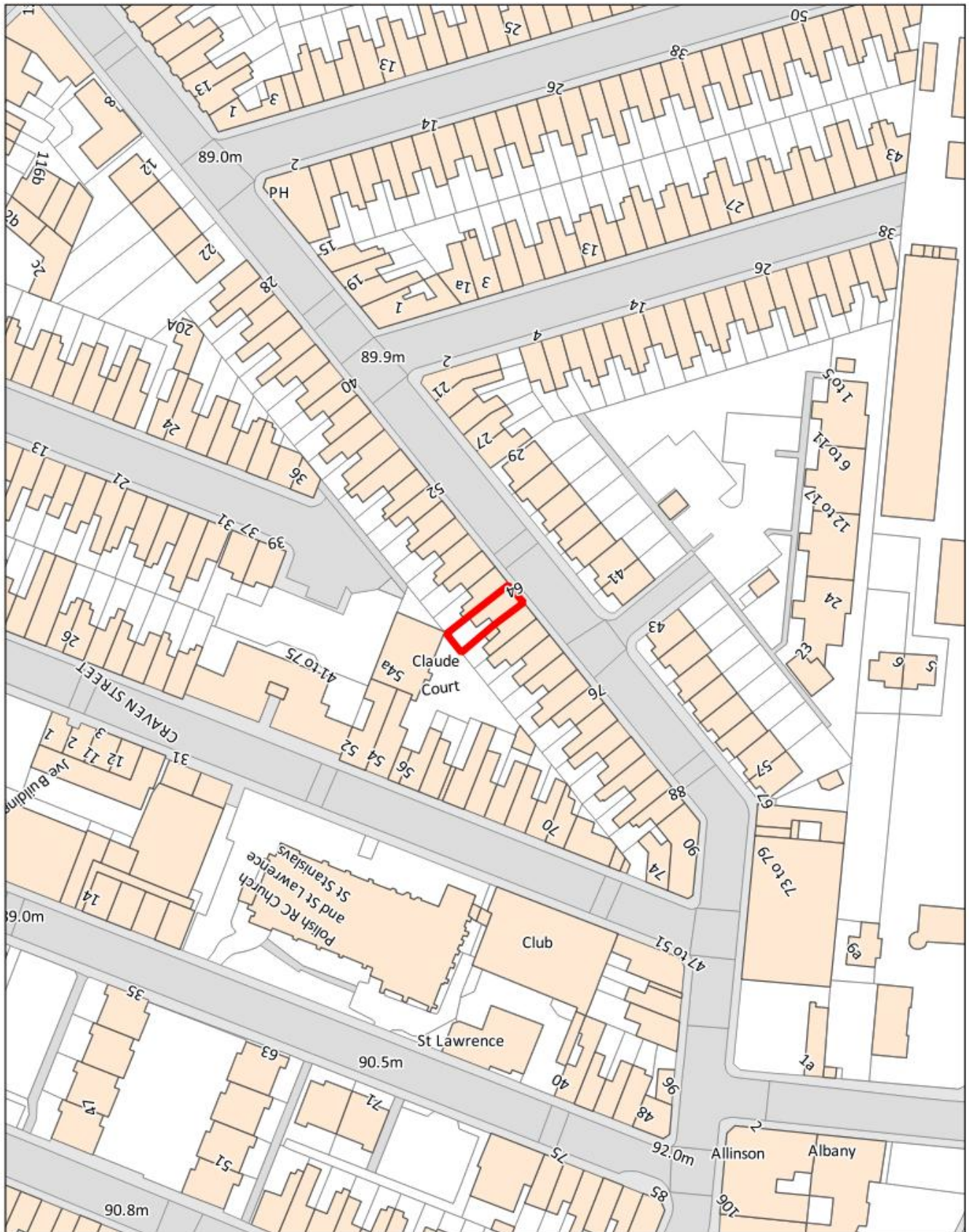
- 10.1 Application File N/2019/0350.

11 LEGAL IMPLICATIONS

- 11.1 The development is not CIL liable.

