



**NORTHAMPTON**  
**BOROUGH COUNCIL**  
Planning Committee

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

**N/2012/0588** Change of use of land to garden and erection of 1.8m fence at 143 Churchill Avenue

**WARD:** Eastfield

**APPLICANT:** Mr D Mabbutt  
**AGENT:** N/A

**REFERRED BY:** Head of Planning  
**REASON:** Applicant related to a Council employee and the land is in the ownership of the Borough Council

**DEPARTURE:** No

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**APPLICATION FOR DETERMINATION**

**1. RECOMMENDATION**

- 1.1 **APPROVAL** subject to conditions and for the following reason:
- 1.2 The proposed development, due to its siting, scale and design, would not have an undue detrimental impact on the appearance and character of the area to comply with Policy E20 of the Northampton Local Plan and guidance in the NPPF.

**2. THE PROPOSAL**

- 2.1 Planning permission is sought for inclusion of landscaped area within the rear garden of the applicant's property and erection of 1.8m high wooden boundary fence. The land is under the ownership of the Borough Council and the applicant has served the appropriate notice on the Council as landowner. The existing 2 metre high boundary wall is to be removed and if permitted replaced by the proposed fencing.

**3. SITE DESCRIPTION**

- 3.1 The application site consists of a 2 storey end of terrace dwelling at corner of Skiddaw Walk and Churchill Avenue. It has a small parcel of

landscaped land to the side and forms a fairly prominent location on the street scene. The land measures approximately 11 metres long by up to 3 metres wide at most and forms a roughly triangular shaped wedge.

#### **4. PLANNING HISTORY**

4.1 None relevant.

#### **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**

6.1 No consultations or neighbour comments received

#### **7. APPRAISAL**

##### ***Main issues***

7.1 The main consideration is the impact on appearance and character of the street scene and wider locality

##### ***Impact on appearance and character of area***

7.2 The site is fairly prominent being adjacent to the intersection of Churchill Road and Skiddaw Walk. It is located in a Primarily Residential area as identified in the Northampton Local Plan Proposals Map.

7.3 While the proposal involves the loss of a small parcel of landscaping which contributes to the appearance of the locality it is considered that the proposed fence would be unlikely to detract significantly from the appearance of the area given its limited scale and minor size of the area to be enclosed. The proposed fence would replace an existing brick wall approximately 2 metres high and as a result would not significantly increase the visual impact of this due to the similar height of development involved. Officers consider that subject to a planning condition for appropriate external finish or colour treatment that the

fence would have satisfactory. Although the area is largely open plan in character, the proposed fence is not likely to significantly erode the appearance of this area to an unacceptable level.

- 7.4 This would comply with Policy E20 of the Northampton Local Plan which encourages good design of new development and the NPPF which also recommend that Local Authorities should take design into account in determining planning applications and reject poor design.

## **8. CONCLUSION**

For the reasons cited the proposed development is considered on balance acceptable given that it would comply with development plan and national planning policy. Subject to the condition below the proposal is recommended for approval.

## **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) Prior to the commencement of development, details of the external finish of the fencing hereby approved shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented fully in accordance with the agreed details.

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

## **10. BACKGROUND PAPERS**

- 10.1 N/2012/0588.

## **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.

<b>Position:</b>	<b>Name/Signature:</b>	<b>Date:</b>
<b>Author:</b>	Jonathan Moore	5 July 2012
<b>Development Control Manager Agreed:</b>	Gareth Jones	7 July 2012

