

PLANNING COMMITTEE: 16th April 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0176

LOCATION: Lock Up Garages adjacent to 2 , Orchard Close

DESCRIPTION: Demolition of 8no domestic garages and erection of 2no 2-bed flats with car parking spaces

WARD: Nene Valley 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 BN5, S1, S10 and H10 of the West Northamptonshire Joint Core Strategy, and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 Permission is sought for the demolition of eight garages and the erection two two-bedroom flats and the provision of four car parking spaces.

3 SITE DESCRIPTION

3.1 The site comprises of a single block of eight garages on a corner plot on Orchard Close in Wootton. The site lies within a residential area of two storey brick and tile dwellings constructed in the 1950/60s.

- 3.2 Orchard Close is located off Water Lane and the first section rises steeply and then levels as the road curves round to the right. Therefore, the properties to the north west of the site are at a higher level, but the ones to the south and east are at a lower level.
- 3.3 Many of the properties in this area have created off street parking areas to the front of the dwellings, however there are a number of vehicles parked on the highway around 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) 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 - 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 S10 Sustainable Development Principles

Policy H1 Housing Design, Density and Mix

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 **NBC Public Protection** – concerns about contamination of land (condition requested), hours of work, low emission strategy (boilers and charging points).
- 6.2 **NCC Highways and Access** – no objection.
- 6.3 **Environment Agency** – no objection.
- 6.4 **NCC Local Lead Flood Authority** – no objection.
- 6.5 **Wootton Parish Council** – no objection.
- 6.6 Three letters of objection have been received:
 - Parking and traffic, Orchard Close is used for parking for local businesses
 - Noise and disturbance during works (some residents are shift workers)
 - Impact on air quality
 - Concerns about residents boundary treatment during the course of the development
 - Access to drains during construction
 - Timescale of work
 - Impact on natural spring running under site
 - Loss of privacy

One of the objections has raised a number of concerns that have been previously raised with the applicant. These relate to the need to enter into a party wall agreement, impact on structure of own property arising from works and details of timing and timescale for works. These are matters for the applicant to address as civil matters rather than considerations as part of the planning application.

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 and proposed residential amenity, security and highway conditions/ parking.
- 7.2 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.
- 7.3 The proposal relates to the construction of a two storey building comprising of two two-bedroomed flats each with a large kitchen/lounge/diner, with hall and bathroom and store/utility. There is a landscaped amenity area around the property and four parking spaces within the site.
- 7.4 The design is acceptable in terms of design and layout and subject to the materials, and would not have an adverse impact on the streetscene, character or visual amenities of the area.
- 7.5 The windows in the proposed building are directed to the front and back of the property. In respect of the relationship between the site and the surrounding properties, 3 Orchard Close is located to the north-east of the site and at a similar level to the site. This property has no windows directed towards the site, but there is a separation distance of approximately 17m between the two properties. In terms of privacy, due to the orientation between the two properties, it is considered that there will not be direct overlooking to the rear of 3 Orchard Close from bedroom 2 of the first floor flat, although it may be possible for some obscure views. It is considered that the relationship

between these properties is acceptable and would not result in significant adverse harm in terms of overlooking, privacy and light.

- 7.6 In respect of the relationship between 2 Orchard Close and the application site, there is a difference in levels between the two properties with no. 2 on a lower level. The proposed building is indicated to be set away from the boundary, leaving a gap of around 6m. 2 Orchard Close has a side door, but no windows on the side elevation. The proposed building also does not indicate any windows on the side elevation. Therefore it is considered there is no direct overlooking. In addition, the proposed building is set back into the site and so the first floor window to the second bedroom would not overlook the private space at the rear of 3 Orchard Close, although there could be some obscure views across the end of the garden.
- 7.7 In terms of loss of light to 2 Orchard Close, given the orientation of the site and the relationship between the proposed and existing, it is considered that there will be no significant adverse impact on sunlight, although there could be marginal overshadowing.
- 7.8 In respect of the properties on the other side of the road in Orchard Close, that currently overlook the site, both are set well back from the highway. Those on the north west of the site, will look towards a blank wall. Those on the south west have a separation distance of approximately 25m. It is therefore it is considered that there is sufficient distance to protect privacy to both the existing and proposed dwellings.
- 7.9 Overall it is considered that the impact on residential amenity for the occupiers of the existing and proposed dwellings is acceptable and would not result in significant adverse harm.
- 7.10 A parking area for four vehicles is indicated on the plans. 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. The local highway authority has not objected to the layout, parking provision or access.
- 7.11 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.
- 7.12 The potential for contamination has also been raised by the Environmental Health Officer. Given the existing use of the site, is it possible that ground could be contaminated due to petrochemicals or other contaminants, due to the use of the garages. A condition is recommended to ensure that if identified, this is properly dealt with.
- 7.13 One of the residents has indicated that the site may have a spring under the garages. This area, being just off Water Lane, is known to the Environment Agency as being the source of many springs. This is very common in many areas of Wootton. This will be addressed through the Building Regulation application.
- 7.14 Overall this site provides the opportunity to reuse land that is currently underused and make a contribution, albeit small to the housing needs of the area, without significant adverse impacts on the amenities of the area.

