

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

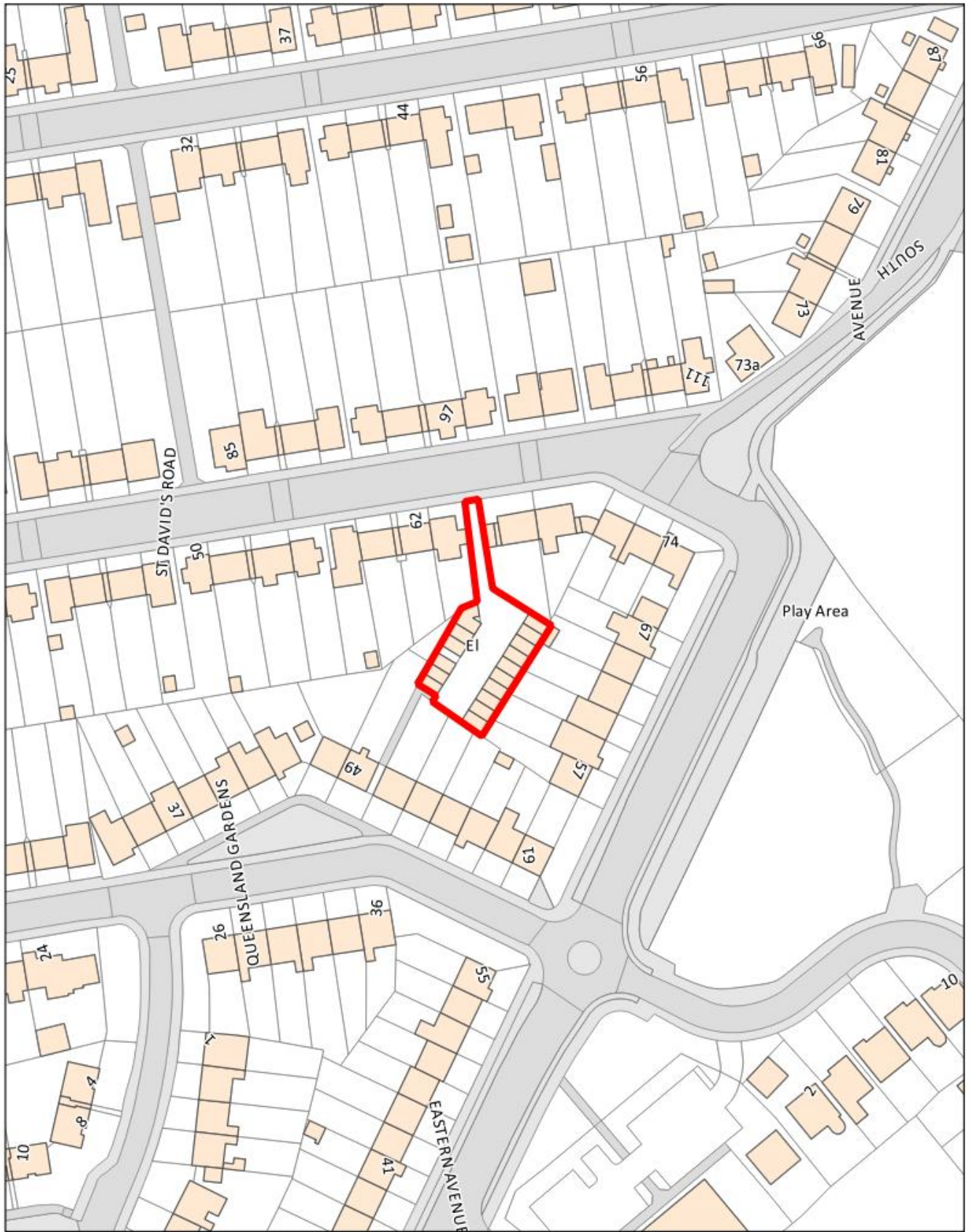
- 10.1 Application file N/2019/0255.

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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Scale: 1:1,000

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