

PLANNING COMMITTEE: 30th July 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0142

LOCATION: Lock up garages opposite 49 Prentice Court

DESCRIPTION: Demolition of 6no domestic garages and erection of 1no new build unit

WARD: Talavera Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

REFERRED BY: Head of Planning
REASON: Council owed 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 six existing garages and the erection of one dwelling. 7 parking spaces are also proposed.
- 2.2 The proposed dwelling would be a bungalow with a width of 9 metres and a depth of 8.75 metres. The maximum ridge height of the dwelling is 4.8 metres.
- 2.3 During the course of the application the proposal has been amended to relocate the dwelling to the east of the site and the garden to the west of the proposed dwelling.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court and grassed area that is located within a residential area. The site is located on the eastern side of Prentice Court and comprises two blocks of garages, one with four garages and one with two. The application site also includes a section of grass where parking is proposed.

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, working hours, vehicle charging points, and boilers.
- 6.2 **NBC Arboricultural Officer** – The report recommends ground protection measures to accommodate the development whilst causing the least avoidable harm to the roots of retained trees but offers no detail of how that may be achieved. A site-specific document will be required that will demonstrate how the proposals can be implemented without causing harm to the adjacent trees. Condition requiring control measures identified in report to be implemented in a timely fashion and properly maintained throughout the development is required.
- 6.3 **Northamptonshire Police** – No objection. Recommend fence is supplemented with trellis topping and security measures for the shed and windows and doors.
- 6.4 **NCC Highways** – No comments to make regarding this application.
- 6.5 1 neighbour letter of objection has been received. The concerns raised can be summarised as follows:
- Requirement to park elsewhere as a result of development may result in crime issues.
 - Loss of parking during construction (*This is not a material planning consideration in the assessment of this application*).

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 proposed bungalow would be located following the line of the existing row of terraces at 45-48 Prentice Court, albeit set slightly further to the west due to site constraints. The proposal would be a single storey bungalow with a hipped roof. Whilst bungalows are not found within the immediate vicinity of the area, it is considered that the proposal would not appear unduly out of character with the surrounding area. This is due to the existing characteristic in Prentice Court for a mixture of roof designs and heights which creates a varied character.
- 7.5 The proposal also includes the removal of one section of existing grassed land to form 4 parking spaces. It is considered that the creation of parking spaces within this area would not appear out of character with the street scene, with this continuing on from an existing parking area to the west.

Amenity

- 7.6 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.
- 7.7 The application site is bordered by 48 Prentice Court to the north, a two storey property. The proposed dwelling would project approximately 5 metres beyond the rear elevation of this property. Whilst projecting past the rear elevation, the proposal is for a bungalow with a hipped roof, which assists in reducing the impact upon number 48 Prentice Court. Due to the use of a bungalow with hipped roof, it is considered that the proposal would not result in an unacceptable impact upon 48 Prentice Court with regards to loss of privacy, loss of light or overshadowing.
- 7.8 To the south of the proposed dwelling is 49 Prentice Court, separated by the access road and parking areas. A distance of approximately 18 metres is retained between the side wall of the proposed bungalow and the rear wall of number 49. Due to this distance, it is not considered that the proposed dwelling would have an unacceptable impact upon the neighbouring amenity of 49 Prentice Court to the south.
- 7.9 It is also the case that the proposed dwellings 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

- 7.10 The Northamptonshire County Council Parking Standards seek 1 on plot parking space for 1 bedroom properties. The proposal provides 1, 1xbedroom property, and 7 parking spaces. 1 parking space would be allocated to the proposed dwelling, and 6 parking spaces provided for communal parking by existing residents and visitors. The proposal also provides 1 shed, which could be used for bicycle storage.
- 7.11 The application site as existing provides 6 garages and a hardstanding area which can accommodate approximately 4 vehicles. During the course of the application four of the existing garages have been demolished due to structural safety issues. Of the remaining garages, only 1 is occupied. This tenant has been provided with a replacement garages 150m closer to home. In any case, 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 6 unallocated replacement parking spaces, a net increase of 2 parking spaces.
- 7.12 Northamptonshire County Council Highways Department have been consulted on this application and have raised no objection.
- 7.13 Concern was raised in a neighbour letter as to the need for existing residents to park elsewhere as a result of this proposal. With the proposal providing 6 unallocated parking spaces, an increase over that currently available, and there being no highway objection to the scheme, it is not considered that there would be an unacceptable impact upon the highway network.

Other considerations

- 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 raised no objection to the scheme, however it was recommended that the fence is supplemented with trellis topping, and security measures are put in place for the shed and windows and doors. Details on the proposed sheds and boundary treatments are recommended through condition. An informative is suggested advising of the Northamptonshire Police comments on security.
- 7.17 The Council's Tree Officer advises that a site-specific document will be required that will demonstrate how the proposal can be implemented without causing harm to the adjacent trees. A condition is also requested requiring the control measures identified in the submitted report to be implemented in a timely fashion and properly maintained throughout the development.

