



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 24 July 2012
DIRECTORATE Regeneration, Enterprise and Planning
HEAD OF PLANNING: Susan Bridge

N/2012/0465 Installation of solar powered gates at entrance to driveway leading to 21 to 23 Ravenscroft

WARD: East Hunsbury

APPLICANT: Mr M Stockdale
AGENT: Mr G Herrington

REFERRED BY: Cllr Larratt
REASON: Impact on street scene and precedent

DEPARTURE: No

APPLICATION FOR DETERMINATION

1. RECOMMENDATION

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

The proposed development due to its scale, siting and design would not have an undue detrimental impact on the appearance and character of the area nor on highway safety in accordance with Policy E20 of the Northampton Local Plan and guidance in the NPPF.

2. THE PROPOSAL

2.1 Planning Permission is sought for erection of 1.4 metre high metal gates powered by solar energy. They would be installed at the entrance to the private drive serving 21 to 23 Ravenscroft and are to be set back 5.5 metres from the public highway. The proposed gates would be battery operated (charged by natural light) and constructed in metal.

3. SITE DESCRIPTION

3.1 The application site consists of a quiet residential area in Hunsbury characterised mainly by detached dwellings. The area is very much open plan in character and the site consists of 3 detached houses all

under the applicant's ownership and accessed off a private driveway between numbers 20 and 24 Ravenscroft.

4. PLANNING HISTORY

- 4.1 N/2012/0341 Permission granted for single storey side extension at 23 Ravenscroft.

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 (NPPF).

5.3 Northampton Borough Local Plan

E20 – New Development.

6. CONSULTATIONS/ REPRESENTATIONS

Letters of **objection** received from numbers **1, 3, 4,5, 6, 8 19, 24, 25, 26, 27, 41 Ravenscroft** on the following grounds:

- Contrary to open plan nature of estate
- Contravenes deeds of property
- Road safety hazard
- Would be an eyesore and detrimental to other properties in area
- Would add congestion to the main access road
- Would do nothing for other residents in area
- Proposed materials would be out of keeping
- Impact on maintenance of property
- Loss of privacy
- If gates are illuminated this would impact on light pollution
- Effect on traffic flows
- Would be an obstruction to emergency vehicles and removal vans
- Impact on safety of children playing
- Would turn this part of the estate into an “enclave”
- Impact on precedent
- Health and safety concerns of vehicles trying to manoeuvre on the slope in inclement weather conditions
- Query land ownership
- Increase in noise and disturbance adjacent to property
- Impact on privacy

- 6.1 **Northants Police (NCC)** No formal objections.
- 6.2 **Highway Authority (NCC)** No gates or means of enclosure shall be erected within 5.5m of the highway boundary and any such feature erected beyond that distance should be hung to open away from the highway.
- 6.3 **Wootton and East Hunsbury Parish Council** no comments received.
- 6.4 **Councillor Larratt (NBC)** request that application go to committee on grounds that the proposal will impact on street scene and set a precedent for many other driveways in the area. Gates may cause congestion.

7. APPRAISAL

Main issues

- 7.1 The principal considerations are the impact on the character and appearance of the area and the effect on highway safety.

Impact on appearance and character of the area

- 7.2 The proposed gates would be 1.4 metres tall at their highest point and would be powered through solar energy. Given that they would be set back 5.5m from the public highway it is considered that they would not appear as overly-prominent features in the street scene. The proposed design is also considered acceptable in terms of the general appearance, height and overall scale.
- 7.3 Whilst it is acknowledged that the estate is open plan, it is considered that the location of development is such that they would not detract unduly from the locality.
- 7.4 Officers have reservations over the proposed materials as metal may not be in keeping with the residential character of the area. Therefore, should Members be minded to grant planning permission a condition is recommended for details of the external finish to be approved in writing with the Local Planning Authority prior to commencement of development. This would comply with Policy E20 of the Local Plan which promotes good design for new development as well as the NPPF which directs local planning authorities to reject poor design in the determination of planning applications. It is also beneficial that the proposed design incorporates solar energy as it promotes the use of renewable energy.

Highway Safety

- 7.4 Given that the proposed gates would be set back 5.5 metres from the edge of the highway in accordance with the Local Highway Authority advice it is considered that no objection can be raised on highway safety grounds. This is because sufficient space is retained in front of

the proposed gates to allow cars to pull off the public highway, open the gates and enter the site without obstructing the carriageway. Therefore the concerns raised by some neighbours over increased congestion is unlikely to be an overriding issue given that the estate is quiet in terms of its existing traffic flows and the fact that the gates would only serve three properties where the level of congestion would be minimal.

Neighbour representations

- 7.5 The concerns raised that the proposal would be contrary to property deeds is a civil matter and not one that can be taken into consideration in the determination of a planning application as are the issues raised over maintenance. No weight can be given to the concerns over the proposal setting a precedent given that each planning application must be considered on its individual merits. The concern raised over land ownership has been addressed by the applicant and evidence provided showing the extent of their ownership. The objection that the proposed development would increase noise and disturbance is unlikely to be a significant concern given that the anticipated usage of the gates to serve the applicant's 3 properties and their use would not be overly intense.

