



PLANNING COMMITTEE: 19th November 2014
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

N/2014/0079: Erection of 13no. dwellings consisting of 12no. 4-bed terraced houses and 1no. 4-bed detached house including 28no. parking spaces with access off Balmoral Road, 4A Balmoral Road

WARD: Trinity

APPLICANT: Clayson Country Homes
AGENT: TR Dobraszczyk

REFERRED BY: Director of Regeneration, Enterprise and Planning
REASON: Major Application

DEPARTURE: YES

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 APPROVAL subject to conditions for the following reason:

The development would be of an acceptable design and appearance, would not adversely impact on road safety or the amenity of existing residents and would contribute towards the Borough's five year housing supply. The application therefore accords with the aims and objectives of the National Planning Policy Framework, Policies E19, E20 and H7 of the Northampton Local Plan and Policies SA, S3, S4, S10 and H1 of the Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

2. THE PROPOSAL

- 2.1 The application seeks planning permission to erect 13 dwellings on previously commercial land to the rear of Balmoral Road. The site forms part of a wider area of land with previous commercial uses, including the former Northampton Trades and Labour Club, which have been the subject of planning permissions for residential development.
- 2.2 It is proposed to form an access road from the south side of Balmoral Road, which would be shared with any residential development to the west. This access would then be gated and run parallel with Balmoral Road to service the 13 dwellings with car parking taken directly from this. 12 of the dwellings would be in a 2.5 storey high terrace to the south of the road, with a 2.5 storey detached dwelling to the north of the road adjacent to an existing access track serving the rear of premises on Balmoral Road.

3. SITE DESCRIPTION

- 3.1 The site is a disused commercial yard, with a 'dutch-barn' style metal clad building, apparently last used as a builders yard. The site is enclosed by a brick wall and barbed wire fence and is accessed from a track serving the rear of premises on Balmoral Road.
- 3.2 To the west of the site is vacant, disused commercial land. Other adjacent land uses are residential.

4. PLANNING HISTORY

- 4.1 2000/90 - Outline planning permission granted for residential development and access road – permission has since lapsed.
- 4.2 N/2001/1456 - Full planning permission granted for redevelopment of site to provide 45 flats and construction of access road – permission has since lapsed.

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 saved policies of the Northampton Local Plan 1997.

5.2 National Policies

The National Planning Policy Framework (NPPF) states that planning should proactively support sustainable development to deliver new homes, whilst seeking good quality design, mitigating impacts on amenity and facilitating mixed use developments (paragraph 17). Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduces the potential for conflicts between pedestrians and traffic. Paragraph 49 states that policies for the supply of housing should not be considered up-to-date if a five-year supply of deliverable housing sites cannot be demonstrated by the local planning authority. Paragraph 50 of the NPPF requires that new developments should provide a wide choice in new homes. Paragraph 51 of the NPPF states that local authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate. The NPPF also requires that new developments be of a good quality design (paragraph 56) and contribute to and enhance the natural and local environment (paragraph 109).

5.3 Northampton Local Plan

Policy E19 (Implementing Development) requires any adverse effect of development to be allowed for or appropriately mitigated against.

Policy E20 (New Development) requires development to be well designed and in keeping with its surroundings and ensuring adequate standards of amenity.

Policy H7 (Housing Development Outside Primarily Residential Areas) requires proposals to secure a satisfactory residential environment; be in keeping with the surrounding area and not prejudice the function of the area.

Policy H17 (Housing for People with Disabilities) requires the provision of 10% of dwellings, when over ten dwellings are expected, to be constructed to the Council's mobility standards.

5.4 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

Planning Obligations SPD 2013

5.5 Other Material Considerations

Submitted West Northamptonshire Joint Core Strategy (as subsequently modified).

Weight can be given to the West Northamptonshire Joint Core Strategy (JCS), this would be significant where a policy has received few representations and unresolved objections are not considered likely to have a significant bearing on the strategy of the Plan. The JCS provides an up to date evidence base and considers the current Government requirements for plan making, being prepared in full conformity with the NPPF.

