



PLANNING COMMITTEE: 29 May 2012
DIRECTORATE: Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0335 Demolition of existing commercial units and erection of 8 three bed terraced dwellings at 57-71 Lea Road

WARD: Abington

APPLICANT: Mr A Tilley
AGENT: Robert O'Callaghan

REFERRED BY: Head of Planning
REASON: S106 requirement

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

1.1 APPROVAL in PRINCIPLE subject to:

- (1) Prior finalisation of a S106 agreement to secure a contribution towards education provision; and
- (2) Planning conditions below and for the following reason:

The proposal would represent the effective reuse of previously developed land and would not unduly impact on the character of the area or on amenity of surrounding properties. As a result, this complies the requirements of the NPPF and local plan policies E20, E40, H6 and H11.

- 1.2 It is also recommended that in the event that the S106 legal agreement is not secured within three calendar months of the date of this Committee meeting, delegated authority be given to the Head of Planning (at their discretion) to refuse or finally dispose of the application on account of the necessary mitigation measures not being secured in order to make the proposed development acceptable.

2. THE PROPOSAL

- 2.1 Full planning permission is sought for demolition of existing commercial units and replacement with a row of 8 terraced dwellings. The proposal is for 3 bedroom dwellings constructed over three storeys with the top storey in the roof space so that the houses would appear to have two storeys from the front, with front roof lights and rear dormer windows. The ground floor consists of kitchen, WC and lounge / diner, first floor has 2 bedrooms and family bathroom and the top floor contains an en-suite bedroom. The proposed dwellings would be constructed in brick to blend with the adjoining properties and would have rear gardens ranging between some 11m to 12.5m in length.

3. SITE DESCRIPTION

- 3.1 The application site is located within a Primarily Residential Area as defined by the Northampton Local Plan Proposals Map. The street is characterised mainly by 2 storey Victorian terraces with predominantly on-street parking. The site is currently occupied by Brandon Tool Hire and comprises a commercial yard to the rear and brick built buildings along the site frontage.

4. PLANNING HISTORY

- 4.1 No recent relevant history.

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:

National Planning Policy Framework

5.3 Northampton Borough Local Plan

E20 – New Development

E40 - Crime and vandalism

H6 - Housing Development within Primarily Residential Areas

H11- Other Housing Development

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

- 6.1 **Highway Authority (NCC)** - No parking arrangements have been proposed as part of the application. A parking survey is required to confirm that Lea Road has capacity to accommodate the parking generated by the development.
- 6.2 **Public Protection (NBC)** - No objection, as some of the site has a history of commercial use and has been used as a builder's yard we would request that a site investigation condition is secured to any approval.
- 6.3 **Development Management (NCC)** - A development of this size would be expected to generate 2-4 Primary and 1-2 Secondary and Sixth Form pupils based on housing split and our pupil generation multipliers. From a Secondary perspective this development is served by several Secondary schools including Weston Favell School and Northampton Academy although both of these schools have sufficient surplus spaces and a contribution is not required. In terms of Primary Schools, Northampton's Primary Schools are much tighter and under severe pressure and therefore a contribution is required.
- 6.4 **Northants Police (NCC)** - Comments awaited.
- 6.5 Letters of objection received from number **73 Lea Road**:
- Impact on living conditions from construction process;
 - Concern that her side of house remains structurally sound and insulated;
 - Security concerns of people loitering in the newly created alleyway adjacent to her property;
 - Impact on privacy and lighting; and
 - Parking.

7. APPRAISAL

Principle of development

- 7.1 The National Planning Policy Framework (NPPF) in respect of housing sets out that housing applications should be considered in the context of presumption of sustainable development. Saved Policy E20 of the Northampton Local Plan encourages good design in new developments while Policy H6 which relates specifically to residential development in Primarily Residential Area encourages new development to be of a satisfactory scale and density and character. Policy H11 of the Local Plan is also of direct relevance to this application given that it relates to development of existing commercial sites for residential development.
- 7.2 Given that the site is "previously developed" and located in a Primarily

Residential Area as defined by the Northampton Local Plan Proposals Map it is considered that the principle of residential development in this location is considered acceptable.

Impact on appearance and character of the area

- 7.3 The proposal entails a row of 2 storey terraced dwellings with front roof lights and rear dormer windows. The proposed design in terms of scale, massing and proportions largely reflects the character of the street scene. The area is dominated by Victorian terraced dwellings constructed in 2 storeys and officers consider that the proposed scheme would not be out of keeping with the local vernacular. In order to ensure a satisfactory external appearance of development details of materials are to be agreed by condition on any approval.
- 7.4 The proposed building line would be to the back of the pavement in character with the surrounding pattern of development. On average the proposed rear gardens serving the new properties would be approximately 12 metres in length and given the degree of site coverage the proposed development is unlikely to result in an adverse over-development of the site. Pedestrian access to the rear gardens is also incorporated into the development layout. Details of external boundary treatment to the plots can be controlled by planning condition.