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 Rev B, (P)06 Rev B.

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 dwelling 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 dwellings 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 a site-specific document shall be submitted to and approved in writing by the Local Planning Authority demonstrating how the proposal will be implemented without causing harm to the adjacent trees. 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. This is a pre-commencement condition to ensure timely submission of details.

11. The control measures identified within the Tree Survey and Arboricultural Impact Assessment Report 18104.5_Fv2 shall be implemented on site prior to the commencement of development and properly maintained throughout the duration of the development.

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.

INFORMATIVE:

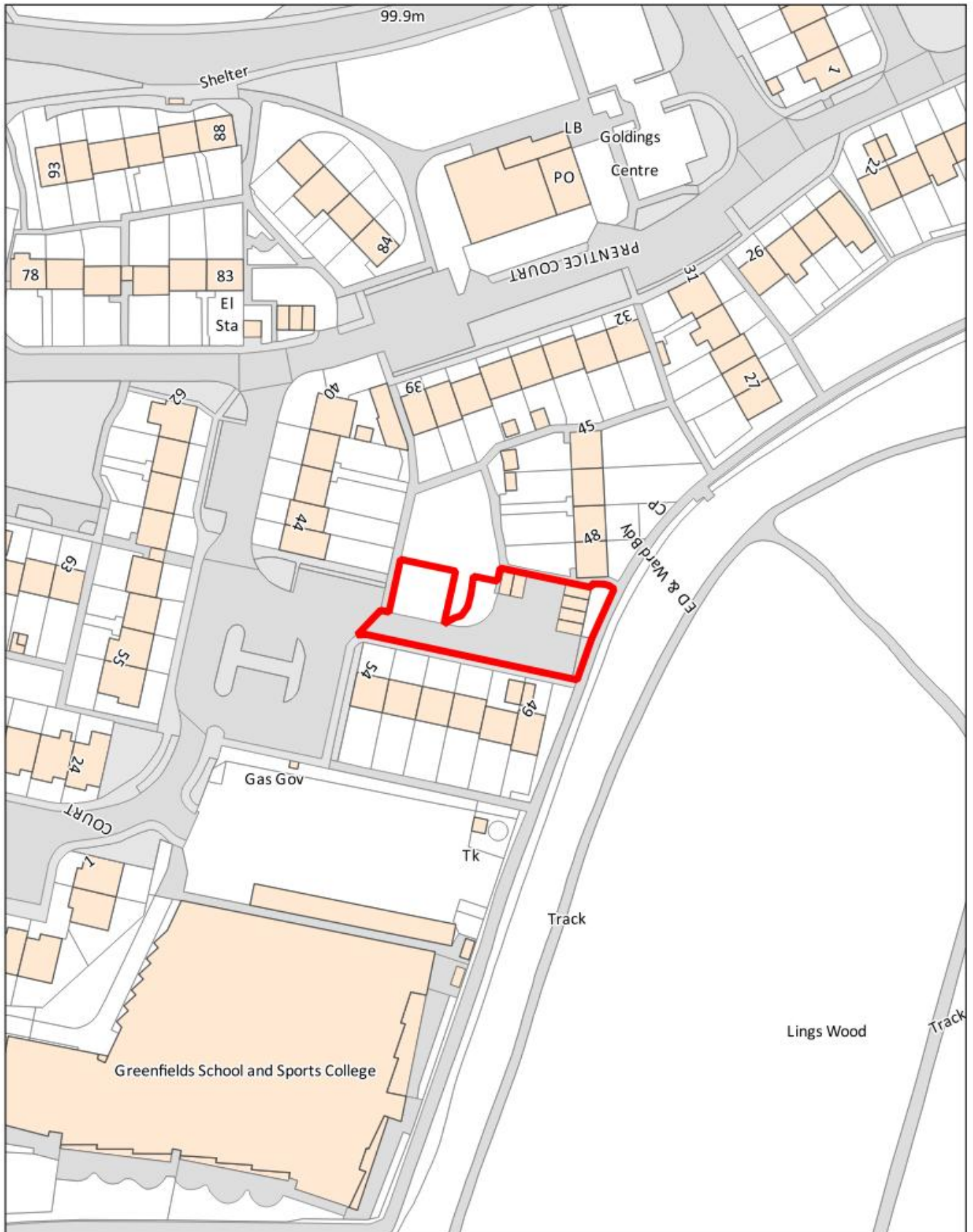
The applicant's attention is drawn to the comments of the Police Crime Prevention Design Advisor regarding mitigation measures that should be incorporated into the development to reduce opportunities for forced entry into the new properties.

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 opposite 49 Prentice Court**

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Date: 17-05-2019

Scale: 1:1,000

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