

PLANNING COMMITTEE: 4th September 2018
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/0683

LOCATION: Lock Up Garages, Longland Road

DESCRIPTION: Demolition of 16no domestic garages and construction of 2no new build dwellings

WARD: Eastfield 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 principle of residential development on the site for new dwellings is considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. As part of a balanced assessment, it is considered that the proposal, subject to appropriate conditions, would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The development is therefore compliant with the requirements of the National Planning Policy Framework, Policies S1, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20 and H10 of the Northampton Local Plan.

2 THE PROPOSAL

- 2.1 The application seeks full planning permission for the demolition of the existing 16 garages and erection of a pair of semi-detached dwellings with associated parking on a former garage court site in Longland Road.
- 2.2 The proposed new dwellings would comprise of 2 x 3 bed, semi-detached houses. The building block will be rectangular in shape and will be 11.7m wide, 9m deep and 8 m in height with a gabled roof.

- 2.3 In addition, the proposal includes parking courtyard to the side, which will provide 5 parking spaces to serve the 2 new dwellings and a visitor's space.
- 2.4 The current proposal is a revised scheme to the original submission. The amended scheme has reduced the footprint of the houses, providing more garden space and parking arrangement has been improved.

3 SITE DESCRIPTION

- 3.1 The application site consists of a former garage court site with access from Longland Road.
- 3.2 There is a fish and chip shop to the north-western end of the site, which has a large extractor unit, which faces towards the application site. There are other residential properties in the other three sides.

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), 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 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

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

6.1 **Environmental Public Protection (NBC)** – No objections subject to conditions requiring a land contamination assessment, mitigation measures to support the Low Emission Strategy and advisory note regarding construction hours. The officer has advised that a revised Noise Assessment Report in accordance to BS4142 guidance will need to be submitted, which should include mitigation measures necessary to address any potential issues arising from the nearby noise source. Any window on the side elevation shall be non-opening.

6.2 **Arboricultural Officer (NBC)** – No concerns.

6.3 **Highway Authority (NCC)** – The gates width should be increased to a minimum 4.5 m.

7 **APPRAISAL**

7.1 The main issues for consideration are principle of new residential development, impact on the character of the surrounding area, impact on adjacent and proposed residential amenity and highway conditions.

Principle of residential development

7.2 The NPPF supports well-designed sustainable housing development that provides a good standard of amenity for existing and proposed occupiers. The JCS seeks to ensure development is located primarily in the principal urban area within easy access of facilities and encourages the use of previously developed land having regard to achieving high quality design in keeping with the character of the surrounding area.

7.3 Saved Policy H6 of the Northampton Local Plan allows for residential development in such residential locations providing that the development is in keeping with the character of the area and does not result in an over-intensive development of the site.

7.4 The principle of the development of the site for residential use would be acceptable as the land is situated within a residential area. The development of the site for residential use would also marginally contribute to the Council's 5-year housing land supply. Therefore, in accordance with the presumption in favour of sustainable development in Section 2 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. Subject to acceptable design, consideration of parking provision and impact on amenity, the principle of residential development is considered to be in accordance with the above policy requirements.

Layout and design

7.5 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.

7.6 The application site comprises a former garages court in a residential area. The demolition of these garages and redevelopment of the site would not result in the loss of residential garden land and would comprise the re-use of brownfield land which is encouraged under the NPPF. The

proposed new dwellings would reflect the scale and massing of neighbouring residential properties and would be an appropriate development in the streetscene.

- 7.7 However, a condition is recommended to restrict any future extensions to avoid overdevelopment of the site.

