

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

APPLICATION REF: N/2019/0203

LOCATION: Garage 1 Lock Up Garages, Cherry Close

DESCRIPTION: Demolition of 13no domestic garages and erection of 2no new build units and provision of car parking spaces

WARD: Westone 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 The application seeks planning permission to demolish the thirteen existing garages and to replace them with two semi-detached houses, which would each have two bedrooms. As part of the proposals, ten off street car parking spaces would be provided behind the proposed dwellings to serve the adjacent properties.

3 SITE DESCRIPTION

- 3.1 The site is located in a residential area and is currently a garage court containing 13 garages fronting James Lewis Crescent which are laid out in two blocks. The majority of the development in this area was constructed in the 1960-70s. Opposite the site is further open parking area.
- 3.2 The site is wider at the front and tapers away from the highway, at the same time sloping away from the main highway. There are number of mature trees on the site.
- 3.3 The site is overlooked by properties in Cherry Close and James Lewis Court. The Cherry Close properties have relatively small front windows facing in the direction of the proposed dwellings, although there are no windows overlooking the site from 40, 41, 43 or 45 Cherry Close which are a group of residential units with a communal entrance point.
- 3.4 The site is close to Birchfield Road East, which is a well-served bus route and close to Headlands Primary School.

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 BN5 – Trees and woodland

Policy H1 - Housing

Policy S1 - The Distribution of Development

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 policy is material to this application:

E20 – New development

5.5 **Supplementary Planning Documents**
Northamptonshire Parking Standards (September 2016)

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Environmental Health** – Recommend a condition regarding the treatment of unsuspected 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.
- 6.2 **Highway Authority** – No objection.
- 6.3 **Councillor B Markham** – support the application; have spoken to a number of people in Cherry Close and James Lewis Court and no one expressed any concern about the proposal. The garages are in a very poor state of repair and a magnet for anti-social behaviour. New homes with allocated parking spaces with better oversight and lighting can only improve matters.
- 6.4 Three letters received including one support which raised the following comments:
- Request that residents parking signage is provided, to prevent the land being used as school drop off parking
 - Alternative parking required by resident for loss of garage

7 APPRAISAL

- 7.1 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.
- 7.2 The proposed dwellings are simple in design and layout; two storey brick and tile in structure, with a rain porch over the front door. The internal layout indicates a hall, lounge, kitchen/diner, store and WC on the ground floor with two bedrooms and a bathroom on the first floor. The layout also indicates an area that could be set aside for a lift, if required. During the course of the application, amendments were sought to install an additional window at first floor level to balance the appearance of the front elevation.
- 7.3 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 boundary treatment appropriate to this location (to be agreed in advance by the Council) and the gardens also include a separate bin storage area and shed.
- 7.4 To the rear of the properties, there is an area that is to be cleared and laid out as a parking area for ten vehicles (including spaces to serve the proposed dwellings) as part of this proposal. These are to be located on the rear boundary of the Cherry Close properties, giving a clear area for manoeuvring and turning. The Local Highway Authority have no objections to this layout or alteration to the access.
- 7.5 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.

- 7.6 In terms of residential amenity, as there are no windows on the side elevation of 45 Cherry Close and relatively small window openings in the adjacent properties, it is considered that there is adequate separation distance between the properties 47, 48 and 43 Cherry Close.
- 7.7 50 Cherry Close is sited directly next to the rear garden area of the proposed dwellings, but the nearest window is a high-level, possibly a bathroom window. It is therefore considered that there is no significant harm in terms of overlooking arising from the relationship between the proposed and existing dwellings. In addition there are two mature trees on the boundary which provide some screening of the gardens.
- 7.8 There are a number of mature trees around the boundaries of the site. The submitted drawings indicate that they are to be retained and the dwellings are outside the root protection areas for these trees. The Council's Arboricultural Officer has yet to comment on this application and any comment received will be reported via the addendum to this report.
- 7.9 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 conditions is necessary and any potential nuisance would be covered by Environmental Health legislation.

