

<b>PLANNING COMMITTEE:</b>	21 <sup>st</sup> November 2017
<b>DIRECTORATE:</b>	Regeneration, Enterprise and Planning
<b>HEAD OF PLANNING:</b>	Peter Baguley
<b>APPLICATION REF:</b>	N/2017/1029
<b>LOCATION:</b>	Development Land, Toms Close
<b>DESCRIPTION:</b>	Demolition of Nos. 1-6 and 14-17 Toms Close and development of 21no. new build affordable dwellings and associated landscaping
<b>WARD:</b>	Nene Valley Ward
<b>APPLICANT:</b>	Northampton Partnership Homes
<b>AGENT:</b>	Lovell Partnerships Ltd
<b>REFERRED BY:</b>	Head of Planning
<b>REASON:</b>	NBC owned land
<b>DEPARTURE:</b>	No

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#### **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 provide an acceptable living environment for future residents subject to the proposed conditions. The proposal would have no detrimental impact on the wider highway network or the amenities of neighbouring and nearby occupiers and would not be out of keeping with the character and appearance of the area. The proposed development would therefore comply with Policies S1, S3, S10, H1 and H2 of the West Northamptonshire Joint Core Strategy, Policies H17, H32, E20 of the Northampton Local Plan and the National Planning Policy Framework.

#### **2. THE PROPOSAL**

2.1 The proposed development comprises the demolition of 10 existing dwellings and construction of a total of 21 dwellings, 17 two bedroomed and 4 three bedroomed, all with on-site parking spaces. The existing dwellings to be demolished are of an Airey type construction with concrete cladding to the outside which are of a defective construction, having long outlived their design lifetime.

2.2 The proposed dwellings would be 100% affordable and would be for rented social housing.

#### **3. SITE DESCRIPTION**

3.1 The site comprises the site of 10 semi-detached houses. These are located on either side of a cul-de-sac named Toms Close, which is off Watering Lane in the village of Collingtree. The current houses have very large gardens, meaning that there is significant scope to increase the density of development. The site is at the edge of the village, away from the historic centre and the conservation area, however some of the adjacent properties to the site are finished in stone, to reflect this historic character.

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

4.1 None of relevance to the current application.

#### **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:

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 47 requires Local Planning Authorities to meet objectively assessed housing needs for their area and to identify and update a supply of deliverable sites to provide 5-years' worth of housing against these requirements.

Paragraph 49 housing applications should be considered with a presumption in favour of sustainable development.

Paragraph 56 good design is a key aspect of sustainable development and should contribute to making places better for people.

##### **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 S3 – Scale and Distribution of Housing Development.

Policy S10 – Sustainable Development Principles.

Policy H1 – Housing Density and Mix and Type of Dwellings.

Policy H2 – Affordable Housing.

#### 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 H17 – Housing for people with disabilities.

Policy H32 – Affordable housing.

Policy E20 – Design of new development.

#### 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 **NCC Archaeology** – No objections.

6.2 **NCC Development Management** – Due to the scale of additional development it will not be necessary to request a contribution for Education, fire or libraries infrastructure. A contribution for broadband provision is requested.

6.3 **Environment Agency** - This proposal falls outside the scope of matters on which the Environment Agency is a statutory consultee. Therefore no comment to make on this application.

6.4 **Arboricultural Officer** - Care should be taken to prevent damage to the retained highway trees, both by passing vehicles, and from the risk of compaction: ideally site staff would be prevented from parking on the verge on the north side of Toms Close.

6.5 **Public Protection** – Further intrusive site investigation for contamination is required, a condition is recommended. Further details of soundproofing and mechanical ventilation also required, the layout is the best possible for protecting external areas from noise.

6.6 **Northamptonshire Police** - The layout is acceptable from a crime prevention perspective.

6.7 **Collingtree Parish Council** - Fully supports this application for social housing through Northamptonshire Partnership Homes. Question whether funding is available for updating the adjacent play area.

6.8 **Lead Local Flood Authority** – Further details of the surface water drainage strategy are required.

6.9 **NCC Highways & Access** – Initial comments request a number of amendments, on receipt of amended plans confirm no further comment. Conditions are suggested requiring provision of a bus stop and ongoing maintenance.

- 6.10 **Anglian Water** – There is capacity for foul drainage, the surface water drainage strategy is acceptable. Request conditions requiring a foul water strategy and compliance with the surface water strategy.

