

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

APPLICATION REF: N/2018/1777

LOCATION: Lock Up Garages, Smyth Court

DESCRIPTION: Demolition of 6no. garages and erection of 2 new build dwellings and parking

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 proposed development would result in the satisfactory reuse of this site and would not cause significant harm to the character and appearance of the surrounding area, neighbour amenity and the highway system, whilst securing a satisfactory level of accommodation for the future occupiers of the development. The proposal is therefore in accordance with the requirements of the National Planning Policy Framework, Policies BN5, S1, S10 and H10 of the West Northamptonshire Joint Core Strategy, and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The application seeks planning permission to demolish the existing garages and to replace them with two semi-detached houses, which would each have three bedrooms. As part of the proposals, four off street car parking spaces would be provided.

3 SITE DESCRIPTION

3.1 The application site consists of a comparatively small garage court containing six garages (arranged in two blocks – one of four garages, and the other of two), within a predominantly residential area. Buildings within the vicinity are generally used for residential purposes and are

constructed to two storeys. The site is to the north of the Weston Favell Centre, which is an allocated district centre (as defined by the Northampton Local Plan and the West Northamptonshire Joint Core Strategy). The application site is in reasonably close proximity to a number of services and public transport routes.

4 PLANNING HISTORY

4.1 None.

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:

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 BN5 – Trees and woodland

Policy H1 - Housing

Policy S1 - The 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 policy is material to this application:

E20 – New development

5.5 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Arboricultural Officer** – No objection to the removal of one of the weaker trees.
- 6.2 **Environmental Health** – Recommend a condition regarding the treatment of unsuspected contamination, and further details regarding car charging points and boiler specifications.
- 6.3 **Highway Authority** – No objection.

7 APPRAISAL

- 7.1 By reason of the general provision of residential accommodation in the vicinity, it is considered that the principle of the proposed development is acceptable. In addition, weight should be given to the fact that the Council cannot currently demonstrate a five year housing land supply. This development would make a contribution, albeit small, to addressing this need.
- 7.2 The proposed dwellings are of a functional design that is compatible with the prevailing vernacular, and owing to the presence of two storey houses within the vicinity, it is considered that the development would not appear incongruous in the locality. In order to secure a satisfactory standard of development, a condition is recommended that would enable the Council to approve details of building materials in advance of construction works commencing.
- 7.3 By reason of the separation distances between the existing properties and the proposed dwellings, it is considered that the levels of light and privacy to surrounding dwellings would not be unduly impeded. Whilst it is acknowledged that there is some variation in topography within the surrounding area, the degree of variation is comparatively minor, and as a consequence, it is considered that there would not be a significant adverse impact upon the levels of outlook experienced by existing residents. In order to provide certainty of these impacts going forward, a condition is recommended that would remove permitted development rights for the future installation of new windows or erection of extensions. This would provide a mechanism to ensure that any future installations or alterations do not lead to a materially greater impact upon neighbouring properties.
- 7.4 Whilst it is appreciated that the development would result in the loss of a relatively small garage court, it should be noted that within current planning policies (either at a national or local level) that there is no requirement to retain garages. Furthermore, it should be noted that the current County parking standards do not include garages as parking provision given that a significant number of them are generally used for purposes other than the parking of a vehicle, such as the storage of household objects. An additional point to note is that all of the garages within the court are currently vacant and that no objections have been received from the Highway Authority with regards to the development.
- 7.5 The scheme includes the provision of two car parking spaces per dwelling, which is consistent with the standards contained within the current Northamptonshire Parking Standards. In order to secure a good standard of development, a condition is recommended that would ensure that the parking is provided prior to the first occupation of the dwellings, and is retained throughout the life of the development.
- 7.6 The proposed development would feature appropriately sized gardens that are necessary to ensure a satisfactory level of amenity for the future occupiers of the development. These will be surrounded by suitable boundary treatments (that would be agreed in advance by the Council) and the gardens could also be utilised to contain refuse and cycle storage, as may be appropriate.
- 7.7 It is noted that the development would be in close proximity to two trees, one of which would need to be removed. These have been assessed by the Council's Arboricultural Officer. It has been concluded that the tree that is to be removed is of a poor specimen, whilst the better quality tree is a sufficient distance away from the area that is to be developed, in order to prevent a significant adverse impact upon the health of this tree.

- 7.8 Whilst it is appreciated that Environmental Health have requested the securing of car charging points and a specific type of boiler. In response to these points, it is considered that the provision of car charging points would be disproportionate given the scale of the development whilst the provision of boilers is a matter that would normally be addressed under the relevant building regulations.

8 CONCLUSION

- 8.1 It is considered that the proposed development represents an acceptable land use and, subject to conditions, would not have a significant adverse impact upon the character and appearance of the surrounding area, neighbour amenity and the highway system.

