

**PLANNING COMMITTEE:** 13<sup>th</sup> June 2017  
**DIRECTORATE:** Regeneration, Enterprise and Planning  
**HEAD OF PLANNING:** Peter Baguley

**APPLICATION REF:** N/2017/0410

**LOCATION:** Land rear of 14 Harborough Road North

**DESCRIPTION:** Demolition of existing garage and construction of new dwelling with parking

**WARD:** Spring Park Ward

**APPLICANT:** Mr Peter Kennedy  
**AGENT:** Mr Philip Corbett

**REFERRED BY:** Councillor M Aziz  
**REASON:** Overdevelopment of the site

**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 would have a neutral impact upon the character and appearance of the surrounding area, neighbour and visual amenity and the highway system, whilst creating an additional unit of residential accommodation. As a consequence, the development is in conformity with the requirements of the National Planning Policy Framework, Policies S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

### **2. THE PROPOSAL**

2.1 The applicant has applied for planning permission to erect a single bungalow, within a backland setting. The development would include a parking and turning area in front of the proposed dwelling, which would be accessed via a driveway running from Harborough Road North. In order to facilitate this, the garage that currently serves the existing dwelling would be demolished. Car parking to serve the existing dwelling would be in the form of a parking area to the front of the house.

### **3. SITE DESCRIPTION**

3.1 The application site consists of an existing semi-detached house with a large rear garden. The site itself is relatively level, although the general topography within the area is for a general slope

in a south-north direction. The boundaries of the site are marked by a combination of wooden fences and hedges.

- 3.2 A notable feature of the wider area is that it has been the subject of other backland developments, including a bungalow on the adjacent property of 12a Harborough Road North.
- 3.3 Harborough Road North itself is a widely trafficked road, serving as one of the main routes into the town centre. As a consequence, it is reasonably well served by public transport. The site is also in close proximity to the small White Hills local centre, which contains some retail units and a public house.

#### **4. PLANNING HISTORY**

- 4.1 N/2016/1051 – Construction of new dwelling and detached garage to rear of 14 Harborough Road North – Refused.

#### **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.

- 5.3 Of particular note to residential proposals is that Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.
- 5.4 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (Paragraph 50).
- 5.5 Paragraph 17 states that planning decisions should always endeavour to secure high quality designed developments, which secure a good standard of amenity for existing and future occupiers of land and buildings. In doing this, planning should also take into account the differing roles and character of areas. The same paragraph also encourages the redevelopment of previously used sites.
- 5.6 Paragraph 34 requires developments that are likely to generate a significant amount of movement be located in positions where the need for travel is minimised.

5.7 Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. The NPPF also requires that new developments be of a good quality design (Paragraph 56).

5.8 **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.

5.9 Policy S10 requires that developments be of a good standard of sustainable design and incorporates safety and security considerations in order to promote a good sense of place. In addition, development should be sustainably located in order to encourage access by walking, cycling and public transport.

5.10 Policy H1 also requires the provision of varied housing types to meet the needs of different sections of society and new development should take into account the location and setting of sites, the existing character, accessibility, living conditions and the impact on amenity.

5.11 **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.

5.12 Policy E20 requires that new developments be constructed to a good design and to ensure that there would be no significant adverse impact upon the occupiers of neighbouring properties in terms of considerations such as light, outlook and privacy

**6. CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Environmental Health (NBC)** – Request that an electric vehicle point is installed as part of the development.

6.2 **Highway Authority (NCC)** – The first 10m of the access road should be 4.5m in width and bound with a hard surface for at least the first five metres, visibility splays should be provided and there should not be any drainage onto the highway and would object if all these matters could not be secured. Further observations have been made regarding accessibility to the site for fire engines.

6.3 **Councillor M. Aziz** – Objecting to the development on the grounds that it represents an overdevelopment of the site and would create excessive noise to the detriment of neighbouring properties and impinge upon the privacy of 12a Harborough Road North. This property is of distinctive design and its character would be impacted by the proposed development. The development would also lead to traffic problems. Accordingly, it is requested that the application be determined by the Planning Committee.

6.4 **12a Harborough Road** – Object due to an inappropriate access, the poor quality design of the proposed building, an increase in pollution, would generate noise and would lead to a loss of privacy.

