

PLANNING COMMITTEE: 19th November 2019
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2019/1037

LOCATION: Land at Swansea Crescent

DESCRIPTION: Development of 2no residential units with associated parking

WARD: Spencer 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:
- 1.2 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 in respect of design and appearance, highways safety and impact upon residential amenity. As such, subject to conditions, it is considered to accord with the requirements of the National Planning Policy Framework, Policies SA, S1, S10, H1, BN2, BN7 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 erection of two semi-detached, two-bedroom dwellings and the formation of four parking spaces at the front of the dwellings.
- 2.2 It is proposed that the two dwellings will have a pitched roof and a ridge height of 8.3 metres. The width of each dwelling will be 4.7 metres wide and they will be 9.5 metres deep.
- 2.3 Each dwelling will have a private garden to the rear (west).

3 SITE DESCRIPTION

- 3.1 The application site comprises a former garage (now demolished) area at the end of a residential cul-de-sac. To the north of the site is an existing terrace of dwellings, with no. 14 on the north boundary of the application site. To the east of the site is an existing turning head, to the south a palisade fence and 3 storey apartment block and to the west the rear gardens and outbuildings of the dwellings along Dallington Road. At the front of the site at present there is also palisade fencing to prevent unauthorised entry to the site.

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.

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 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural 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 SA – Presumption in Favour of Sustainable Development

Policy S1 – The Distribution of Development

Policy S10 – Sustainable Development Principles

Policy H1 – Housing

Policy RC2 – Community Needs

Policy BN2 – Biodiversity

Policy BN7 – Flood Risk

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**

6.1 Comments received are summarised as follows:

6.2 **Public Protection (NBC)** – No objection subject to proposed conditions covering contaminated land and EV charging points.

6.3 **Highway Authority (NCC)** – No comments received.

6.4 **Northamptonshire Police Crime Prevention Design Advisor** – No objection. The proposed railings at the front of the dwellings provides defensible space, but they enable visibility over the parking vehicles. No further concerns.

6.5 **Arboricultural Officer (NBC)** – The submitted 'site-specific arboricultural method statement' is adequate for the purposes of this application.

6.6 **Environment Agency** – The proposed development will only meet the NPPF's requirements in relating to flood risk if a suggested condition is imposed. The condition requires the internal ground floor level to be at least at 65.72 metres above Ordnance Datum and for the dwellings to be two storey.

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 urban area of Northampton.

7.2 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 two dwellings 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.

Flood Risk

7.3 The eastern half of the site falls within Flood Zones 2 and 3. Paragraph 163 of the National Planning Policy Framework states that 'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment'.

7.4 To this end the applicant has submitted a Flood Risk Assessment with the application which has been assessed by the Environment Agency. The Environment Agency has confirmed that providing that a condition is attached to the planning permission requiring the mitigation proposed in the Flood Risk Assessment then the two proposed dwellings would be 'appropriate flood resistant and resilient' in accordance with Paragraph 163. The development should be constructed in accordance with the submitted plans and no part of the internal Finished Floor Levels should be lower than 65.72 metres Above Ordnance Datum (AOD). Submitted plans demonstrate that the

development will comply with this requirement, with the Finished Flood Levels being 65.88 metres Above Ordnance Datum (see Proposed Site Plan and Proposed Street Elevations).

- 7.5 The submitted Flood Risk Assessment also requires the two dwellings to be two storeys to ensure that no rooms vulnerable to flooding, such as bedrooms, are located on the ground floor. It is considered that with the imposition of a suitably worded condition requiring the development to be implemented in accordance with the submitted plans and Flood Risk Assessment the risk of flooding to the development and its occupants will be adequately mitigated in accordance with Paragraph 163 of the National Planning Policy Framework.

Layout and design

- 7.6 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. The policies are in conformity with the NPPF, which advises that planning should always seek to secure high quality design.
- 7.7 The proposed semi-detached dwellings will be located to the side of a row of existing two storey dwellings and have been sited to reflect the front building lines and relationship with the street of adjacent properties, albeit having been set back from the existing building line by approximately 5 metres in order to provide sufficient parking (2 cars per dwelling) and adequate flood mitigation.
- 7.8 It is considered that the scale of the proposed dwellings will relate positively to their surroundings, with a ridge height approximately 20cm lower than the existing dwellings to the north (4 to 14 Swansea Crescent). The ridge height and roof pitch will reflect the prevailing character of the area and it is proposed to require details of the external materials by condition to ensure that the external walls have an appropriate character and appearance. As such, it is considered that the new dwellings would not appear unduly prominent or intrusive in the streetscene and will be constructed of suitable materials for this locality.
- 7.9 The new dwellings will not result in the loss of any trees on-site and the Borough's Arboricultural Officer has assessed the submitted Statement which proposes installation of Heras fencing during construction in order to protect the existing trees on the southern boundary of the site. A condition is proposed to ensure that these measures are installed prior to construction on site.
- 7.10 The proposal will provide a total of four new parking spaces for the development. Each dwelling will have two parking spaces clear of the highway in accordance with Northamptonshire County Council Highways' Parking Standards for two bedroom dwellings. The spaces will be in front of the existing dwellings, ensuring that the spaces are overlooked, but also ensuring that sufficient turning space at the end of Swansea Crescent remains for existing residents.
- 7.11 Overall, it is considered that the proposal would not have an adverse impact with regards to the character and appearance of the area.

