



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 6 March 2012
DIRECTORATE: Planning and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2011/1095 **Retention of garden shed, paved area and close boarded fence, construction of new drop off-pick up point for ambulances and associated vehicles at 2 The Drive, Kingsley**

WARD: Kingsley

APPLICANT: Crescent Homes
AGENT: Ellis Architectural Design

REFERRED BY: Head of Planning
REASON: Neighbour concerns

DEPARTURE: No

APPLICATION FOR DETERMINATION BY:

1. RECOMMENDATION

1.1 **APPROVAL** subject to conditions and for the following reason:

The proposed development would not have an undue detrimental impact on the appearance and character of the host building, wider street scene and would not have an adverse effect on the amenity or living conditions of neighbours to comply with Policies E20 and H29 of the Northampton Local Plan, Policy 2 of the East Midlands Regional Plan and the aims of PPS1, PPS3 and PPG13.

2. THE PROPOSAL

2.1 Full planning permission is sought for various works including retention of a single storey garden shed to the rear of the site, paved area and close boarded fence to the site frontage and a new drop-off point for ambulances and associated emergency vehicles.

3. SITE DESCRIPTION

- 3.1 The application site comprises a care home for the elderly located in an attractive residential street approximately 2km north of the town centre of Northampton. It has a frontage to both The Drive and the Crescent. The property has been extended considerably over the years. It is situated within a primarily residential area as defined by the Northampton Local Plan Proposals Map. It has an area of hardstanding to the front which is used as an amenity space for the home.

4. PLANNING HISTORY

- 4.1 The property has been subject to an extensive planning history over the years including various extensions and associated developments.
- 4.2 The most recent application (N/2011/0235) was refused on the following ground:

The use of the proposed access gates fronting The Drive would potentially lead to undesirable off street parking on the paved landscaped area in front of the premises resulting in a significant detrimental visual impact out of keeping with the appearance and character of the locality and general amenity contrary to advice in PPS1 and Policy E20 of the Northampton Local Plan.

- 4.3 N/2011/0235 was for a scheme that was similar to the current application, the only difference being that the access from The Drive was not restricted to emergency vehicles. Following negotiations with officers the proposal has been amended, the principal difference being that the access has been amended to be for emergency vehicles only. The revised plans now show one off-road parking space for emergency vehicles accessed from the existing gates via The Drive.

5. PLANNING POLICY

5.1 Development Plan

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 current Development Plan comprises of the East Midlands Regional Plan, the saved policies of the Northamptonshire County Structure Plan and Northampton Local Plan 1997.

5.2 National Policies:

PPS1 – Delivering Sustainable Development
PPS3 - Housing
PPG13 – Transport

5.3 East Midlands Regional Plan 2009

Policy 2 – Promoting Better Design

5.4 **Northampton Borough Local Plan**

E20 – New Development

H29 – Residential Institutions

5.5 **Supplementary Planning Guidance**

SPG Parking

6. **CONSULTATIONS / REPRESENTATIONS**

6.1 **Highway Authority (NCC)** – The existing cross over will need to be reinstated in order to continue the existing footpath to an acceptable Highway Standard, the new crossover will need to be at least 5.5 metres from the existing electric board and any gates must be hung open from the highway.

6.2 Letters of **objection** received from numbers **1, 8,12,14, 16, 24 The Crescent:**

- The use of the front garden for vehicles is unacceptable
- Is difficult to control use of access for emergency vehicles
- Access should be limited to a wheelchair width gate only
- The current submission is almost identical in design to previous refused scheme
- Undermines public confidence in planning system if approved
- Access is inaccessible to the home in emergencies and it is ridiculous to request patients to use this
- Pedestrian and wheelchair access only is acceptable with green hedging to the boundary
- Would set a precedent
- Proposed access with bollards would be worse visually than previous scheme
- Wish to see introduction of planting

7. **APPRAISAL**

Policy context and Principal considerations

7.1 The main issues to consider in this case are the impact on the appearance and character of area, impact on living conditions of neighbours and highway safety.

7.2 In determining this application, Policy E20 is the main Local Plan policy relating to the proposed scheme and states that planning permission will be granted for new development subject to the design adequately reflecting the character of its surroundings in terms of layout, siting, form, scale and use of appropriate materials and the development being designed in a manner which ensures adequate standards of privacy, daylight and sunlight. Policy 2 of the Regional Plan and PPS1 emphasise the need for good design in all development. Paragraph 34

of PPS1 states that local planning authorities should plan positively for the achievement of high quality design for all development.

