

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

APPLICATION REF: N/2019/0391

LOCATION: Lock Up Garages, Longueville Court

DESCRIPTION: Demolition of 10no domestic lock up garages and construction of 4no new build units with associated parking spaces

WARD: Brookside 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, 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 10 existing garages and the erection of 2 pairs of semi-detached properties – 4 new properties in total. 19 parking spaces are also proposed (an increase of 9 above that existing). The proposed semi-detached buildings would be positioned to fall in line with existing terrace rows to the north and south, and each pair would have a width of 9.4 metres, a depth of 9.6 metres and a height of 8.2 metres.
- 2.2 During the course of the application the proposal has been amended, with the dwellings being rotated 90 degrees to complement the existing pattern of development and with the level of parking provision being increased.

3 SITE DESCRIPTION

- 3.1 The application site comprises a garage court and open hardstanding area within a residential area. The site is located on the southern end of Longueville Court.

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 **NBC Arboricultural Officer** – Control measures within submitted tree report must be implemented in a timely fashion and properly maintained throughout the duration of the development to prevent harm to the retained trees.
- 6.3 **Northamptonshire Police** – Gate is required between plots 2 and 3. A side window in the side of plot 4 would provide overlooking of the parking. Reservations about the rear boundaries and the space behind being used for congregation. Trellis top to fencing is necessary.
- 6.4 **NCC Highways** – No objection – layout is accepted.
- 6.5 1 petition has been received with 324 signatures. This petition is titled 'Petition to stop Northampton Partnership Homes building new houses in Lumbertubs' and relates to 7 sites. The reason outlined is the concern with the loss of garages due to an existing parking problem, and the exacerbation of this parking problem as a result.
- 6.6 23 letters have been received objecting to the proposal. The concerns raised can be summarised as follows:
- Proposal results in the loss of 18 parking spaces including garages.
 - Proposal results in loss of more parking spaces due to informal parking occurring in area.
 - Current parking issues will be exacerbated.
 - If can't park outside house would have to walk down alleyways which can be unsafe.
 - Question if emergency services could access site.
 - Need of garage for parking due to disability.
 - Concern with loss of trees. Impact on carbon emissions as result of loss of tree.
 - Other areas in estate could be used (*Officer Note: The assessment of the application is on that submitted and not on alternative sites*).
 - Concerns regarding impact during construction time (*Officer Note: The temporary disturbance during construction works is not a material planning consideration for consideration in the assessment of this application*).
 - Object to title of planning application – it is the removal of garages, 10 parking spaces and children play area (hardstanding between garages and car park) (*Officer Note: The description used is an accurate explanation of the proposal*).
 - Residents may have resentment and fight over spaces and need police (*Officer Note: This is not a material planning consideration in the assessment of this application*).
 - NPH refuse to rent out empty garages a loss of income for the Council (*Officer Note: This is not a material planning consideration in the assessment of this application*).
 - Medical centre already full so can't cope with more dwellings.
 - Author of design and access statement is from Birmingham and not local and so cannot know area (*Officer Note: This is not a material planning consideration in the assessment of this application*).
 - Planning officers visited site during day. They should visit at night (*Officer Note: This is not a material planning consideration in the assessment of this application*).
 - Only 8 spaces within existing parking area by trees T11-T14 – Error with plans (*Officer Note: This area is not within the red line of the application site and as such is not under consideration within 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 application proposes two pairs of semi-detached properties. These dwellings are orientated to match the existing pattern of development in the area and would be two storey with tile hanging at first floor to match the surrounding character. It is considered that the proposed dwellings would complement the existing character and appearance of the area and as such would be acceptable in design terms.

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 proposed dwellings would be positioned to fall in line with the blank side elevation of 20 Longueville Court to the south. Due to the position of the proposed dwelling in relation to number 20, and the blank side wall of number 20, it is not considered that the proposal would result in an unacceptable loss of light, overshadowing or privacy to this property.
- 7.7 Plot 1 of the proposed dwellings would fall partially in line with 7 Brownlow Court to the east. With a back to back distance of 22 metres, it is not considered that there would be an unacceptable relationship between these properties.
- 7.8 Plots 2-4 face an existing car park to the east and the proposed dwellings would be separated from neighbouring residential dwellings to the west and north by the existing street scene and parking.
- 7.9 It is considered that the proposal would not result in unacceptable overlooking concerns for any neighbouring properties, and would also not appear overbearing to any neighbouring properties. In line with the above it is considered that the proposal would not have an unacceptable impact upon neighbouring amenity.
- 7.10 It is also the case that the proposed dwelling provides good sized 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

- 7.11 Concern was raised within a petition that there is an existing parking problem in this area and the loss of garages would exacerbate this. Neighbours letters raised additional concerns as to the parking issues in the area.

- 7.12 The Northamptonshire County Council Parking Standards seek 2 on plot parking space per dwelling for 2 bedroom properties. The proposal provides 4 2xbedroom properties and 19 parking spaces. The proposal also provides 1 shed per property which could be used for bicycle storage.
- 7.13 The application site as existing provides 10 garages. It is understood that 8 of these garages are currently occupied and the tenants will be offered replacements within refurbished courts at Old Quarry Court and Rillwood Court. It is the case, however, that the existing garages are not to a size that could be counted as providing existing parking spaces for the site. There are currently 10 formal open parking spaces available on this site. The proposal provides 19 parking spaces, an increase of 9 formal parking spaces. With the proposed dwellings requiring 8 parking spaces, the net increase of formal parking for existing residents is 1 space.
- 7.14 Northamptonshire County Council Highways Department have raised no objection to this proposal and advised that the layout is acceptable.