12 SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **64 Military Road.**

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Date: 24-04-2019

Scale: 1:1,000

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0388

LOCATION: Lock Up Garages adjacent to 4 Prentice Court

DESCRIPTION: Demolition of 4no domestic lock up garages and construction of 1no new build dwelling

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
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 proposed development would result in the satisfactory reuse of this site and would not cause significant harm to the character and appearance of the surrounding area, neighbour amenity and the highway system, whilst securing a satisfactory level of accommodation for the future occupiers of the development. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework, Policies BN3, S1, S3, S10 and H10 of the West Northamptonshire Joint Core Strategy, and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application relates to the demolition of 4 lock up garages and the construction of one three-storey town house, attached to the adjacent terrace of similar two and three storey properties. The application indicates the layout will provide:

- a living room and kitchen/diner on ground floor,
- two bedrooms and a bathroom on the first floor;
- a bedroom and bathroom on the second floor;
- provision for four parking spaces to the front of the site.

3 SITE DESCRIPTION

- 3.1 Prentice Court is located off Goldings Road. The area is predominantly residential, but there is a local centre and the open space around Billing Brook nearby. Goldings Road is also a bus route and there are bus stops close to the junction of Goldings Road and Prentice Court.
- 3.2 The site is triangular in shape and relatively flat and is currently occupied by a garage block, parking area and a wide landscaped area (including a number of mature trees).

4 PLANNING HISTORY

- 4.1 None.

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), Northampton Local Plan (1997) saved policies and emerging Neighbourhood Development Plans where relevant.

6 National Policies

- 6.1 **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.

6.2 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 BN3 - Trees and woodland

Policy H1 - Housing

Policy S3 - Scale and Distribution of Housing Development

Policy S1 - The Distribution of Development

Policy S10 - Sustainable Development Principles

6.3 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:

E20 – New development

6.4 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

6.5 **Other Material Considerations**

Growing Together Neighbourhood Plan

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) was made in April 2017, and now forms part of the development plan for Northampton.

The following policies are relevant to the determination of this proposal:

Policy H1: Housing Mix

Policy H2: Small scale housing development

7 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

7.1 **NCC Highways and Access** – no objection.

7.2 **NBC Arboricultural Officer** – no objection in principle to the proposed development, but recommend that a site specific arboricultural method statement will be required to protect the retained copper beech.

7.3 **NBC Public Protection** – recommend a condition regarding the treatment of unexpected contamination and further details regarding car charging points and boiler specifications. They have also suggested that an hours of work condition is imposed to protect local residents.

7.4 One letter of objection was received as a result of the public consultation, which raised concerns about issues with foul drainage and lack of car parking in the area.

8 **APPRAISAL**

Principle

8.1 The garages are located within a residential area and is therefore considered an appropriate site for residential development. In addition, weight should be given to the fact that the Council cannot currently demonstrate a five year housing land supply. This development would make a contribution, albeit small, to addressing this need.

8.2 Policy H2 of the Growing Together Neighbourhood plan, supports small scale housing developments on sites such as redundant garage sites, in particular for one and two bed dwellings. In this instance the proposed dwelling is a three bedroom property in keeping with the surrounding residential development.

8.3 Policy H1 of the Growing Together Neighbourhood Plan and Policy H1 of the Joint Core Strategy seeks to provide a mix of housing types to suit the needs of the area.

Design and Layout

8.4 The proposed dwellings are simple in design and layout; three storey brick and tile in structure, with a rear single storey projection and a rain porch over the front door. The layout of the property includes a living room and kitchen/diner on ground floor; two bedrooms and a bathroom on the first floor; one bedroom and bathroom on the second floor and the provision for four parking spaces to the front of the site.

- 8.5 The existing terrace comprises of a block of four dwellings, two being two storey and the two nearest the application site are three storey. All have tile hanging to the front and rear elevations, but around the area, there is a mix of tile hung and brick finish dwellings. It is considered that the brick finish in this instance would be an appropriate finish to add a degree of variation to the area, in keeping with other terraces in Prentice Court.
- 8.6 The proposed development would feature appropriately sized gardens that are necessary to ensure a satisfactory level of amenity for the future occupiers of the development. These will be surrounded by a 1.8m high close boarded timber fence with lockable gates and a trellis top, which is considered appropriate to this location and the gardens also include a separate bin storage area and shed.

