

PLANNING COMMITTEE: 4th June 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0138

LOCATION: Lock up garages adjacent to 55 Newton Road

DESCRIPTION: Demolition of 13no domestic garages and erection of 1no new build bungalow and parking

WARD: Old Duston Ward

APPLICANT: Northampton Partnership Homes
AGENT: Miss Isobel Barrett

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 13 existing garages and the erection of one bungalow. 9 parking spaces are also proposed. An existing electricity sub-station will be retained.
- 2.2 The proposed dwelling would have a width of 9.2 metres and a depth of 9 metres. The maximum ridge height of the dwelling is 4.8 metres.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court located within a residential area. The site is located on the north-eastern side of Newton Road and comprises two rows of 13 garages. An electricity

sub-station is located at the end of one of the garage blocks. Existing hardstanding provides open parking for approximately 4 vehicles.

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:

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 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** – No objection. Suggest conditions on contaminated land, vehicle charging points, and boilers, and an informative on construction and demolition noise.
- 6.2 **Northamptonshire Police** – No formal objection. Recommend doors and windows comply with building regulations and shed is secure. Concern raised with green space to right side of house which should be part of garden (*Officer Comment – following these comments the green space to the side has been incorporated into the garden for the proposed dwelling*).
- 6.3 **NBC Arboricultural Officer** – An arboricultural method statement is required through condition.
- 6.4 **NCC Highways** – No comment on application.
- 6.5 **Duston Parish Council** – Welcome demolition of garages for a new dwelling but concerned about the loss of parking spaces and how this might have a negative impact on the immediate area.
- 6.6 1 neighbour letter has been received objecting to the application. The concerns raised can be summarised as follows:
- Outlook from neighbouring properties – currently secluded and would become of another house;
 - Loss of garage for the storage of items – replacement garage would be inconvenient;
 - 9 parking spaces is only 3 more than existing. Currently hard to get a space so 3 won't help. Inconvenient to have to park elsewhere;
 - Concern regarding loss of garage building which forms wall of neighbour gardens and impact on garden;
 - Dwelling could be built elsewhere in area (*Officer Comment: The application under assessment is for this site and it is on this basis that an assessment must be made*).

7 APPRAISAL

Principle of development

- 7.1 The application site is in a residential area within the urban area of Northampton and therefore development of the site for residential purposes is acceptable in principle under Policy S1 of the Joint Core Strategy.
- 7.2 It is also the case that 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 housing 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.

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. The application site comprises a garage court set in the middle of a residential estate and would comprise the re-use of brownfield land, which is encouraged under the NPPF.
- 7.4 The application proposes a detached bungalow with hipped roof located within an existing garage court, surrounded by residential dwellings to the rear and sides. Newton Road is characterised by a variety of house types and designs. Whilst the surrounding properties are largely two storey, it is not considered that a proposed bungalow would appear greatly out of character with the existing rhythm and pattern of development within the streetscene due to this varying character.

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 application site is bordered by residential dwellings to the rear and sides. A distance of approximately 19 metres is retained with 53 and 55 Newton Road to the south-east (side), 11.5 metres with 8 Wenlock Way to the north-west (side), and 28 metres with 45 and 47 Knightscliffe Way to the north-east (rear). With the proposed dwelling being a bungalow with a hipped roof, and the distances retained between the proposed dwelling and neighbouring properties, it is considered that the proposal would not result in an unacceptable impact upon neighbouring amenity.
- 7.7 It is also the case that the proposed dwelling provide good size rooms with adequate light for future occupiers, alongside sufficient garden amenity space. As such it is considered that adequate living conditions for future occupiers is provided.

Parking and highway safety

- 7.8 Concern was raised in a neighbour letter as to parking in the area being cramped and that the provision of 3 additional spaces over existing will not be enough.
- 7.9 The Northamptonshire County Council Parking Standards seek 1 on plot parking space per dwelling for 1 bedroom properties. The proposal provides 1 1xbedroom property and 9 parking spaces. 1 parking space would be allocated to the proposed dwelling and 8 parking spaces would be available for communal parking by existing residents and visitors. The proposal also provides 1 shed which could be used for bicycle storage.
- 7.10 The application site as existing provides 13 garages and 4 outside parking spaces. The existing garages are not to a size that could be counted as providing existing parking spaces for the site, and as such the existing parking provision on the site must be assessed as 4. The proposal provides 8 unallocated replacement parking spaces, a net increase of 4 parking spaces.
- 7.11 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection. In line with this, it is considered that the proposal would not have an unacceptable impact upon parking or highway safety.

Other considerations

- 7.12 A neighbour letter raised concern regarding the loss of the garage buildings resulting in the loss of boundary walls for neighbouring properties. A condition is recommended requesting details on the proposed replacement boundary treatments on this site.
- 7.13 A neighbour letter also raised concern that the loss of the existing garages would result in the loss of storage space for those currently renting them, and renting a garage elsewhere would result in inconvenience. The use of garages for storage is not the intended use for such buildings, and the loss of the convenience of storing goods in these buildings does not form a material planning consideration in the assessment of the application.
- 7.14 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.15 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and an informative on construction hours. 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 and the site is not in an air quality

management area such that it is not considered that it would be reasonable to condition the boilers to be installed in the new properties. With respect to construction hours, the proposal is only for a small-scale development and there are controls under the Environmental Health and Highway legislations to address issues arising from such small construction sites should they arise.

- 7.16 The Northamptonshire Police recommend doors and windows comply with building regulations and the shed is secure. Details on the proposed shed is recommended through condition. An informative is suggested advising of the Northamptonshire Police comments on security.
- 7.17 The Arboricultural Officer requests a condition requiring the submission of an arboricultural method statement.