The Inspector's report on the examination into the JCS was published on 7th October 2014. The Inspector concluded that the main modifications made to the report (which were subject to public consultation and submitted in January 2014) satisfy the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 and meet the criteria for soundness in the NPPF.

Policy SA – 'Presumption in favour of Sustainable Development' requires local planning authorities to take a positive approach to determining development proposals.

Policy S3 – 'Scale and Distribution of Housing Development' requires that Northampton Borough provides about 18,870 new houses.

Policy S4 – 'Northampton Related Development Area' requires about 28,470 net additional houses to be delivered within Northampton and its adjoining sustainable urban extensions by 2029.

Policy S10- 'Sustainable Development' requires developments to be located sustainably and to achieve high quality design.

Policy H1 – 'Housing Density and Mix and Type of Dwellings' requires housing developments to make the most effective use of land having regard to such considerations as the existing character and density of the local area, the accessibility to services and facilities, proximity to public transport routes and the impact on the amenities of occupiers of neighbouring properties.

6. CONSULTATIONS/ REPRESENTATIONS

Comments are summarised as follows:

- 6.1 **NCC Highways** do not object to the application.
- 6.2 **Northamptonshire Police** do not object to the application but raise several security/safety matters.

- 6.3 **Anglian Water** raise no objections.
- 6.4 **NBC Environmental Health** recommend a number of conditions should planning permission be granted.
- 6.5 **Environment Agency** have no comments.
- 6.6 **NCC Development Management** request a number of financial contributions in respect of the development. These are £111,542 towards primary education; £71,540 for secondary education; £1,288 for fire and rescue services and £17,602 towards library services. The issue of the works required to meet the County Council's aspirations for broadband coverage is also raised.
- 6.7 **Queen's Park Residents Association** request a financial contribution of £100 per dwelling towards renewing and upgrading play equipment in Thornton Park.
- 6.8 **Councillor Beardsworth** requests a financial contribution of £100 per dwelling towards renewing and upgrading play equipment in Thornton Park.
- 6.9 **One letter in support** of the application has been received due to the houses being well designed and laid out and meeting the needs of families wanting to live in the area.

7. **APPRAISAL**

Principle

- 7.1 The site is allocated in the Local Plan for business purposes. The NPPF advises that commercial sites should be used for housing development where there would be no economic reasons for doing otherwise. The need for Local Authorities to have a demonstrable five year housing supply is also emphasised.
- 7.2 The site appears to have been disused for a number of years and as such the principle of using this for residential development would appear to accord with the advice contained in the NPPF. Thirteen dwellings would also contribute towards the Borough's five year housing supply.
- 7.3 Previous planning permissions on this site and adjacent former commercial sites would also seem to support the suitability of residential development in this location.
- 7.4 To the north, east and south of the site are residential uses and it is considered that the residential development of the site would conform with this. Development of the site may result in the removal of a visually and environmentally unattractive site to the benefit of existing surrounding residents.

- 7.5 Consequently the principle of residential development on the site would seem to be broadly acceptable.

Design/appearance

- 7.6 In terms of the development proposed, it is considered that the appearance is acceptable. The predominant form of housing in the vicinity is of a terraced form and the creation of a terrace of 12 dwellings is considered to reflect this. All of the dwellings are of 2.5 storeys in height which are somewhat higher than the more typical two storeys seen on Balmoral Road to the north. However to the south are four storey blocks of flats. Consequently it is not considered that the height of the proposed dwellings would be unacceptable in this context.
- 7.7 The design of the dwellings is also considered to be acceptable with the use of chimneys, dentillated eaves and brick detailing to window headers adding visual interest.
- 7.8 From a visual perspective the development would not be overly prominent and is not readily visible from the surrounding area given its location to the rear of existing dwellings and the enclosed nature of the site.

Amenity

- 7.9 With regard to amenity it is considered that there would be no undue adverse impact on existing residents in terms of overlooking or loss of light. Similarly it is considered that the amenity to be provided for future residents of the development would also be acceptable with adequate private rear gardens being provided to the terraced dwellings and the detached dwelling having both gardens to the front and rear.

Parking & Access

- 7.10 The Highway Authority has raised no objections to the application from this perspective.