## 7. APPRAISAL

### Principle of Residential Use

- 7.1 The NPPF has a presumption in favour of sustainable residential development and encourages the use of brownfield sites, where there is an identified need for additional housing. The application site is allocated as being within a Primarily Residential Area in the Local Plan and is previously developed land.
- 7.2 It is considered, therefore, that the principle of residential use would be acceptable and would provide much needed housing supply for the Borough. The proposed density would be 41 dwellings per hectare which is considered acceptable in this locality.

### Impact on the street scene and the character and appearance of the area

- 7.4 The wider context of the site is the village of Collingtree which radiates out from its historic core in all directions, including towards this site, which is at the south-eastern edge of the village. Properties within the village vary from historic stone buildings in the centre to a range of more modern additions, mainly two storeys in height and where not stone finished generally of a buff brick or rendered finish.
- 7.5 To the rear of the development site are the six properties on Toms Close which are to be retained, which as referred to above are of the Airey method of pre-cast concrete construction. However, planning permission has been granted for re-cladding for some of these properties in brick as well as extensions on one half of each pair of semi-detached houses. The cladding and extensions would be in a buff brick.
- 7.6 Between this context sits the proposed development of which would consist of modern semi-detached and terraced dwellings of a fairly traditional design. It is considered that these dwellings would be in keeping with the general character of the area in terms of their form, massing and design. The indicative materials are again a buff brick with concrete tile roof but the precise details of these would be required by condition, in this respect, it is considered that some variation of materials to complement the varying design would be appropriate.
- 7.7 A further condition is proposed requiring details of the boundary treatments around and between the plots, to ensure an appropriate treatment and also to protect the amenities of the existing and future occupiers.

### Impact on the amenities of adjoining and nearby occupiers

- 7.8 The neighbouring properties along Watering Lane, on the left of the access, consist of semi-detached and terraced properties, including a recent infill development. These properties have long rear gardens and therefore a separation of 19m would be provided between the rear of these properties and the side of the adjacent proposed dwelling on Plot 17.
- 7.9 The proposed dwelling on this plot has been designed to provide adequate separation from these neighbouring residential occupiers and would not result in any significant overlooking or loss of light. The proposed house has only one side facing window, which is at first floor level and which serves a bathroom. This would not, therefore, lead to overlooking of these neighbouring gardens. A condition is proposed to prevent the future installation of any side facing windows, as these would lead to overlooking.

- 7.10 To the rear of Plots 17 to 21 is an existing two storey house at 24 Glebe Farm Close. The proposed dwellings would be further from this neighbour than the existing houses at 14 and 15 Toms Close, which would be demolished to allow construction on these plots, and hence the impact on this neighbour is also considered to be acceptable.
- 7.11 The other neighbouring property to the front of the site, on the right hand side, consists of a former Police house which has been extended to the side. This property has only one side facing window, which faces towards the application site and which serves a WC, therefore not classed as habitable room. Any loss of light to this small window would not therefore have a significant impact. The proposed new dwelling adjacent to this neighbour would be generally adjacent to the side elevation meaning there would be no overshadowing of the garden area.
- 7.12 To the rear of the site six of the original dwellings within Toms Close would remain. Of these three (nos. 7, 9 and 12) will continue to be occupied by private residents whilst the other three (nos. 8, 9 and 12) are currently vacant and are subject to refurbishment works. These properties will then be used to rehouse the current residents of some of the dwellings on Toms Close which would be demolished to make way for the currently proposed development.
- 7.13 In respect of the neighbouring property at no. 7 Toms Close, four of the proposed new dwellings to the side would have their rear gardens towards the side of this neighbour and would be separated from the boundary by a distance of 12.5m. The boundary would additionally be screened by new planting. No. 7 itself has no side facing windows and would not, therefore, be affected by overshadowing from the proposed planting.
- 7.14 Also adjacent to no. 7 is another proposed dwelling which would be side on to the rear garden. This also has only a single side facing window at first floor level, serving a bathroom, meaning that there would be no overlooking. The planning condition referred to above would also prevent any further windows in this case, to prevent future overlooking.
- 7.15 Another feature adjacent to no. 7 are four parking spaces, in a tandem format. It is not considered that these spaces being adjacent to the garden would lead to any significant impact.
- 7.16 The neighbouring properties at nos.8, 9 and 10 Toms Close would continue to face onto the existing turning circle and would not be significantly affected.
- 7.17 The neighbours at nos. 11 and 12 Toms Close currently have an outlook over the front gardens of their neighbours to the south, and this relationship would continue with the new properties, which would be at the same line as the existing houses, but set slightly further from these neighbours. The occupiers of these two properties would not therefore be adversely affected by the proposed development. Parking spaces and a private access for no. 12 would also be provided, which have not previously existed and the access to no. 11 would also be improved.