Other considerations

- 7.15 Northamptonshire Police raised concern with the spaces to the north being unobserved and the potential for people to congregate within the car park to the east of the proposed gardens. With regards to the parking, it is the case that there is an existing garage court with 10 open spaces in this location. The proposed spaces would be overlooked by front and rear windows of neighbouring properties and as such it is not considered that an objection can be raised to this. With regards to the rear garden and the car park behind to the east, it is the case that as existing people could congregate in this car park, which is adjacent existing residential properties. It is not considered that the potential for people to congregate in a car park would form a reason for refusal for this application. A condition requiring details on boundary treatments is proposed in order to ensure trellis topping to the fencing, and for details of gates for plots 2 and 3.
- 7.16 The Council's Environmental Health Officer recommends a condition to address unexpected ground contamination should planning permission be forthcoming.
- 7.17 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 reasonable to condition the boilers to be installed in the new properties. As all new properties have to comply with these aspects of the Building Regulations, 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.
- 7.18 A neighbour letter raised concern with the loss of trees. The Arboricultural Officer advises that the impact upon the trees is acceptable and the control measures identified within the submitted tree report must be implemented in a timely fashion and maintained throughout the duration of the development. A condition to this effect is proposed.

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 G, (P)04b Rev A, (P)05b Rev B, (P)06 Rev C.

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

3. Prior to the commencement of construction works on site, 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. This is a pre-commencement condition to ensure timely submission of details.

4. 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.

5. Notwithstanding the submitted details, prior to the construction of the new dwellings 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 G 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 G shall be constructed prior to the first occupation of the dwellings 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 dwellings hereby approved, full details of the sheds for each property 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 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. 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.

11. The development hereby approved shall be undertaken in full accordance with the findings of the 'Arboricultural Impact Assessment and Method Statement Report' 1880.6_Fv2 by MacIntyre Trees, dated July 2019.

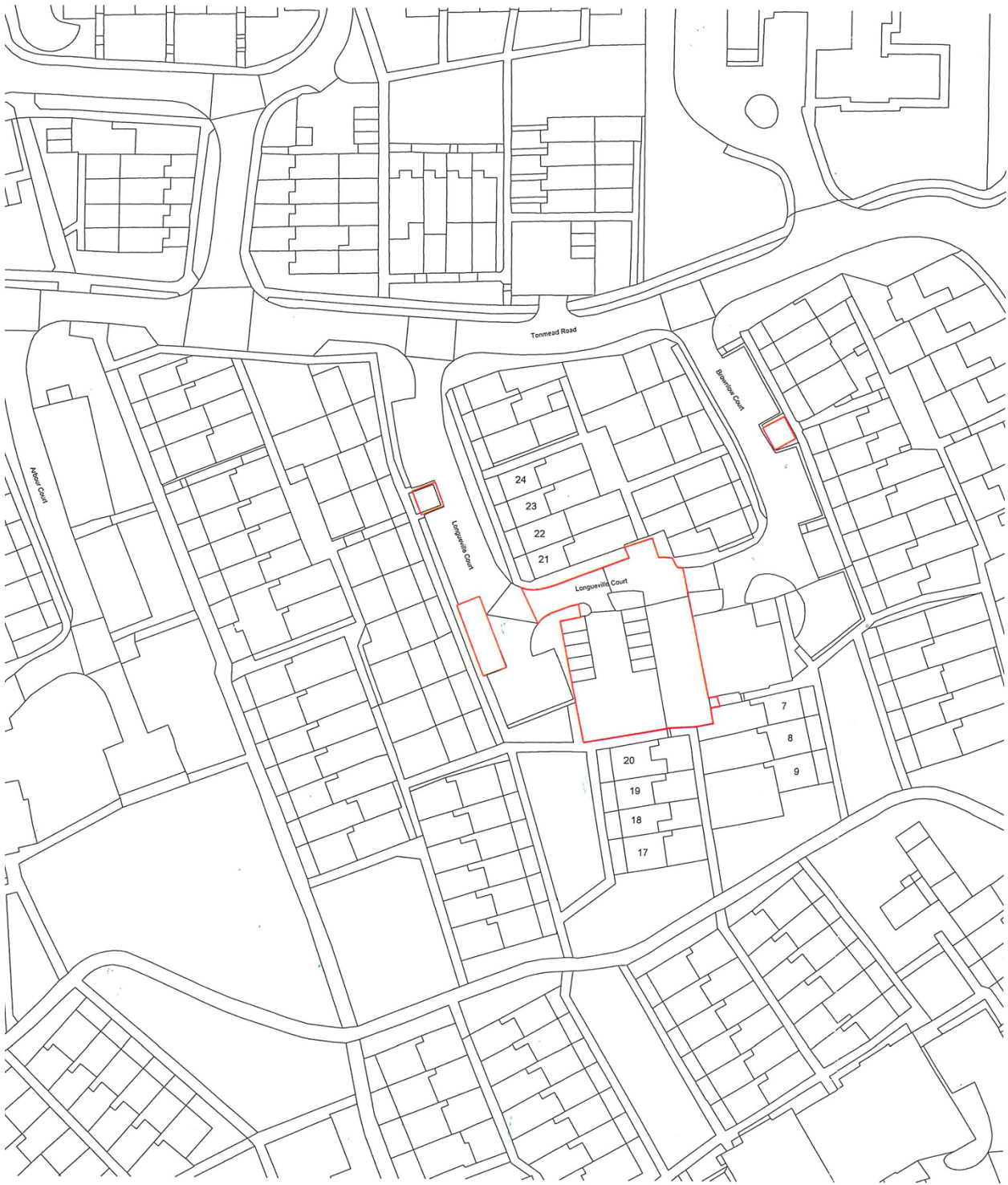
Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

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: **Lock up garages, Longueville Court**

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