

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

APPLICATION REF: N/2018/1519

LOCATION: Garage 1 Lock Up Garages, Gloucester Avenue

DESCRIPTION: Demolition of 34no domestic garages and construction of 3no new-build dwellings

WARD: Delapre & Briar Ward

APPLICANT: Northampton Partnership Homes
AGENT: Baily Garner LLP

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 development is considered acceptable in an established residential area and would contribute towards the Council's five year housing land supply. Due to its siting, scale and design is considered that the proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity, trees, security and highway safety. The development is therefore compliant with the aims and objectives of the National Planning Policy Framework, Policies S10, H1, BN3 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 Permission is sought for demolition of 34 garages and replacement with 3 two storey terraced dwellings with access taken from an existing access point off Gloucester Avenue. The proposed development takes the form of a row of three 2 storey terraced dwellings each with one double bedroom. The proposal includes 6 off road parking spaces, 2 for each dwelling. All 3 dwellings would have private rear gardens 15 metres long.

3 SITE DESCRIPTION

- 3.1 The site consists of a rectangular parcel of land to the rear of 67 and 69 Gloucester Avenue within an established residential area, accessed between these two properties. The land is currently occupied by a block of 34 garages which are in a reasonably poor state of repair. The general area consists of primarily two storey dwellings with reasonably long rear gardens. The area is not in a conservation area and is in a low risk flood zone 1. There are no protected trees on or near the site. There is a footpath at the rear of the site leading from Friars Close which is Council owned and does not form part of the public highway.

4 PLANNING HISTORY

- 4.1 No recent planning applications.

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:

- Paragraphs 7-12 - Presumption in favour of sustainable development.
- Paragraph 60 - Housing needed for different groups in the community.
- Paragraph 127 - Create places with a high standard of amenity for existing and future users.
- Section 8 - Promoting healthy and safe communities.
- Section 9 - Promoting sustainable transport.
- 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 S10 Sustainable Development Principles
Policy H1 Housing Design, Density and Mix
Policy BN3 Trees
Policy BN9 Planning and 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 E20 New development (design)
Policy H10 Back land 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 **Public Protection (NBC)** no objection subject to standard contamination condition.
- 6.2 **Highways (NCC)** access needs to be able to accommodate a fire appliance. Any further comments will be reported via the addendum.
- 6.3 **Northamptonshire Police** raise objection as contrary to SPG on Planning Out Crime principles. The proposal would encourage rather than deter crime due to the fact the houses do not address the street, there are no habitable rooms overlooking the street and there are concerns over the retention of the rear footpath. It would be more acceptable if there was no access from Friars Close and there was vehicle gates to secure the site access.
- 6.4 **Building Regulations** have reviewed the plans and commented verbally. Consider that the proposal meets their standards in terms of accesses by emergency vehicles.
- 6.5 **4 neighbour objections** received on following grounds;
- Impact on Parking
 - Access for refuse/ general access issues
 - Security concerns and boundary treatment issues
 - No spaces for visitors to park
 - Concern over loss of garage
 - Conflict with nearby commercial uses/ traffic
 - Noise and pollution
 - Impact from construction traffic
 - Impact on quality of life of residents

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 occupiers and proposed residential amenity, security and highway conditions/ parking.

Principle of residential development

- 7.2 The site is located within a primarily residential area as identified in the Northampton Local Plan and comprises previously developed land. Within such an area the principle of residential development is considered acceptable, subject to matters of detail being acceptable and in line with Development Plan Policy. The development of three dwellings would also contribute towards the Borough's five year housing supply.

Design and the impact on the appearance and character of area

- 7.3 Saved Policy E20 of the Northampton Local Plan and Policy H1 of the Joint Core Strategy place 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.
- 7.4 The proposed design and general appearance are in keeping with the area which also comprises a number of two storey dwellings, comparable in scale and height to the proposed. Any approval

would also be subject to a materials condition to ensure that appropriate external appearance could be achieved. Due to the degree of site coverage, it is not considered that over-development would occur.

Impact on amenity of neighbouring occupiers

- 7.5 The application site is surrounded by residential properties on all sides, Gloucester Avenue to the front and at the rear are properties on Friars Close and Friars Crescent. Due to the relationship and separation, it is considered that the effect on neighbouring living conditions in terms of overlooking, loss of outlook, light and overbearing are acceptable. There are some concern from local residents over the relationship between the side wall of the end terrace and the rear elevations of nos. 67 and 69 Gloucester Avenue. However given separation of around 30 metres, it is considered to be acceptable and would not cause unacceptable overbearing impact.