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. 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. Furthermore, 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)03 Rev B, (P)04, (P)05, (P)06.

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

3. 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 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. 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.

5. Notwithstanding the submitted details, prior to the construction of the new dwelling 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 new dwellings 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.

6. All planting, seeding or turfing shown on approved drawing numbers (P)03 Rev B and SCH-002 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 Policies H1 and S10 of the West Northamptonshire Joint Core Strategy.

7. The new parking spaces shown on approved plan (P)03 Rev B shall be constructed prior to the first occupation of the dwelling hereby approved and retained thereafter solely for the parking of vehicles.

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.

8. Prior to first occupation of the dwelling hereby approved, full details of the shed shall be submitted to and approved in writing by the Local Planning Authority. The approved sheds shall be provided on site in full accordance with the submitted details prior to first occupation of the dwelling hereby approved.

Reason: To ensure the provision of adequate facilities in accordance with Policy S0 of the West Northamptonshire Joint Core Strategy.

9. 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. Prior to the commencement of the development hereby approved, an arboricultural method statement shall be submitted to and approved in writing by the Local Planning Authority. The submitted statement shall include details of how possible damage to the tree roots will be assessed, and what actions will be proposed as a consequence of this investigation. The development shall be undertaken in full accordance with the details approved.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

11. Full details in relation to making good/external finish of the sub-station as shown on approved site plan (P)03 B shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the details prior to the first occupation of the dwelling hereby approved.

Reason: In the interests of visual amenity in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

INFORMATIVE:

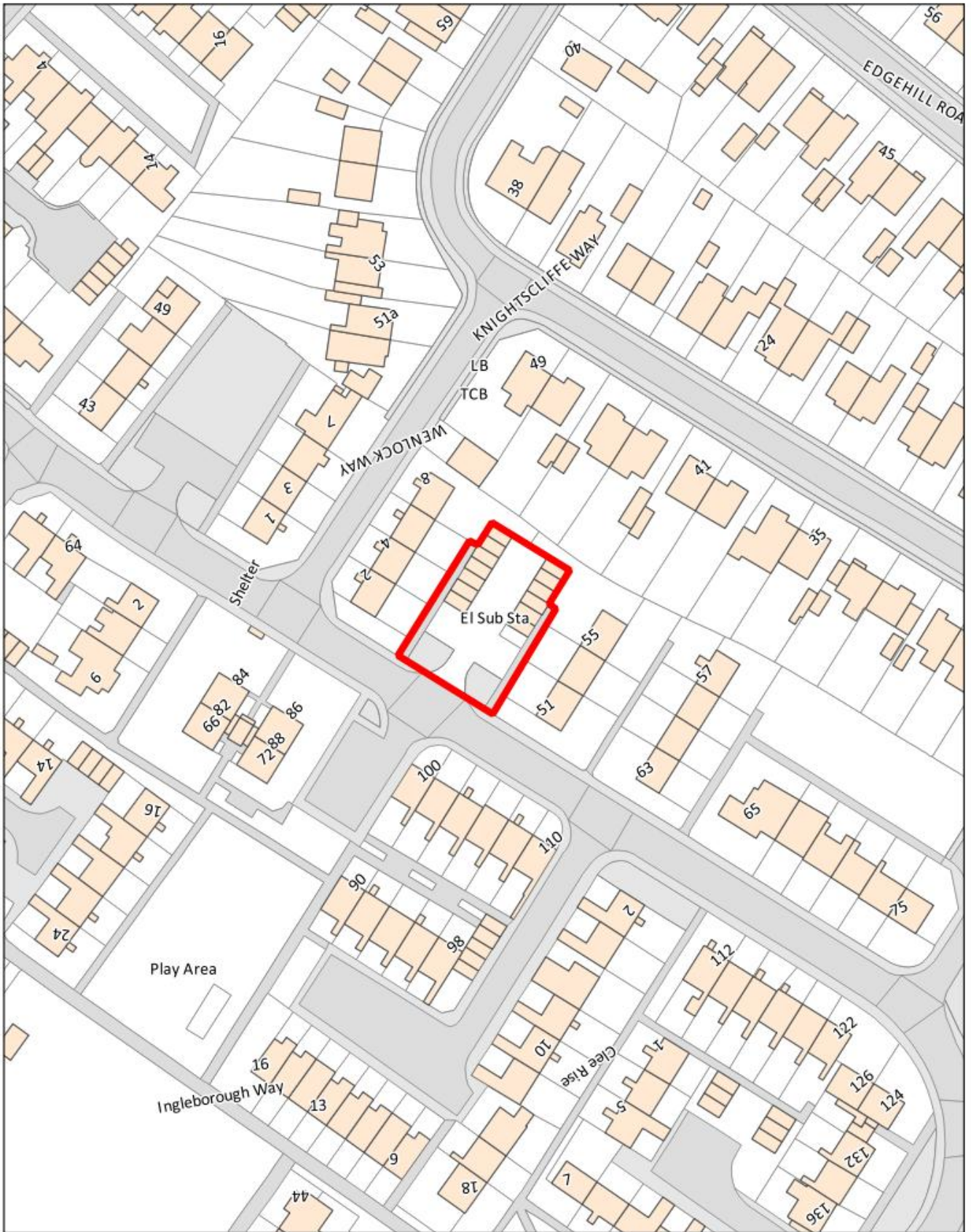
The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

10 LEGAL IMPLICATIONS

10.1 The development is CIL liable.

11 SUMMARY AND LINKS TO CORPORATE PLAN

11.1 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 adjacent to 55 Newton Road**

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Date: 17-05-2019

Scale: 1:1,000

Drawn by: -----