

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

APPLICATION REF: N/2019/0324

LOCATION: Garage 1 Lock Up Garages, Pendle Road

DESCRIPTION: Demolition of 16no domestic lock up garages and erection of 2no dwellings and provision of parking area

WARD: Old Duston 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, Policies OP1, H1, H3, H4 and BE1 of the Duston Neighbourhood Plan and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is for the demolition of a total of 16 garages in three blocks and the construction of a pair of semi-detached two storey two bedroom dwellings. The application was originally proposed the erection of three dwellings but the scheme has since been revised to reduce the number of dwellings to two only.

2.2 A total of 22 parking spaces would be provided to serve the development and the wider area.

3 SITE DESCRIPTION

- 3.1 The site consists of three blocks of garages in a linear formation as well as an area of open space which is used as amenity space for the adjacent flats. The neighbouring dwellings are two three storey blocks of flats and bungalows to the rear on Darwin Walk and two storey houses to the rear on Reedham Close.

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
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 Duston Neighbourhood Plan

At Full Council on 14th December 2015 Northampton Borough Council made the Duston Neighbourhood Plan. It now forms part of the Development Plan for Northampton.

The following policies are relevant to the determination of this proposal:

OP1 – Sustainable Development Principles
H1 – Development On Previously Developed Land
H3 – Meeting The Needs Of All Sectors Of The Population
H4 – Smaller Infill Sites – General Criteria
BE1 – Local Character Areas

5.6 **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 **Wildlife Trust** – Object due to the absence of an ecological survey and the potential impact on wildlife.
- 6.3 **Duston Parish Council** – No objection.
- 6.4 **Local Highway Authority** – No comments to make.
- 6.5 **Police Crime Prevention Design Adviser** – This application is acceptable in that the houses address the street and the car parking is visible from within the dwelling. It is unacceptable in that it has a lot of permeability with alleys on three sides and an anonymous piece of green space to the side of one plot. Such spaces are often used in inappropriate ways and cause annoyance and nuisance to residents. They are often used as places on which to dump rubbish.
- 6.6 **Arboricultural Officer** – Following a revision to the site layout a revised arboricultural report will be required that includes a tree protection plan that reflects the changed layout, including the alignment of, and specification for, protective barrier fencing and the location of any ground protection measures that may be required by the layout. In addition, an arboricultural method statement will be required that will set out how avoidable harm to the retained trees will be avoided throughout the development.
- 6.7 Representation received from one nearby resident making the following points in summary:
- Parking would be more beneficial to the area.
 - None of the facilities in the area has the parking capacity they need.
- 6.8 As the consultation period for the revised has not expired when this report is prepared, any additional comments will be reported to the Committee via the addendum.

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 whilst Policy OP1 of the Duston Neighbourhood Plan calls for a high quality environment and states that development should not affect the character of the area, 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 garage court in a residential area as well as an area used as amenity space for flats. The demolition of these garages and redevelopment of the site would comprise the re-use of brownfield land which is encouraged under the NPPF.
- 7.6 The proposal is for a pair of semi-detached houses. The design of these is similar to those in the nearby area. It is considered, therefore, that the dwellings would be in keeping with the character of the area.

Residential amenity

- 7.7 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy, Policy OP1 of the Duston Neighbourhood Plan 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 proposed dwellings would be separated from the rear elevation of neighbours to the side at 37 and 39 Reedham Close by 16m, and 13m from the conservatory at no. 39. This would be sufficient to prevent any undue adverse impact in terms of overshadowing, whilst overlooking would not occur due to the presence of only a small obscure glazed window in the side elevation. To the rear a separation of 13.5m would be provided to the rear garden of the adjacent property at 8 Darwin Walk, which would prevent undue overshadowing and overlooking of this garden area.
- 7.9 Offset from the front of the site are flats at 22 – 34 Darwin Walk. The original proposal was for three dwellings and due to concerns about indirect overlooking of the nearest of these flats, amendments were sought which reduced the number of flats, thereby providing a separation of 13m and overcoming this concern.
- 7.10 To one side of the site are flats at 9 to 20 Darwin Walk. Some of these have windows facing towards the side elevation of the proposed dwellings. Following amendments a separation of 13m would be provided to these windows, which is considered sufficient to prevent overshadowing. Only small obscure glazed windows would be on the side elevation, preventing overlooking.
- 7.11 The site is within an area intended as amenity space for flats. The original proposal for three dwellings would have reduced this to an unusable area but following amendments, it is considered that sufficient space would remain and the amenities of the flat occupiers would not be unduly affected.

- 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 each be 66 square metres in area. This is larger than some neighbouring gardens and would provide a good level of amenity.
- 7.14 In respect of the security of the future residents of the houses and other neighbouring occupiers, reference has been made by the Police Crime Prevention Adviser to the security of alleyways around the site. These are needed for access to the amenity space for the flats and the flats themselves, and also for access to the rear of properties on Reedham Close. These have previously been gated and it will be necessary for security to continue to be provided. To this end a condition requiring full details of the boundary treatment of the site, together with such security measures, is proposed.

