



NORTHAMPTON
BOROUGH COUNCIL
Planning Committee

PLANNING COMMITTEE: 19th January 2016
DIRECTORATE: Regeneration, Enterprise and Planning
DIRECTOR: Steven Boyes

APPLICATION REF: N/2015/1067

LOCATION: 54 Adams Avenue

DESCRIPTION: Conversion into 2no. 1 bed flats, 4no. new 1 bed flats and 2no. new 2 bed semi-detached dwellings (retrospective application)

WARD: Abington Ward

APPLICANT: Oakmead Developments Ltd
AGENT: Ian Abrams Architect

REFERRED BY: Cllr Z Smith
REASON: Concern about parking

DEPARTURE: No

APPLICATION FOR DETERMINATION:

1. RECOMMENDATION

1.1 REFUSAL for the following reason:

There proposed development does not provide any on-site parking facility. Due to the current existing oversubscribed nature of on-street parking in the area, the proposed development would have a detrimental impact upon highway and pedestrian safety and the amenities of existing residents of the area as the development would result in inappropriate parking and exacerbate the existing problem. The proposal is thereby contrary to Policy S10 of the West Northamptonshire Joint Core Strategy and Policy H6 of the Northampton Local Plan.

2. BACKGROUND AND THE PROPOSAL

2.1 Planning permission was granted for the provision of 8 residential units in 2010, subject to a unilateral agreement to provide a contribution towards highway mitigation in the area. This was subject to a condition that required the development to commence within three years from the date of that permission. As no material works took place on the site within this timescale, the permission expired. Notwithstanding this, some works have since taken place on the site without the benefit of planning

permission. The applicant therefore seeks permission to retain these works and complete the scheme in a manner that is identical to the 2010 approval.

- 2.2 In summary, the proposed works which are identical to the 2010 approval involve the conversion of the existing property at 54 Adams Avenue, which has most recently been used for commercial purposes, into two one bedroom flats. Aside from this structure, all other buildings have been demolished. A new block adjacent to 54 Adams Avenue that contains four one bedroom flats is included in the application. This would be built in a style to match the original building at no. 54 with two storey bay windows.
- 2.3 A further two units in a similar style are proposed on Billington Street. These would contain two bedroom semi-detached houses. All units would be of traditional dimensions but finished in a more modern design, featuring brickwork and timber cladding, but also sliding sash windows.
- 2.4 The works which have been carried out to date, without the benefit of planning permission, amount to the construction to ground floor level of the block to the south of no. 54 Adams Avenue, which under the previous approval would have contained four flats. No works have taken place to the proposed two houses to the rear of the site. It appears that work on the site has ceased for the time being.

3. SITE DESCRIPTION

- 3.1 The site is located within an area of traditional terraced housing of uniform character, with some commercial uses in particular on street corners. Notwithstanding the commercial uses that are present in the vicinity, the site is allocated within the Local Plan as being suitable for residential accommodation. A large proportion of the surrounding properties are reliant upon on-street car parking provision.
- 3.2 The application property was most recently use used a shop / office with associated single storey extensions and a yard area.

4. PLANNING HISTORY

- 4.1 Application no. N/2007/1461 was refused by the Planning Committee on February 14th 2008 for the following reason:

The proposed development does not provide any on-site parking. This would give rise to an increased demand for on-street parking in a locality where kerbside parking is already over-subscribed. The proposal would therefore lead to increased highway congestion detrimental to highway and pedestrian safety contrary to Policy T3 of the Northamptonshire County Structure Plan.

- 4.2 An appeal against this refusal was subsequently lodged. In considering the appeal, the Inspector had no significant concerns regarding the form of development and concluded that the main issue was the effect on highway safety. In this respect he concluded that the impact arising could be offset by an appropriate contribution towards the introduction or enforcement of on-street parking controls. A unilateral undertaking to make such a payment was submitted with the appeal but was not properly completed and could not be taken into account by the Inspector. The Inspector therefore concluded that in the absence of the contribution, the proposal would exacerbate the pressures on parking that existed in the area, and there were no measures to allow this effect to be mitigated. The appeal was therefore dismissed on this basis on December 11th 2008.