Amenity of future occupiers

- 7.6 Saved Policy E20 of the Northampton Local Plan and H1 of the Joint Core Strategy all seek to secure a high standard of residential amenity for future occupiers. All three properties would be served by adequate light and outlook and have private amenity spaces. Bin storage would be secured by condition.

Parking and Highways

- 7.7 The application site would be accessed off Gloucester Avenue using an existing access between the side of nos. 67 and 69 Gloucester Avenue. Off street parking would be provided for 6 cars. Compared to the existing situation, the traffic associated with the proposal would be significantly less than the existing large garage court. The Council's Building Regulations accept that the access is adequate for turning of large refuse/ emergency vehicles.

Security and Crime Prevention

- 7.8 The Northamptonshire Crime Prevention Advisor objects to the proposal in that she considers that the layout proposed has no habitable rooms overlooking the street and therefore no active guardianship over the plots under consideration. It is recommended that the footpath at the rear of the site be blocked up. Concerns have also been expressed by a local resident that the demolition of the garages could compromise security to their rear gardens if the garage walls are to be demolished next to their rear boundary.
- 7.9 The concerns from the Crime Prevention Advisor are noted. The existing footpath leading from Friar Close is an established right of way and there is no future plan to have it closed up. The site would benefit from some degree of overlooking from the new dwellings as well as the upper floors of the existing dwellings along Gloucester Avenue. In order to increase surveillance to the access area, an additional window is proposed to be installed to the ground floor side elevation of the end terrace to the north. In addition, a lighting condition is recommended to improve general security of the area. The applicant has also agreed to install boundary fencing to the rear boundaries of some of the existing properties on Gloucester Avenue following the demolition of the garages. A planning condition seeking details of boundary treatment is also recommended.

Land Contamination

- 7.10 The Council's Environmental Health Officers recommend that a standard land contamination condition be secured which would be agreed by condition. This accords with Policies S10 and BN9 of the Joint Core Strategy.

Landscaping and Trees

- 7.11 There are no protected trees within or adjacent to the site although there are three existing trees within adjacent land. These trees would not be affected by the proposed development. A condition is recommended to ensure that the proposed landscaping details are implemented.

Other issues

- 7.12 Concerns have been noted that the construction process will impact on the living conditions of neighbouring properties surrounding the site. While this is noted, it is worth remembering that this will be for a temporary period only. While there may be some concern over the loss of the existing garages, these are in a poor state of repair and the proposal would improve the appearance of the area and regenerate previously developed land.

8 CONCLUSION

- 8.1 To conclude, the site is in an existing residential area within the built up area of Northampton and the principle of development is therefore acceptable contributing to the 5 Year Land Supply. In this instance, the proposal would comply with the development plan and national policy and subject to conditions no harm has been identified that would significantly outweigh benefits. The proposal is considered acceptable subject to the following 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: P01, P02, P03A P04, P05A, P06A, SCH001, SCH002, SCH003.

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

- 3) Notwithstanding the submitted plans, 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 and S10 of the West Northamptonshire Joint Core Strategy.

- 4) The bin storage areas shall be implemented in accordance with the details on the approved plans prior to first occupation of development and retained thereafter.

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

- 5) The parking spaces shown on the submitted plan shall be constructed prior to the first 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 aims of the National Planning Policy Framework.

- 6) Prior to the occupation of development and notwithstanding the approved plans, 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, the approved details shall be implemented prior to the first occupation of the development hereby approved.

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 and H1 of the West Northamptonshire Joint Core Strategy.

- 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 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.

- 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 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 (Q4c above – to be substituted with the correct condition number).

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 including dormers and roof lights shall be installed to the dwellings hereby permitted, apart from the window as stated in Condition 10 below.

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

- 10) Notwithstanding the details as submitted, a ground floor kitchen window shall be installed in the side elevation to the furthest north end unit hereby approved. This new window shall be implemented prior to the first occupation of the development hereby approved.

Reason: In the interests of crime prevention to accord with Policy S10 of the Joint Core Strategy.

- 11) Prior to the occupation of development, full details of security measures including external lighting shall be submitted to and agreed in writing with the Local Planning Authority and implemented fully in accordance with the agreed details and retained thereafter.

