



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

APPLICATION REF: N/2019/0546

LOCATION: Highfield House, 383 Kettering Road

DESCRIPTION: Conversion of existing dwelling to 6no apartments, construction of attached new apartment building containing 4no apartments, construction of 4no three bedroom dwellings, widening of existing vehicular access to Kettering Road, formation of new vehicular access to Mountfield Road, provision of car parking and associated works including demolition of existing outbuilding

WARD: Parklands Ward

APPLICANT: Snedker and Smith Developments
AGENT: Woods Hardwick Planning Ltd

REFERRED BY: Councillor M Hallam
REASON: Overdevelopment, access and highways issues

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1 RECOMMENDATION

1.1 APPROVAL for the following reason:

The development of the site for residential use will make a positive contribution towards the Council's 5 year housing land supply. The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's 5 year housing land supply. The proposed development would therefore comply with the National Planning Policy Framework and Policies S1, S3, S10 and H1 of the West Northamptonshire Joint Core Strategy and Policy E20 of the Northampton Local Plan.

2 THE PROPOSAL

2.1 The proposal is for the conversion of an existing three storey dwelling into six apartments and the construction of a new linked two storey block containing four further apartments. This new block

would replace an existing large garage. A further four three bedroom two storey dwellings would be constructed to the rear of the site.

3 SITE DESCRIPTION

- 3.1 The site comprises the existing three storey house, detached garage and large garden. The building is historic but is not listed, neither is the site within or close to a conservation area.

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

- 5.3 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.

5.4 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

5.5 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:

Policy H6 – Residential development in primarily residential areas
Policy E20 – New Development (design)

5.6 Supplementary Planning Documents

Northamptonshire Parking Standards (September 2016)
Planning out Crime in Northamptonshire SPG 2004
Planning Obligations SPD (2013)

6 CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **Anglian Water** – There is capacity for dealing with waste water and used water. The surface water assessment submitted is unacceptable. Details of a suitable strategy will need to be submitted to Anglian Water for the discharge of a planning condition.
- 6.2 **Police Crime Prevention Design Adviser** – Security measures will need to be secured by a suitable condition.
- 6.3 **Local Highway Authority** – Following concerns raised confirm that the latest iteration of the proposal is acceptable. A condition should require compliance with the latest plan.
- 6.4 **NCC Development Management** – A contribution will be required towards the cost of Primary Education, a contribution to Early Years Provision may also be required. Secondary Education Contributions will be covered by the Community Infrastructure Levy. Contributions to library provision are requested as is a condition requiring fire hydrant provision.
- 6.5 **Arboricultural Officer** - No adverse comment upon the proposal provided that the control measures specified on the tree protection plan from RGS dated October 2019 are implemented in a timely fashion and properly maintained throughout the duration of the development to seek to prevent harm to the retained trees. The tree protection plan would be improved if dimensions were shown. An amendment showing those offsets will be required if the development were to proceed but can be secured by condition.
- 6.6 **Environmental Health** – Conditions will be required for unexpected contamination, a waste storage strategy for the flats, a construction management plan including hours of operation, charging points for electric vehicles and low emission boilers and acoustic separation for all dwellings. Comments on the revised plans also request a full noise impact survey.
- 6.7 **Councillor M Hallam** – Calls in the application to Committee - concerned about the over-development of this site and in particular the new proposed access onto Mountfield Road and the traffic and parking issues that this would create. Also increasing level of traffic on Kettering Road.
- 6.8 Representations received from the occupiers of 20 neighbouring and nearby properties, making the following points in summary –
 - Would increase car parking demand, which would lead to parking in Mountfield Road.
 - Will be overlooked, privacy will be lost.
 - Will cause extra traffic problems
 - Increased air and noise pollution
 - Possible damage during construction
 - Mountfield Road is only suitable for existing traffic levels
 - Will block light to garden
 - Out of character for the area
 - Entrance will cross a regularly used footpath
 - Sewers may not be able to accommodate additional demand
 - Would set a precedent for similar developments
 - Contrary to restrictive covenants
 - Trees on the site have already been lost, more may follow
 - There is wildlife on the site which should be protected.
 - Site would be overcrowded.

