

PLANNING COMMITTEE: 2nd July 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0182

LOCATION: Garage 1 Lock Up Garages, Stockley Street

DESCRIPTION: Demolition of 38no domestic garages and erection of 5no dwellings with associated parking

WARD: Castle 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, BN5 and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20 and E26 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks full planning permission for the demolition of thirty eight existing garages and the erection of five dwellings with associated parking.

2.2 The new dwellings would all be two bed houses with gabled roof forms and would specifically comprise three terraced properties fronting Palmerston Road and two semi-detached properties fronting Stockley Street. The terraced properties would each measure 4.5 metres in width, 10.6 metres in depth and 8.5 metres in height. The semi-detached properties would each measure 4.7 metres in width, 9.6 metres in depth and 8.2 metres in height.

2.3 In addition, the proposal would include the creation of 10 parking spaces.

- 2.4 The scheme has been amended since its submission to remove a unit, to retain the trees lining St Edmonds Street and re-orient the semi-detached properties to front Stockley Street.

3 SITE DESCRIPTION

- 3.1 The application site is located to the north of Stockley Street, between Palmerston Road to the west and St Edmonds Street to the east, and neighbours the Boot and Shoe Quarter Conservation Area. It comprises two garage courts containing thirty eight flat roofed garages which are set either side of an access road that serves parking areas to the rear of properties on Palmerston Road and Stockley Street. Land levels fall from west to east across the site and there are established trees to the eastern boundary with St Edmond Street and the south east part of the frontage with Stockley Street.

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

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

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.

Section 16 – Conserving and enhancing the historic environment

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 BN5 - Historic Environment and Landscape

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)

Policy E26 - Conservation Areas

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)** – The London plane tree that overhangs St Edmund's Street is very attractive and its removal would be a massive loss to the local landscape. However, the site layout has been revised to retain this tree and a revised arboricultural report will be required that includes a tree protection plan and arboricultural method statement.

6.2 **Conservation Officer (NBC)** – The site was omitted from the Boot & Shoe Quarter Conservation Area since the garages do not contribute to the historic character of the area. Replacement with terraced houses would be more in keeping with its character and appearance.

6.3 **Public Protection (NBC)** – No objections subject to land contamination conditions and advisory notes relating to hours of construction and the Council's Low Emission Strategy.

6.4 **Northamptonshire Police Crime Prevention Design Advisor** - This new layout enables some overlooking of the parked vehicles to the side of dwelling on Stockley Street and this pair of houses have secure rear gardens. The piece of land to the right hand side of the pair of houses should be fully landscaped to remove opportunities for fly tipping and other inconsiderate uses.

The dwellings facing onto Palmerston Road have none of the benefits associated with the pair of houses, their rear garden boundaries are exposed and the car parking is not visible from within the dwellings. It would be helpful if the rear garden fences were supplemented with a trellis topping to reduce opportunities for climbing and the rear garden gates should be key lockable operable from both sides for convenience.

6.5 **Highway Authority (NCC)** – Advised that the original plans needed to be amended to run a footway on each side of the road running through the centre of site (Officer Note: Plans amended to include a footway but to date no revised comments received from Highways).

6.6 **One third party objection letter** was received to the application as originally submitted. The letter included the following concerns:

- A safe play area should be created for local children; there is a shortage of play facilities in the area and ideally the site would be used for a mixture of housing and play space.
- The loss of a seating area and flowerbed, which add to local amenity, is unnecessary.
- Object to the loss of a London plane tree to St Edmonds Street and would also prefer that the three whitebeam trees on Stockley Street be retained.

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 In addition, the site comprises land that has been previously developed and thus the redevelopment of such brownfield land is encouraged under the NPPF
- 7.3 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 five 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, design and heritage