Residential Impact

- 8.7 In terms of residential amenity, there are no windows on the side elevation of 5 Prentice Court and there is a separation distance of 15m between the side of the existing property and the front elevation of the proposed. Whilst this is below the normally accepted standard of 16m, it is considered acceptable in this instance as given the layout of the dwelling, outlook is not compromised sufficiently to warrant a refusal of the application.
- 8.8 The proposed dwelling is to be attached to the side elevation of 4 Prentice Court. Whilst there is a single storey rear projection on the proposed dwelling, it is considered that this will not demonstrably result in harm in terms of daylight or sunlight to the existing property.
- 8.9 The windows to the rear of the property, will offer natural surveillance of the local centre and the area around the greenspace/public realm.

Parking

- 8.10 To the front of the properties, is an area that is currently laid out as a parking area and this is to be laid out to provide four parking spaces (including spaces to serve the existing and proposed dwellings). The Local Highway Authority have no objections to this layout or alteration to the access.
- 8.11 Whilst it is appreciated that the development would result in the loss of a relatively small garage court, it should be noted that within current planning policies (either at a national or local level) that there is no requirement to retain garages.

Trees

- 8.12 There are a number of mature trees around the boundaries of the site. The submitted drawings indicate that these are to be retained and the dwellings are outside the root protection areas for these trees. The Council's Arboricultural Officer has considered the submitted tree survey and Arboricultural Impact Assessment Report. It is noted that three small trees are to be removed, but it is considered that these currently make a modest contribution to public amenity and there is no objection to the proposal.
- 8.13 In addition, he notes that the trees that are to be retained are to be protected with protective barrier fencing and protective ground protection measures. However, details of these are not contained within the application. A condition is proposed to ensure this is adequately addressed.

Other Matters

- 8.14 The Environmental Health Officer has requested the securing of car charging points and a specific type of boiler. It is considered that the provision of car charging points would be disproportionate given the scale of the development whilst the provision of boilers is a matter that would normally be addressed under the relevant building regulations. Due to the relatively small scale of

development, it is not considered that a construction hour condition is necessary and any potential nuisance would be covered by Environmental Health legislation.

- 8.15 One letter of objection has been received from an adjacent occupier. This has raised concerns about parking in the area and adequacy of the foul drainage system in the area. In respect of parking, the proposal indicates a parking area to serve existing and proposed occupants. As part of the scheme, the local highway authority were consulted and have not raised any objections to the proposal.
- 8.16 In respect of foul drainage concerns; this will be addressed through the Building Regulations and Anglian Water, rather than directly a planning issue.

9 CONCLUSION

- 9.1 It is considered that the proposed development represents an acceptable land use and, subject to conditions, would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity and the highway system.

10 CONDITIONS

- 10.1 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 site plan, (P) 03 rev B site plan and street elevation; (P) 04; (P) 05;

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

3. Full details of the method of the treatment of the external boundaries of the site together with individual plot boundaries shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first occupation of the building hereby permitted and retained thereafter.

Reason: To ensure that the boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

4. 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 dormers shall be constructed in the roof of the dwelling hereby permitted.

Reason: To safeguard the privacy of nearby residents in accordance with Policy E20 of the Northampton Local Plan.

5. 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 outbuildings shall be erected to the dwelling hereby permitted.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

6. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development shall be submitted to and approved in

writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

7. The car parking and manoeuvring areas as shown on drawing (P) 03 rev B shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

Reason: In the interests of highway safety, in accordance with the requirements of the National Planning Policy Framework.

8. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

9. Full details of all proposed external facing materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

10. All trees shown to be retained in the approved plans shall be protected for the duration of the development by stout fences to be erected and maintained on alignments to be approved in writing by the Local Planning Authority before any development works shall take place. Within the fenced area no development works shall take place on, over or under the ground, no vehicles shall be driven, nor plant sited, no materials or waste shall be deposited, no bonfires shall be lit nor the ground level altered during the periods of development.

Reason: In order to ensure adequate protection of existing trees on the site in the interests of achieving a satisfactory standard of development and maintaining the amenity of the locality in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

