

PLANNING COMMITTEE: 23rd October 2018
DEPARTMENT: Planning Service
HEAD OF PLANNING: Peter Baguley

APPLICATION REF: N/2018/1229

LOCATION: 10 Delapre Crescent Road

DESCRIPTION: Erection of 2no one bedroomed dwellings and parking area
(development fronting Thorpe Road)

WARD: Delapre & Briar Ward

APPLICANT: Mr V Jolley
AGENT: Barry Waine Planning

REFERRED BY: Councillor J Davenport
REASON: Parking concerns

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 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 erection of a pair of semi-detached dwellings with associated parking.
- 2.2** The proposed new dwellings would comprise 2no. 1-bed two storey houses. The building form would be rectangular block and would follow the existing building line on Thorpe Road.
- 2.3** In addition, the proposal includes a parking space each for the new dwellings and the access would be from Thorpe road.

- 2.4 The current application has been submitted to address the points raised in the previous refused applications N/2006/1214 and N/2013/0983, including a subsequent appeal.

3 SITE DESCRIPTION

- 3.1 The application site consist of back gardens associated with Nos.10 and 12 Delapre Crescent Road. There is an existing shed within the site, which would be replaced.
- 3.2 The local area is predominantly residential and has a mixed character of two storey, semi-detached and terraced properties. Thorpe Road has primarily semi-detached pairs of dwellings and Delapre Crescent Road has terraced properties along either side of the street.
- 3.3 Previous two schemes for proposed development at the back garden of No.12 were refused. The current application includes the rear garden of nos. 10 and 12 so the size of the application site has doubled in comparison to the previously refused applications.

4 PLANNING HISTORY

- 4.1 N/2006/1214 Land rear of, 12/12A Delapre Crescent Road. New detached three bedroom dwelling - Outline Application. **Refusal.** Dismissed at appeal.
- 4.2 N/2013/0983 12 Delapre Crescent Road, Northampton. Erection of 1no. 2 bed detached dwelling with single parking space. **Refusal.**

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 H1 – Housing density and mix and type of dwellings.
- Policy S1 – Distribution of Development
- Policy S10 – Sustainable Development Principles

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 E20 – New development.
- Policy H6 – Residential development in primarily residential areas.

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 an unexpected contamination and advisory note regarding acoustic separation.

6.2 **Highway Authority (NCC)** – No objections. Advisory note to comply with the guidelines.

6.3 **Cllr Julie Davenport:** Parking is very tight in Thorpe Road and surrounding Streets and parking will be lost in Thorpe Road due to the necessity of access required for parking for the proposed flats and refuse issues. Called in the application on these grounds.

6.4 7 representations have been received in objection from 5 households. The comments have been summarised as follow:

- Overlooking and loss of privacy.
- Will result in loss of on-street parking and more parking issues in the area.
- Impact on existing drainage and sewer system.
- Impact on structures during the construction process.
- Impact on the existing access to the garages.
- Previous applications were refused on the site and the current application shall be refused as well.
- Not in keeping with the character of the local area.
- No refuse storage.

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. The current proposal was submitted to address the refusal reasons raised on the previous applications and the planning appeal.

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. 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.

7.3 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

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

- 7.4 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.
- 7.5 The proposed dwellings have been designed to be in keeping with the existing character of the local area and the adjacent properties. The proposed new dwellings would reflect the details of the neighbouring properties to give the appearance of a semi-detached pair. Subject to use of appropriate materials, the design and appearance is considered to be in keeping with the existing character of the area. A condition has been recommended to submit the details of external materials to ensure that the proposed new dwellings do not detract from the character of the area and the streetscene.
- 7.6 Appeal decision for the original proposal for a detached dwelling in the rear garden of no.12 raised that *"The semi-detached houses along Thorpe Road are characterised by a straight front building line, with walled front gardens that serve to separate space from public spaces. The proposal was contrary to the rhythm of development and the proposal was far closer to the pavement. Therefore, the dwelling was prominent in the streetscene. Also, owing to the minimal gap between the rear wall and the rear boundary, the proposal will result in cramped development"*.
- 7.7 The currently proposed scheme for 2 no. two storey dwellings would follow the existing building line and be in keeping with the character of the area and Thorpe Road, and have addressed the concerns raised by the Planning Inspector. In terms of the reason for refusal on the second application N/2013/0983:
- "The development proposed would be 'crammed' onto the site and out of keeping with the prevailing linear pattern of development in the area. If permitted the development would result in an incongruous feature to the detriment of the character of the area and affording inadequate amenity space for future residents. This would be contrary to Policies E20 and H6 of the Northampton Local Plan and advice contained in the National Planning Policy Framework"*.
- 7.8 The proposed layout of the two dwellings would cover part of the rear gardens of Nos.10 and 12, so the size of the proposed site has been doubled in comparison to the original application. It is considered that the proposed development have overcome the previous refusal reason and would accord with the saved policies H1, S1 and S10 in the West Northamptonshire Joint Core Strategy, saved policy E20 in Northampton Local Plan and advice given within the National Planning Policy Framework.
- 7.9 However, a condition is recommended to restrict any future extensions to avoid overdevelopment of the site.