Impact on appearance and character of the area

- 7.2 A number of the elements included in this application are retrospective including the garden shed which is located to the rear of the site adjacent to the side of number 2A The Drive. The shed is single storey with a lean to roof and constructed in wood. It measures 5 metres long by 2 metres wide to a height of some 2.8 metres. Given its siting and scale it is considered of a design not out of keeping with the character of the host building. It is not prominent when viewed from The Drive and therefore has minimal effect on the street scene given its siting and fairly modest scale.
- 7.3 Retrospective consent is also sought for the boundary fence which is 1.8metres in height and positioned along the side boundary of the care home running parallel to The Drive along the back of the footpath. Although it is sited in a relatively prominent position clearly visible from The Drive, it is considered that its impact on the appearance of the street scene is acceptable. The reasons for this are primarily that the portion of the fence for which retrospective planning permission sought is a continuation of the existing fence and is only 4 metres longer than what has been permitted and would not undermine the generally open aspect of the corner of The Crescent and The Drive.
- 7.4 The main reason (see para 4.2 above) for refusing the previous application was that the proposed access gates from The Drive would be wide enough to allow off street parking in front of the care home resulting in parked cars leading to an adverse impact on the appearance of the area from vehicles stationed on a private amenity space.
- 7.5 This is of significant concern to many local residents who are very concerned that the front garden area is being used for off street parking associated with the home.
- 7.6 In the current application, following advice from officers, the applicant has amended the submitted drawings to show only one off-street parking space large enough to accommodate an ambulance. It is considered that, subject to a condition to limit parking to a maximum of one emergency vehicle at any one time, this would be acceptable as it would have a very limited impact on the character and appearance of the area and given that a home of this type would reasonably be expected to have access for emergency vehicles.
- 7.7 While it is noted by some of the objectors that this may be difficult to enforce, officers consider that a suitably worded condition would meet the 5 tests set down in Circular 11/95 and given that it would be limited

to a specific area as shown on the approved drawings, that a condition would be enforceable, necessary and reasonable.

- 7.8 The conditions recommended to limit use of the hardstanding (in terms of limiting its use to emergency vehicles only and limiting the accessible area through the installation of bollards) would ensure that the extent and nature of parking is strictly controlled such that the front garden area would remain as an amenity space to be used principally for the enjoyment of the residents of the care home and would preserve the appearance and character of the locality.
- 7.9 While a number of objectors comment that the proposed access off The Drive is not particularly accessible to the main entrance to the care home off The Crescent, it is considered that this is not a reason in itself to withhold the grant of planning permission.

Impact on living conditions of neighbours

- 7.10 Given the scale of the proposed garden shed and relationship to adjoining property it is considered that there would be limited effect on residential amenity in terms of overshadowing, overbearing and loss of outlook.
- 7.11 As discussed above, the boundary fence would have an acceptable visual impact and given its position of approximately 19 metres from the nearest neighbours on the opposite side of The Drive is also unlikely to result in a significant adverse impact on neighbours living conditions too. This would comply with Policy E20 of the Northampton Local Plan and aims of PPS1.
- 7.12 By limiting the use of the hardstanding area, as discussed above, it is not considered that the development would have a significant impact on the amenities of the adjacent house no. 1 The Crescent.

Highway safety

- 7.11 In accordance with comments from the Local Highway Authority, the proposed gates will be conditioned to be opening inwards away from the highway and the proposed gates would also be more than 10 metres from the existing electric board. The Highway Authority has raised no objection.

8. CONCLUSION

- 8.1 For the reasons cited, the proposed development is considered acceptable and compliant with local and national planning policy given that its effect on the appearance and character of the area and highway safety would be satisfactory.

9. CONDITIONS

1) The gates hereby permitted off the Drive shall open inwards away from the highway unless otherwise agreed in writing by the Local Planning Authority

Reason- In the interest of highway safety to comply with aims of PPG13.

2) The proposed access off The Drive and parking space shown on the approved drawing number SE/1066/22D E114 shall be limited to emergency vehicles only associated with the use of the care home and shall not be used for general use or for any other purpose unless otherwise agreed in writing with the Local Planning Authority.

Reason – In the interest of visual amenity to accord with Policy E20 of the Northampton Local Plan.

3) No development shall take place until details of the external colour treatment of the gates and railings hereby approved have been submitted to and approved in writing with the local planning authority and shall be implemented fully in accordance with those details unless otherwise agreed in writing by the local planning authority.

Reason - In the interests of visual amenity to comply with Policy E20 of the Northampton Local Plan.

4) Prior to the first use of the parking space (for emergency vehicles) hereby approved as shown on approved drawing number SE/1066/22D E114 full details of the bollards (including their design, size and position) shall be submitted to and approved in writing with the local planning authority. All of the approved bollards shall be installed fully in accordance with the approved details and retained / maintained in perpetuity unless otherwise agreed in writing with the local planning authority.