11 BACKGROUND PAPERS

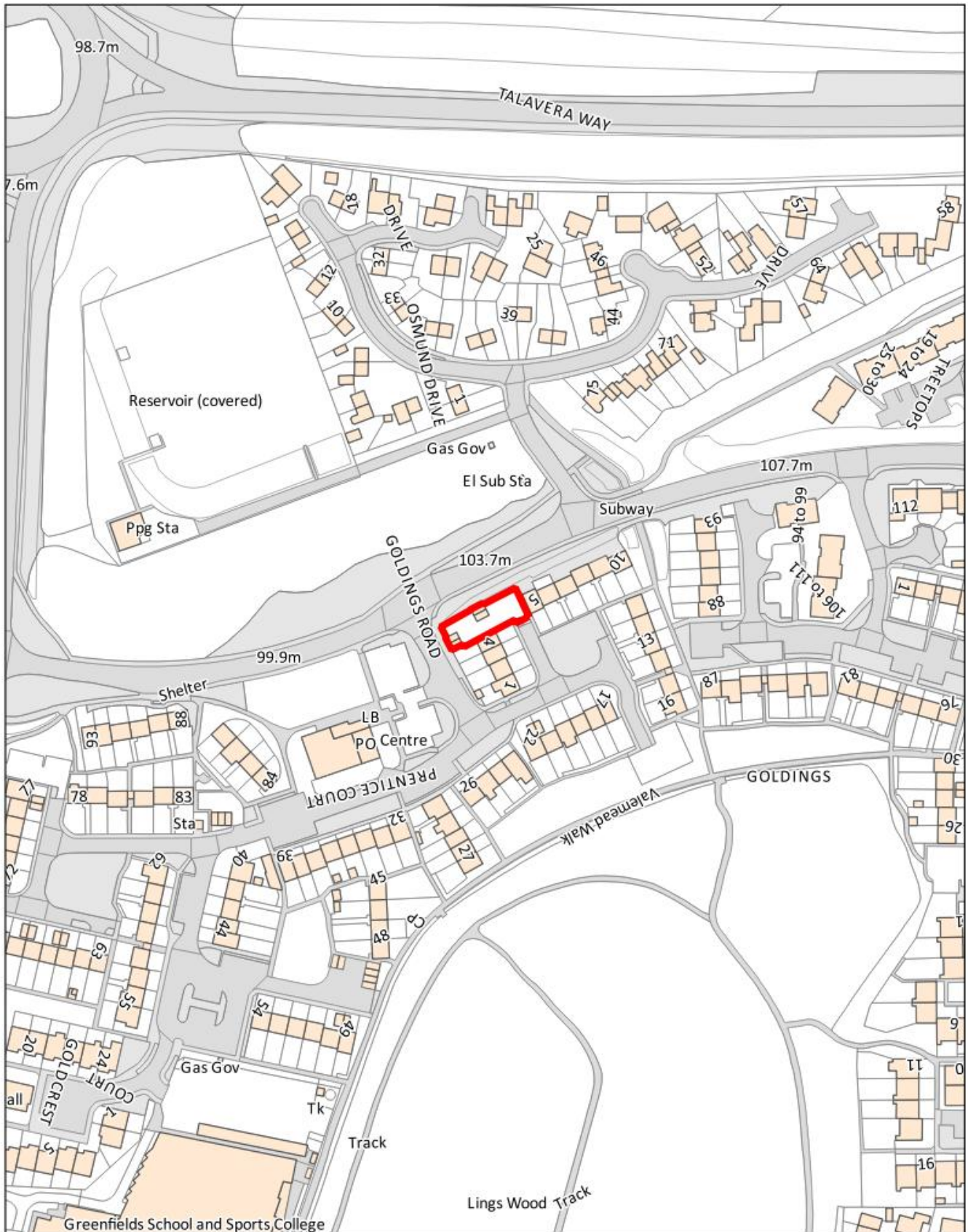
11.1 N/2019/0388.

12 LEGAL IMPLICATIONS

12.1 The development is CIL liable.

13 SUMMARY AND LINKS TO CORPORATE PLAN

13.1 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, Prentice Court**

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Date: 24-04-2019

Scale: 1:1,857

Drawn by: -----



PLANNING COMMITTEE: 7th May 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0443

LOCATION: Access Storage Solutions, Tollgate Way

DESCRIPTION: Non Material Amendment to Planning Permission N/2018/0322 (Demolition of existing residential unit, construction of two residential units with associated garages, construction of extension to existing self-storage (Class B8) facility to provide additional self-storage (Class B8) accommodation over basement, ground and two upper floors, provision of associated plant and landscaping) to add smoke shafts in the basement, remove some self-storage drive-up units, minor adjustments to positioning and configuration of garages, addition of 2no parking spaces, reduction in height and glazing of bungalow 1 and removal of roof link from existing building to extension

WARD: Old Duston Ward

APPLICANT: Access Self Storage
AGENT: DMWR Architects Ltd

REFERRED BY: Head of Planning
REASON: One of the applicants is related to a Member of the Council

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

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

The proposed changes are considered to be sufficiently minor so as to be considered a Non-Material Amendment of Planning Permission N/2019/0443.