Residential amenity

- 7.8 Saved Policy E20 of the Northampton Local Plan, Policy H1 of the Joint Core Strategy and the Core Planning Principles in the NPPF all seek to secure a good standard of amenity for all existing and future occupants of land and buildings.
- 7.9 In terms of the residential amenities of neighbours, the semi-detached pair will be sited next to a fish and chip shop to the west and existing residential properties to the rear. There is an existing 2m high brick wall that runs along the rear and half of the south-eastern boundary of the application site. This wall has been proposed to be retained and therefore, would partly screen the proposed development.
- 7.10 The flank elevation of the neighbouring property at no.1 Longland Crescent will be located at a separation distance over 14m from the rear elevation of the proposed dwellings. Owing to the fact that the existing 2m high brick wall between this property and the proposed new dwellings would be retained, it is considered that the resulting impact would not be unacceptable in terms of overbearing and overshadowing. There is one first floor non-habitable window on the side elevation of this property, owing to the separation, it is not considered to have any unacceptable impact in terms of overlooking.
- 7.11 The properties along Fullingdale Road have over 25m long gardens and an access road between these properties and the new dwellings. It is considered that the proposal would not give rise to an unacceptable impact with regards to the amenities of this neighbouring properties.
- 7.12 In terms of the amenities for future occupiers of the new dwellings, all habitable rooms would be served by windows and adequate level of daylight and outlook. In addition, a landscape strip is proposed to the frontage and south-eastern edge of the site to provide a buffer. Both dwellings would have private rear gardens of at least 10 metres in depth and the submitted plans also detail provision for bins and cycle to be stored in rear gardens. As such, subject to conditions, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the site.

Parking and highway safety

- 7.13 The proposal would be served off the existing access drive and would benefit from 5 car parking spaces in the courtyard to the side. The Parking Standards seek 2 parking per 3 bed dwelling parking spaces for the proposed development. Therefore, the scheme would exceed the Parking Standards, with one visitor space also provided per dwelling.
- 7.14 The development would also benefit from a generous manoeuvring area to serve the parking area, including a turning head and access gate, which has been widened to 5m as per the initial comments from the Highway Authority.

Other considerations

- 7.15 The Council's Environmental Health Officer recommends a ground contamination condition should planning permission be forthcoming. In addition, a noise impact assessment was submitted during the course of the application. The officer has advised that the current noise assessment report has not been undertaken in accordance with BS4142 and the relevant character corrections for "intermittency" have not been applied to derive a final rating level. It is recommended that a revised noise assessment to be submitted to include any mitigation measures necessary against nearby noise source. A planning condition to that effect is therefore recommended.

- 7.16 In addition, the Environmental Health Officer suggests the inclusion of conditions relating to electric vehicle charging points and boilers, and also an advisory note relating to hours of working. However, given the parking court arrangement and that only two dwellings are proposed, 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 be reasonable to condition that specific boilers to be installed in the new houses. With respect to construction hours, the proposal is only for a small scale development and there are controls under the Environmental Health legislation to address such matters should issues arise.
- 7.17 The proposed development would be in close proximity with the existing hot food takeaway, however, the existing dwelling at no.70 Longland Road is in a similar relationship. Apart from a landing and a WC window, there is no habitable room window proposed on the side elevation of the nearest proposed dwelling. On balance, it is considered that such a small scale infill development is acceptable and no objection has been raised by Environmental Health on the proposal, provided that no habitable room window would be installed on the side elevation of the development.

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. However, 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 instance, the proposal would comply with the development plan and would contribute, albeit on a small scale, towards the Council's housing supply with associated social and economic benefits. Furthermore, subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits.
- 8.2 Therefore, it is recommended that planning permission is granted subject to conditions below.

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: PH485886/LRG/TP/001, 30430 (P) 01, 30430 (P) 02, 30430 (P) 03 a, 30430 (P) 04 A, 30430 (P) 05 A, Anglian Water Network, 30430 (P) 07 A.

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) 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) Prior to the construction of the development hereby permitted, 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. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

- 6) The parking spaces and manoeuvring areas together with the access gates 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.

- 7) The construction of the development hereby permitted shall not take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the results shall be used to produce a method statement for the necessary remedial works (and a phasing programme), which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works 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. Pre-commencement condition to ensure details are agreed in a timely manner and to ensure a satisfactory standard of development.

- 8) 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 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) 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.

- 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 E20 of the Northampton Local plan.

- 11) Prior to the construction of the development hereby approved above ground floor slab level, a detailed scheme of hard and soft landscaping for the site shall be submitted to and approved in writing by the Local Planning Authority. 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 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.

- 12) Before the commencement of the development hereby permitted, a revised noise assessment report in accordance with BS4142 shall be submitted to and approved in writing by the Local Planning Authority for protecting the dwellings from external noise. The revised noise assessment report shall include any necessary mitigation measures against external noise source. The approved measures/scheme shall be implemented concurrently with the development, completed before the first occupation or use of the development and thereafter retained.

Reason: To protect the enjoyment of future occupiers of their dwellings amenity in accordance with Policy BN9 of the Northamptonshire Joint Core Strategy. This is a pre-commencement condition to ensure timely submission of details.