- 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 is in conformity with the NPPF which advises that planning should always seek to secure high quality design. In addition, as the site neighbours a Conservation Area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, with great weight given to the conservation of the heritage asset.
- 7.5 The application site is located in a predominantly residential area and contains two garage courts located at the end of rows of terrace houses: a western garage court neighbouring Palmerston Road and Stockley Street; and an eastern garage court neighbouring Stockley Street and St Edmonds Street. The garage courts are separated from the neighbouring roads by narrow areas of landscaping including a bench and flowerbeds to Palmerston Road, three trees to Stockley Street and two trees to St Edmond Street.
- 7.6 The proposal would replace the garages and landscaping to the western part of the site with a terrace of three houses that would front onto Palmerstone Road with parking to the rear and thus continue the existing established pattern of development, although the new terrace would have an unusual set back from the footway and a deeper gabled plan form than is characteristic of its neighbours. However, given that the site comprises the southern end of the street and that the new properties would not adjoin onto the existing terrace, it is considered that the relationship between the existing and proposed terrace properties would be acceptable. In addition, it is noted that the new terrace would only have limited features in its flank gable facing Stockley Street. However, the new terrace has been amended to introduce a window serving a habitable room into the Stockley Street elevation and to allow a meaningful strip of landscaping which would soften the appearance of the development.
- 7.7 Turning to the eastern part of the site, the application originally proposed three terraces mirroring the development to the western part of the site. However, concerns were raised regarding the loss of the London plane tree to St Edmunds Street and also regarding the poor relationship of the development to Stockley Street and lack of surveillance of the new parking areas. As such, the development has been amended to omit a unit and rotate the new semi-detached properties to face onto Stockley Street. This has allowed the retention of the trees to St Edmonds Street and also created an active frontage to Stockley Street, which also helps offset the impact of the limited details in the flank gable of the new terraced properties as previously noted. In addition, these new semi-detached properties contain flank windows and thus would afford surveillance to St Edmond Street and the new parking areas.
- 7.8 In respect to the impact of the development on heritage assets, the Conservation Officer has advised that the site was omitted from the Boot and Shoe Quarter Conservation Area since the garages do not contribute to the historic character of the area. As such, it is considered that the replacement of the garages with houses would be more in keeping with the character and appearance of the neighbouring Conservation Area.

- 7.9 Overall, and subject to conditions relating to floor levels, materials, boundary treatments, external lighting, tree protection and landscaping, it is considered that the proposal would not have an adverse impact on the character and appearance of the area or the Boot and Shoe Quarter Conservation Area.

Residential amenity

- 7.10 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.
- 7.11 The new terrace properties in the western part of the site would be located to the side of No 52 Palmerston Road with a relatively deep side gable. However, No 52 Palmerston Road does not benefit from any windows in its side gable and it has a single storey rear projection of similar depth to the proposed development. Furthermore, whilst there is a first floor flank window in the rear outrigger serving No 52 Palmerston Road, this window is obscure glazed. As such, and subject to conditions requiring details of finished floor level and restricting first floor glazing in the northern side elevation of the new terrace, it is considered that the new terraces would not have an adverse impact on the residential amenity of this or any other neighbouring property.
- 7.12 The new semi-detached properties in the eastern part of the site would back onto the side gable of No 52 St Edmonds Road with a separation distance of some 12 metres. However the side gable of No 52 St Edmonds Road does not benefit from any windows and this neighbouring property also does not benefit from a private amenity area. As such, it is considered that the proposal would not have an adverse impact on the residential amenity of this or any other neighbouring property.
- 7.13 In respect of the amenity of future occupiers of the new dwellings, all habitable rooms would be served by windows with good levels of outlook. In addition, it is considered that the amount of outdoor amenity space would be appropriate for the type of dwelling and that there would adequate provisions for bin storage. As such, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the site.
- 7.14 Overall, it is considered that the proposal would not give rise to an unacceptable impact with regard to the amenities of neighbours and would afford an acceptable standard of amenity for future occupiers of the site.

Parking and highway safety

- 7.15 The County Parking Standards seek 2 on plot parking space per dwelling for 2 bed properties. The proposal is for 5 x 2 bed properties and the scheme would provide 10 parking spaces such that it would meet the Parking Standards. In addition, the submitted plans show sheds to serve the new dwelling and these could serve as cycle stores and be secured by condition.
- 7.16 The new houses would utilise an existing access running through the centre of the site and the application has been amended to include footways to address the comments of the County Highway Engineer. As such, and given that the proposal meets the County Parking Standards, it is considered that the proposal is acceptable with regards to highway safety.

Other considerations

- 7.17 The Council's Environmental Health Officer recommends a condition to address ground contamination should planning permission be forthcoming.
- 7.18 In addition, the Environmental Health Officer has provided guidance regarding the Council's Low Emission Strategy and construction hours. In this respect, matters relating to the energy efficiency of buildings are addressed under the Building Regulations. As all new properties have to comply with these, the proposal complies with Policy S10 of the JCS. 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 site should they arise.

- 7.19 It is noted that a local resident has sought a play area on the site. However, there is no planning policy basis to require such facilities for development of this small-scale.

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, result in the reuse of a brownfield site 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)03B, (P)04A (Semi-detached Floor Plans), (P)05B (Semi-detached elevations), (P)04A (Terraced Floor Plans), (P)05A (Terraced Elevations), (P)06A and SCH-002.