2 THE PROPOSAL

2.1 The applicant has applied for a Non-Material Amendment to vary the original planning permission in order to remove some doors from the previously permitted self-storage building. In addition, it is proposed to amend the design of the garages so that these are reduced in size with replacement car parking being provided. In addition, there are proposed amendments to height and fenestration

of one of the bungalows and alterations to ensure ventilation to the previously permitted basements.

3 SITE DESCRIPTION

- 3.1 The application site consists of an existing self-storage facility (accessed from Tollgate Way) and located in a comparatively small area containing commercial uses adjacent to the Sixfields Retail Park and the wider Sixfields area. The application site also contains a separate site containing a single residential dwelling (accessed from Millway). Millway is predominantly residential in character and contains a variety of house types. There is also a notable difference in land levels between the two sites.

4 PLANNING HISTORY

- 4.1 N/2018/0322 – Demolition of existing residential unit, construction of two residential units with associated garages, construction of extension to existing self-storage (Class B8) facility to provide additional self-storage (Class B8) accommodation over basement, ground and two upper floors, provision of associated plant and landscaping – Approved.

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 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 – Creating places with a high standard of amenity for existing and future users

Section 6 – Building a strong, competitive economy

Section 9 – Promoting sustainable transport

Paragraph 109 – development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe.

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 H1 - Housing Density and Mix and Type of Dwellings

Policy BN7 - Flood Risk

Policy S10 - Sustainable Development Principles

Policy BN2 - Biodiversity

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:

E20 – New development

5.5 **Supplementary Planning Documents**

Northamptonshire Parking Standards (September 2016)

6 CONSULTATIONS/REPRESENTATIONS

6.1 None.

7 APPRAISAL

7.1 The application for a non-material amendment mechanism allows for an applicant to agree comparatively minor alterations to a previously determined application without submitting a full application for planning permission. This allows for a decision regarding the changes to be made in a shorter timescale which aids the development process. The key test therefore in the determination of such applications is to ensure that the proposed amendments would not result in a materially different impact (such as on visual amenity, or neighbouring properties) than that previously considered, and deemed acceptable.

7.2 In respect of the alterations to the self-storage facility, the deletion of the 'drive up' units would not result in greater number of vehicle movements and the walls would remain constructed with materials from the previously agreed palette. These features will be set back from the highway, and other public views, by a notable distance. As a consequence, it is considered that this element of the proposal would not have a significant impact on visual amenity. Furthermore, it would not result in the creation of a new, or additional use, and as such the proposal would not result in any greater impacts upon the highway system.

7.3 In terms of the amendments to the domestic dwelling and the change to the garage, the building would be made comparatively smaller. This would therefore not result in a greater impact upon neighbouring properties (such as those on the opposite side of Millway) in terms of matter such as light and outlook. Whilst there would be some spaces offset to another location in the site (the southern section of the driveway), the parking of vehicles on the driveway is unlikely to cause significant harm to the occupiers of neighbouring properties.

7.4 By reason of the reduction in the height of the one of the bungalow's ridge and reduction in the level of fenestration, there would be no greater impacts on the character and appearance of the surrounding area and neighbouring properties than that considered within the previous application, and deemed acceptable. The introduction of the smoke shafts to the basement are of a small scale, and unlikely to affect the general form of the development.

8 CONCLUSION

8.1 It is considered that the proposed changes are considered to represent non-material amendments to the original planning permission.

9 CONDITIONS

9.1 1. The development hereby permitted shall be carried out in accordance with the following approved plans: 3304-DMWR-DR-P-0050 B, 3304-DMRW-DR-P-0060 D, 3304-DMWRDR-P-0068 A, 3304-DMWR-DR-P-0069 B, 3304-DMWR-DR-P-0061 B 3304-DMWR-DR-P-0062 C, 3304-DMWR-DR-P-0063 C, 3304-DMWRDR-P-0064 C, 3304-DMWR-DR-P-007A B, 3304-DMWR-DR-

P-0071 B, m3304-DMWR-DR-P-0065 C, 3304-DMWR-DR-P-0066 B, 3304-DMWRDR-P-0067 B, 3304-DMWR-DR-P-0051, 3304-DMWR-DR-P-0053, 3304-DMWR-DR-P-0054, 3304-DMWR-DR-P-0052 and 3304-DMWR-DR-P-0070 C.

