

PLANNING COMMITTEE: 7th 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

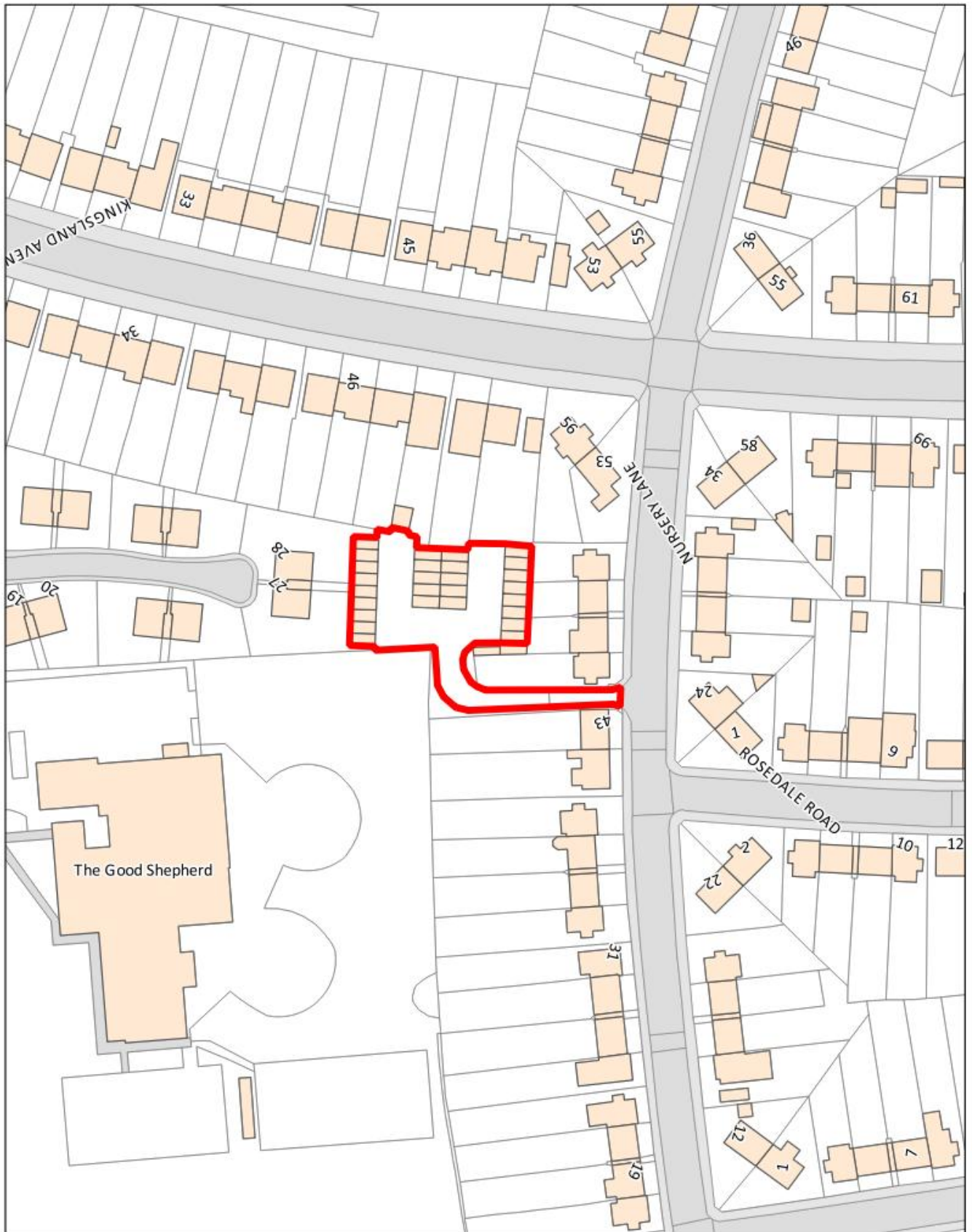
- 10.1 Application file N/2019/0257.

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

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