- 4.3 A subsequent application (reference N/2009/0968) was made to the Council and included a revised Unilateral Undertaking to fund highway improvements. On the basis of the previous Inspector's comments it was concluded that this contribution would mitigate the highway impact. This application was therefore approved by the Council's Planning Committee on 10th March 2010.
- 4.4 Application N/2009/0968 was subject to a standard three year time limit for the commencement of development. The development was commenced after this three year time limit and hence the planning permission has 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 Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and Northampton Local Plan (1997) saved policies

National Policies

- 5.2 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application.
- 5.3 Of particular note to residential proposals is that Paragraph 49 requires that proposals for housing should be encouraged within the context of promoting sustainable development. The same paragraph also states that in instances where a five year housing land supply cannot be demonstrated (which is the case in Northampton), any relevant Development Management policies cannot be considered to be up to date. Paragraph 14 requires that in instances where the development plan is silent or out of date, the overarching aim of providing sustainable development should be used to determine planning applications.
- 5.4 In terms of providing additional housing, it is incumbent that planning decisions provide a variety of housing types in order to meet the wide range of differing needs for housing (paragraph 50).
- 5.5 Paragraph 35 states that, where practicable, developments should be designed with a safe and secure layout that reduced the potential for conflicts between pedestrians and traffic. Paragraph 50 requires that new developments provide a wide choice in new homes. The NPPF also requires that new developments be of a good quality design (paragraph 56).
- 5.6 **West Northamptonshire Joint Core Strategy**

H1 – Housing Mix

S10 – Sustainable Development Principles

5.7 Northampton Borough Local Plan

E20 – New Development

H6 - Housing Development within Primarily Residential Areas

5.8 Supplementary Planning Guidance

Northamptonshire County Parking Standards SPG 2003

Planning out Crime in Northamptonshire SPG 2004

6. CONSULTATIONS/ REPRESENTATIONS

Comments received are summarised as follows:

6.1 Environment Agency – No objections.

6.2 **Highway Authority (NCC) – *Initial comments*** - It is no longer a policy to request contributions towards parking improvements/enforcement. Street scene has changed considerably since 2007 and parking problems in the area have increased. Essential that a parking beat survey is conducted to demonstrate the availability (or otherwise) of on-street parking spaces in the streets immediate to the site. ***Upon receipt of requested parking survey*** – The survey shows there is very little residual parking capacity within the whole survey area and none close to the site. Would have serious concerns that the development proposed is likely to result in an increase in on-street parking where it has been demonstrated that little residual capacity to accommodate this parking is available. Could result in both a significant impact on local amenity and also an impact upon local highway safety due to an increased likelihood of parking in inappropriate or unsafe locations, such as in close proximity to junctions. As such the Local Highway Authority would have to object to the application as currently submitted on the basis that the applicant has failed to demonstrate that sufficient or appropriate parking is available in the vicinity of the site and that this could reasonably be expected to result in an increase in inappropriate parking to the detriment of highway safety. ***Upon receipt of further analysis of the parking survey*** – Maintain objection on the grounds of Highway Safety.

6.3 **Northamptonshire Police Crime Prevention Design Advisor** – Recommend that details of gates and lighting are submitted.

6.4 **Cllr. Z. Smith** – There are a number of constraints in Adams Avenue in terms of rubbish collection and parking.

6.5 **Cllr. D. Stone** – The surrounding area is already under stress and this development will lead to a greater pressure on services and the local community.

6.6 Objections have been received from the occupiers of 11 properties. Comments can be summarised as follows:

- The development would exacerbate existing parking problems in the vicinity
- There is a need for off street parking to be included in the scheme
- There are a number of other uses in the vicinity which generate significant traffic movements
- The area has changed since the previous consideration of this development. It is considered that traffic impacts could not be adequately mitigated.

7. APPRAISAL

Principle of the development

- 7.1 By reason of the site's allocation in the Local Plan, it is considered that the development of this site for residential purposes is acceptable and compatible with the character of the surrounding area. In addition, the redevelopment of the site in the manner proposed would result in the removal of a policy non-conforming land use that has the potential to have a significant negative impact upon neighbour amenity.
- 7.2 Planning permission has previously been granted for residential developments on this site and the retention of the existing building works and continued development of the site would be consistent with these approvals.