8. CONCLUSION

- 8.1 For the reasons cited above, officers consider that the proposed development is on balance acceptable as it would not result in a significant detrimental effect on the appearance of the area or on highway safety. The approval will be subject to the conditions detailed below and would be fully compliant with relevant 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) No development shall take place until details of the external finish of the gates hereby permitted have been submitted to and approved in writing by the Local Planning Authority and shall be implemented fully in accordance with the agreed details unless otherwise agreed with the Local Planning Authority.

Reason - To ensure a satisfactory external appearance of development to accord with Policy E20 of the Northampton Local Plan and aims of the NPPF.

- (3) The gates hereby approved shall open inwards away from the highway unless otherwise agreed in writing by the Local Planning Authority.

Reason - In the interests of highway safety to accord with the NPPF.

10. BACKGROUND PAPERS

10.1 N/2012/0465.

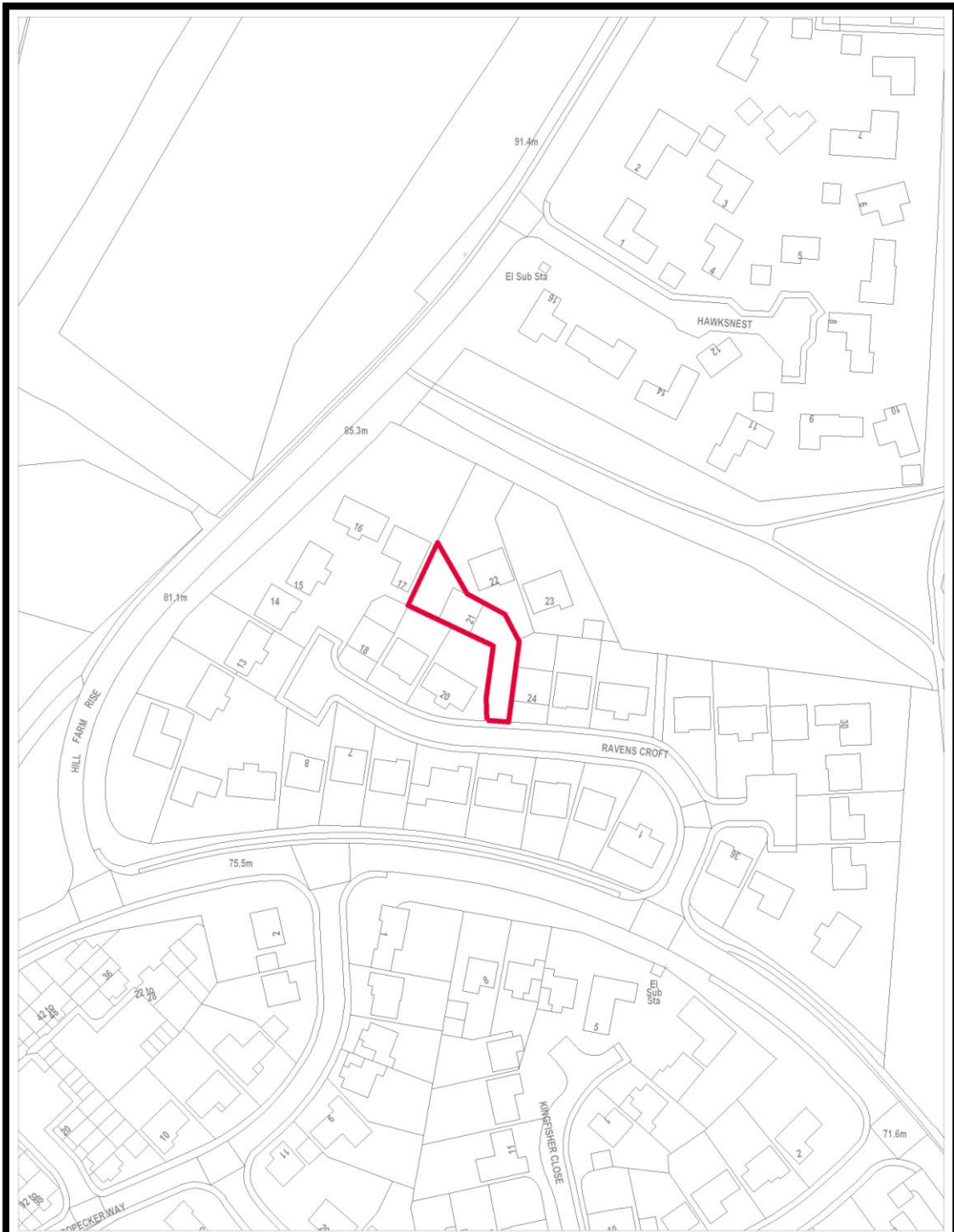
11. LEGAL IMPLICATIONS

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.

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|--|------------------------|--------------|
| Position: | Name/Signature: | Date: |
| Author: | Jonathan Moore | 5 July 2012 |
| Development Control Manager Agreed: | Gareth Jones | 7 July 2012 |



Name: SW
 Date: 11th July 2012
 Scale: 1:1250
 Dept: Planning
 Project: Site Location Plan

Title
Shared Driveway Leading to 21 to 23 Ravenscroft

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