9 CONDITIONS

- 9.1 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; and (P) 05.

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

3. 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.

4. 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 dormers shall be constructed in the roof of the dwellings hereby permitted.

Reason: To safeguard the privacy of nearby residents 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 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.

6. Prior to the commencement of construction works on site, 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 E20 of the Northampton Local Plan. This is a pre-commencement condition to ensure timely submission of details.

7. The car parking and manoeuvring areas as shown on drawing (P) 03 shall be fully implemented prior to the first occupation of the development hereby permitted and retained thereafter.

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

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. Full 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.

10 BACKGROUND PAPERS

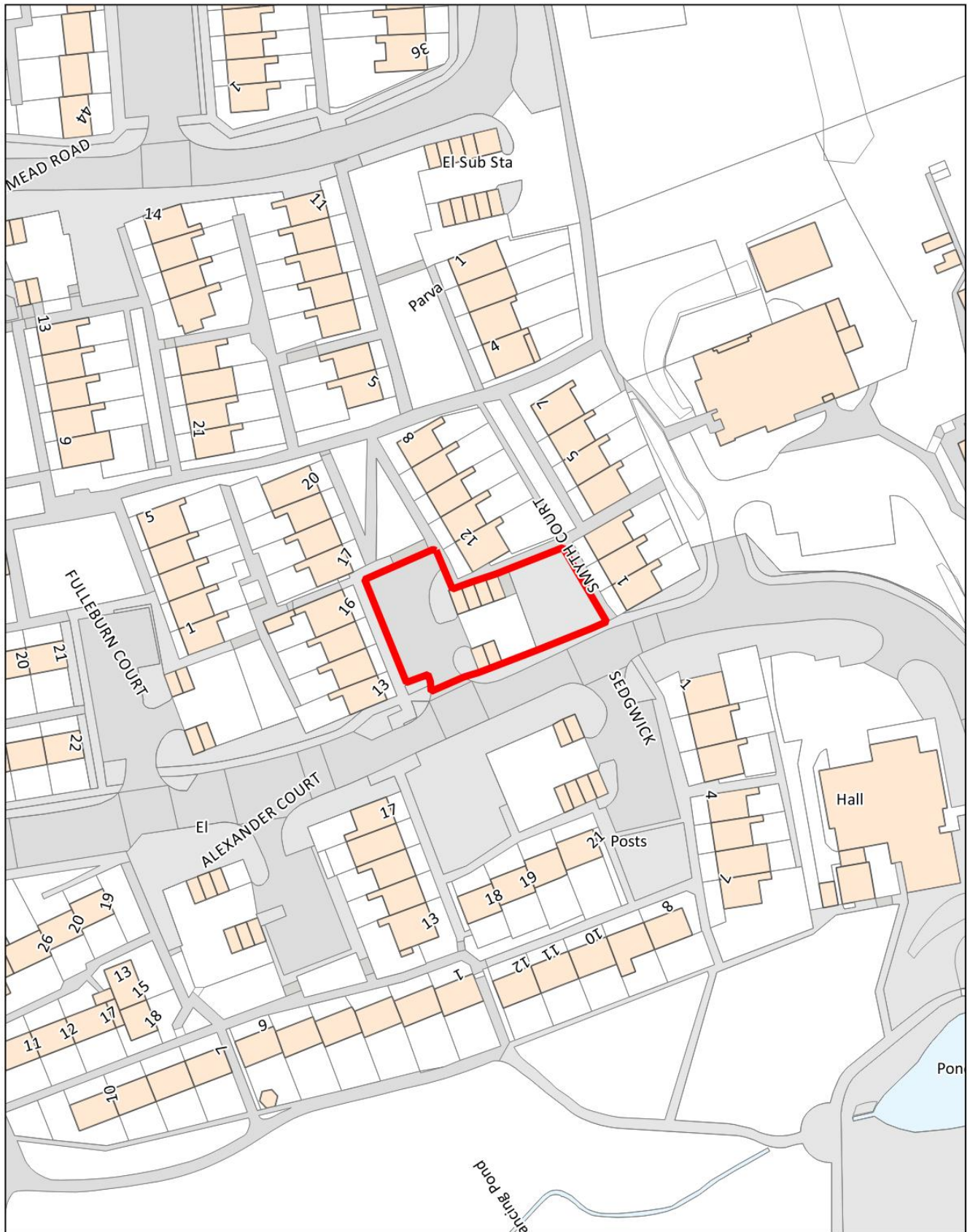
10.1 None.

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: **Lock up garages at Smyth Court**

© Crown copyright and database rights 2018 Ordnance Survey licence no. 10019655

Date: 28-02-2019

Scale: 1:1,000

Drawn by: -----