Reason- In the interests of highway safety and visual amenity to comply with Policy E20 of the Northampton Local Plan and PPG13.

10. BACKGROUND PAPERS

10.1 N/2011/1095
N/2011/0235

11. LEGAL IMPLICATIONS

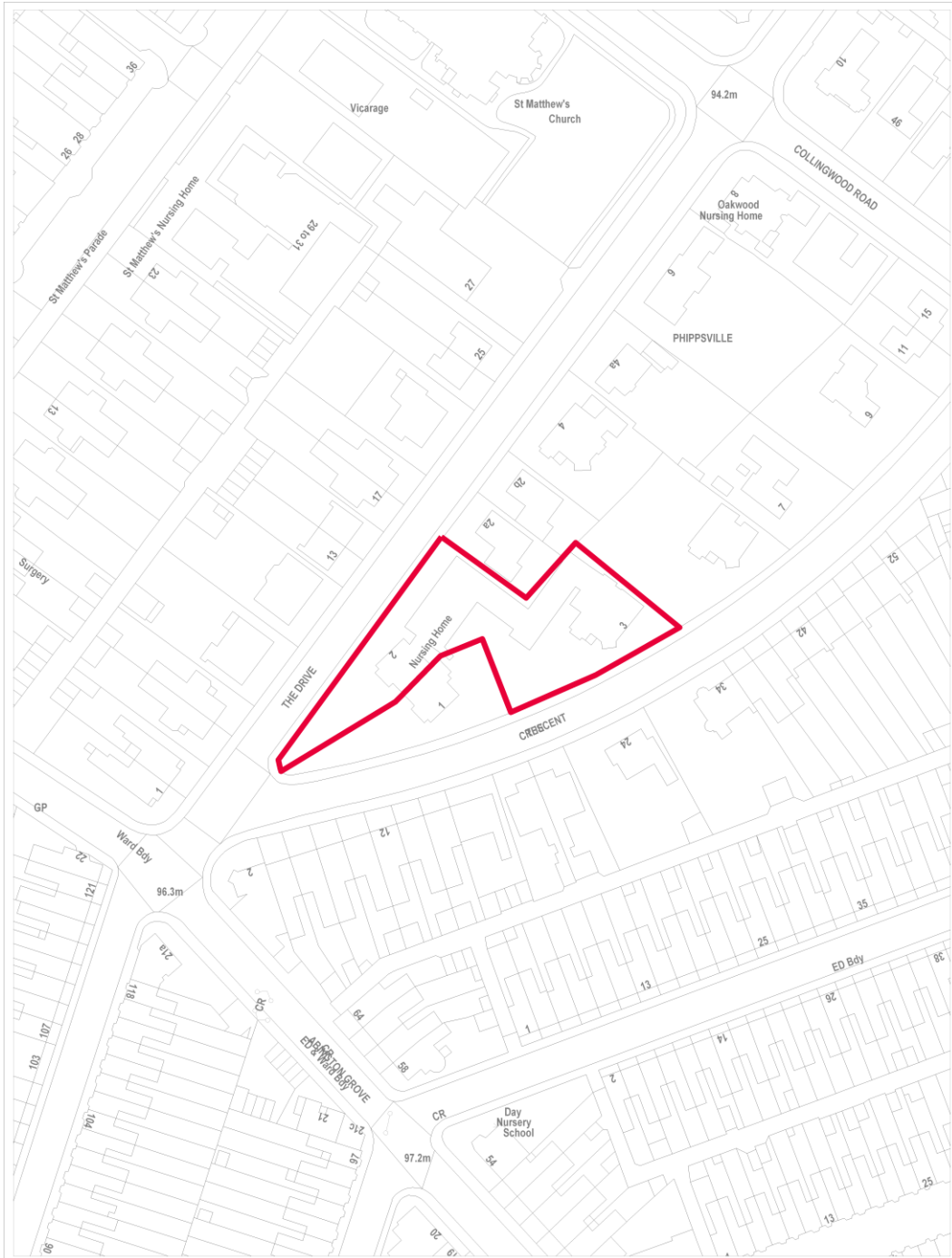
11.1 None.

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.

Position:	Name/Signature:	Date:
Author:	Jonathan Moore	15/02/2012
Development Control Manager Agreed:	Gareth Jones	27/02/2012



Name: Registration
 Date: 23rd February 2012
 Scale: 1:1250
 Dept: Planning
 Project: Location Plan

Title
2 The Drive

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