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 rev B; (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 individual plot boundaries 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. 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 dwellings 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 dwellings 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 BACKGROUND PAPERS

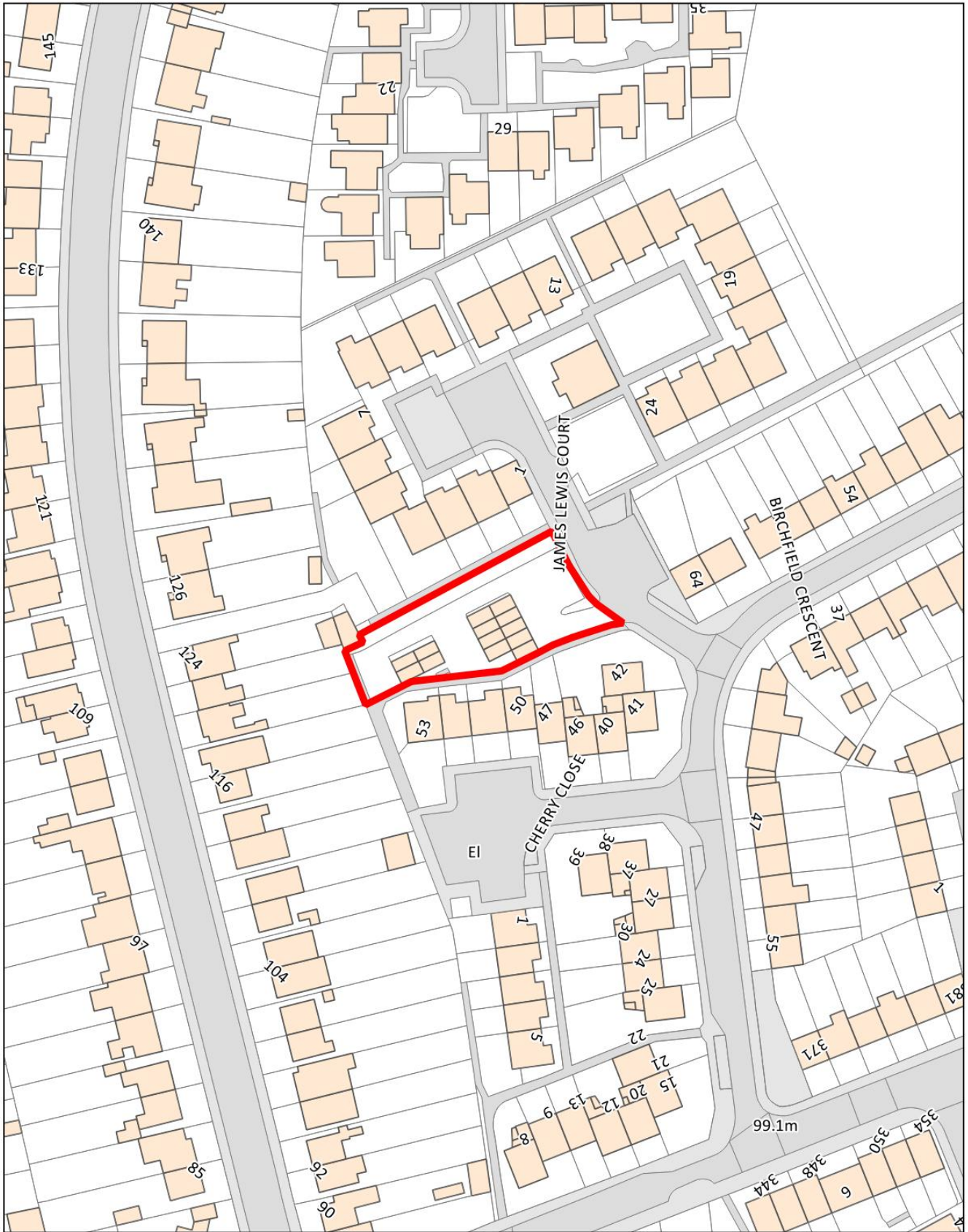
10.1 N/2019/0203.

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 Cherry Close**

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Date: 03-04-2019

Scale: 1:1,000

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