Impact on amenity of neighbours

- 7.5 Rear to rear separation comfortably exceeds the Council's space around dwellings guidance and therefore it is considered that there would not be any significant overlooking to the properties at the rear of the site. Regarding the effect on the adjoining properties to both flanks of the proposed terrace it is considered that there would be unlikely to be any significant detrimental effect on these neighbours. Front to front separation would be some 13 metres in keeping with the existing pattern of development and would not have a significant impact on the amenity of neighbours particularly bearing in mind the comparable siting and scale of the building to be replaced.

Highways and Parking

- 7.6 No off-street parking is proposed as part of the development. The Highway Authority has expressed reservations over this and requested a parking survey. There is little off-street parking in the locality and as such demand for on-street parking is high. The site is relatively well served by local facilities (including bus services) as it is within walking distance of Wellingborough Road and Kettering Road / Kingsley Park Terrace. The development would also result in the removal of an existing business that attracts vehicle movements and demand for street parking from employees and tool hire customers. There is space to park some 6 to 7 cars in the highway to the front of the property.

- 7.7 Although finely balanced, it is considered that although the development would inevitably affect demand for on-street parking, given the site's relatively sustainable location, the character of the area and the counterbalancing effect of the removal of the existing use, the proposal's impact on highways and parking would be acceptable and in accordance with the NPPF.

Planning Obligation

- 7.8 The key tests in determining the justification for planning obligations are laid out in the NPPF (paragraphs 203 – 205), which states that planning obligations must be:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.

- 7.9 On account of the proposed development being for family housing, it follows that a reasonable number of school age children would be likely to reside within the development. Furthermore, the application site is located within an area in which the surrounding primary schools have a limited capacity, which is projected to remain the case for the foreseeable future. It would appear more likely that residents occupying one of the proposed dwellings would prefer for their children to attend one of the local primary schools and therefore due to shortages of spaces, a financial payment is directly related to the scale and type of the development and is therefore in accordance with tests contained in paragraph 7.8 above. In terms of open space, the applicant has not provided any public open space as part of the development however as good sized private rear gardens are proposed and the site is within walking distance of Abington Park and the Racecourse no further on-site provision is considered necessary in this instance.

Sustainability

- 7.9 The applicant has submitted a Sustainability Appraisal with their application detailing energy efficiency measures including enhanced insulation, double-glazing and lighting that will promote sustainable development. The proposed choice of materials is for maximising the use of recycled bricks and those which are environmentally preferable.

Other considerations

- 7.10 Due to the existing commercial nature of the site the Borough Environmental Health Officer recommends that a condition be secured on any approval for the applicant to undertake a desktop study into contaminated land at the premises.

7.11 Regarding neighbour concerns, while the objection to disturbance on the construction process is a material planning consideration, little weight can be attached to this concern given that it would be for a temporary period only and this is part of any development project. The issue raised over the structural soundness of the development and the exposure of a gable is a matter to deal with Building Regulations and civil / party wall legislation rather than planning.

8. CONCLUSION

8.1 As the site is previously developed land the principle of development is acceptable in this Primarily Residential Area. It is considered that the proposal would have an acceptable impact on the character, appearance and amenity of the area and that it would be unlikely to lead to unacceptable parking compliant with development plan and national planning policy.

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) Full details of the method of 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 occupation of the buildings hereby permitted and retained thereafter

Reason - To ensure that the site boundaries are properly treated to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

(3) Details and samples 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 prior to commencement of construction work on site

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

(4) No development shall take place until a desktop study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the study and the site investigation report shall be submitted to and approved in writing by the Local Planning Authority. The site investigation and appropriate risk assessments shall be carried out and the result shall be used to produce a method statement for the necessary remedial works (and phasing programme) which shall be submitted to and approved in writing by the Local Planning Authority. All remedial works shall be fully implemented in accordance with the approved

method statement and phasing programme. Confirmation of the full implementation of the scheme and validation reports shall be submitted to the LPA within 2 weeks of completion (or within 2 weeks of completion of each respective phase)

Reason - To ensure the effective investigation and remediation of contaminated land sites in accordance with the NPPF.

(5) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme of soft landscaping for the site. The scheme shall include indications of all existing trees on the land and details of any to be retained.

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

(6) Details of the provision for storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority, implemented prior to the units being occupied and retained thereafter

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

(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no extensions or other forms of enlargement to the residential development hereby permitted shall take place without the prior written consent of the Local Planning Authority.

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

10. BACKGROUND PAPERS

10.1 N/2012/0335.

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	08/05/2012
Development Control Manager Agreed:	Gareth Jones	17/05/2012



Name: SW
 Date: 17th May 2012
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
57-71 Lea Road

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