



PLANNING COMMITTEE: 5 March 2013
DIRECTORATE: Planning, Enterprise and Regeneration
HEAD OF PLANNING: Susan Bridge

N/2013/0047: Change of use from amenity land to private garden including 1.8m fencing to side and rear at land adjacent to 36 Booth Meadow Court, Northampton

WARD: Talavera

APPLICANT: Mrs. Hyacinth Chin
AGENT: None

REFERRED BY: Head of Planning
REASON: NBC owned land

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

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

The proposed development will not adversely affect the character of the street scene or residential amenity and is considered to be acceptable and in accordance with Policy E20 of the Northampton Local Plan and the NPPF.

2. THE PROPOSAL

2.1 Permission is sought for the change of use of land to the side of the dwelling from amenity space to domestic garden, with 1.8m fencing.

3. SITE DESCRIPTION

3.1 Land to the side of an end of terrace, three storey dwelling, located on an estate of similar style dwellings. The property is accessed by footpath, and the estate is of a generally open plan character.

4. PLANNING HISTORY

4.1 None.

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

6. CONSULTATIONS/ REPRESENTATIONS

6.1 NBC Estates Dept. and surrounding neighbours notified.

6.2 No responses received.

7. APPRAISAL

7.1 The proposal seeks to incorporate a strip of land 4-6m wide into the domestic garden of no.36. There will still remain an open grassed space to the north measuring 7-9m wide. It is therefore considered that the open, green character of the estate will not be adversely affected by the proposal.

7.2 Details of the fencing proposed to enclose the land within the garden area have been included with the application, however, as the site is not adjacent to a highway used by vehicles, the proposed 1.8m fencing is considered to be permitted development and does not of itself require planning.

8. CONCLUSION

8.1 As the proposal is not considered to adversely affect the visual amenity of the street scene, the application is recommended for approval.

9. CONDITIONS

9.1 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.

10. BACKGROUND PAPERS

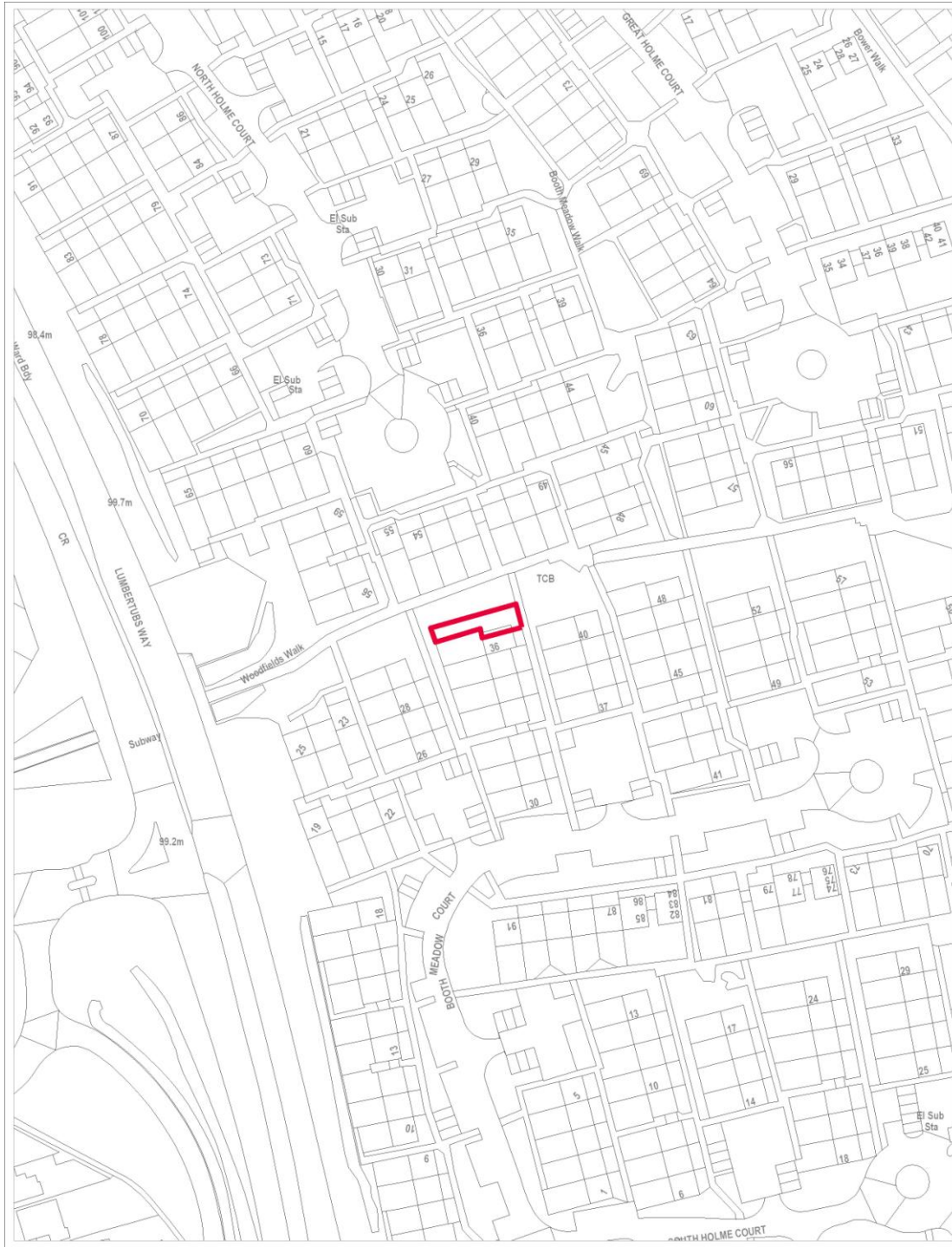
10.1 None.

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.



Name: **Planning**
 Date: **21st February 2013**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Committee**

Title
36 Booth Meadow Court

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