

**PLANNING COMMITTEE:** 4<sup>th</sup> June 2019  
**DEPARTMENT:** Planning Service  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2018/1348

**LOCATION:** Lock up garages rear of 56 to 64, Gloucester Avenue

**DESCRIPTION:** Demolition of 7no domestic garages and construction of one new-build sheltered housing bungalow

**WARD:** Delapre & Briar 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, 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 seven existing garages and the erection of one dwelling with associated parking.

2.2 The new dwelling would comprise a detached one bed bungalow with a hipped roof. It would measure 9.2 metres in width, 9.6 metres in depth and 4.8 metres in height. The bungalow would be sited to the rear of Nos 60 - 64 (even) Gloucester Avenue; partly on the footprint of the existing garages and partly within the communal garden area to the rear of these existing residential properties. The new dwelling would however be set on a lower land level to Nos 60 - 64 (even) and incorporate excavation works to form a garden area for the new bungalow with associated retaining walls.

- 2.3 In addition, the proposal would include the creation of 4 parking spaces.
- 2.4 The scheme has been amended since its submission to include sectional details and set the new bungalow further forward within its plot.

### **3 SITE DESCRIPTION**

- 3.1 The application site is located to the north side of Gloucester Avenue opposite the junction to Friar's Avenue. It comprises a small garage court containing seven garages and part of the communal garden area to the rear of Nos 56 - 64 (even) Gloucester Avenue.
- 3.2 Nos 56 - 64 (even) Gloucester Avenue comprise terraced bungalows with gabled roof forms that form a cluster of sheltered housing units. The garden area to the rear of these existing properties is divided into small gardens for each individual property with a communal area to the rear.
- 3.3 The access to the parking court also provides access to allotments.
- 3.4 Land levels fall from north to south in the locality.

### **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), 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 S1 - The Distribution of 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 policies are 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**

Comment received are summarised as follows:

- 6.1 **Arboricultural Officer (NBC)** – There are no longer any trees within the proposed development site.
- 6.2 **Public Protection (NBC)** – No objections to the proposal subject to a condition to address unexpected contamination and guidance on acceptable construction hours.
- 6.3 **Highway Authority (NCC)** – No comments.
- 6.4 **Two neighbour letters** have been received raising various queries regarding the details of the proposal and rights of access to properties and the allotments.

### 7 **APPRAISAL**

#### **Principle of development**

- 7.1 The application site is located in a designated residential area and would comply with Policy S1 of the Joint Core Strategy, which details that development should be concentrated primarily in and adjoining the principal area of Northampton.
- 7.2 However, 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 a dwelling 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.

#### **Layout and 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.
- 7.4 The new dwelling would be set to the rear of a terrace of bungalows and would be orientated to face onto the existing access drive and thus would create a perimeter block style of development, improving the surveillance of the access to the allotments and the security of the communal gardens serving the existing bungalows. The proposed dwelling would have a hipped roof form that would differ from the roof form of the neighbouring terraced bungalows, however there are other hipped roof properties in the locality of the site. Furthermore, the new bungalow would be set on a lower land level than the neighbouring terrace properties and to the side of an existing outbuilding such that there would only be limited views of the new property from Gloucester

Avenue. Overall, and subject to conditions relating to floor levels and materials, it is considered that the proposal would not have an adverse impact on the character and appearance of the area.

### **Residential 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 proposed bungalow would be located to the rear of Nos 62 and 64 Gloucester Avenue on the footprint of four existing garages and partly on the communal garden area for the existing sheltered housing. However, the new dwelling would be set on a lower land level to the existing properties fronting Gloucester Avenue; single storey in scale with a hipped roof form; and partially screened by an existing outbuilding. Furthermore, the garden areas serving Nos 62 and 64 are enclosed by close boarded fencing which would further reduce the impact of the proposed development. The proposal would result in a loss of part of the communal garden area for the sheltered housing, however an area of communal garden would remain and the existing properties would also each retain a small garden that would be sufficient for the type of property that they would serve. As such, and subject to a levels condition and a condition removing permitted development rights for extensions and roof alterations/enlargements, it is considered that the proposal would not have an adverse impact on the residential amenities of Nos 56 - 64 (even) Gloucester Avenue.
- 7.7 The new dwelling would be separated from the properties on the corner of Gloucester Avenue and Gloucester Crescent by the existing access drive to the allotments. As such, and given the single storey scale and hipped roof design, it is considered that the proposal would not have an adverse impact on the residential amenities of these neighbouring properties.
- 7.8 Turning to the amenities of future occupiers, all habitable rooms would be served by windows. In addition, the proposal includes sectional plans which show that the rear garden area would be excavated to ensure adequate outlook from the new bungalow and an amenity area of an acceptable size for the nature of the property. There would be some opportunities for overlooking of the new property from the remaining communal garden serving the existing properties fronting Gloucester Avenue, however a number of the existing properties in this cluster of sheltering housing are also subject to overlooking from the communal garden area. As such, and given the proposal is intended to provide an additional sheltered housing type of residential unit, it is considered that the proposal would afford an acceptable level of amenity for future occupiers of the new property.
- 7.9 Overall, it is considered that the proposal would not have an unacceptable impact on the residential amenity of neighbouring properties and would afford an acceptable level of amenity for future occupiers of the development.

### **Parking and highway safety**

- 7.10 The Parking Standards seek one on plot parking space per one bed dwelling. The proposed development would be served by four parking spaces located along the access drive that would be available for future occupiers of the new dwelling and neighbouring residents to offset the loss of garaging. Furthermore, the County Highway Engineer has assessed the scheme and raises no objections. As such, it is considered that the proposal is acceptable on parking and highway safety grounds.

### **Other considerations**

- 7.11 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.12 In the interests of security, it is recommended that conditions are also imposed regarding boundary treatments and external lighting of the access drive and new parking area.

- 7.13 In addition, it is noted that comments have been received regarding rights of access and the access to the allotments. Notwithstanding that these are not planning consideration, the proposal would not obstruct access to neighbouring properties or the allotments.

## **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. However, the Council 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, subject to conditions, 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)03C, (P)04, (P)05 and (P)06B.

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

3. 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.

4. Notwithstanding the submitted details and prior to the construction of the new dwelling hereby permitted, details of the existing and proposed ground levels and finished floor levels of the development including sectional plans 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 H1 of the West Northamptonshire Joint Core Strategy. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

5. 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.

6. Notwithstanding the submitted details and prior to the construction of the development 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 building 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.

7. Prior to the construction of the development hereby permitted above ground floor slab level, full details of all external lighting within the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of appearance of the locality, residential amenity, and crime prevention in accordance with Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

8. Notwithstanding the submitted details and prior to the construction of the development hereby approved above ground floor slab level, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. 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 dwelling 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.

9. The new parking spaces shown on approved plans shall be constructed prior to the occupation of the dwelling 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.

10. Prior to the construction of the shed shown on the plans hereby approved, full details of the shed 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: 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.

## **10 BACKGROUND PAPERS**

- 10.1 None.

## **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: **Garages rear of 56 - 64 Gloucester Avenue**

© Crown copyright and database rights 2018 Ordnance Survey licence no. 10019655

Date: 17-05-2019

Scale: 1:1,000

Drawn by: -----