**6. APPRAISAL**

- 7.1 By reason of the predominantly residential character of the surrounding area, it is considered that a further dwelling would not represent an inappropriate land use. Furthermore, the development would result in the delivery of an additional unit of accommodation, which would make a contribution, albeit small, to addressing the significant need for new housing within the Borough. It is acknowledged at this points that this is not currently a five year housing land supply and therefore applications for new housing must be judged on whether they represent sustainable development.
- 7.2 By reason of the amount of similar developments that has already taken place within the vicinity, it is considered that the character of the surrounding area is partially defined by the presence of backland developments. Therefore this particular development would not lead to a significant adverse impact upon the area's character.
- 7.3 There is a mixture of building types within the vicinity of the application site. The development would not lead to a significant adverse impact upon the visual amenity of the locality. In order to secure a good standard of development, a condition is recommended that would enable the Council to approve the external building materials.
- 7.3 A previous application for a detached dwelling was refused, under delegated powers in October 2016, as the siting and design of the then proposed building would have an overbearing effect on the adjoining backland development at 12a Harborough Road.
- 7.4 The current scheme differs from the preceding one as there have been significant revisions to the positioning of the proposed dwelling. In particular, the proposed dwelling has been re-sited so that it is parallel with the adjacent dwelling. Given the existing boundary treatments, which are significant, the proposed dwelling would not cause an overbearing effect on the adjacent dwelling at 12a.
- 7.5 In order to provide some certainty regarding this situation, a condition is recommended that would remove permitted development rights for the construction of future extensions and outbuildings and would enable the Council to consider the merits of any such structure at the point that they are proposed. This measure would also ensure that sufficient private garden space is retained for future occupiers. It is also considered prudent to remove permitted development rights for the installation of additional side windows to prevent any future loss of privacy to existing properties.
- 7.6 The relatively restricted height of the proposed bungalow, its positioning and orientation of the site would not lead to a significant loss of light to the occupiers of neighbouring properties. It is concluded that the proposed development would have a neutral impact upon the occupiers of neighbouring properties.
- 7.7 The development would retain sufficient car parking to serve the existing dwelling and sufficient car parking has been provided to serve the proposed dwelling. The proposed turning area would remove the need for vehicles to enter and leave the site in a reverse gear, which would not be desirable from a highway safety perspective. There would also be sufficient visibility splays at the junction with Harborough Road North to provide safe access.
- 7.8 The vehicular access is of a suitable width (4.5m) to accommodate the vehicles that would wish to enter and leave the proposed development. This width also means that there is sufficient room for vehicles to enter and leave the site simultaneously without detriment to highway safety or the free flow of traffic within the vicinity. The driveway would be constructed from hard bound materials, which would assist in creating a better quality of development. In line with the advice of the Highway Authority, a condition is recommended that would require the submission and agreement of a drainage system to the driveway. This is to prevent the discharge of water onto the highway.

- 7.9 It is acknowledged that the Highway Authority have commented upon the need for fire appliances to access the site (such as by ensuring the access road can withstand the weight of such vehicles). These matters are addressed under the relevant Building Regulations, rather than through a planning application. However, these comments have been forwarded to the applicant (via their agent) for their information.
- 7.10 Whilst it is appreciated that the installation of an access at the site would change the nature of the site, but the scale of the development is such that there would not be excessive noise and disturbance generated.
- 7.11 It is noted that the Council's Environmental Health section have requested that an electric vehicle point be included as part of the development. However, given the current policy position and the relatively limited scale of the proposed development, it is considered that such a condition would be disproportionate and would therefore be unreasonable.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed development represents an acceptable land use, would provide an additional home and, subject to conditions, would have a neutral impact on the character of the area and neighbour amenity.

## **9. CONDITIONS**

- 9.1 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: Location Plan; and 15/046/01a.

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

3. 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 E20 of the Northampton Local Plan.

4. Full details of the method of the treatment of the external boundaries of the site shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the first 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.

5. 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 E20 of the Northampton Local Plan. This is a pre-commencement condition to enable timely submission of details.

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 extensions or other form of enlargement to the dwelling hereby permitted, nor erection of porches, and outbuildings shall take place.

Reason: To prevent overdevelopment of the site in accordance with Policy E20 of the Northampton Local Plan.

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 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 E20 of the Northampton Local Plan.

8. Notwithstanding the details submitted, full details of surface treatment of the driveway shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

9. The driveway shall have a minimum width of 4.5m for the first 10m and the driveway in its entirety as shown on drawing 15/046/01a shall be provided prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

10. Notwithstanding the details submitted, full details of visibility splays to serve the driveway shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

11. Notwithstanding the details submitted, full details of drainage to serve the driveway shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Reason: In the interests of highway safety in accordance with the requirements of the National Planning Policy Framework.