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

Note to applicant – Conditions 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of the original planning permission N/2018/0322 continue to apply.

10 BACKGROUND PAPERS

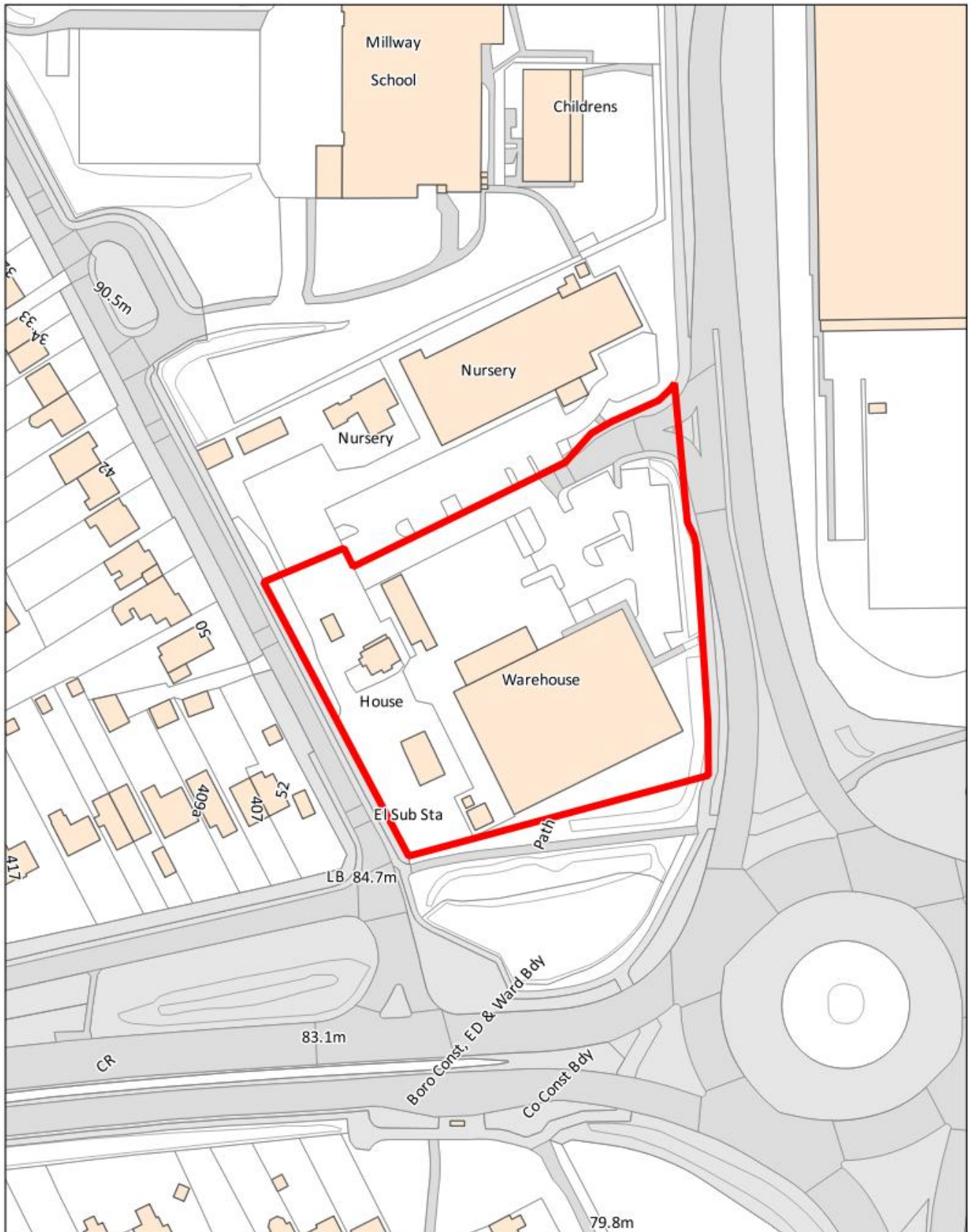
10.1 N/2018/0322 and N/2019/0443.

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Title: **Access Storage Solutions, Tollgate Way**

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