Design and appearance

- 7.3 The proposed development would consist of blocks of a similar scale and bulk to the existing neighbouring houses on Adams Avenue, but with a more modern external appearance, including the use of timber cladding as well as brickwork but also featuring sliding sash windows. It is considered that this design would not be out of character with the surrounding area and that this is preferable to any attempt to mimic features of the older buildings.
- 7.4 The two flats within the existing building would be accessed from Adams Avenue, whilst the other four flats in the adjacent new block would be accessed from a communal entrance on Billington Street, via the communal gardens. The ground floor flat within 54 Adams Avenue would also have access to this space.
- 7.5 The four new build flats would be accessed via a single entrance, off the communal area. It is considered that this represents a suitable arrangement, subject to adequate security measures being in place, as requested by the Police Crime Prevention Design Advisor. In order to ensure a safe and secure form of development, conditions are recommended that would require the submission of details pertaining to access gates.
- 7.6 The relocation of the electricity substation (which has taken place) would be screened by fencing. Given that the substation must be adjacent to the road it is considered that this represents a suitable solution, given that the existing substation would otherwise remain in place. Details of the screen are not provided but could be obtained by means of a condition. Further condition could be imposed requiring details of the acoustic screening of the substation.
- 7.7 The dwellings have been designed in such a way so as to ensure a neutral impact upon neighbouring properties in terms of considerations such as light, outlook and privacy. It has also been demonstrated that future residents of the development would have a good standard of amenity.
- 7.8 The rear of the site is surrounded by residential properties on all sides. These would not be overshadowed or overlooked by the proposed development as this follows the line of neighbouring buildings. In the case of houses on Bostock Avenue adequate separation between the side wall of the proposed houses and the rear of these neighbouring properties is proposed (11m gap). It is considered, therefore, that existing neighbouring occupiers would not be adversely affected by the proposal in

design terms. In fact, given that an existing non-residential use would be removed, the possibility of disturbance to neighbours would be reduced

Highway impacts

- 7.9 It is recognised that car parking spaces within the vicinity are in high demand and that some of the future occupiers of the development are likely to have access to private cars. In light of this, the Highway Authority requested survey work in respect of parking availability. The result of this work indicates that there are very few available parking spaces in the area, and the Highway Authority therefore object to the application. The applicants submitted further analysis of the parking survey and in response to this the LHA have maintained their objection, adding that the proposal would result in an increased risk of parking across double yellow lines, dropped kerbs and corners of junctions.
- 7.10 As referred to above, the previous approval, for the same development, was subject to a contribution of £10,000 for the introduction or enforcement of on-street parking controls. The comments made by the Local Highway Authority indicate, however, that it is no longer their policy to accept such contributions. Consequently, it follows that the impact of the development would not be mitigated, as it would have been under the previous approval. It was due to this lack of mitigation that the earlier appeal was dismissed and the same consideration would have to apply now, meaning that this application will have to be refused.
- 7.11 In terms of alternative potential mitigation of highway impacts, there is no scope to provide on-site parking as part of the scheme as submitted. It must also be recognised that the site is relatively close to the town centre, to which it is also connected by public transport and is within easy walking distance of Wellingborough Road, which is well served by local facilities. On this basis residents need not, in theory, have private cars. However, it must be recognised that at least some of the residents of the scheme are nevertheless likely to have cars.
- 7.12 It can also be noted that within this area of closely packed terraces there is generally no off-street parking and the proposed development would be consistent with this pattern. However, on balance the overall capacity of the area must be given due consideration and in light of the comments from the Local Highway Authority it is considered that this capacity would be exceeded by the proposal, without the mitigation as previously offered being provide.

8. CONCLUSION

- 8.1 The proposed development would have no significant adverse impact on the street scene or the amenities of adjoining occupiers. The development represents an acceptable land use and would contribute to addressing the established need for housing within Northampton. However, the proposal would lead to an increased demand for on-street parking which could not be accommodated. Consequently it is considered that the development would be detrimental to the amenities of existing residents and to highway and pedestrian safety.
- 8.2 Notwithstanding the fact that the proposal would contribute towards the Borough's housing land supply, the application is considered unacceptable and recommended for refusal.
- 8.3 In the event that the application is refused, it will be necessary to commence formal enforcement proceedings under delegated powers, to secure cessation of work on

site and ultimately removal of the unauthorised development, unless permission is subsequently granted for the retention of these works as part of an amended scheme.

9. BACKGROUND PAPERS

9.1 Application files N/2015/1067, N/2009/0968 and N/2007/1461.

10. LEGAL IMPLICATIONS

10.1 None

11. SUMMARY AND LINKS TO CORPORATE PLAN

11.1 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: **Site Location Plan**
 Date: **6th November 2015**
 Scale: **1:1250**
 Dept: **Planning**
 Project: **Planning Committee**

Title
54 Adams Avenue

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