Residential amenity

- 7.12 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.
- 7.13 In terms of the impact of the proposal upon the occupants of neighbouring dwellings it is considered that the scale of the proposed dwellings, along with their position within the site, will ensure that there is no detrimental impact upon amenity in terms of overlooking, loss of light, overbearing impact or increased levels of pollution, such as noise and light.
- 7.14 The proposed dwellings will be to the south of nos. 12 and 14 Swansea Crescent and the proposed gable side elevation will only have 2 windows, both of which will be obscure glazed. As a result, there will be no increase in levels of overlooking for the properties to the north. In addition,

the side elevation of no. 14 Swansea Crescent is blank and therefore there will be no loss of light to the existing dwelling as a result.

- 7.15 To the east of the proposal there is a significant distance between the proposed front elevation of the dwellings and the front elevation of no. 13 Swansea Crescent of approximately 25 metres. To the south the dwellings are in line with the existing 3 storey block of flats which, save for an obscure glazed window on each floor, also have blank elevations. To the west of the proposed dwellings there is a considerable distance between rear elevations of over 35 metres.
- 7.16 Therefore, it is considered that the proposed dwellings would not have a detrimental impact upon the amenity of existing and future neighbouring occupants and as such the proposal is considered to accord with policies E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy in respect of amenity.
- 7.17 It is also considered that the amenity of future occupants of the proposed dwellings will be acceptable. Internal room sizes are considered acceptable for two storey dwellings and both dwellings will have private rear gardens, the shortest distance from rear boundary fence to rear elevation measuring 8 metres, increasing to a maximum of 12 metres, which is considered an appropriate size for two storey, two bedroom dwellings.
- 7.18 In order to protect the amenity of the occupants of the neighbouring dwellings to the north and south, it is proposed to remove permitted development rights for additional windows to be installed on side elevations. It is also proposed to remove permitted development rights for additions and extensions to prevent overdevelopment of the site in future.
- 7.19 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

- 7.20 As stated above the proposal will have two parking spaces clear of the highway for each dwelling. NCC Highways have been consulted on the proposal and have raised no objection. Given the provision of a total of 4 new parking spaces it is considered that the proposal would provide parking and highway safety benefits.

8 CONCLUSION

- 8.1 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 respect, the site is located in a residential area and therefore the principle of residential development on the site is acceptable under the development plan, with the proposed development also contributing to the Council's five year housing land supply. The submitted information demonstrates that whilst the site lies in Flood Zones 2 and 3 the development can be suitably mitigated against the level of flood risk identified and mitigation can be achieved by condition. Furthermore, subject to conditions, no other harm has been identified that would significantly and demonstrably outweigh the benefits of the proposed development. Therefore, it is recommended that planning permission is granted subject to the imposition of suitably worded 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: 30565 (P) 03 Rev E, 30565 (P) 04 Rev B, 30565 (P) 05 Rev A and 30565 (P) 06 Rev G.

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

3) No development shall take place until a desktop study, including a site walkover, in respect of possible contaminants within the site is completed and the need for a site investigation is determined. The scope and methodology of the desk top study and the site investigation report shall be submitted to the Local Planning Authority for approval.

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. This is a pre-commencement condition to ensure timely submission of details.

4) Any site investigation found to be required under Condition 3 shall be carried out and the results shall be used to produce a method statement for any remedial works (and a phasing programme), which shall be submitted to the Local Planning Authority for approval.

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.

5) All remedial works found to be required under Condition 4 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.

6) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 4 and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 4, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with Condition 5.

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.

7) Prior to the construction of the new dwellings hereby permitted, tree protection measures shall be installed in accordance with the recommendation in the submitted Arboricultural Report (reference 1789.8_R.F03) and maintained for the duration of the construction of the new dwellings.

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 H1 of the West Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure trees are protected.