#### **Design of the development and living conditions of future occupiers**

- 7.18 The site layout has been designed around the original cul-de-sac and with a further new cul-de-sac off this. This layout would provide a suitable environment for future residents and has been designed with sufficient space between the properties to prevent overlooking or overshadowing, sufficient garden areas for each property would be provided. In terms of security, comments from the Police Crime Prevention Design Adviser indicate that this is achieved by back to back gardens and car parking areas which can be observed from routinely inhabited rooms.
- 7.19 The site is in close proximity to the M1 and therefore there is the potential for future residents to be affected by traffic noise. In this respect comments from Environmental Health indicate that the

findings of the noise report are acceptable, subject to a final scheme of noise mitigation being submitted and a condition to this effect is proposed.

### **Parking and Highway Issues**

- 7.20 A total of 48 parking spaces including 4 visitor spaces would be provided across the site, with two spaces per dwelling generally being provided, apart from Plots 1 and 16 which have one space each. This would include the provision of parking for the existing no. 12 Toms Close, which previously did not have parking.
- 7.21 Whilst the level of parking proposed does not fully comply with the adopted parking standards as two of the plots have one space only, it is considered that this arrangement would be acceptable, given that some of the properties which would be replaced do not have parking, meaning that the situation would be improved, as confirmed in comments from the Local Highway Authority. It is considered unlikely that inappropriate on-street parking would occur outside of Toms Close itself.
- 7.22 Amendments have been made to the drawings to address issues with the layout and the Local Highway Authority have confirmed that this revised layout is now acceptable.
- 7.23 Comments from the Local Highway Authority also refer to the need to provide a bus shelter and a Grampian condition is proposed to ensure that this is provided. Future maintenance for the shelter would be secured via the S278 Highway Agreement.

### **Trees and Landscaping**

- 7.24 A number of existing trees within the site are proposed to be removed to facilitate the development. These are not considered to be of particular visual merit and a full scheme of replacement landscaping is proposed. A condition requiring the implementation of this scheme is recommended. Comments from the Arboricultural Officer refer only to the need to protect retained trees, specifically those outside the site but within Toms Close. However, as these are highway trees and outside the site, the recommended Construction Environment Management Plan would ensure their protection.

### **Drainage and Flood Risk**

- 7.25 A drainage strategy was submitted with the application and comments from Anglian Water indicate that this is acceptable. However the Lead Local Flood Authority require further information to demonstrate that run-off will not be increased as a result of the development. In order to address this point, a condition requiring further details of the drainage strategy is recommended.

### **Other Matters**

- 7.26 The comments made by Environmental Health indicate the need for further work in respect of land contamination and an appropriate condition is recommended.
- 7.27 Comments from the County Council Development Management confirm that there is no need for an education contribution but refer to the need for a contribution towards broadband provision. There is no policy basis for such a contribution and therefore it is not considered to be reasonable to request this.

## **8. CONCLUSION**

- 8.1 The proposed development is considered acceptable in principle and would provide an increased and enhanced provision of housing on the site in question which would assist towards meeting

the five year housing land supply whilst also meeting the needs of residents in need of affordable housing. The proposal would not have any adverse impact on the amenities of existing residents and would not impact adversely on the highway network.

## **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: 17137 1, SP01 J, SP02 Sheet 1, SP02 Sheet 2, SP03 Sheet 1, SP03 Sheet 2, SP04, SP-00, 16-108-01, P10, P12, P14.

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 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 together with individual plot boundaries 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) 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 south-western elevation of the proposed dwelling on plot 17 or the north-eastern elevation of the proposed dwelling on plot 12 of the development.

Reason: To safeguard the privacy of adjoining properties in accordance with Policy E20 of the Northampton Local Plan.

(6) No development other than demolition shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved.

Reason: To prevent environmental and amenity problems arising from flooding in accordance with the National Planning Policy Framework.

(7) Unless otherwise agreed in writing, no development other than demolition shall take place until full engineering, and constructional details of highway improvement works to install a southbound bus shelter on Watering Lane have been submitted to, and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the works outlined above including the bus shelter have been constructed and made available for use.

Reason: In order to mitigate the impact of the development on the highway network, in accordance with the National Planning Policy Framework.

(8) No development other than demolition 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. Any site investigation found to be required 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. All remedial works found to be required 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). 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 above and where remediation is necessary a remediation scheme must be prepared, 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.