7 APPRAISAL

Principle of Residential Development

- 7.1 The site is located within a Primarily Residential Area as defined in the Northampton Local Plan and therefore the principle of a residential use is considered appropriate and acceptable in this location.
- 7.2 In addition, the Council cannot presently demonstrate a five year housing land supply. Therefore in accordance with the presumption in favour of sustainable development in paragraph 11 of the NPPF, development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The development of the site for housing would contribute towards the Council's housing supply with associated social and economic benefits and this therefore weighs in favour of the proposal.

Highways and Access

- 7.3 The site would be accessed from two separate accesses. The existing access from Kettering Road would serve the converted house and the new extension to this, providing 10 flats in total, whilst a new access would be provided from Mountfield Road to serve the proposed four houses.
- 7.4 On-site parking would be provided for the flats at a ratio of one space per bedroom, including two disabled spaces. Cycle parking would also be provided at one space per bedroom, which would be useable despite being in the basement area. For the houses two spaces per house would be provided, together with two visitor spaces. This complies with the adopted Northamptonshire Parking Standards.
- 7.5 Following amendments to the original layout the Local Highway Authority have confirmed that the access and parking arrangements are acceptable.
- 7.6 In respect of the concerns raised by neighbouring occupiers, whilst the development may introduce some additional traffic along Mountfield Road, the impact of this on neighbouring properties would be limited whilst the fact that the Local Highway Authority have not raised objections means that a refusal on highway grounds could not be sustained on the issue of capacity of the road.
- 7.7 Reference is also made to the crossover crossing a well used footpath. It is usual for footpaths to be crossed in this way and visibility splays would be provided to ensure pedestrian safety.

Design and Layout

- 7.8 The existing house is a historic feature of the area but is not listed or otherwise protected. The site is not in a Conservation Area. The house would be retained and would be converted in a sensitive manner with little external changes. The extension to the house would be in a matching style and of a subordinate appearance and overall it is considered that the appearance of the site from Kettering Road would be acceptable and would not affect the street scene, whilst having the benefit of retaining this notable historic building.
- 7.9 The four houses proposed to the rear of the site would be two pairs of semi-detached two storey dwellings. These would face onto Mountfield Road and would thereby form part of the streetscene of that road. The immediate neighbouring properties to the site are bungalows, however the street is mixed in character and it is not considered that two storey houses would in themselves be incongruous in the area. The design of the dwellings as proposed is described by the applicant's agent as reflecting inter-war development and is considered to be appropriate to the locality.
- 7.10 The details of materials to be used as well as boundary treatment and landscaping would be required by conditions. A further condition would ensure compliance with the tree protection plan, as agreed by the Arboricultural Officer, to protect the remaining trees on the site.
- 7.11 Concern was raised in a neighbour letter that the proposal would appear overcrowded on the site. As discussed above it is considered that the proposal is well positioned and optimises the potential of the site. It is not considered that the proposal would appear overcrowded.

