

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

APPLICATION REF: N/2018/1524

LOCATION: Lock Up Garages, Tyes Court

DESCRIPTION: Demolition of two garage blocks and construction of one new dwelling to north west side of No. 40 Tyes Court and formation of parking area to south west rear of No's 37- 40 Tyes Court

WARD: Brookside 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 a new dwelling is considered acceptable in a residential area and would contribute towards the Council's five year housing land supply. The proposal would have an acceptable impact upon the character and appearance of the surrounding area, neighbouring amenity and highway safety. The proposed development complies with the requirements of the National Planning Policy Framework, policies S1, S3, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and saved policies E20 and H6 of the Northampton Local Plan and Policies H1 and H2 of the Growing Together Neighbourhood Plan.

2 THE PROPOSAL

2.1 The application seeks demolition of two garage blocks and construction of one new dwelling to the north west side of No. 40 Tyes Court and formation of a parking area to the south west rear of Nos. 37-40 Tyes Court, which will provide 9 communal parking spaces.

2.2 The proposed new dwelling would be a two storey, 3 bed detached house.

- 2.3 The current proposal is a resubmission of the originally submitted scheme. The amended scheme has reduced the footprint of the house with improved design.

3 SITE DESCRIPTION

- 3.1 The application site consists of two flat roofed brick built garage blocks.
- 3.2 The local area has mix of two and three storey houses. The residential block adjacent to the site are two storey terraced houses.
- 3.3 There are some good quality trees around the existing garage blocks.

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 and Neighbourhood Development Plans.

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.
Section 15 - Conserving and enhancing the natural environment

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 - The Scale and Distribution of Housing 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

5.6 **Other Material Considerations**

Growing Together Neighbourhood Plan

The Growing Together Neighbourhood Plan (Covering Blackthorn, Goldings, Lings and Lumbertubs) was made in April 2017, and now forms part of the development plan for Northampton. The following policies are relevant to the determination of this proposal:

Policy H1: Housing mix.

Policy H2: Small-scale housing development.

6 **CONSULTATIONS/ REPRESENTATIONS**

Comments received are summarised as follows:

- 6.1 **Environmental Public Protection (NBC)** – No objections subject to a condition requiring action in the event of unexpected contamination being found.
- 6.2 **Arboricultural Officer** – No adverse comment to make. The integrity of the control measures should be monitored by a competent arboriculturist throughout the development.
- 6.3 **Highway Authority (NCC)** – No comments.
- 6.4 **Crime Prevention Design Officer** – No objection in principle, advice has been given in relation to the compliance to the secure by design.

7 **APPRAISAL**

- 7.1 The main issues for consideration are the 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 Policy H1 of the Growing Together Neighbourhood Plan states that proposals for new developments should provide a mix of types of homes, whilst Policy H2 states that proposals for small scale housing developments will be supported, and identifies redundant garage sites as suitable for such developments.
- 7.5 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

- 7.6 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.
- 7.7 The application site comprises garage blocks 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 dwelling submitted under the amended scheme would reflect the scale and massing of neighbouring residential properties and would be an appropriate development in the streetscene.
- 7.8 However, the proposed dwelling would have relatively small garden. It is recommended that a condition to remove permitted development rights for future extensions to avoid overdevelopment of the site.
- 7.9 It is considered that the proposed design and appearance of the new dwelling would be in keeping with the character of the local area and would comply with the guidance outlined in NPPF, policy H1 of JCS and saved policy E20 of the Northampton Local Plan.

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 proposed new dwelling will be sited adjoining to an existing residential block, which would have a blank wall facing the new dwelling. There is a parking area to the front and the neighbouring properties across Tyes Court also has a blank elevation fronting the application site. The properties to the rear sits at a separation distance of over 25m. Owing to the design and siting of the new dwelling, it is considered that there would not be any adverse impact on the residential amenity of the neighbouring properties.
- 7.12 In terms of the amenities for future occupiers of the new dwelling, 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 north-western edge of the site to provide a buffer. The new dwelling would have a moderate rear garden. The submitted plans also detail provision for bins and cycle to be stored in the rear garden. 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 includes a new dwelling and would benefit from 9 communal car parking spaces. The Parking Standards seek 2 parking spaces per 3-bed dwelling 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.
- 7.15 It is considered that the proposed development is acceptable and would not cause undue impact on the highway safety.

Trees

- 7.16 The supporting Tree Survey and Arboricultural Report justifies the loss of one tree on the grounds of poor condition of the tree. Two other trees around the site are in good condition and would be retained. A condition is recommended that requires the recommendations outlined in Sections 5 & 6 of the Tree Report to be implemented.

Other considerations

- 7.17 The Council's Environmental Health Officer recommends a ground contamination condition should planning permission be forthcoming.

8 CONCLUSION

- 8.1 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. Subject to conditions, no harm has been identified that would significantly and demonstrably outweigh the benefits. The proposal would comply with the requirements of the National Planning Policy Framework, Policies S1, S3, S10, H1, and BN9 of the West Northamptonshire Joint Core Strategy, and Saved Policies E20 and H6 of the Northampton Local Plan and Policies H1 and H2 of the Growing Together Neighbourhood Plan.

- 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: P-01, P-02, P-03, P-04 Rev A, P-05 Rev A, P-06 Rev A, SCH-001, SCH-002, SCH-003, Topographical survey

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

- 3) The external materials shall be installed in accordance with the details as described on the Drawing number SCH001 and approved details as listed below:
1. Bricks: Type EX3 (IBSTOCK Sandalwood)
 2. Roof tiles: Type R1 (Artificial Roof tiles)
 3. Rainwater goods: Type RW2 (Marley Plumbing in white)
 4. Windows: Type W1 (uPVC in white frame)
 5. Doors: Type D1 (uPVC door in white frame)

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) 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.

