

PLANNING COMMITTEE: 24th September 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/0987

LOCATION: Land adjacent to 34 Old Barn Court,

DESCRIPTION: Variation of Condition 2 of Planning Permission N/2018/1509 (Demolition of domestic garages and construction of 2no new dwellings with associated parking) to amend drawings to show revised position of dwellings on site

WARD: Brookside Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner

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 as amended 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 H1 and H2 of the Growing Together Neighbourhood Plan and the National Planning Policy Framework.

2 THE PROPOSAL

2.1 The proposal is an application for variation of condition to amend the siting of two previously approved dwellings. These would be moved slightly to the southwest, away from the neighbouring dwelling at 33 Old Barn Court.

3 SITE DESCRIPTION

- 3.1 The site consists of a former site of a small block of two garages. These have now been demolished and redevelopment has commenced as per the previous permission. The surrounding area is comprised of three storey dwellings adjacent on either side. The wider context of the area is largely similar house types other than one block of two storey dwellings with a monopitch roof. The area is of a 1970s design ethos.

4 PLANNING HISTORY

- 4.1 N/2018/1509 – Demolition of domestic garages and construction of 2no new dwellings with associated parking – Approved 23/01/2019.

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 Growing Together 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 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 H6 - Residential development in primarily residential area
Policy E20 - New development

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004

5.6 Other Material Considerations

Growing Together Neighbourhood Plan

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) was made in April 2017, and now forms part of the development plan for Northampton.

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

Policy H1: Housing mix.

Policy H2: Small-scale housing development.

6 CONSULTATIONS/ REPRESENTATIONS

Comments received can be summarised as follows:

- 6.1 **Environmental Health** – No further comments over those already made on application number N/2018/1509.
- 6.2 **Local Highway Authority** – No objections.
- 6.3 At the time of writing this report, the consultation period is ongoing. Therefore any further comments received will be reported to Committee by means of the addendum.

7 APPRAISAL

- 7.1 As an application for a minor material amendment, the issues to consider are whether there would be any change in the impact on the street scene and character of the area, or on the amenities of adjoining occupiers, as a result on the proposed changes.
- 7.2 The proposal would result in an increase in the separation of the proposed dwellings from the neighbouring property to leave a gap of 3.4m, rather than the previous nominal separation of just over 1m.
- 7.3 In respect of the street scene, it is considered that this would not result in a significantly different appearance than the previously consented scheme and as such no adverse impact would result.
- 7.4 In considering the impact on adjoining occupiers, the immediate neighbour at 33 Old Barn Court has only an obscure glazed side window, serving a non-habitable room. As such it was considered under the previous application that no significant impact would have resulted, however the situation would be improved for this neighbour, as more natural light could enter this bathroom.
- 7.5 As re-sited, the proposed houses would now be 15 to 16m from the rear elevation of neighbouring properties at Tyes Court and 6 to 7m from the rear of their gardens. This is considered to still be a sufficient separation to prevent any unacceptable impact on these properties in respect of loss of light or visual dominance.
- 7.6 Submitted plans also show amendments to the internal layout, which would increase the number of bedrooms from three to four, by subdividing an unusually large bedroom. The parking provision of six spaces as previously consented would meet the adopted standard for this number of bedrooms and this increase would not therefore result in any adverse impact. It can be noted also that as this consists of internal works only, the subdivision of this bedroom could have been carried out following completion of the dwellings.
- 7.7 Other details of the development, including garden area, are unchanged from the previous approval.

8 CONCLUSION

- 8.1 The principle of development has been established by the previous planning permission. The proposed amendments to the approved plans would not result in any additional impact when compared to the previously approved scheme and as such are considered to be acceptable.

9 CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 30597 (P) 03 B, 30597 04 B, 30597 (P) 05 A, 30597 (P) 06 B.

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) 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 outbuildings 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.

- 8) All trees shown to be retained in the approved plans shall be protected for the duration of the development in accordance with the Macintyre Trees Tree survey and Arboricultural Impact Assessment Report dated October 2018. The integrity of the control measures should be monitored by a competent arboriculturist throughout the development to ensure compliance, and the reports submitted to the Local Planning Authority for verification.