Residential amenity

- 7.10 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.
- 7.11 In terms of the residential amenities of neighbours, the semi-detached pair will be sited next to No.16 Thorpe Road, which has two obscurely glazed windows overlooking the application site. The proposed new dwelling will be located at separation distance of over 2m from the property at

No.16. The side elevation overlooking No.16, has been proposed to be a blank elevation and a condition has been proposed to withdraw the permitted development rights to insert any additional window. It is considered that the proposal will not have any undue detrimental impact on the amenity of host dwelling property in terms of overlooking or loss of privacy.

- 7.12 The proposed new dwelling will have a potential of overlooking into the rear gardens of the properties to the rear. There are proposed ground floor windows and doors, which would be largely screen by the existing 1.8 m high fence on the rear boundary, therefore, they are not considered to result in any significant overlooking or privacy intrusion. There would be two obscurely glazed windows on the proposed first floor rear elevation of the both dwellings serving landing and bathrooms. A condition has been recommended to obscurely glaze the windows and be top-hung, to ensure that there would be minimal overlooking into the properties to the rear.
- 7.13 The neighbouring property to the other side No.12 Delapre Crescent Road, contains two flats and will be sited a separation distance of over 10.5m, with an existing outbuilding and parking spaces in between. The side elevation overlooking No.12 has been proposed to be a blank elevation and a condition has been proposed to withdraw the permitted development rights to insert any additional window. It is considered that the proposal would not have any undue detrimental impact on the amenity of host dwelling property in terms of overlooking or loss of privacy.
- 7.14 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. As such, subject to conditions, it is considered that the proposal would afford an acceptable standard of amenity for future occupiers of the site.
- 7.15 No details have been submitted for the refuse storage. There is enough space in the rear and front gardens. A condition has been recommend to submit the refuse storage details.
- 7.16 It is considered that the proposed new dwelling would not have any unacceptable adverse impact upon the residential amenity of the neighbouring properties. The proposed development would comply with policies S10 and H1 of the West Northamptonshire Joint Core Strategy, saved policy E20 of the Northampton Local Plan and the aims and objectives of the National Planning Policy Framework.

Parking and highway safety

- 7.17 As per the Northamptonshire Parking Standards SPD has been adopted in September 2016, the proposed development would require 1 space for each 1 bed dwelling.
- 7.18 The proposal would be served off Thorpe Road and would benefit from 2 car parking spaces to the side. Therefore, the scheme would meet the parking standards.
- 7.19 All the properties on the street rely on on-street parking and have no dedicated on-site spaces. Moreover, the site is within a sustainable location within easy access to facilities and alternative methods of transport and walking distance to St Leonards Road.
- 7.20 On balance, it is considered that the proposed new dwelling would not lead to any significant adverse impact on existing parking conditions to would result in adverse impact on the highway safety to warrant the refusal of the application.
- 7.21 Visibility splay as demonstrated on the drawing number J17- 1 has been conditioned to be retained.
- 7.22 The proposed crossover would be over the highway adopted land, which allows for linear car parking along Thorpe Road. However, the Highway Authority has not raised any concerns.

8 CONCLUSION

- 8.1 It is considered that proposed design and appearance of the proposed dwellings are acceptable and residential development of the site would contribute towards the Council's 5-year housing supply. The overall relationship between the proposed and existing properties is acceptable and would not have any unacceptable adverse impact on the residential amenity of neighbouring properties. The proposal also addresses the points raised in the refused applications N/2006/1214 and N/2013/0983 and the dismissed appeal related to N/2006/1214.

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: J17 - 1 and Block plan and Location Plan.

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

3. 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 window in the side elevations and no additional windows in the rear elevations shall be installed to the proposed development hereby approved.

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

4. 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.

5. The first floor bathroom and landing windows on the proposed rear elevation shall be glazed with obscured glass to Level 3 or higher of the Pilkington scale of privacy or equivalent and should be top-hung or as agreed in writing by the Local Planning Authority before the development hereby permitted is first occupied and thereafter retained in that form at all times.

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

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, dormers 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.

7. Full details of facilities for the refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and retained thereafter.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policies H1 and H5 of the West Northamptonshire Joint Core Strategy and the National Planning Policy Framework

8. Prior to the occupation of the new dwellings hereby permitted, the access, parking and visibility splays shall be laid out in accordance with the details shown on drawing no. J17 - 1. The splays shall thereafter be permanently retained and kept free of any obstacles to visibility over 0.6m in height above access / footway level.

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

10 BACKGROUND PAPERS

- 10.1 N/2018/1229.

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: **10 Delapre Crescent Road.**

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Date: 04-10-2018

Scale: 1:1,000

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