8 CONCLUSION

- 8.1 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.

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 following approved plans: (P) 01; (P) 02; (P) 03; (P) 04; (P) 05; (P) 06; SCH-001; SCH-002 and SCH-003.

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 the plot boundary shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first 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.

4. 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.

5. The car parking and manoeuvring areas as shown on drawing (P) 03 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.

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, 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.

7. 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 BACKGROUND PAPERS

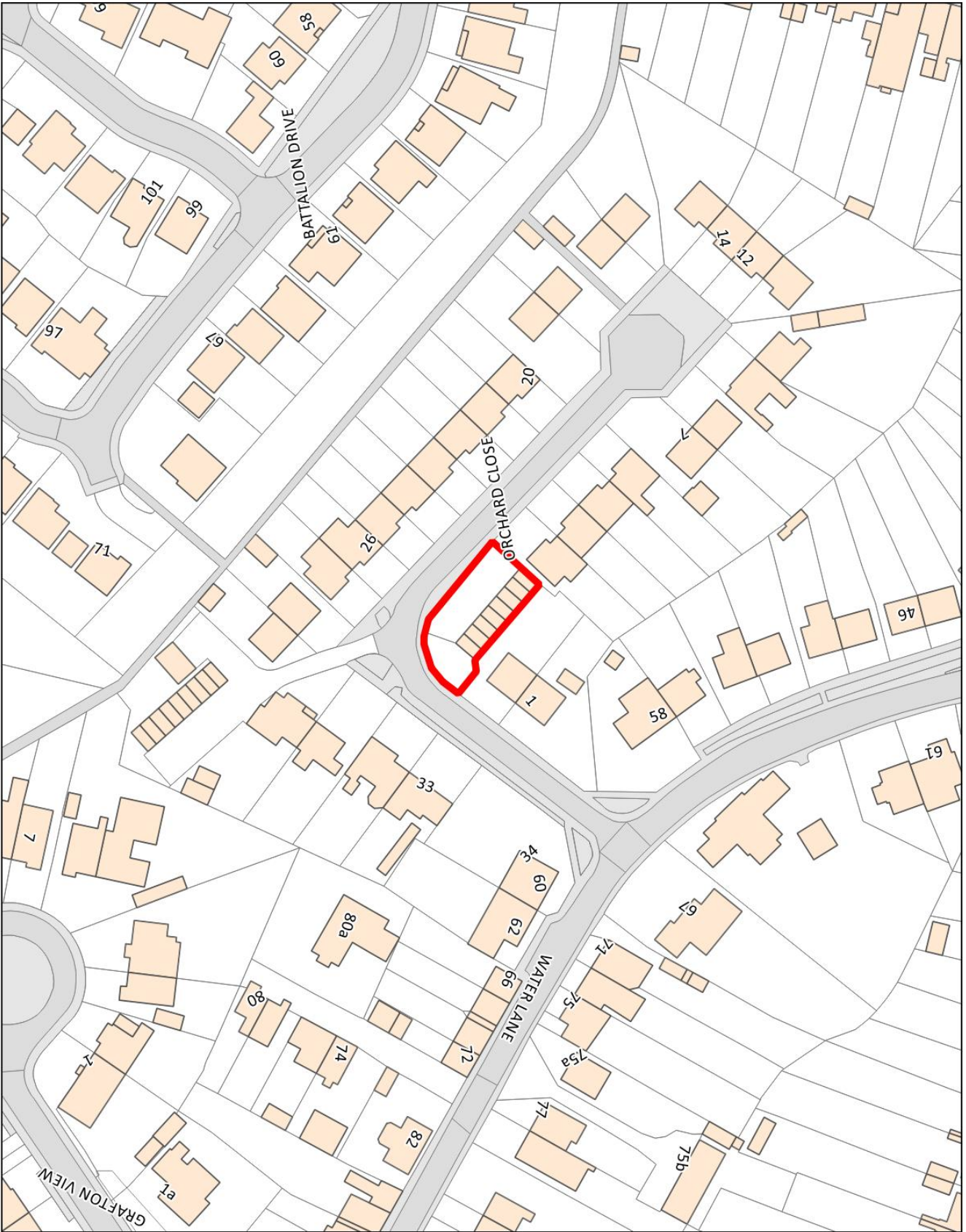
- 10.1 N/2019/0176.

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Lock up garages adj 2 Orchard Close**

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Scale: 1:1,000

Drawn by: -----