Impact on Surrounding Residents and the Local Area

- 7.12 The site is surrounded by existing residential development, comprising two storey detached and semi-detached houses on Kettering Road, bungalows on Mountfield Road and two storey houses on Highlands Avenue.
- 7.13 In respect of the neighbouring properties on Kettering Road, the conversion of the existing house would result in some of the windows being used for living rooms rather than what is assumed to have been bedrooms. Some of these windows would face towards the garden area of 381 Kettering Road, a two storey house. However, given that these are existing windows and the rooms in the existing house could be used for any purpose, it is not considered that this would lead to any significant additional impact.
- 7.14 The other neighbour on Kettering Road, no. 389, would be faced with a largely blank elevation to the side of the extension to the building, thereby preventing overlooking of this neighbouring garden. This neighbouring house has side facing windows and the door to the house is also on the side. These windows appear to be secondary or serving non-habitable rooms and the separation of 7m would prevent any undue overshadowing of the property or this door and windows.
- 7.15 The rear facing windows of the flats would not overlook the garden of this neighbour, due to its limited size, but would look towards garages to the rear of this.
- 7.16 The proposed houses, fronting onto Mountfield Road, would be adjacent to the neighbouring bungalow at 45 Mountfield Road. The houses on plots 2, 3 and 4 would be set back 16m from the south-eastern edge of the site fronting Mountfield Road, but Plot 1 would be closer at 12m. This would mean this house will project 5m beyond the rear of 45 Mountfield Road. This would still be a significant projection, however in this case the impact would be reduced due to the fact that the nearest part of this neighbouring bungalow to the site is the garage, meaning there would be no undue loss of light to the nearest window to the nearest habitable room at number 45, which is 6m from the boundary. The impact on the garden area is considered acceptable as this would only affect a relatively small proportion of the garden.
- 7.17 The other adjoining neighbour is at 36 Mountfield Road. The proposed dwellings would face towards the blank side elevation of this neighbouring property but due to the absence of any side windows and a separation of 18m from the boundary with the rear garden would not result in any significant overlooking of the house or garden area.
- 7.18 To the rear of the site are houses on Highlands Avenue. These are separated from the site by a rear access road, and have gardens of at least 20m length. The nearest part of these neighbouring gardens is at least 20m from the rear of the proposed dwellings, giving at least 40m separation to the houses, and thereby preventing any adverse impact.

Amenities of future residents

- 7.19 The occupiers of the flats would be provided with sufficient internal space within each flat which complies with the Nationally Described Space Standards for flats, subject to occupancy of the two bed flats by up to three persons. The flats would also be provided with a communal garden area to the rear which would provide a good level of amenity space, whilst the houses would have an appropriate internal layout and would each be provided with good sized rear gardens.
- 7.20 The separation between the rear of the proposed flats served off Kettering Road and the gardens of the proposed houses served off Mountfield Road of 14m is considered sufficient to ensure that there is no unacceptable overlooking between the proposed flats and houses.
- 7.21 Bin storage would be provided for the flats and a condition requiring full details of this is proposed.

Other matters

- 7.22 Comments from Environmental Health request conditions for dealing with unexpected contamination and for a construction Environmental Management Plan, which are recommended to be included. The comments also request noise insulation for the flats and this is also recommended, although a full noise survey is not felt to be proportionate. Electric vehicle charging points and low emission boilers are also requested, however there is no policy basis for such requirements and as such it would not be reasonable to request these.
- 7.23 A neighbour letter raised concern that the proposal would result in increased air and noise pollution. Environmental Health were consulted on the proposal and raised no objection with regards to these matters.
- 7.24 In respect of other consultees comments, Anglian Water have expressed concern over the surface water assessment but have indicated that this can be addressed by a suitably worded condition, which is proposed. In line with comments from the Police Crime Prevention Design Adviser, full details of security measures would also be required by condition.
- 7.25 The Council's Arboricultural Officer advises that the proposal is acceptable subject to the submitted tree protection plan being complied with.
- 7.26 Other matters raised in representations from neighbouring occupiers not covered above relate to restrictive covenants, sewer capacity and the possibility of damage being caused to neighbouring properties during construction, neither of which are material planning considerations.

Section 106 Contributions

- 7.27 The County Council has requested a financial payment towards the provision of primary school education within the vicinity. However, the Borough Council's adopted Planning Obligations Strategy Supplementary Planning Document (2013) does not require contributions in respect of residential developments of under 15 units and therefore a request for this requirement is not supported by policy and cannot be requested.
- 7.28 Comments from the County Council also request financial contributions for fire and rescue, libraries and broadband. There is no policy basis for such payments and it is not clear how they would conform with the statutory tests set out in CIL Regulation 122. Such contributions are not therefore proposed to be requested.