Parking and highway safety

- 7.15 The proposed development would benefit from 22 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, a standard which is met in full 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 Highway Authority has no objection to the proposal.

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 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: 30760 (P) 03 E, 30760 (P) 04A, 30760 (P) 05A, 30760 (P) 06B.

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) A revised Arboricultural Assessment shall be submitted to and approved in writing by the Local Planning Authority which reflects the changed layout, including the alignment of, and specification for, protective barrier fencing and the location of any ground protection measures that may be required by the layout. In addition, an arboricultural method statement will be required that will set out how avoidable harm to the retained trees will be avoided throughout the development. The development shall be carried out in full accordance with such reports which shall be implemented before any works in the root protection area of the retained trees.

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 The National Planning Policy Framework.

- 9) Notwithstanding the details submitted, full details of the proposed external boundaries of the site together with security gates to footways shall be first submitted to and approved in writing by the Local Planning Authority. The approved details 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.

- 10) 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.

- 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 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.

10 BACKGROUND PAPERS

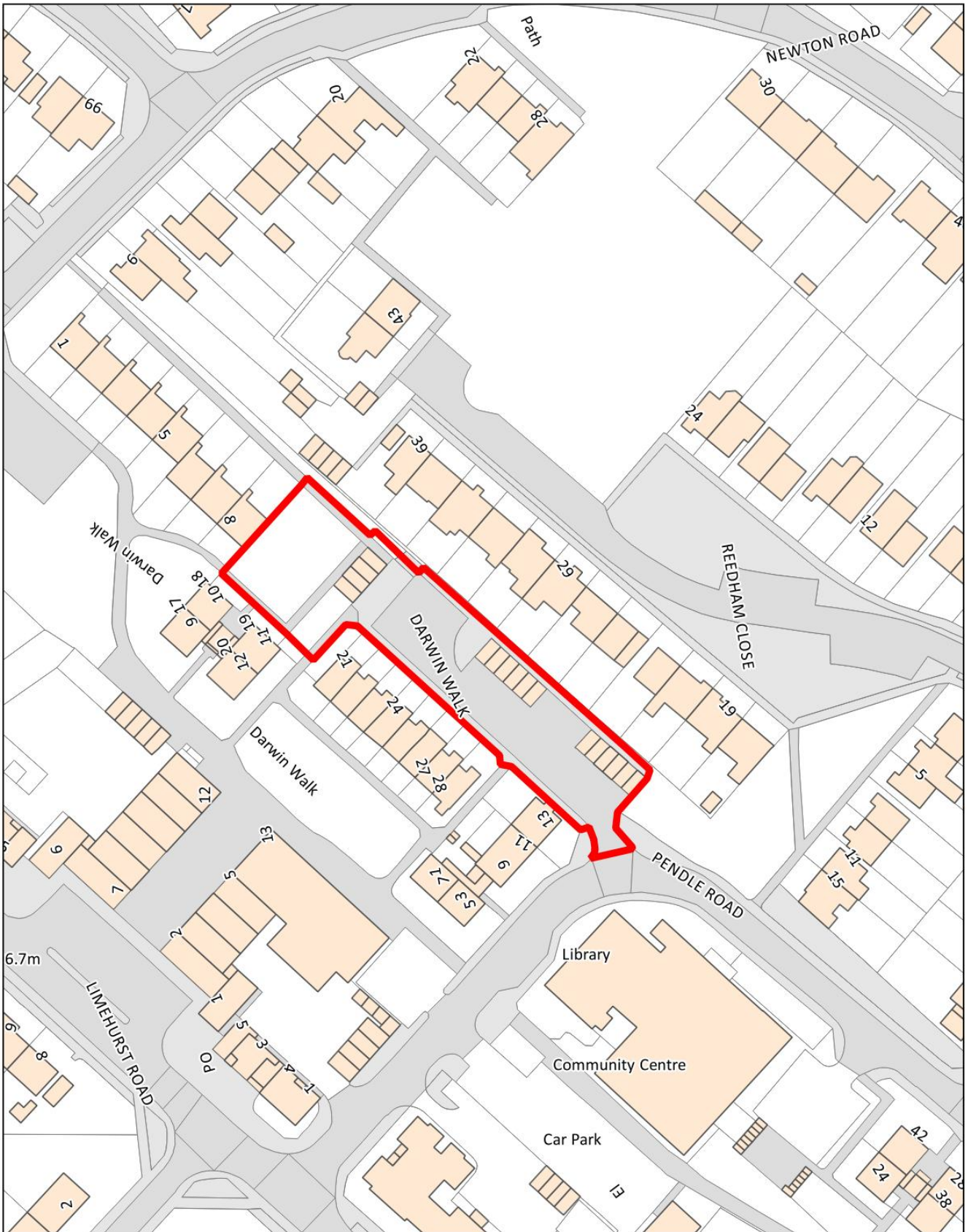
- 10.1 Application file N/2019/0324.

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.



NORTHAMPTON
BOROUGH COUNCIL

Title: **Garages at Pendle Road**

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

Date: 17-05-2019

Scale: 1:1,000

Drawn by: -----