- 5) The external boundaries of the site shall be constructed in accordance with the approved plan prior to the occupation of the building 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 and the National Planning Policy Framework.

- 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 outbuildings shall be erected to the dwelling hereby permitted.

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

- 7) 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.

- 8) All trees shown to be retained in the approved plans shall be protected for the duration of the development in accordance with the Macintyre Trees Tree survey and Arboricultural Impact Assessment Report dated October 2018. The integrity of the control measures should be monitored by a competent arboriculturist throughout the development to ensure compliance, and the reports submitted to the Local Planning Authority for verification.

Reason: To ensure appropriate protection of retained trees and in the interests of amenity in accordance with the requirements of Policies BN3 and S10 of the West Northamptonshire Joint Core Strategy.

- 9) Full details of drainage relating to the proposed car park area 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: To prevent drainage on to the highway in accordance with the aims of the National Planning Policy Framework.

- 10) Details of the existing and proposed ground levels and finished floor levels of the development in relation to OS Datum 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 and the National Planning Policy Framework.

- 11) The parking spaces and manoeuvring area together as shown on approved plans shall be constructed prior to the occupation of the building 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.

10 BACKGROUND PAPERS

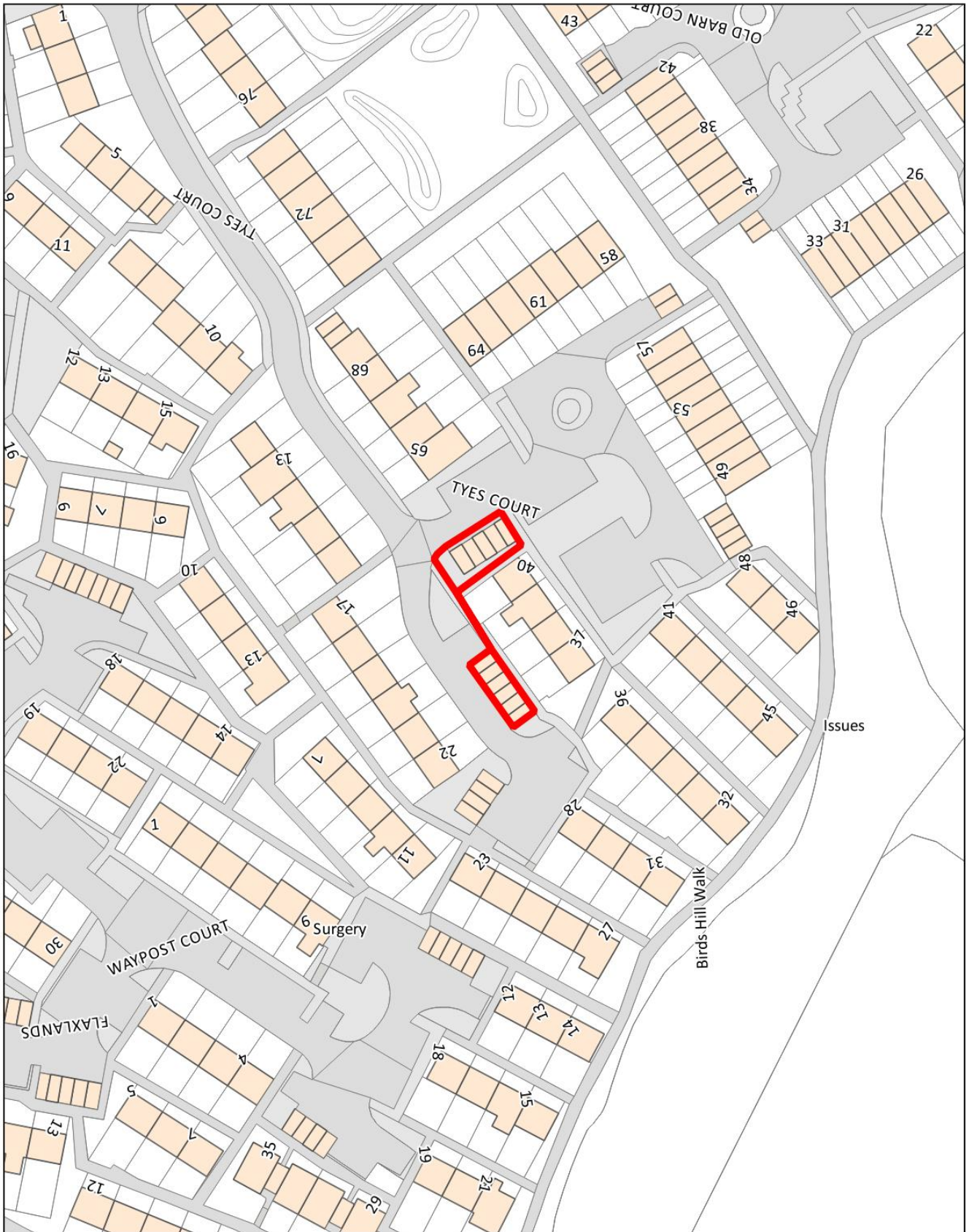
10.1 N/2018/1524.

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: **Garages at Tyes Court**

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Date: 28-02-2019
 Scale: 1:1,000
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