8 CONCLUSION

- 8.1 The development of the site for residential use will make a positive contribution towards the Council's 5 year housing land supply. The proposed development would have no undue detrimental impact on the amenities of neighbouring occupiers and would not be out of keeping with the character and appearance of the street scene and wider area, and would represent an appropriate use for the site and contribute towards the Borough's 5 year housing land supply.

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: 2556/1B, 2556/2A, 2556/3, 2556/4, 2556/5B, 2556/6A, 2556/7A, 2556/10F.

Reason: For the avoidance of doubt and to accord with the terms of the planning application/listed building consent application.

- (3) Prior to the construction of the development hereby approved above ground floor slab level, 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.

- (4) No development other than demolition and site clearance shall take place until a surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The strategy shall include provision for the future maintenance of all aspects of the drainage scheme. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, both on and off site. In accordance with the National Planning Policy Framework.

- (5) Prior to the commencement of development, a Construction Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved plan, which shall include:

- The control of noise and dust during the development process;
- Traffic management and signage during construction;
- Enclosure of the development site;
- Provision for all site operatives, visitors and construction vehicles loading, parking and turning within the site during the construction period;
- Arrangements during the construction period to minimise the deposit of mud and other debris on to the adjacent highway;
- Tree protection;
- Routing agreement for construction traffic; and
- The hours in which deliveries and construction works would take place.

Reason: In the interests of securing a satisfactory impact upon the highways system and neighbour amenity in accordance with the requirements of the National Planning Policy Framework and Policy BN9 of the West Northamptonshire Joint Core Strategy. This condition is required pre-commencement to ensure that such details are agreed in a timely manner.

- (6) In the event that unexpected contamination is found at any time when carrying out the development hereby approved, it must be reported immediately to the Local Planning Authority. Development works at the site shall cease and an investigation and risk assessment undertaken to assess the nature and extent of the unexpected contamination. A written report of the findings shall be submitted to and approved by the Local Planning Authority, together with a scheme to remediate, if required, prior to further development on site taking place. Only once written approval from the Local Planning Authority has been given shall development works recommence.

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.

- (7) Full details of the provision for the storage of refuse and materials for recycling in respect of the flats shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the flats hereby approved. The approved details shall be implemented prior to the first occupation or bringing into use of the flats hereby permitted and thereafter retained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- (8) All works shall be carried out in accordance with the RGS Tree Survey Report dated October 2019, subject to an amended Tree protection plan which shall be updated to show dimensions of root protection areas which shall be submitted to and approved in writing by the Local Planning Authority, prior to any works being carried out in such areas.

Reason: Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

- (9) No development other than demolition and site clearance shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of hard and soft landscaping for the site.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

- (10) 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 Policy E20 of the Northampton Local Plan

- (11) Full details of security measures to be included within the development shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development hereby permitted. The approved measures shall be incorporated into the development and shall be available and functional before the occupation of any of the flats or houses hereby approved.

Reason: Reason: In the interest of the security of future occupiers of the development and the prevention of crime, in accordance with Policy S10 of the West Northamptonshire Joint Core Strategy.

- (12) Full details of a sound insulation and ventilation scheme to protect the development from external noise shall be submitted to and approved in writing by the Local Planning Authority and the approved details shall be implemented prior to the first occupation of the dwellings hereby permitted and retained thereafter.

Reason: In the interests of residential amenity and to secure a satisfactory standard of development in accordance with Policy BN9 of the West Northamptonshire Joint Core Strategy.

- (13) Prior to the construction of the development hereby approved above ground floor slab level, 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.

- (14) Provision for the secure and covered parking of bicycles for the flats shall be provided as shown on the approved plans prior to the development being first brought into use and retained thereafter.

Reason: To ensure the provision of adequate facilities in accordance with the National Planning Policy Framework.

10 BACKGROUND PAPERS

10.1 N/2019/0546

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: **Highfield House, 383 Kettering Road**

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Date: 02-10-2019

Scale: 1:1,250

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