Flooding & Drainage

- 7.11 Neither the Environment Agency nor Severn Trent Water have raised any concerns with regard to this issue.

Section 106/Viability

- 7.12 Northamptonshire County Council have requested contributions towards education, libraries and fire and rescue provision totalling £255,892. A request has also been received from the local residents association and the local Ward Councillors for £1,300 towards new play equipment in Thornton Park.

7.13 The applicant has undertaken a viability appraisal of the development which has demonstrated that the level of return is significantly below what would normally be considered acceptable (6% versus the normally accepted 15 to 20%). This is due to the ground conditions and nature of the site. The submitted assessment has been verified by officers within the Council's Asset Management Team. Consequently it is considered to have been demonstrated that to require any Section 106 contributions would render the scheme unviable. Paragraph 173 of the NPPF requires Section 106 contributions to not prejudice the deliverability of development and as such to require a financial contribution in this instance would be contrary to the NPPF.

7.14 The requirement of Policy H17 of the Local Plan that 10% of residential units within a development should be constructed to a mobility standard is a matter which could be secured through condition

8. CONCLUSION

8.1 It is considered that the development would be of an acceptable design and appearance, would not adversely impact on road safety or the amenity of existing residents and would contribute towards the Borough's five year housing supply. The application accords with the relevant planning policies and consequently it is recommended to grant planning permission.

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. The development hereby permitted shall be carried out in accordance with the following approved plans: 2227/1A, 2A, 3B and 4A received 10 June 2014.

Reason: For the avoidance of doubt and to accord with the terms of the planning application.

3. Details and/or 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.

Reason: In the interests of visual amenity and to ensure that the development will harmonise with its surroundings in accordance with Policy E20 of the Northampton Local Plan.

4. Prior to the commencement of construction works on site, details of the existing and proposed ground levels and finished floor levels of the development in relation to surrounding land levels shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be implemented in accordance with the approved details.

Reason: In the interests of residential and visual amenity in accordance with Policy E20 of the Northampton Local Plan.

5. No development shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building or the completion of the development, whichever is the sooner, and which shall be maintained for a period of five years; such maintenance to include the replacement in the current or nearest planting season whichever is the sooner or shrubs that may die are removed or become seriously damaged or diseased with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

7. Full details of the method of the 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 boundaries of the site are properly treated so as to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

8. Full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site, implemented concurrently with the development and retained thereafter.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

9. Details of the provision for the storage of refuse and materials for recycling shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development, implemented prior to the occupation or bringing into use of the buildings and thereafter maintained.

Reason: In the interests of amenity and to secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

10. The parking spaces shown on the approved plans shall be constructed prior to the first occupation of the development hereby approved and retained thereafter.

Reason: To ensure that the proposed development does not prejudice the free flow of traffic or conditions of highway safety in accordance with the requirements of the National Planning Policy Framework.

11. 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 form of enlargement to the residential development hereby permitted, nor erection of porches, outbuildings, hardstandings, storage tanks, gates, fences, walls or other means of enclosure, shall take place without the prior written consent of the Local Planning Authority.

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

12. A minimum of 10% of the total number of dwellings shall be constructed to the Local Planning Authority's mobility standards in accordance with further details to be submitted to and approved in writing by the Local Planning Authority and implemented concurrently with the development and thereafter retained as such.

Reason: To ensure the provision and retention of dwellings suitable for use by people with disabilities in accordance with Policy H17 of the Northampton Local Plan.

13. No development shall take place until a desk top study in respect of possible contaminants within the site is completed and a site investigation has been designed. The scope and methodology of the desk top 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 results shall be used to produce a method statement for the necessary remedial works (and a 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 report(s) shall be submitted to the Local Planning Authority 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 and in the interests of health and safety and the quality of the environment in accordance with the advice contained in PPS23 Planning and Pollution Control.

14. Full details of the proposed surface treatment of all roads, access and parking areas, footpaths and private drives including their gradients shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of construction work on site. Development shall be carried out in accordance with the approved details.

Reason: To secure a satisfactory standard of development in accordance with Policy E20 of the Northampton Local Plan.