- 13) The proposed side elevation landing window to Plot 1 shall be non-opening and retained in that form at all times.

Reason: To protect the enjoyment of future occupiers of their dwelling and residential amenity in accordance with Policy BN9 of the Northamptonshire Joint Core Strategy.

10 BACKGROUND PAPERS

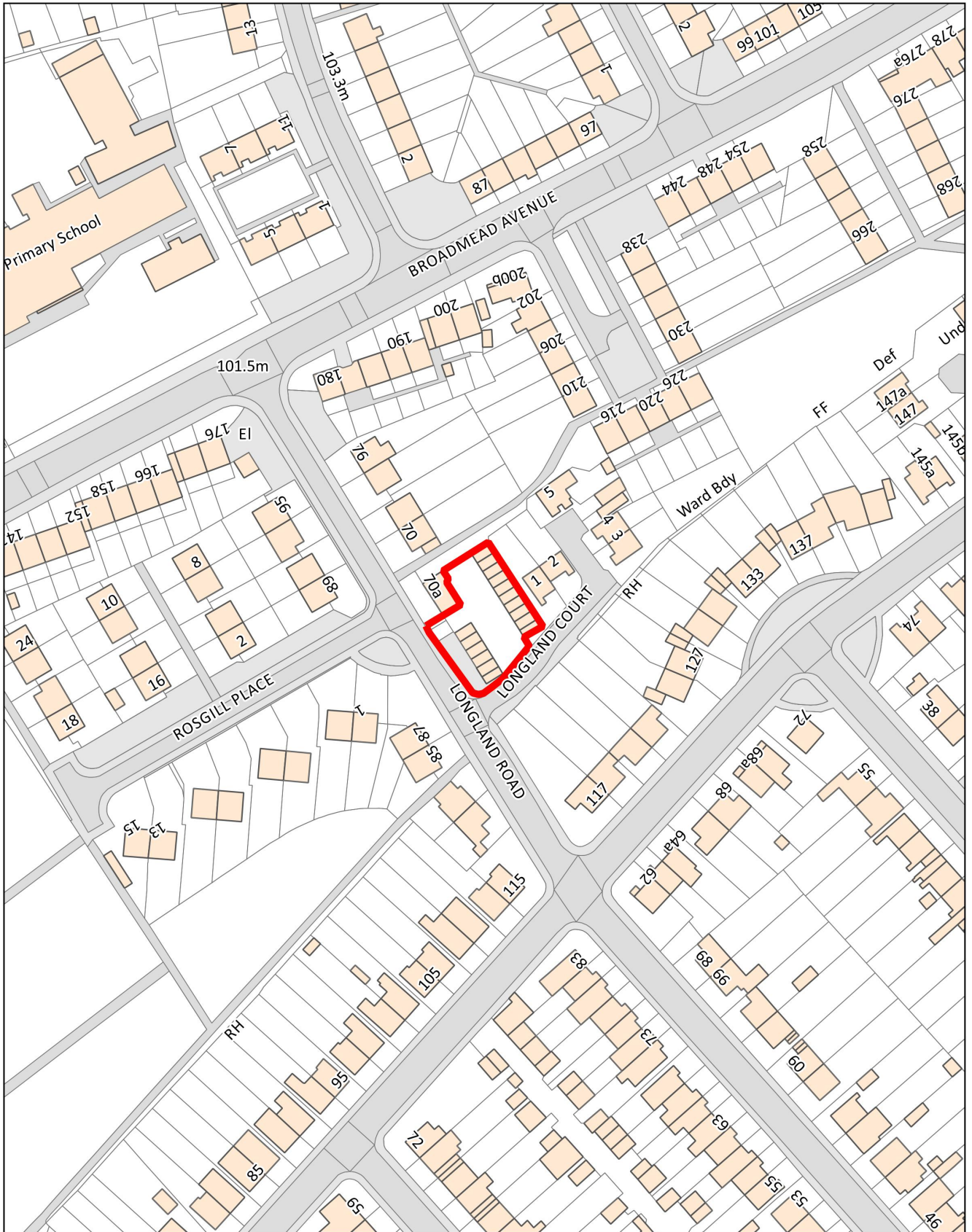
- 10.1 N/2018/0683.

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: **Longland Road**

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