Reason: In the interests of crime prevention to accord with Policy S10 of the Joint Core Strategy.

- 12) The approved landscaping scheme shall be implemented concurrently with the development hereby approved.

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

10 BACKGROUND PAPERS

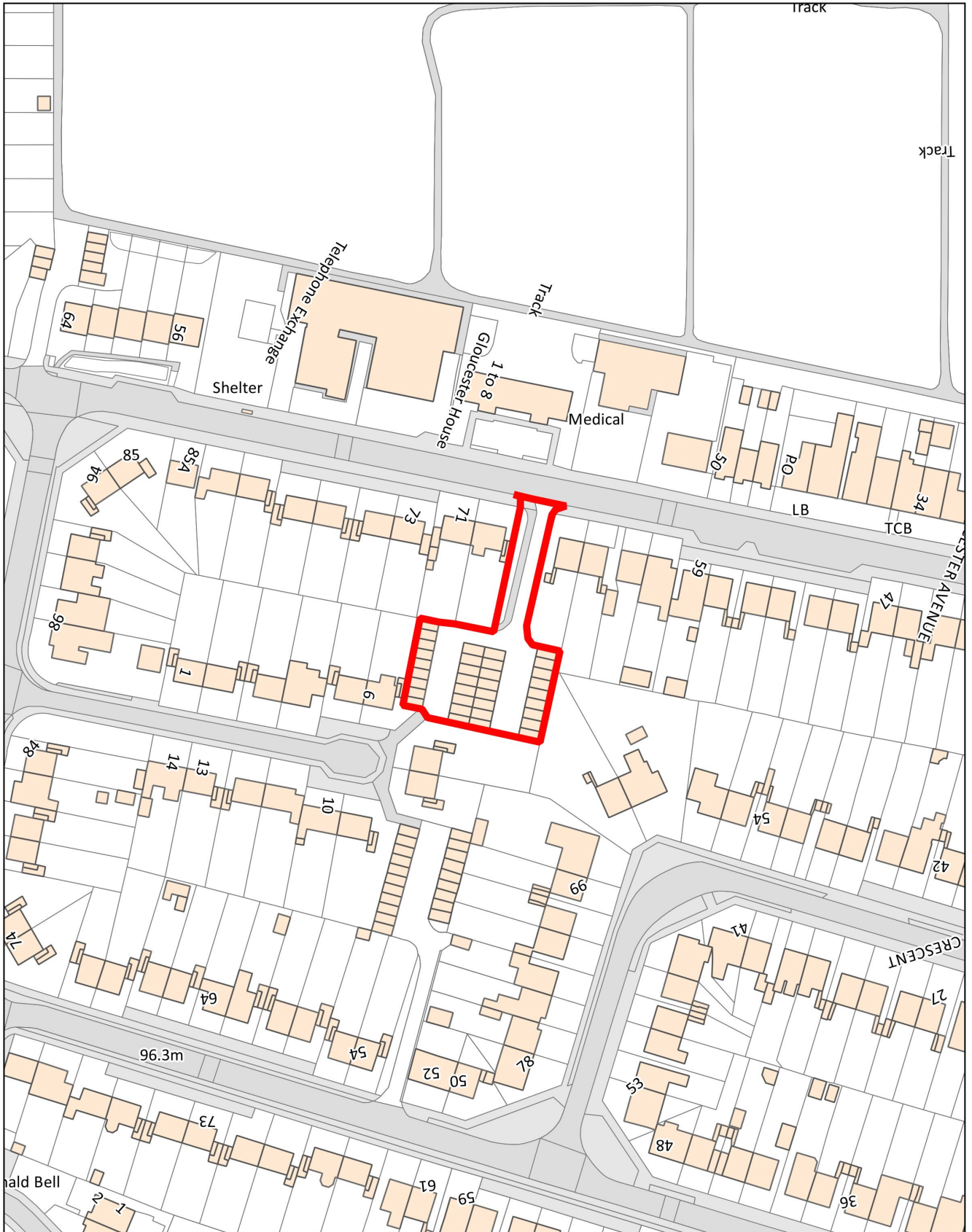
10.1 N/2018/1519.

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: **Lock Up Garages, Gloucester Avenue**

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Date: 07-03-2019

Scale: 1:1,250

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