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 Policy E20 of the Northampton Local Plan and the National Planning Policy Framework.

- 9) The external boundaries of the site 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.

10 BACKGROUND PAPERS

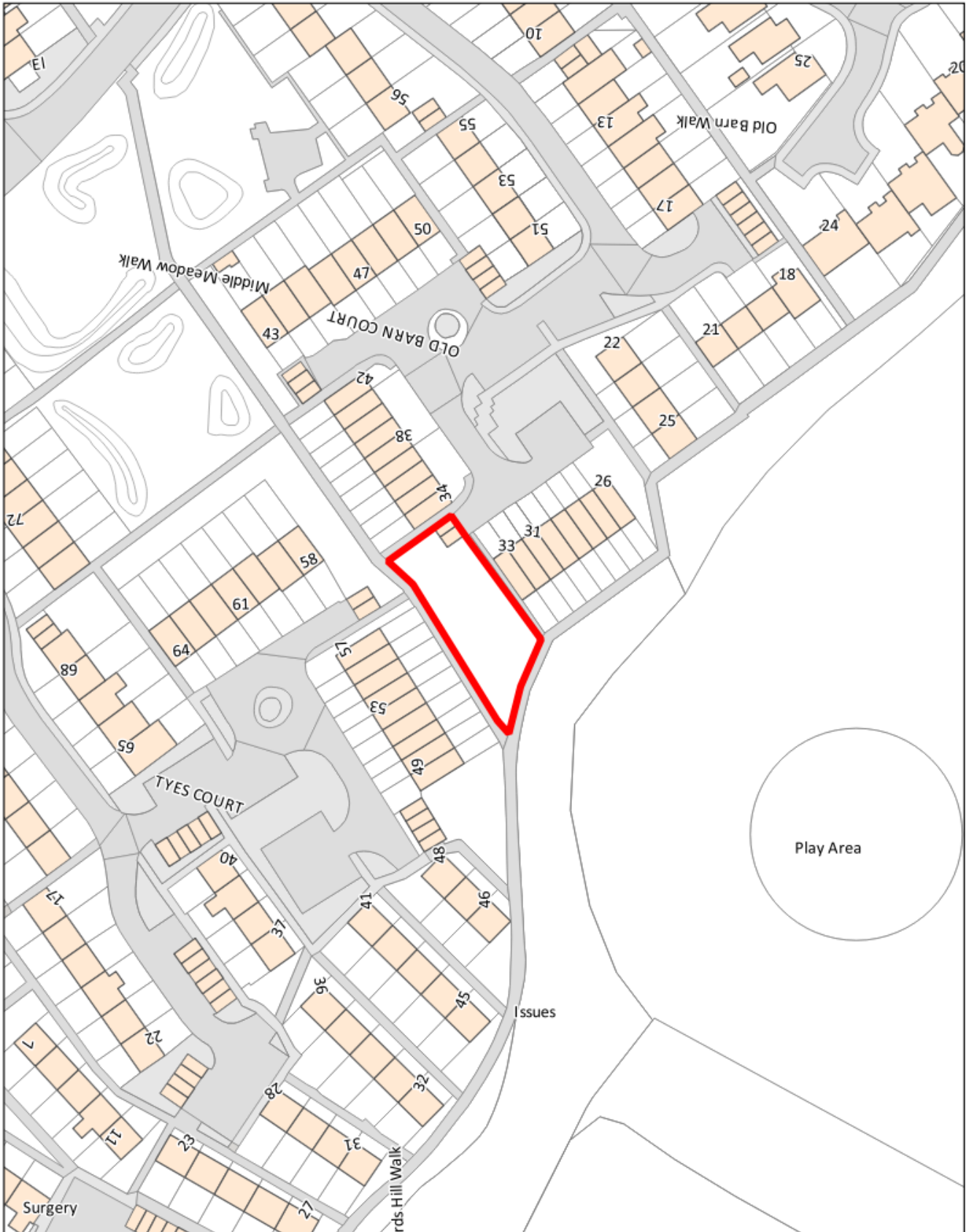
- 10.1 Application files N/2018/1509 and N/2019/0987.

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: **Land adjacent to 34 Old Barn Court**

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Date: 11-09-2019

Scale: 1:1,039

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