10. BACKGROUND PAPERS

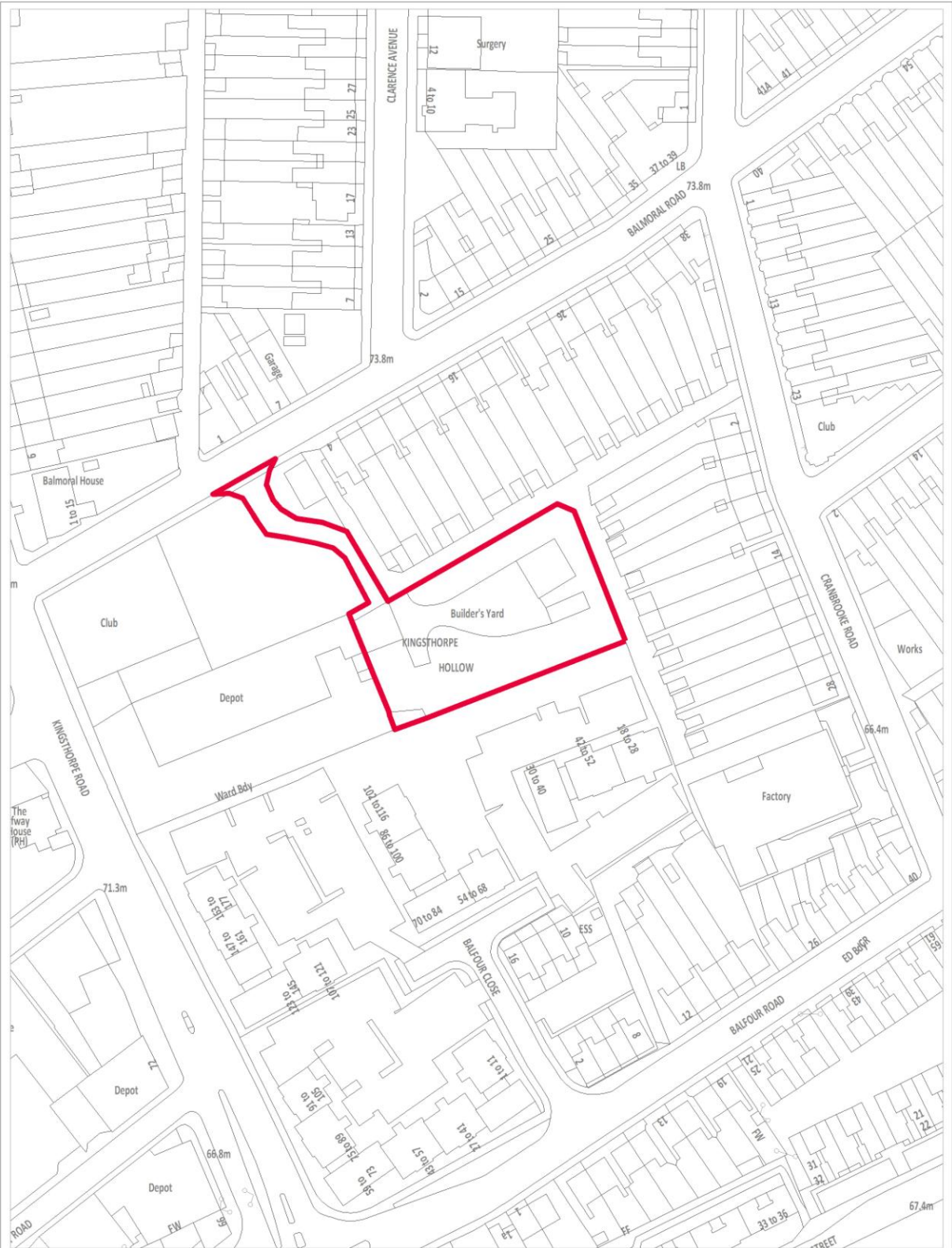
10.1 N/2014/0079.

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: Location Plan
 Date: 16th September 2014
 Scale: 1:1250
 Dept: Planning
 Project: Committee

Title
4A Balmoral Road, Northampton

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