8) The development hereby approved shall be carried out fully in accordance with the submitted flood risk assessment (ref WIE14416-3-2-2-FRA dated September 2019) and the following mitigation measures it details:

Finished floor levels shall be set no lower than 65.72 metres Above Ordnance Datum (AOD).
The dwellings shall be two storeys only.

These mitigation measures shall be fully implemented prior to occupation and shall be retained thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Section 14 of the National Planning Policy Framework.

9) Prior to the construction of the development hereby approved above ground floor slab level, full 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 and to ensure that the development will harmonise with its surroundings in accordance with Policy H1 of the West Northamptonshire Joint Core Strategy.

10) 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 H1 of the West Northamptonshire Joint Core Strategy.

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 additional windows shall be installed in the north or south (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.

10 BACKGROUND PAPERS

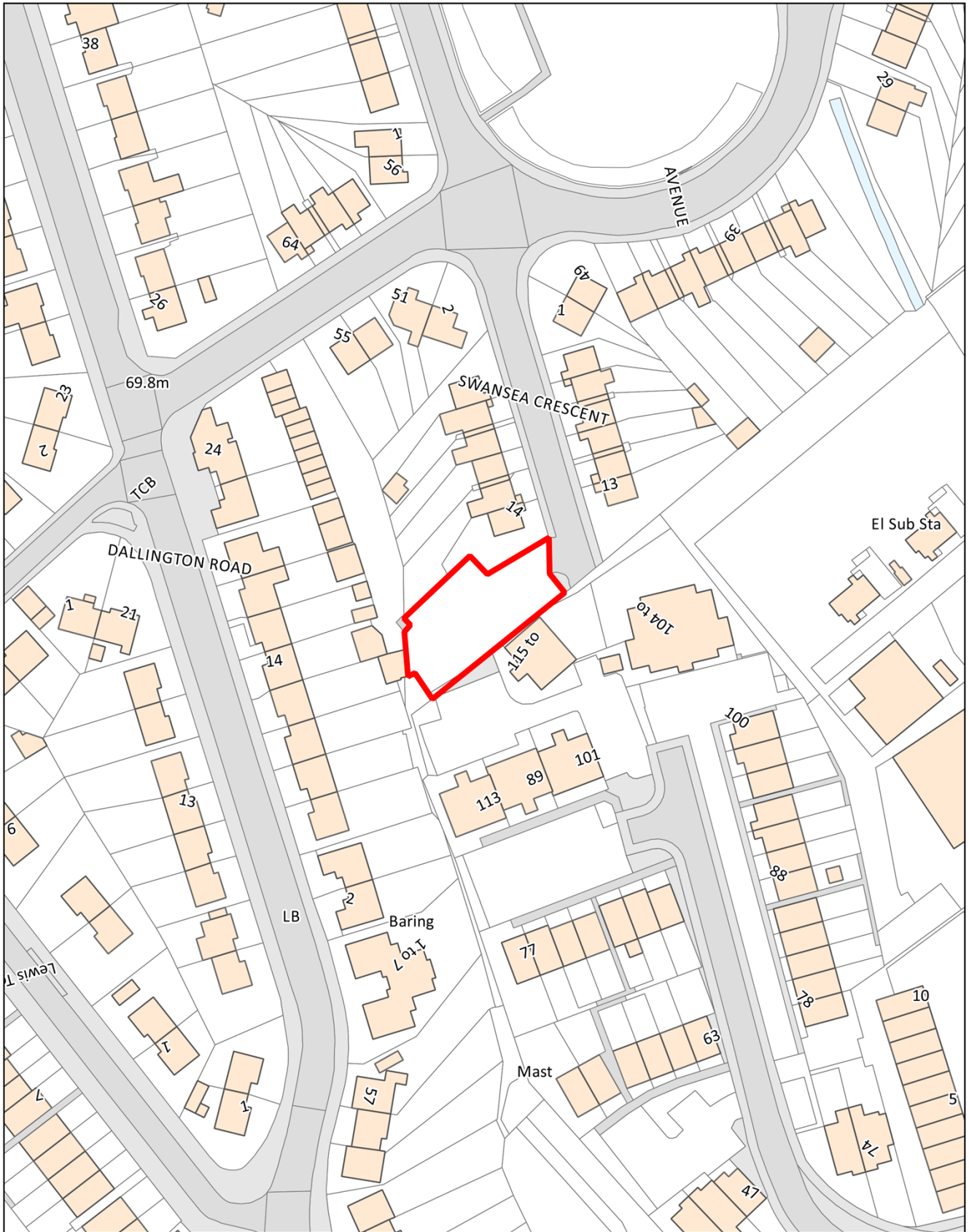
10.1 N/2019/1037.

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: **Land at Swansea Crescent**

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Scale: 1:1,000

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