## **10. BACKGROUND PAPERS**

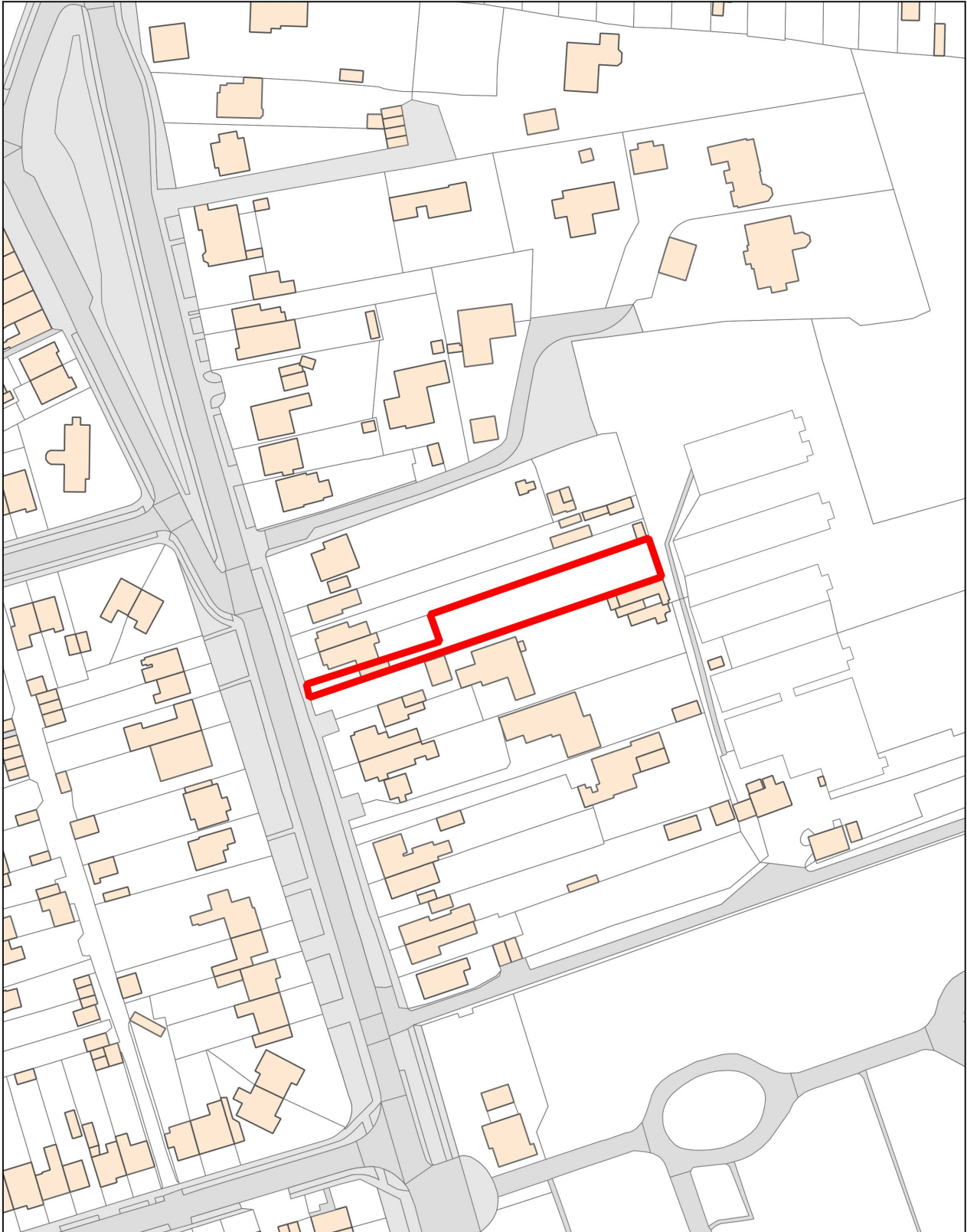
10.1 N/2016/1051.

**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 rear of 14 Harborough Road North**

© Crown copyright and database rights 2016 Ordnance Survey licence no. 10019655

Date: 01-06-2017

Scale: 1:1,250

Drawn by: -----