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.

(9) Prior to the commencement of development other than demolition, full details of a sound insulation and ventilation scheme to protect the development from external noise shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

(10) No development other than demolition shall take place until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include provision for the future maintenance of all aspects of the drainage scheme. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site. In accordance with the National Planning Policy Framework

(11 ) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings 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.



8. (12) Prior to the commencement of development a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Enclosure of the development site;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- Tree protection;
- Routing agreement for construction traffic; and
- The hours in which deliveries and construction works would take place.

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

## **10. BACKGROUND PAPERS**

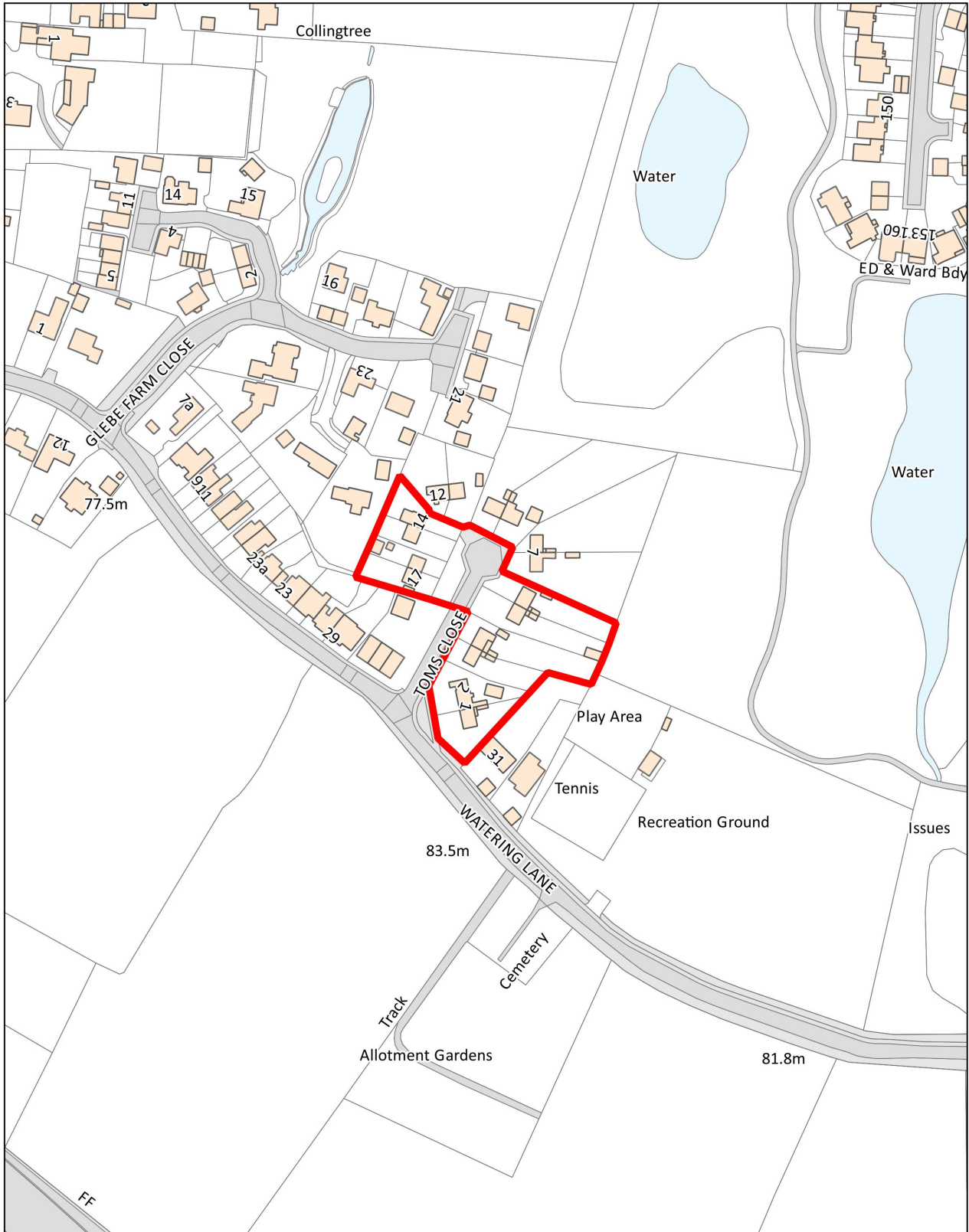
10.1 Application file N/2017/1029.

## **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.



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Scale: 1:2,000

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