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

3. The construction of the development hereby permitted shall not 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. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

4. Prior to the construction of the new dwellings hereby permitted, details of the existing and proposed ground levels and finished floor levels of the development 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 dwellings 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. All planting, seeding or turfing shown on approved drawing numbers 03B 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.

9. The new parking spaces shown on approved plans shall be constructed prior to the occupation of the dwellings 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 sheds shown on the plans hereby approved, full details of the sheds 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. The first floor window in the northern side elevation of the terraced properties hereby permitted 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 property in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

12. 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 window(s) other than those hereby permitted shall be installed at first floor level in the northern side elevation of the terraced properties hereby permitted.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

13. 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 shall be erected to the dwellings 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

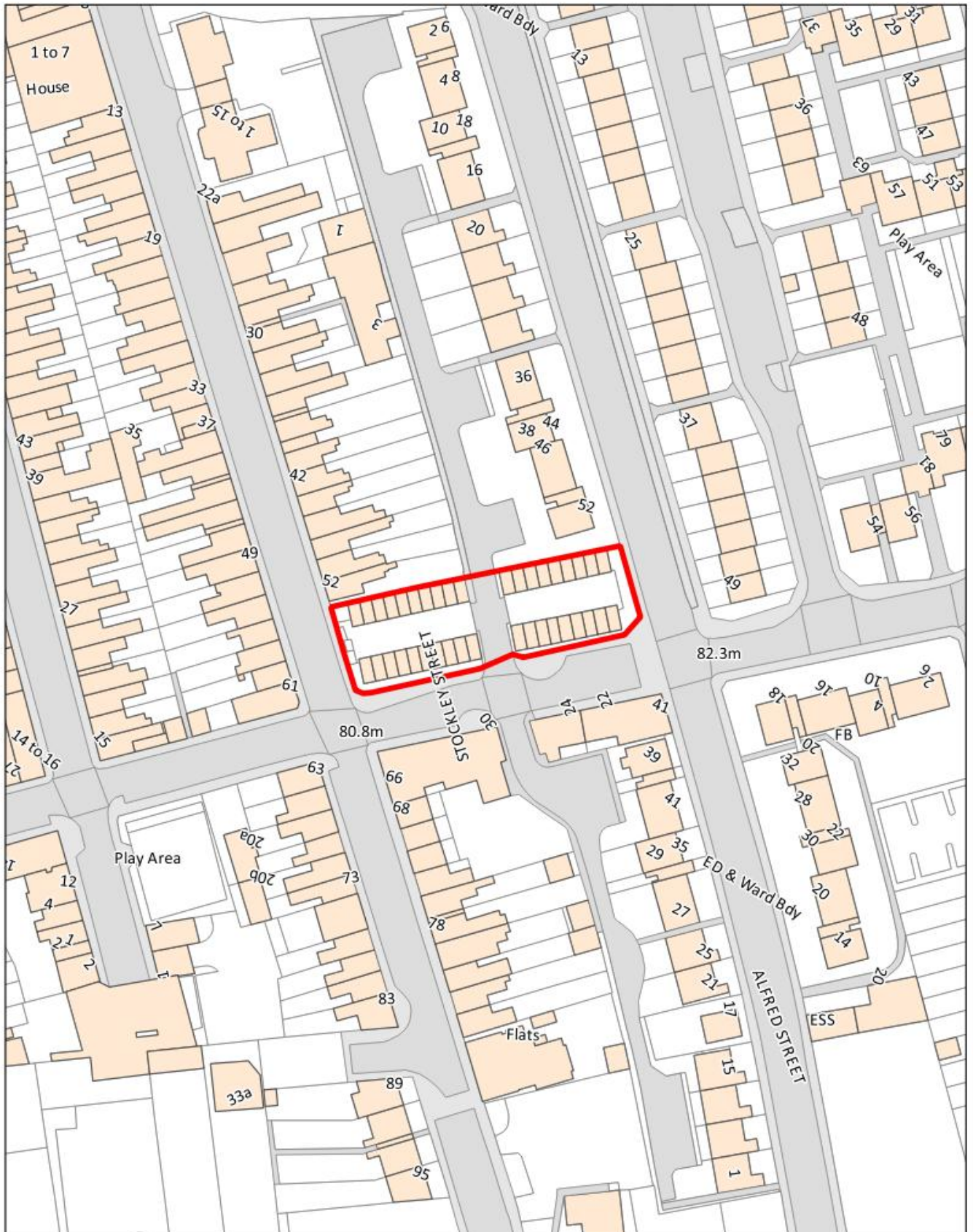
- 10.1 N/2019/0182.

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 at Stockley Street**

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Scale: 1:1,000

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